



CITY OF RICHMOND

Department of Planning & Development Review *Staff Report*

Ord. No. 2014-141: To authorize the special use of the property known as 3200 West Clay Street for the purposes of a multifamily dwelling with up to ninety (90) units and accessory parking, upon certain terms and conditions.

To: City Planning Commission
From: Land Use Administration
Date: July 7, 2014

PETITIONER

Matthew Raggi
TRP Clay Street, LLC
Thalhimer Realty Partners, Inc.
11100 West Brad Street
Glen Allen, VA 23060

LOCATION

3200 West Clay Street

PURPOSE

To authorize the conversion of the existing building at 3200 West Clay Street into 90 dwelling units with accessory parking.

SUMMARY & RECOMMENDATION

The subject property is located at 3200 West Clay Street and encompasses the entire block bounded by West Clay Street, West Leigh Street, MacTavish Avenue, and Highpoint Avenue. The 2.4 acre property is improved with a former retail-warehouse facility constructed in 1941 with a gross building area of 118,197 square feet that covers most of the parcel. The property is located within the M-1 Light Industrial zoning district, which does not permit residential use. The City of Richmond's Master Plan recommends industrial land use for the subject property which includes a wide variety of manufacturing, processing, research and development, warehousing, distribution, and service uses.

If adopted, the special use permit ordinance would authorize the renovation of the existing building for use as a multifamily dwelling with up to 90 dwelling units with accessory parking and amenities for the future residents.

Although the development is inconsistent with the Master Plan's recommendation of industrial use for the property, staff finds that, since the adoption of the Master Plan by City Council in January of 2001, the Scott's Addition neighborhood and the Boulevard Corridor have received considerable private and public investments that have increased commercial and residential opportunities within the area. In addition to these residential developments, City-initiated improvements to the right-of-way on the Boulevard and private developments featuring commercial, office, and entertainment facilities have transformed the area from primarily industrial in nature to one that features a mix of land uses. Staff finds that the continued adaptive

redevelopment of Scott's Addition for multifamily residential use will help bring a population to the area to support the recreation, retail, office, and restaurant uses that have recently been established.

While staff is supportive of the proposed rehabilitation of the formerly industrial building for multifamily use, staff is concerned about the current configuration of the building with the lack of exterior windows being provided to dwelling units in the proposed development.

Forty-eight of the 90 units (53.3%) would be provided with access to air and light by windows to the exterior. The plans propose removing a portion of the building's roof to provide access to air and light through windows to an interior open-air atrium for 29 of the 90 units (32.2%). There would be 13 units (14.4%) with no windows to the exterior. These units would be provided light from skylights or pop-ups/roof monitors. Four of the windowless units would have access to private roof top decks.

The layout of the proposed units does not meet the City Planning Commission's June 4, 2012 "Windowless Dwelling Unit" Resolution, which defines a windowless dwelling unit as a unit that does not contain a window(s) that penetrates an exterior wall of the building and states "that windowless dwelling units should be avoided as a general premise."

