



Application for **SPECIAL USE PERMIT**

Department of Planning and Development Review
Land Use Administration Division
900 E. Broad Street, Room 511
Richmond, Virginia 23219
(804) 646-6304

<http://www.richmondgov.com/>

Application is hereby submitted for: (check one)

- special use permit, new
- special use permit, plan amendment
- special use permit, text only amendment

Project Name/Location

Property Address: 1510-1512 West Broad Street Date: 02/02/2017

Tax Map #: N0000670019 Fee: _____

Total area of affected site in acres: 0.393 acres

(See **page 6** for fee schedule, please make check payable to the "City of Richmond")

Zoning

Current Zoning: M-1

Existing Use: Multi-family residential and ground floor retail

Proposed Use

(Please include a detailed description of the proposed use in the required applicant's report)

No change in use

Existing Use: Multi-family residential and ground floor retail

Is this property subject to any previous land use cases?

- Yes No If Yes, please list the Ordinance Number: 2006-294-293

Applicant/Contact Person: Jeffrey P. Gelger, Esq.

Company: Hirschler Fleischer

Mailing Address: PO Box 500

City: Richmond State: VA Zip Code: 23218-0500

Telephone: (804) 771-9557 Fax: (804) 644-0957

Email: jgelger@hf-law.com

Property Owner: Richmond 1, LLC

If Business Entity, name and title of authorized signee: See attached

(The person or persons executing or attesting the execution of this Application on behalf of the Company certifies that he or she has or have been duly authorized and empowered to so execute or attest.)

Mailing Address: c/o RAMZ, LLC, Mr. Edward A. Preston, 336 Fourth Avenue, 8th Floor

City: Pittsburgh State: PA Zip Code: 15222

Telephone: (412) 391-7887 Fax: (412) 391-8879

Email: _____

Property Owner Signature: See Attached

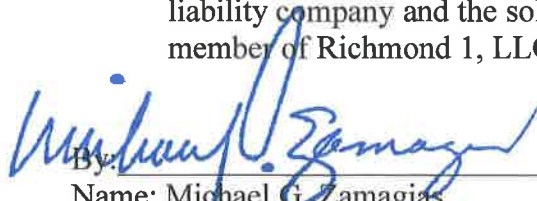
The names, addresses, telephone numbers and signatures of all owners of the property are required. Please attach additional sheets as needed. If a legal representative signs for a property owner, please attach an executed power of attorney. **Faxed or photocopied signatures will not be accepted.**

NOTE: Please attach the required plans, checklist, and a check for the application fee (see Filing Procedures for special use permits)

OWNER:

Richmond 1, LLC,
a Delaware limited liability company

By: RAMZ, LLC, a Delaware limited
liability company and the sole managing
member of Richmond 1, LLC


By: _____ (SEAL)
Name: Michael G. Zamagias
Title: Member

By: _____ (SEAL)
Name: Albert Rabil, III, Member
Title: Member

OWNER:

Richmond 1, LLC,
a Delaware limited liability company

By: RAMZ, LLC, a Delaware limited
liability company and the sole managing
member of Richmond 1, LLC

By: _____ (SEAL)
Name: Michael G. Zamagias
Title: Member

By:  _____ (SEAL)
Name: Albert Rabil, III, Member
Title: Member

February 3, 2017

APPLICANT'S REPORT

*Modification of Special Use Permit 2006-294-293 (the "Existing SUP")
1510-1512 West Broad Street, Richmond, Virginia
Map Reference Number: N0000670019 (the "Property")*

Submitted to:	City of Richmond Department of Community Development Land Use Administration 900 East Broad Street, Suite 511 Richmond, Virginia 23219
Submitted by:	Richmond 1, LLC c/o RAMZ, LLC Mr. Edward A. Preston 336 Fourth Avenue, 8th Floor Pittsburgh, Pennsylvania 15222
Prepared by:	Hirschler Fleischer , Attorneys at Law Jeffrey P. Geiger, Esquire 2100 East Cary Street Richmond, Virginia 23223

Request

Richmond 1, LLC (the "Applicant") requests an amendment to the Existing SUP to delete the residential parking requirement in Section 3(i) of the Existing SUP. The Applicant proposes to revise Section 3(i) to state that: "No parking shall be required for the residential and commercial uses." Previously, no parking was required for the commercial uses.

