



CITY OF RICHMOND

Department of Planning & Development Review *Staff Report*

Ord. No. 2017-154: To authorize the special use of the properties known as 2411 M Street and 2416 Jefferson Avenue for the purpose of allowing a building to exceed the applicable height restrictions, upon certain terms and conditions.

To: City Planning Commission
From: Land Use Administration
Date: September 5, 2017

PETITIONER
2411 M Street, LLC

LOCATION
2411 M Street and 2416 Jefferson Avenue

PURPOSE
To authorize the special use of the properties known as 2411 M Street and 2416 Jefferson Avenue for the purpose of allowing a building to exceed the applicable height restrictions, upon certain terms and conditions.

SUMMARY & RECOMMENDATION

The subject property consists of two contiguous parcels of land: 1. A 0.282 acre (12,284 SF) parcel of unimproved land known as 2411 M Street and 2. A 0.075 acre (3,267 SF) parcel of land known as 2416 Jefferson Avenue, improved with a surface parking area and one-story office building constructed, per tax assessment records, in 1910. The subject property occupies the majority of a triangular portion of land bound by Jefferson Avenue, North 24th Street, and M Street, in the Union Hill neighborhood of the East planning district.

The property is zoned in the UB-PE4 - Urban Business District (Parking Exempt Overlay District). The property is also located within the Union Hill City Old & Historic District and the proposed improvements have been approved by the Commission of Architectural Review.

The applicant is proposing a 4-story mixed use development in a UB-PE4 district. The height restriction for the UB district is 28 feet. A special use permit is therefore required.

Staff finds that the proposed special use is consistent with intent of the UB District and the Parking Exempt Overlay District.

Staff further finds the proposed special use would be consistent with the Neighborhood Commercial designation of the Master plan and would contribute to the stabilization of the neighborhood, concentrate commercial uses within existing commercial service centers and mixed use areas, and follow the historic preservation design controls of the Commission of Architectural Review.

Staff further finds that the proposed height of the building would be mitigated by the step back requirements pertaining to the fourth floor and that the proposed height is in keeping with the heights of certain existing buildings within the area and the height allowances of the adjacent R-63 district.

Staff further finds that, with the provision of on-site parking and bicycle parking, and the availability of mass transit, the proposed special use would not pose an undue burden to the availability of on-street parking.

Staff further finds that with the proposed use of the property, the safeguards contained within the City Charter, relative to the granting of Special Use Permits, are met. 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, with the amendment to condition 3(i) of the ordinance to restrict hours of operation only for outdoor uses associated with the commercial space.

FINDINGS OF FACT

Site Description

The subject property consists of two contiguous parcels of land: 1. A 0.282 acre (12,284 SF) parcel of unimproved land known as 2411 M Street and 2. A 0.075 acre (3,267 SF) parcel of land known as 2416 Jefferson Avenue, improved with a surface parking area and one story office building constructed, per tax assessment records, in 1910. The subject property occupies the majority of a triangular portion of land bound by Jefferson Avenue, North 24th Street, and M Street, in the Union Hill neighborhood of the East planning district.

Proposed Use of the Property

The applicant is proposing a 4-story mixed-use building with ground floor commercial/office space and six internal parking spaces, three stories of residential use (no more than 27 units), and a stepped-back fourth floor containing amenity space for residents and on-site office uses.

Master Plan

The City of Richmond's Master Plan recommends Neighborhood Commercial land use for the property. Primary uses in this category "include office, personal service and retail uses, intended to provide the daily convenience shopping and service needs of adjacent neighborhood residents. Such uses are typically small scale and low intensity, have limited hours of operation, involve a high percentage of walk-in trade and minimal vehicular traffic, and are especially compatible with adjacent low to medium density residential uses. The

typical zoning classifications recommended to accommodate this land use category are B-1 and UB (p. 134).

In regard to the East District, the Master Plan states there is a “continued need...to stabilize older low-income residential neighborhoods throughout the District, particularly north of Broad Street in the Church Hill, Oakwood/Chimborazo, and Fairmount neighborhoods” (p. 163) and that “existing historic preservation design controls should be maintained” (p. 166). “Commercial uses in the East District should be concentrated within existing commercial service centers and mixed use areas” (p. 169).