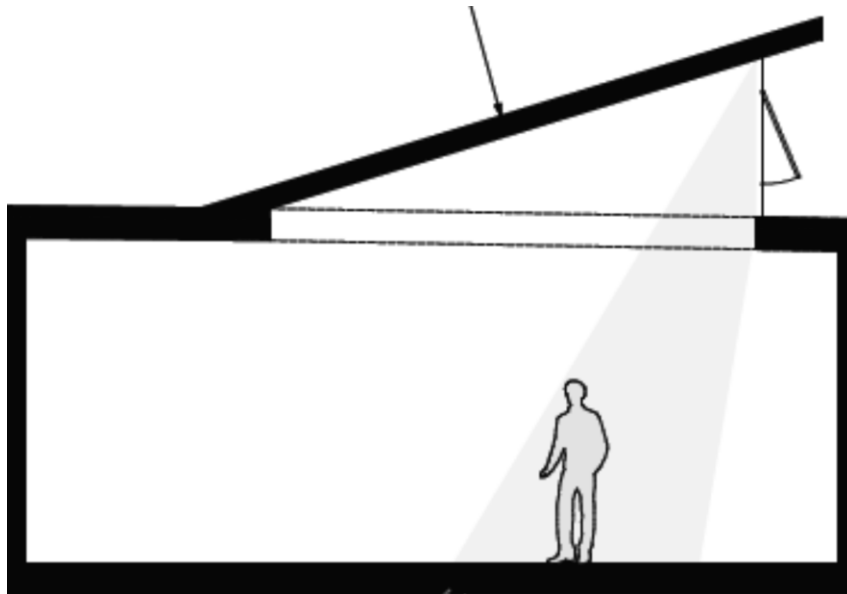
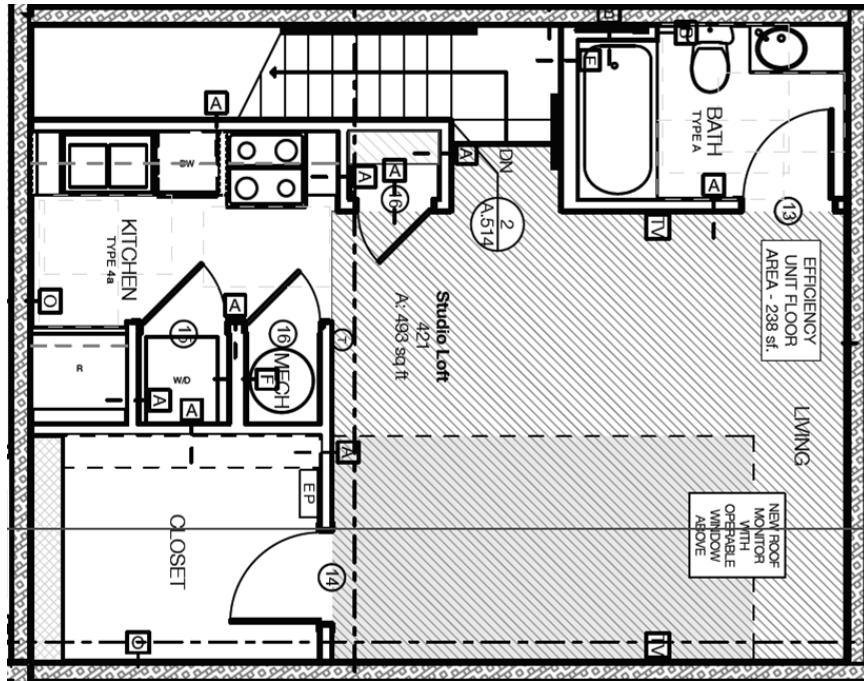
However, the Resolution does allow for the provision of windowless units under the following condition:

1. That "the Department of Interior/National Park Service and the Virginia Department of Historic Resources determines that windowless dwelling units must be permitted for the purpose of preserving historic buildings;
2. That such windowless dwelling units should be the minimum number necessary to promote said preservation; and
3. The square footage of such units should be at least equal to or greater than the average square footage of the total number of units that include windows."

The applicant has made great efforts to work with the Department of Interior/National Park Service and the Virginia Department of Historic Resources in order to create the interior open air atrium in an effort to provide light and air to the interior units.

The applicant has provided a letter from their potential lender stating that significantly more equity would be required from the developer should the number of dwelling units be reduced below 90. The applicant has indicated that additional equity to finance the deal would further decrease their cash on cash return, which would not be acceptable to their investors, given the risks associated with the deal including construction, lease-up and interest rate risk, and would ultimately render the project financially unfeasible. The letter from the potential does indicate that more equity would be required from the applicant should the number of units be reduced; however, it does not state that a reduction in the number of units would render the project financially unfeasible.

Additionally, there are four windowless dwelling units that do not meet the requirement that they be at least equal to or greater than the average square footage of the total number of units that include windows. The average square footage of the total number of units that include windows is 793 square feet. There are 3 windowless 1-bedroom units that are 656, 675 and 730 square feet, respectively. There is one windowless studio unit, shown below, that is 554 square feet.



