



DEPARTMENT OF  
**PLANNING AND  
DEVELOPMENT  
REVIEW**

**Ordinance 2024 – 329**  
5728 Patterson Avenue  
Special Use Permit

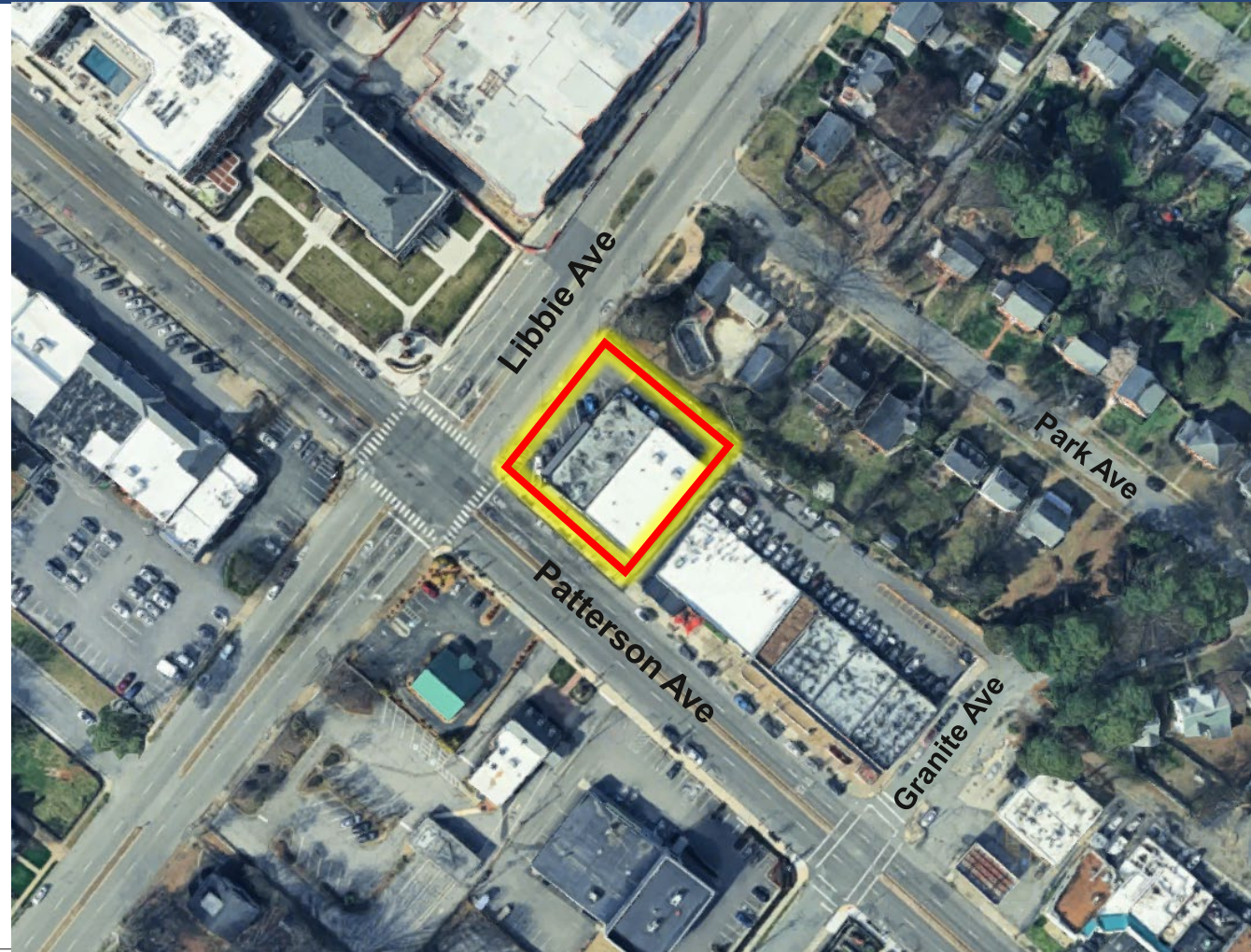


Jonathan Brown

February 4, 2025

# SITE MAP

- ❑ Westhampton neighborhood
- ❑ 18,088 sq. ft. (.42 acre)
- ❑ Vacant 8,835 sq. ft. building