The effect of this amendment would be to remove a residential parking requirement for this Property in the VCU/GRTC Pulse ("Pulse") corridor and would be consistent with the land use planning for the Pulse corridor. No other change to the Existing SUP is requested and the permitted uses will continue to operate under the remaining SUP requirements. The existing parking spaces would remain for use by residents in the surrounding residential area to patron the commercial use.

Background

The Applicant is the owner of the Property, which is commonly referred to as the Firestone Building. The Property is zoned M-1 Light Industrial and contains approximately .393 acres of land.

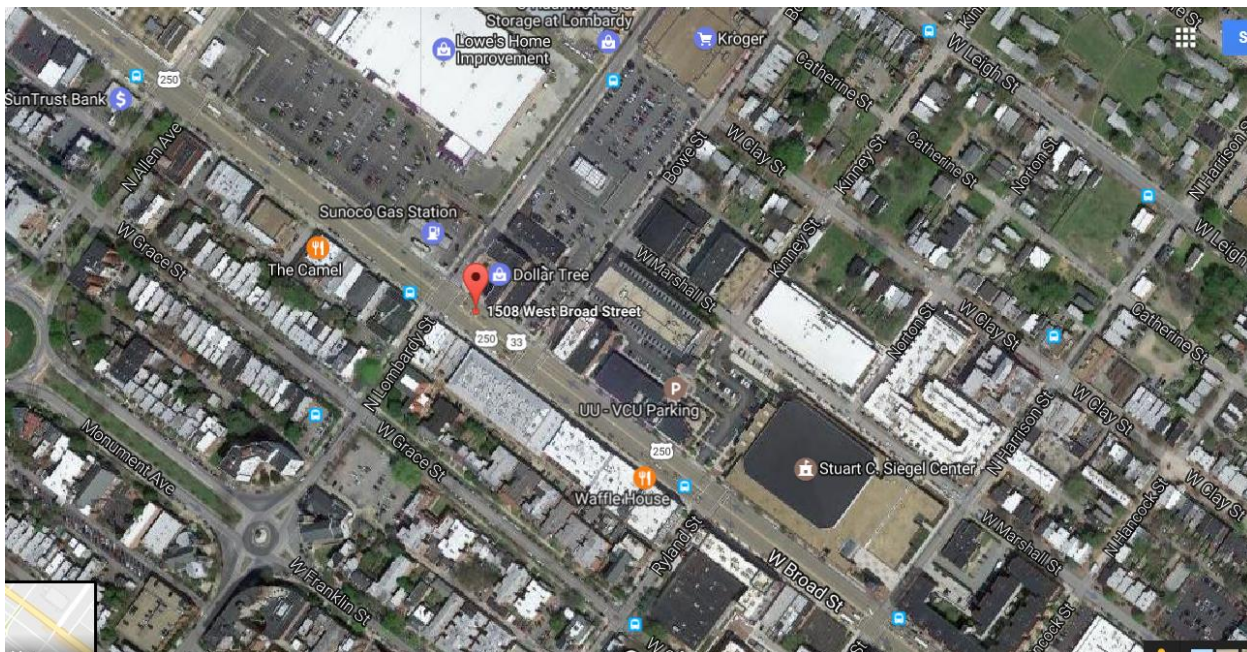
Originally built in 1920, the building on the Property was previously occupied by a former automotive maintenance and tire retail facility. The Existing SUP permitted an adaptive re-use of the building as 17 multi-family dwelling units with 9 parking spaces and 11,000 square feet of ground floor commercial. The commercial uses were limited to those uses permitted in the B-5 commercial district, with no parking requirement.

The Property is located on the northeast corner of Lombardy and West Broad Street in the Carver neighborhood which is in the Near West Planning District. The Property is designated by the City of Richmond's Master Plan for "General Commercial". The area is made up of a variety of land uses, including commercial, retail and restaurant uses. The properties to the north, east and west are also zoned M-1 and are occupied by a mix of commercial, retail and restaurant uses. The properties to the south across Broad Street are zoned UB Urban Business and are also occupied by a mix of commercial uses.

