



CITY OF RICHMOND

Department of Planning & Development Review *Staff Report*

Ord. No. 2019-089: To authorize the special use of the properties known as 5400 Hull Street Road, 5336 Hull Street Road, and 5348 Hull Street Road for the purpose of self-storage facilities and multifamily dwellings containing up to 245 dwelling units, upon certain terms and conditions.

To: City Planning Commission
From: Land Use Administration
Date: April 15, 2019

PETITIONER

Kemp Enterprises, Inc.

LOCATION

5400 Hull Street Road
5336 Hull Street Road
5348 Hull Street Road

PURPOSE

To authorize the special use of the properties known as 5400 Hull Street Road, 5336 Hull Street Road, and 5348 Hull Street Road for the purpose of self-storage facilities and multifamily dwellings containing up to 245 dwelling units, upon certain terms and conditions.

SUMMARY & RECOMMENDATION

Located in the Swanson Neighborhood of the Midlothian Planning District, the subject properties referenced as 5400, 5438, and 5336 Hull Street Road total 12.19 acres. The properties located at 5400 and 5366 Hull Street Road are vacant. 5438 Hull Street Road has a 1,267 square foot dilapidated structure located near the Hull Street Road frontage.

The applicant is proposing an age-restricted multi-family development and self-storage facility. The proposed age-restricted dwelling units occupy area in both the B-3 General Business District and the R-4 Single-Family Residential District. Section 30-408.1 of the zoning ordinance states that multi-family dwellings are not allowed in the R-4 Single-Family Residential District and section 30-408.7 limits the maximum height of structures in the R-4 district to 35 feet. The proposed buildings will be 52 feet tall. Section 30-438.1(15) of the zoning ordinance states that dwelling units are not allowed in the B-3 General Business District unless contained in the same building as other permitted uses. The proposed self-storage facility will be located in the B-3 General Business District. The use is restricted to a maximum of 20,000 feet of floor space in this district and the proposal requests a facility with 175,000 square feet of floor space. A special use permit is therefore required.

The proposed age-restricted housing will provided much needed housing for residents 55 and older. This type of land use generally has a low impact on the surrounding neighborhood in that it is generally quiet and has a minimal impact peak hours traffic. The self-storage facility will provide both climate controlled and unconditioned storage space. Storage facilities are a low impact land use in terms of noise and traffic generation.

Staff finds the proposed development would be consistent the land use recommendations of the Master Plan and would contribute to the goal of providing a variety of housing choices, particularly for older residents.

Staff finds that with the ordinance conditions the safeguards contained within the City Charter, relative to the granting of Special Use Permits, are met. Specifically, staff finds that the proposed use is consistent with other uses in the community. In addition, the proposed redevelopment and would not create traffic impacts more significant than uses allowed on the property by right.

Therefore, staff recommends approval of the Special Use Permit request.

FINDINGS OF FACT

Site Description

Located in the Swanson Neighborhood of the Midlothian Planning District, the subject properties referenced as 5400, 5438, and 5336 Hull Street Road total 12.19 acres. The properties located at 5400 and 5366 Hull Street Road are vacant. 5438 Hull Street Road has a 1,267 square foot dilapidated structure located near the Hull Street Road frontage.

Proposed Use of the Property

A multi-family development containing up to 245 age-restricted dwelling units and a self-storage facility with up to 175,000 square feet of floor space. Up to 300 on-site parking spaces will be provided. The residential density of the proposed development would be approximately 20 units per acre.

Master Plan

The City of Richmond's Master Plan designates a future land use category for the subject property as Community Commercial (Richmond Master Plan.) Primary uses include office, retail, personal service, and other commercial and service uses, intended to provide the shopping and service needs of residents of a number of nearby neighborhoods or a section of the City (p. 134). No residential density is specified for this land use designation.

A Housing and Neighborhood Goal of the Master Plan is to provide "a variety of housing choices" (p. 20).

Specifically for the Midlothian Planning District, the Plan states "the location, character, and extent of commercial uses within the District should enhance the economic viability of such uses, provide convenient access, and allow for expansions where appropriate while protecting adjacent residential uses from commercial encroachment...the continuation of strip-commercial development along and of the major corridors of the District is not recommended" (p. 215). For commercial development along Hull Street Road, "all traffic and access should be focused on Hull Street. Significant consideration should be given to any development proposals that provide enhanced design and an improved image for the corridor" (p. 215).

Zoning and Ordinance Conditions

The proposed age-restricted units will occupy area in both the B-3 General Business District and the R-4 Single-Family Residential District. Section 30-408.1 of the zoning ordinance states that multi-family dwellings are not allowed in the R-4 Single-Family Residential District and section 30-408.7 limits the maximum height of structures in the R-4 district to 35 feet. The proposed buildings will be 52 feet tall.