# EXISTING CONDITIONS / CONTEXT



Existing streetscape



POD-044397-2018  
MIXED-USE APTS & CONDO  
5-STORIES

ORD No. 2021-214  
SUP FOR YARD REQUIREMENTS

SUP-2020-270  
SFA - 4-STORIES



# PURPOSE:

To authorize the special use of the properties known as 5728 Patterson Avenue and 805 Libbie Avenue for the purpose of a mixed-use building, including commercial space, upon certain terms and conditions.

## B-2 (Community Business District)

The proposed does not meet current requirements for:

- Height, front-yards, outdoor dining.



# RICHMOND 300 MASTER PLAN DESIGNATION: Community Mixed-Use



**Community Mixed-Use.** clusters “...of medium-density, walkable commercial and residential uses that provide neighborhood services to nearby residential communities and sometimes feature regional attractions.”

**Intensity:**

2 to 6 stories.

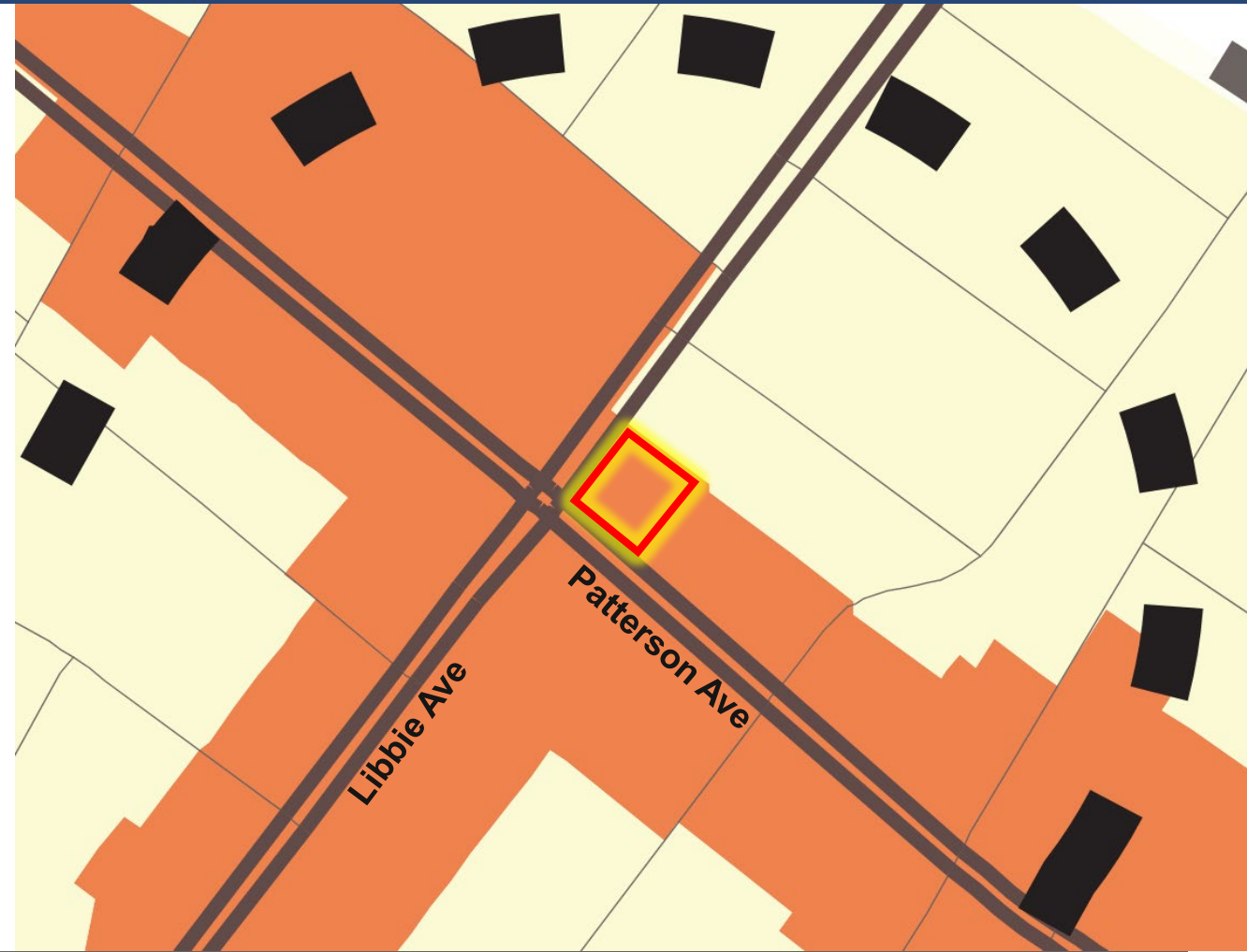
New buildings that are taller than historical buildings should step back from the build-to line after matching the height of the predominant cornice line of the block.