Prior to the 2010 Master Plan Amendment, the Master Plan presented concerns regarding corner commercial uses, stating they “should be restricted to neighborhood commercial uses with limitations on operating hours, number of employees, and signage...Neighborhood commercial uses are deemed appropriate only as long as ABC licenses are not included in their operation” (p. 170). However, with the expansion of mixed-use areas recommended by the 2010 amendment, increased commercial activity is encouraged in the area and concerns regarding commercial uses, particularly the sale of alcohol, have been reduced.

Zoning & Ordinance Conditions

The property is zoned in the UB-PE4 - Urban Business District (Parking Exempt Overlay District). The property is also located within the Union Hill City Old & Historic District.

According to the Zoning Ordinance, the intent of the UB Urban Business District is to encourage business areas with a densely developed pedestrian-oriented urban shopping character, compatible with adjacent residential neighborhoods, and with minimal disruption from vehicle-oriented land uses and features that would detract from a safe, convenient and economically viable pedestrian environment. The district is intended to promote continuity of storefront character along principal street frontages, with minimum interruption by driveways and vehicle traffic across public sidewalk areas. The regulations within the district are intended to preserve the predominant scale and character of existing urban shopping areas, promote retention of existing structures and encourage that new development be compatible with such existing areas and structures.

The intent of parking exempt overlay districts is to provide relief from the off-street parking requirements for certain uses so as to facilitate the development and redevelopment of economically depressed, older, urban commercial districts characterized by a substantial number of vacant and deteriorated structures. With the exception of certain high intensity uses, off-street parking is generally not needed for most uses in these areas because of high vacancy rates, availability of on-street parking, considerable walk-in trade due to proximity to residential areas and available public transportation.

The special use permit would impose numerous development conditions, including:

-The use of the Property shall be as a mixed-use building, consisting of up to 27 dwelling units, amenity space, and commercial space, substantially as shown on the Plans.

- A total of six on-site parking spaces shall be provided on the Property, substantially as shown on the Plans. On-street parking along the frontages of the Property shall be credited to the Special Use pursuant to section 30-710.2:3(d) of the Code of the City of Richmond (2015), as amended.
- Signage on the Property shall meet the requirements of the underlying zoning district of the Property but shall not be internally illuminated. Backlit or reverse channel-lit signage shall be permitted.
- All building materials and material colors shall be substantially as shown on the Plans, subject to the provisions of any applicable Old and Historic District regulations and any approvals granted by the Commission of Architectural Review.
- A streetscape plan for the area along Jefferson Avenue indicated on sheet A100 of the Plans shall be approved by the Director of Planning and Development Review prior to the issuance of any building permits for the dwelling units.
- The height of the Special Use shall not exceed four 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.
- Secure storage for no fewer than 16 bicycles shall be provided on the Property for use by the dwelling units, substantially as shown on the Plans.
- Operations of the commercial space and associated outdoor uses shall cease by no later than 11:00 p.m. daily. **NOTE: THIS CONDITION WILL BE AMENDED TO ONLY RESTRICT ASSOCIATED OUTDOOR USES**
- The fourth floor and rooftop amenity space shall be stepped back from the lower floors, substantially as shown on the Plans, shall be accessory to the dwelling use, may be accessory to any office use of the Property, and shall not be used in association with any other commercial uses of the Property
- The Owner shall make improvements within the public right-of-way, including the streetscape improvements pursuant to the streetscape plan required pursuant to section 3(e) of this ordinance, the installation of new street trees and tree wells, the installation of an entrance to the Property from M Street, and the replacement of existing entrances with granite curbing and brick sidewalk consistent with the existing granite curbing and brick sidewalk, substantially as shown on the Plans.

Surrounding Area

The subject property is zoned within the UB-PE4 district that generally follows the Jefferson Avenue corridor. R-63 Multifamily Urban Residential districts are located to the north and south of the UB-PE4 district, with an R-8 Urban Residential district to the west and an RO2-PE4 Residential-Office (Parking Exempt Overlay District) to the east. A mix of

residential (single-, two-, and multi-family), commercial, office, mixed-use, institutional, vacant, and public-open space land uses are present in the area.

Neighborhood Participation

Staff notified the Union Hill Civic Association of the request.

Numerous letters of support have been received by staff.

Staff Contact: Matthew Ebinger, Principal Planner, 804-646-6308