Section 30-438.1(15) of the zoning ordinance states that dwelling units are not allowed in the B-3 General Business District unless contained in the same building as other permitted uses.

The proposed self-storage facility will be located in the B-3 General Business District. The use is restricted to a maximum of 20,000 feet of floor space in this district and the proposal requests a facility with 175,000 square feet of floor space.

The special use permit ordinance will impose conditions on the property, including:

- (a) The Special Use of the Property shall be as (i) multifamily dwellings containing up to 245 dwelling units and interior and exterior amenity space, substantially as shown on the Plans, and (ii) self-service storage facilities consisting of three single-story buildings and one building not to exceed four stories. The self-service storage facilities shall not exceed an aggregate floor area of 175,000 square feet, substantially as shown on the Plans.
- (b) Occupancy of residential units developed upon the Property shall be age-restricted to persons 55 years of age or older in accordance with the following parameters:
 1. It is the intent of the parties that residential units shall be occupied by persons 55 years of age or older and that no residential unit shall be occupied by a person under the age of 18 years of age. In some instances, persons under the age of 55 but over the age of 18 shall be entitled to occupy residential units, subject, at all times, to the laws and regulations governing 55 and over restricted housing as more particularly set forth and described in paragraph 2 below.
 2. Each dwelling unit within the Property shall be developed and operated in compliance with applicable federal and state laws and regulations regarding housing intended for occupancy by persons 55 years of age or older, including but not limited to, the Fair Housing Act of 1968, 42 U.S.C. § 3601 (1968), except as provided by section 3607(b)(2)(C) of the Fair Housing Act of 1968, 42 U.S.C. § 3601 (1968), regarding discrimination based on familial status; the Housing for Older Persons Act of 1995; the Virginia Fair Housing Law; any regulations adopted pursuant to the foregoing; any judicial decisions arising thereunder; any exemptions or qualifications thereunder; and any amendments to the foregoing as now or may hereafter exist. Specific provisions of the age restriction described above and provisions for enforcement of the same shall be set forth in a declaration of restrictive covenants and property owners' association documents.
- (c) No more than 300 on-site parking spaces shall be provided on the Property for the Special Use, substantially as shown on the Plans.
- (d) Within the area specifically designated for the self-service storage facility use, a single caretaker's dwelling unit may be provided. If provided, any occupancy of this dwelling unit

shall be limited to the employed staff of the storage facility. There shall be no age restriction on the occupancy of the caretaker's dwelling unit.

- (e) Signs pertaining to the Special Use shall be limited to signs permitted in all districts, in accordance with section 30-505 of the Code of the City of Richmond (2015), as amended, and to the signs as shown on the Plans. The location and dimensions of the signs shown on the Plans must be approved by the Director of Planning and Development Review in accordance with this ordinance and applicable provisions of the Code of the City of Richmond (2015), as amended. At the Owner's request, the Director of Planning and Development Review may approve signs that are not shown on the Plans but that are otherwise consistent with this ordinance and the Code of the City of Richmond (2015), as amended.
- (f) All building materials, material colors, and elevations shall be substantially as shown on the Plans.
- (g) All site improvements, including installation of landscaping, fencing, and sidewalks on the Property, shall be substantially as shown on the Plans, provided that, at the Owner's request, the Director of Planning and Development Review may approve site improvements other than those shown on the Plans that are otherwise consistent with this ordinance. No chain-link fencing shall be permitted on the Property.
- (h) The height of the Special Use shall not exceed four stories in height, substantially as shown on the Plans. The maximum height of the Special Use shall not exceed 52 feet.
- (i) Lighting structures for the parking areas shall not exceed 30 feet in height. The intensity of illumination within the parking areas shall not be less than 0.5 horizontal foot-candle at any location, provided that in no case shall the intensity of illumination exceed 0.5 horizontal foot-candle at any property line. The lighting maximum-to-minimum ratio within the parking areas shall not exceed 15:1. Parking area lighting fixtures shall be constructed or shielded in such a manner that all light emitted by the fixture, either directly from the lamp or indirectly from the fixture, is projected below the horizontal plane of the fixture.
- (j) All mechanical equipment serving the Property shall be located or screened so as not to be visible from any public right-of-way.

Surrounding Area

Properties adjacent to the subject property to the east and west along Hull Street Road are zoned B-3 General Business and contain commercial uses. The rear portions of the properties abut single-family homes in the R-4 Single-Family Residential District to the west and south. Abutting to the east are the Meadow Creek Apartments on property located in the R-48 Multi-Family Residential District. The properties located across Hull Street Road to the south are within the South Garden neighborhood of the Broad Rock District. They share the same Community Commercial Master Plan Future Land Use Designation as the subject properties and are zoned B-3 General Business District

Neighborhood Participation

No comments or inquiries have been received from the community.

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