The Property is located on the GRTC bus line and within walking distance of Kroger, Lowe's and VCU, among other retail uses. The GRTC bus line serves the area, and the Pulse will have a stop within walking distance.



City of Richmond Parcel Map



Google Aerial

Reason for Request

The Property serves the residential and college communities in the area. The adaptive re-use of the building has been a successful project: a historical building was preserved; it enjoys a high demand for its residential units; and it houses a top performing Dollar Tree.

Over time, the commercial use on the Property has generated the demand for the on-site parking spaces. Residents from the surrounding residential neighborhoods and travelers along Broad Street are the primary users of the parking spaces when they patron the commercial use. The parking spaces provide the commercial patrons with convenience.

On-site parking is not a convenience that the Property's residential tenants seek. Daily living at the Property does not require a car. The residents enjoy the lifestyle of the area as they walk, bike and/or bus to VCU, to work, to the grocery store, and to other services and restaurants. The Property is located on the GRTC bus line, and the Pulse will have a stop within walking distance. The demand for these residential units is high even though the units are leased without on-site parking.

One of the basic principles and goals of the land use planning for the Pulse corridor is "conservation of parking on Broad Street" whereby the market will determine where parking is needed. This request is in keeping with that principle.

Over time, the market has changed the need for on-site parking, and the land use planning for this corridor has changed with the addition of the Pulse. The Applicant requests that the SUP be modified to reflect the market and planning evolution that has taken place since the Existing SUP was approved.

Findings of Fact

The following are factors indicated in Section 17.11 of the Charter and Section 114-1050.1 of the Zoning Ordinance relative to the approval of special use permits by City Council. The proposed modification of the Special Use Permit will:

- ***NOT be detrimental to the safety, health, morals and general welfare of the community involved.***

The requested modification of the Existing SUP to eliminate required parking for the multi-family dwellings will not negatively impact the safety, health, morals and general welfare of the nearby neighborhoods. The existing parking spaces will remain, meeting the market driven parking demand. The Property is located on the GRTC bus line and is within walking distance of a Pulse stop. The residents tend to walk, bike and/or use the bus system to go to school, work, shopping and dining. This modification will enable the continued success and positive impact of this project on the safety, health, morals and general welfare of the surrounding community.

- ***NOT tend to create congestion in streets, roads, alleys and other public ways and places in the area involved.***

The requested modification of the Existing SUP will not create congestion in the streets, roads, alleys and other public ways and places in the area involved. The use will not change. Over time, demand for parking has been for the commercial use of the Property rather than the dwelling units. The requested modification reflects this change to avoid pushing the parking demand onto the street and increasing congestion.

- ***NOT create hazards from fire, panic or other dangers.***

The requested modification to the Existing SUP will have no negative impact relative to fire, panic or other dangers. The existing parking spaces will remain. The existing uses remain unchanged. The Property was developed in a manner consistent with the requirements of the Existing SUP, the building code and in accordance with the requirements of Fire and Emergency Services. These requirements are designed to eliminate such hazards.

- ***NOT tend to overcrowding of land and cause an undue concentration of population.***

The requested modification to the Existing SUP will not tend to overcrowd the land or create an undue concentration of population. The building already exists, and its adaptive reuse has not caused any sort of overcrowding of land because the footprint of the existing building did not change. The existing parking spaces will remain.

- ***NOT adversely affect or interfere with public or private schools, parks, playgrounds, water supplies, sewage disposal, transportation or other public requirements, conveniences and improvements.***

The requested modification to the Existing SUP would not adversely affect the above-referenced City services. The request addresses on-site parking only, and the existing parking spaces will remain. The Property is already located on the GRTC bus line, the residential units typically do not generate school-age children, and the retail component adds a convenience shopping element to the community.

- ***NOT interfere with adequate light and air.***

The requested modification to the Existing SUP will have no impact on the existing light and air available to the Property. The existing improvements and uses on the Property are not being changed with this requested modification.

Very truly yours,



Jeffrey P. Geiger

JPG/pg

cc: The Honorable Kimberly B. Gray (via email)
Edward A. Preston, Esquire (via email)
Vincent E. Zappa (via email)
Laura Lee Garrett, Esquire (via email)
Joseph R. Noble, Esquire (via email)
Matthew Raggi (via email)