**Primary Uses:**

Retail/office/personal service, multi-family residential, cultural, open space.

**Secondary Uses:**

Single-family houses, institutional, government. (p. 58)

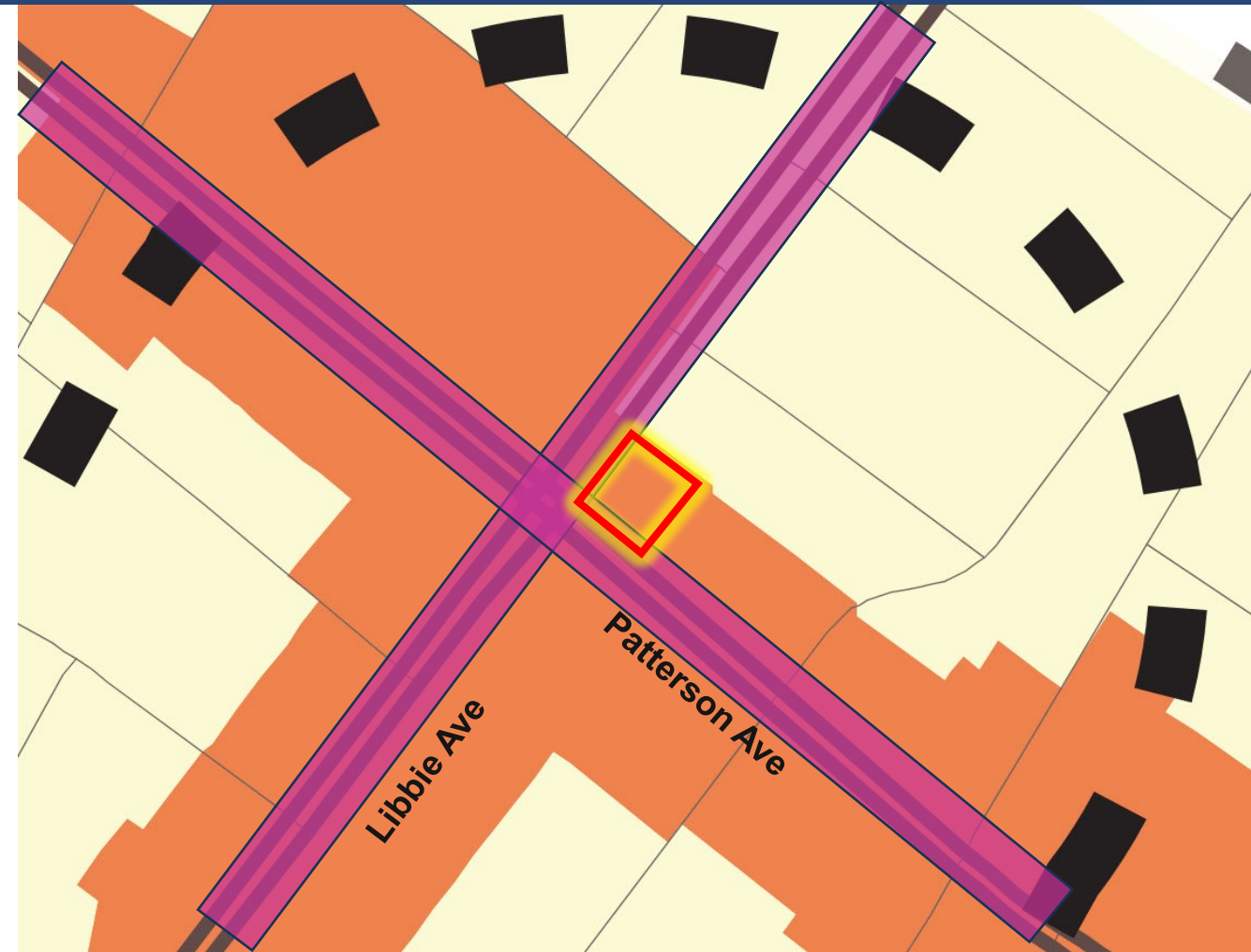


# RICHMOND 300 MASTER PLAN DESIGNATION: Major Mixed-Use Street



## Major Mixed-Use Street:

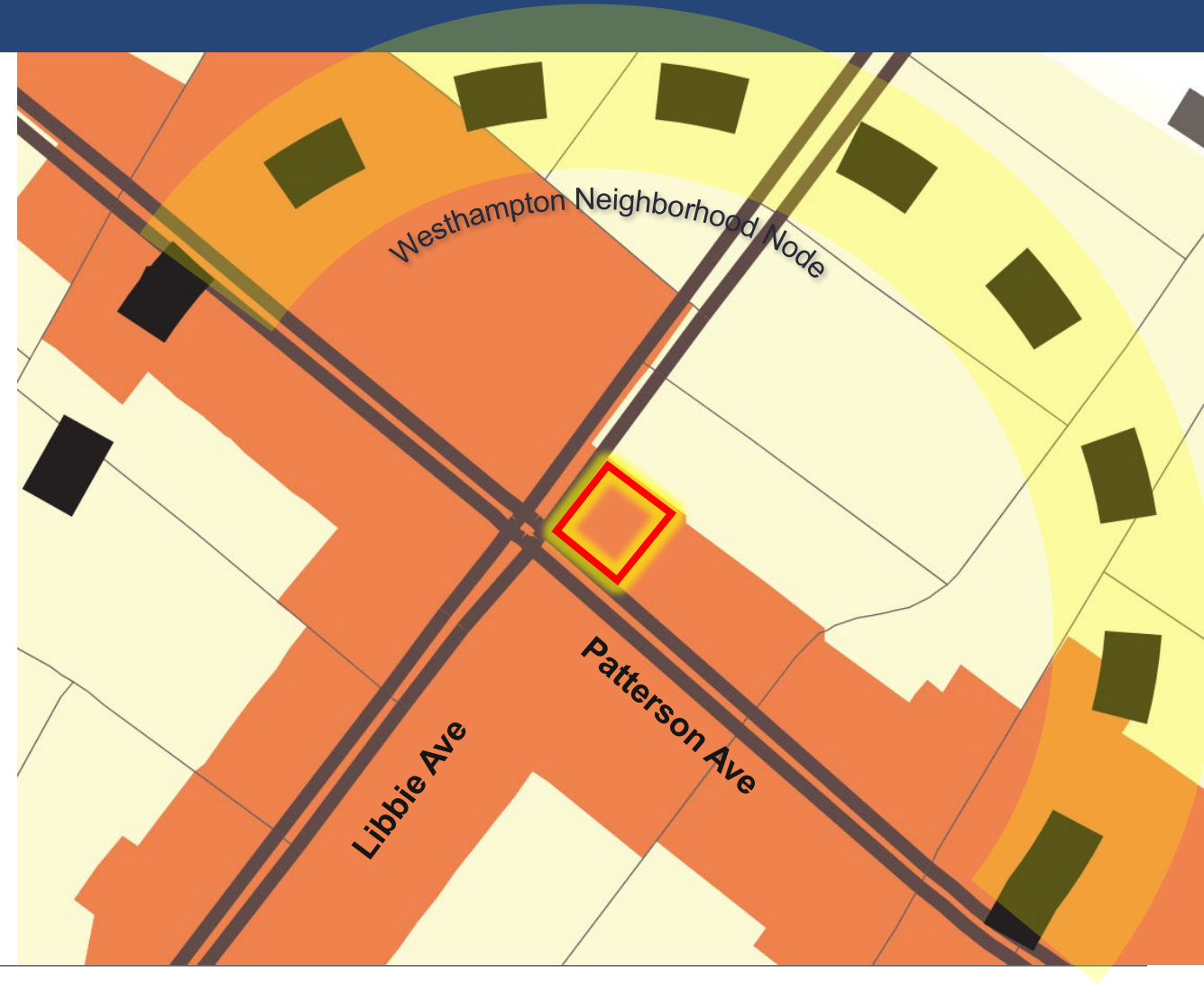
- high volumes of vehicles, pedestrians, bicycles
- density-scaled sidewalks and crosswalks
- buildings to the street - parking in the rear
- trees, benches, trash receptacles
- Ideal for transit routes
- walking, bicycling, transit, short-term parking access, loading for local shops and restaurants