Despite the inconsistencies with the Master Plan's recommendation of industrial use for the property, staff is supportive of the proposed rehabilitation of the formerly industrial building for multifamily use given the changing nature of Scott's Addition. However, staff finds that the current configuration of the proposal would not meet the Planning Commission's Windowless Dwelling Unit Resolution nor the City Charter condition for granting special use permits relative to adequate light and air. Therefore, staff recommends denial of the special use permit request.

FINDINGS OF FACT

Site Description

The subject property is located at 3200 West Clay Street and encompasses the entire block bounded by West Clay Street, West Leigh Street, MacTavish Avenue, and Highpoint Avenue. The 2.4 acre property is improved with a former retail-warehouse facility constructed in 1941 with a gross building area of 118,197 square feet that covers most of the parcel. This building is currently vacant, but has most recently been used as a retail-warehouse facility. The parcel also contains two surface parking areas. The property is located in the M-1 Light Industrial district, which permits a wide variety of uses but does not permit residential uses.

Proposed Use of the Property

If adopted, the special use permit ordinance would authorize the renovation of the existing building for use as a multifamily dwelling with up to 90 dwelling units with accessory parking and amenities for the future residents.

Master Plan

The City of Richmond's Master Plan recommends industrial land use for the subject property which includes a wide variety of manufacturing, processing, research and development, warehousing, distribution, and service uses (p. 135). The Plan also states that office, retail, and other uses that complement industrial areas are often secondary support uses (p. 135).

Zoning & Ordinance Conditions

The property is located in the M-1 Light Industrial district, which does not permit the proposed residential uses.

If approved, the proposed special use permit ordinance would authorize up to 90 dwelling units within the existing building in accordance with the plans attached to the ordinance. The plans indicate that there would be two studio units (480 and 554 square feet in area), 44 1-bedroom units (ranging in size from 530 to 866 square feet), 43 2-bedroom units (ranging in size from 630 to 1,183 square feet), and one 3-bedroom unit (1,275 square feet). The average size of all the units shown on the plans is approximately 811 square feet.

The ordinance would require interior amenity space, exterior open areas, rooftop decks and a pool as shown on the plans. The interior amenity space includes a fitness room a clubhouse, the lobby and a leasing office. The plans also show an atrium within the building that would have a permeable covering and provide light and air to the surrounding units and serve as a common space for use by the residents.

In order to ensure that each dwelling unit is afforded some access to natural light, the ordinance would require all dwelling units to have at least one of the following, as shown on the plans:

- A roof monitor;
- A skylight;
- A window to the interior open air corridor of the building; or
- A window that penetrates an exterior wall of the building.

The plans indicate that the dumpster and mechanical equipment would be located in front of the main entrance to the building on MacTavish Street.

The ordinance would require one off-street parking space to be provided for each dwelling unit. Eighty-five of the spaces would be provided on-site, 67 of which would be located within the building and 18 of which would be located in two surface parking areas. Five parking spaces would be located off-site within a 1,000 feet from the entrances to the building. The ordinance limits the height of the lighting within the parking area to 24 feet. Bike racks would also be required to be provided adjacent to the main entrance as shown on the plans.

The ordinance would limit signage for the proposal to two wall mounted signs, each being no greater than 13 square feet in area.

A landscaping plan for the outdoor common areas and the parking areas would be required to be approved by the Director of Planning & Development Review prior to the issuance of any building permits for the project. The ordinance also requires that street trees are planted in tree wells located in the rights of way adjacent to the properties with species and planting specifications determined by the Department of Public Works, Urban Forestry Division.

Surrounding Area

The subject property is located in the Scott's Addition neighborhood, in an area near the Broad Street corridor marked by a transition from Industrial and Office/Commercial to Residential land uses. The subject property, and all properties in the vicinity, are within the M-1 Light Industrial zoning district. A mix of mostly industrial, office, and multi-family land uses are found in the immediate vicinity of the subject property.

Neighborhood Participation

Staff has received three letters of support from the Scott's Addition Business Association and two surrounding property owners.

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