

Reply to the Planning Department
Regarding New Zoning in the Pulse Corridor Plan

March 23, 2020

To: Anne Darby, Mark Olinger, and the Richmond Planning Department:

The Pulse Corridor Plan, adopted by Council in 2017, (under the heading FUTURE LAND USE AND ZONING), states:

“A City-initiated rezoning process involves extensive public input to evaluate and determine new zoning designations that align with adopted Future Land use, but are more precisely tailored to that area’s existing context and community vision.”

The West Grace Street Association (WGSA) has accepted the above terms of the Pulse Corridor Plan in good faith, and in that spirit, throughout 2019, the Zoning Committee of the WGSA met regularly with Anne Darby and Will Palmquist to detail the Pulse Corridor agreement codified by City Council which specifies, in the area on the south side of Broad Street from Ryland to Arthur Ashe Boulevard, the following: building heights, alley setbacks, rear stepbacks, and other requirements.

Throughout most of 2019, our meetings were collaborative and constructive. Anne Darby and Will Palmquist complimented our immersion in the zoning code, as well as our interest in supporting commercial development on Broad Street while respecting our Old & Historic neighborhood, as we tried to honor the Planning Department’s request to find an existing zoning category that would satisfy all stakeholders.

In October of 2019, that spirit of collaboration was broken when we were told by the Planning Department that Mark Olinger wants buildings of much greater height west of Strawberry Street. Specifically, we were presented a map showing that UB-2 zoning would remain from Ryland to Strawberry but the area from Strawberry to Arthur Ashe Boulevard would be zoned either B-5 or TOD-1. Subsequently, we received elevation drawings contrasting the allowable construction for B-5 and TOD-1. These illustrations have served to clarify to our zoning committee that neither B-5 nor TOD-1 adequately comply with the requirements of the Pulse Plan.

For several months following, we heard nothing about this or any other proposal from the Planning Department.

In February of 2020, WGSA was informed by the Fan District Association (FDA) that Mark Olinger had presented a revised map showing the south side of Broad Street with zoning that did not abide by the agreements written into the Pulse Corridor Plan.

Again, WGSA heard nothing from the Planning Department on the proposal. WGSA invited Mark Olinger to the February 11, 2020 board meeting, at which time a different

plan was put forth by Mr. Olinger which continued to propose inappropriate building heights and stepback details. Mr. Olinger then stated that the map he presented was not, in fact, representative of what he was proposing.

Since that meeting, WGSA has been reaching out to the Planning Department but has received no response until March 11, when a new proposal was presented, with a request to reply within a little more than a week. The new proposal shows modified B-5 and TOD-1 zoning boundaries west of Strawberry and – critically – a change in the area east of Strawberry from UB-2 to B-6, which is a zoning category that does not meet the requirements of the Pulse Plan.

The WGSA board has reviewed the latest proposal from March 11. Here are our conclusions:

- The Planning Department has not abided by the requirement to engage in “A City-initiated rezoning process involves extensive public input to evaluate and determine new zoning designations that align with adopted Future Land use, but are more precisely tailored to that area’s existing context and community vision.”
- The Pulse Corridor Plan specifies two story stepbacks in the area from Ryland to Arthur Ashe Boulevard on the south side of Broad Street. These requirements do not appear in any of the proposals from the Planning Department.
- The current zoning in the area from Ryland to Arthur Ashe Boulevard on the south side of Broad Street is UB-2. This existing zoning comes closest to satisfying the terms of the agreement codified by City Council. This zoning must remain in force unless all parties involved agree on an alternate agreement.
- UB-2 does not permit nightclubs. WGSA made clear in various meetings with the Planning Department that nightclubs are not acceptable businesses where commercial property adjoins an Old & Historic District. The propriety of the “no nightclub” requirement was acknowledged by Anne Darby and Will Palmquist, and an official reply was said to be forthcoming.

We remain most interested in collaborating on a solution. West Grace Street residents like living in the city. We all want it to grow and prosper. Some of us have recently walked the alley again, and in the area between Strawberry and Arthur Ashe Boulevard in particular, we are keenly aware of the need to spur growth; we support the implementation of appropriate zoning as one of the tools that can foster that growth.

The crux of the problem is that no existing zoning category satisfies the unique conditions of the main commercial street in our city sharing an alley with an Old & Historic neighborhood; and which abide by the specific terms of the Pulse Corridor Plan codified by City Council.

WGSA wants to engage with the Planning Department in fashioning a solution. We invite the Planning Department to join us in developing a solution which respects all

stakeholders. Let’s all rise to the challenge of protecting a thriving, hundred-year-old neighborhood while fostering new development on the legacy commercial avenue one block away. Let’s meet and work together. Let’s compromise in order to achieve our common goals.

Respectfully submitted,
The WGSB Board of Directors

cc: Kim Gray, Craig Beiber, Jerry Beverage, Jerome Legions

Zoning Comparison Chart

The Zoning Ordinances are fully detailed. The primary facts relevant to our review of the zoning issues on the south side of Broad Street between Ryland Street and Arthur Ashe Boulevard are shown in this chart. The entire zoning ordinance is online at www.richmondgov.com

A “stepback” in the chart below refers to the rear of the buildings facing Broad Street (the rear facades visible from our West Grace alley). For example, a stepback at two stories means: from the top of the second floor, the building must recede from the alley so that the floors above it will have less depth when measured from Broad Street.

| Zoning Category | Height Limit | Rear Setback | Rear Stepback | Nightclubs Permitted | Notes |
|-----------------|---|--------------|--|----------------------|--|
| UB-2 | 3 stories | 20' | None | No | This is present zoning. |
| TOD-1 | 12 stories | 20' | From top of 3 rd floor, 45° incline | Conditional use | |
| B-5 | 5 stories | 20' | None | Conditional use | |
| B-4 | +25 stories (see note): Defined by 4:1 incline plane from center of Broad St. to front lot line. (Same applies to side street.) | 20' | None | Conditional use | More detail available. The result is max height of about 250' or 25 stories. |
| B-6 | 4 stories unless the entire block is empty in which case 5 | 20' | None | Conditional use | |

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|---------------------------|--|-----|------------------------------------|------------------------|--|
| | stories. | | | | |
| Pulse Corridor Plan | 4 stories from Ryland to Strawberry 5 stories from Strawberry to A.A. Blvd. | 20' | Stepback at every two floors | Presently undefined | No existing zoning category fits these requirements. |

General Notes:

The zoning ordinance defines height limits on the first floor for each category. In general, the first floor can be up to 15 feet (in some cases 20 feet). The floors above are limited to 10 feet.