# RICHMOND 300 MASTER PLAN DESIGNATION: Neighborhood Node

## Westhampton Neighborhood Node

- Village-scale feel
- Additional units and businesses at appropriate scale
- Promote walkability
- Vehicle access to rear of buildings
- Future transit for Patterson Avenue



# EXISTING ZONING: B-2 Community Business District

The proposed does not meet current requirements for:

## Section 30-436.5 – Height.

35 ft.

*The proposed building is approximately 51 ft. in height. A difference of 16 ft.*

## Section 30-436.3 - Yards.

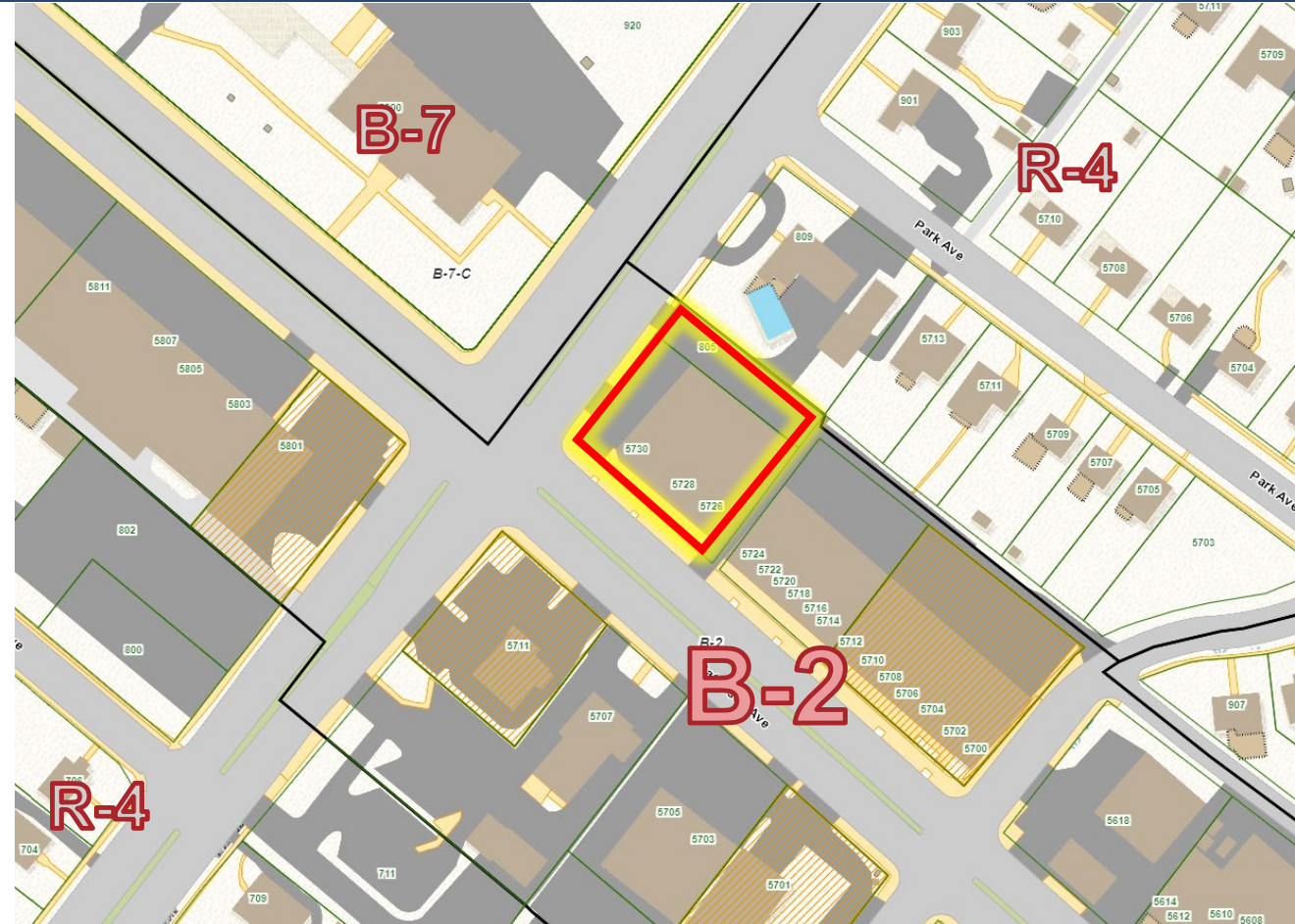
(1) Front yard - not less than 25 ft.

*The proposed yards are 17 ft. on the western front and 19 ft. on the southern front.*

## Section 30-436.1 – Permitted principal and accessory uses.

(33)a. no outdoor service or accommodation of patrons shall be situated within 100 feet of any property in any R district.

*The proposed outdoor dining begins approximately 41 feet from a Residential district.*





# ORDINANCE CONDITIONS:

- The Special Use of the Property shall be as a mixed-use building, including 4 commercial spaces, substantially as shown on the Plans. Outdoor dining shall be permitted on the Property within 100 feet of any R district.
- No fewer than twenty-four off-street parking spaces shall be required for the Special Use, substantially as shown on the Plans.
- The height of the proposed building shall be no greater than 4 stories, substantially as shown on the Plans.
- All mechanical equipment serving the Property shall be located or screened so as not to be visible from any public right-of-way.

# ORDINANCE CONDITIONS:

- Facilities for the collection of refuse shall be provided in accordance with the requirements of the Director of Public Works. Such facilities shall be located or screened so as not to be visible from adjacent properties and public streets.
- The Owner shall make improvements within the public right-of-way, including the installation of two new tree wells and new street trees along Libbie Avenue, substantially as shown on the Plans, which improvements may be completed in one or more phases as approved by the Director of Public Works.

# SURROUNDING AREA & NEIGHBORHOOD PARTICIPATION

## **Surrounding Area**

The surrounding land uses are a mix of residential, commercial, and institutional uses.

## **Neighborhood Participation**

Staff notified area residents, property owners, the Westhampton Neighborhood at Granite, Libbie, Monument, and Patterson Avenues, the Libbie, Granite & Westview Avenues Neighborhood, and the Westhampton Merchants Associations. Staff has received letters of support from nearby residents regarding the most recent Special Use Permit application, as well as a letter of opposition from the Westhampton Citizens Association.

# STAFF RECOMMENDATION: APPROVAL

- Staff finds that the proposal is consistent with the City’s Master Plan pertaining to the Community Mixed-Use land use category wherein retail/office/personal service uses are considered primary uses. Moreover, the proposed mixed-use building is a complementary addition to the existing commercial uses at the Libbie / Patterson Avenue intersection.
- Staff finds that the proposal fulfills Objective 4.1i, which seeks to “Create and preserve high-quality, distinctive, and well-designed neighborhoods and Nodes throughout the city,” and to “Encourage design approaches that support creative solutions for transitions among varying intensities of building types and land uses.” The proposed development achieves this by creating a transition between single-story, single-use street frontage and five-story, mixed-uses. (p. 100)

# STAFF RECOMMENDATION: APPROVAL

- The new mixed-use building is also located within a designated Westhampton Neighborhood Node. Neighborhood Nodes are defined as “...local crossroads typically within or next to larger residential areas that offers goods and services to nearby residents, employees, and visitors.” (C-1). The commercial use of the property supports Objective 6.1c, which aims to “support the retention, creation, and attraction of businesses in and near Nodes.”
- A primary next step for the Westhampton Node is to rezone the area to retain a maximum height of three stories. Staff finds that if this rezoning had already taken place and established a three-story height maximum prior to the submittal of this special use permit application, the proposed development would still need a special use permit and would be considered against the Richmond 300 Master Plan, as it is currently being considered.

# STAFF RECOMMENDATION: APPROVAL

- Within Community Mixed-Use areas, the Master Plan recommends that buildings generally range from two to six stories, based on street widths and depending on the historic context and stepping down in height adjacent to residential areas, as necessary. New buildings that are taller than historical buildings should step back from the build-to line after matching the height of the predominant cornice line of the block (pg. 58).
- Staff finds that while the overall height of the proposed development is four stories, the fourth floor would be stepped back from the streets and adjacent residential areas, giving the appearance of a three-story building. The third floor of the building would also be stepped back, further mitigating the height of the development.

# STAFF RECOMMENDATION: APPROVAL

- Staff finds the proposed development creates an appropriate transition between the five-story, mixed-use development to the west and the existing, single-story, single-use buildings to the east along the Patterson Avenue corridor. The proposed development's architecture includes a cornice line at the first floor, differentiating it from the upper floors, and generally matching the cornice line of the existing one-story uses to the east. A step back is not included at the second story of the building and is not warranted in this case. The Master Plan does not recommend one-story buildings in Community Mixed-Use areas and the proposed second story is lower than the 35' height cap of the underlying zoning of the property.
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- Staff also finds that the proposed development is located upon a designated Major Mixed-Use Street and contains specific design characteristics that are well aligned with this typology including properly scaled sidewalks, rear parking, entrances facing the street, and streetscape improvements.

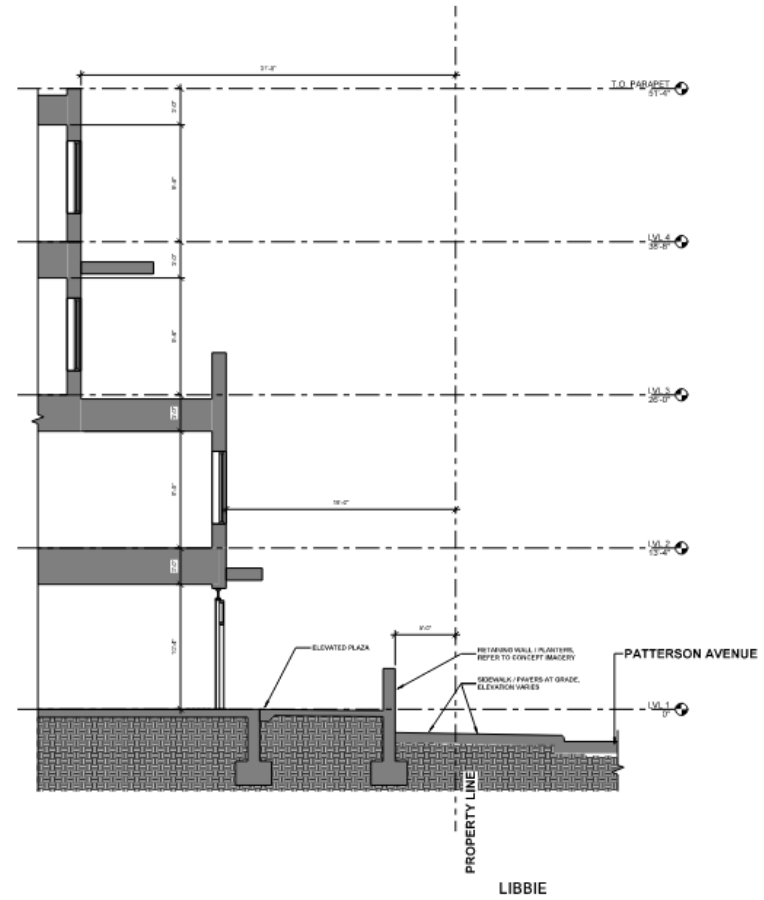
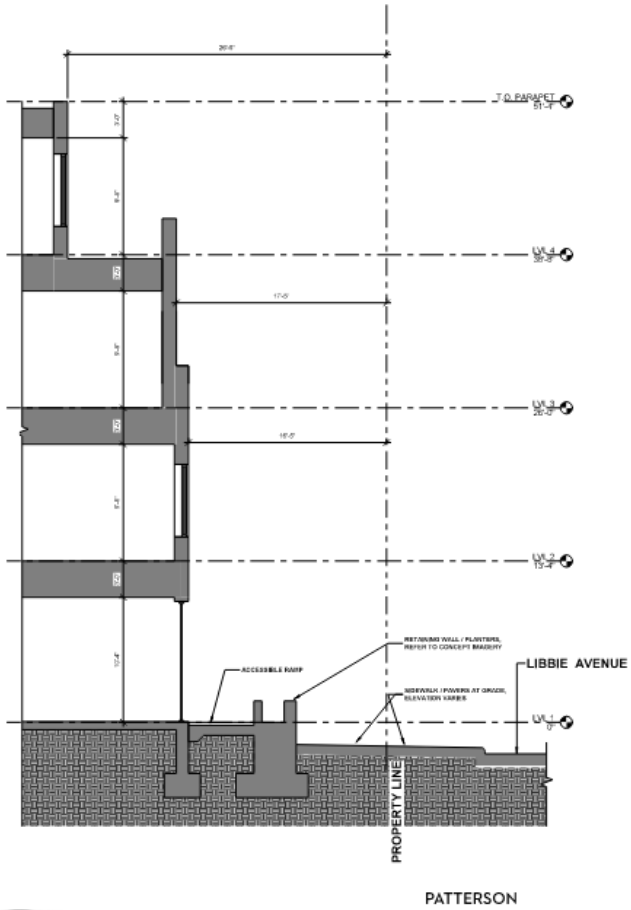
# STAFF RECOMMENDATION: APPROVAL

Staff concludes that the proposed ordinance conditions substantially satisfy the safeguards established in the City Charter concerning the granting of Special Use Permits. Specifically, staff finds that the proposed use would not be detrimental to the general welfare of the community involved and would not create congestion in the streets in the area involved.

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



# ADDITIONAL CONTEXT: Height step-back profiles



# ADDITIONAL CONTEXT: Height context with existing buildings across Libbie Avenue

