



## CITY OF RICHMOND

### **Department of Planning & Development Review** ***Staff Report***

**ORD. 2019-171:** To amend City Code §§ 30-950.2, 30-950.3, and 30-950.4, concerning plan of development overlay districts, and to amend ch. 30, art. IX, div. 6 of the City Code by adding therein a new § 30-950.5, concerning pre-application meetings, for the purpose of creating an Arts District Station/Monroe Ward Plan of Development Overlay District POD-2 bounded generally by Belvidere Street on the west, Broad Street on the north, the Downtown Expressway on the south, and 9<sup>th</sup> Street on the east.

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**To:** City Planning Commission  
**From:** Department of Planning and Development Review  
**Date:** July 15, 2019

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#### **PETITIONER**

City of Richmond  
900 East Broad Street  
Richmond, VA 23219

#### **LOCATION**

The Plan of Development Overlay area is bounded by Belvidere Street to the west, the Downtown Expressway to the south, Broad Street to the north, and Ninth Street to the east.

#### **PURPOSE**

To amend the official zoning map and text for the purpose of creating a Plan of Development Overlay for the area, in order to meet the requirements of the adopted Pulse Corridor Plan. Creating a Plan of Development Overlay District is the Plan's first recommendation.

#### **SUMMARY & RECOMMENDATION**

This Ordinance is one of a set of five, which together will revise the City's official zoning map and ordinance text for the purpose of rezoning certain properties in Monroe Ward, bounded by Belvidere Street to the west; Broad Street to the north; the Downtown Expressway to the south; and Ninth Street to the east, in order to increase density and accommodate growth and development while preserving the character of the neighborhood and rebuilding neighborhood context. Each Ordinance represents one of five elements to this process, a combination of which will reach the desired outcome:

1. Changing zoning classification of certain parcels from light-industrial or auto-oriented designations to those more in keeping with the existing building patterns and intent of the adopted Pulse Corridor Plan;
2. Adding Street-Oriented Commercial and Priority Streets in the area to the official zoning map;
3. Creating a Plan of Development (POD) Overlay District for the area to ensure development is consistent with the six form elements of the Pulse Corridor Plan;

4. Amending the B-4 district to remove incompatible uses, add a three-story height minimum, and remove the option to break the inclined plane of 4:1 by 50% of the length of the building along the street; and
5. Amending the RO-3 district to remove incompatible uses and add form-based elements.

**Staff recommends approval of the ordinance.**

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## **FINDINGS OF FACT**

### **Background**

These amendments arise out of the recommendations of the adopted Pulse Corridor Plan, an analysis of the existing zoning ordinance and its application across the city, and an extensive public engagement process, both for the plan and for this area rezoning. There is significant building activity in the Central Business District which continues to move west into Monroe Ward and expansion of VCU's Monroe Park campus has stretched east of Belvidere into Monroe Ward. While Monroe Ward is home to an array of historic structures, there are also a significant number of surface parking lots, several of which take up entire blocks. This proactive rezoning process is in order to ensure that new development is in keeping with the principles of the Pulse Plan.

### **Master Plan**

The area for this rezoning is part of the Arts District Station Area in the Pulse Corridor Plan, an adopted amendment to the City's Master Plan. The Pulse Plan Future Land Use map labels the area as "Downtown Mixed Use".

(Note: the Arts District Station Area also includes Jackson Ward, but the character of the neighborhoods and existing zoning already align with the Future Land Use map designation.)

Rezoning Monroe Ward to districts that align with the future land use map is the first recommendation for this study area (p.84). The plan envisions a strong transit-oriented node at each station area along the corridor, and describes Monroe Ward's future land use as high-intensity pedestrian- and transit-oriented development," with tall signature buildings, active commercial ground floors, few driveways cutting through sidewalks, and little to no setbacks for commercial building, adding that new buildings will add to the already "incredibly dynamic and diverse building stock, creating a truly eclectic urban neighborhood" (p.84). The plan recommends that new zoning does not allow surface parking lots as a principal permitted use.

### **Existing and Proposed Zoning**

Staff has completed an extremely thorough analysis and vetting of exactly the tools needed to accomplish the plan vision and spur development while preserving the historic character of the neighborhood. Staff has also responded to citizen comments and concerns.

As a result, there are five elements to this rezoning process:

1. Rezoning the area from either light industrial (M-1) or auto-oriented commercial (B-3), to transit-oriented development (TOD-1) or downtown mixed-use (B-4);
2. Adding Priority and Street-Oriented Commercial designations in the area to the official zoning map;
3. Creating a Plan of Development Overlay District for the area to ensure that new development meets the six design elements of the Pulse Corridor Plan;
4. Amending the B-4 district; and
5. Amending the RO-3 district to remove incompatible uses and add form-based elements.

This Ordinance is specific to creating a POD Overlay District for the area bounded by Belvidere Street to the west, Broad Street to the north, the Downtown Expressway to the south, and Ninth Street to the east.

Section 30-950 of the zoning ordinance was created in 2004 for the purpose of setting forth the means of establishing POD Overlay districts, which “are in addition to and shall be applied so as to overlay and be superimposed on such other zoning districts...as shown on the official zoning map” (Sec 30-950.2).

This means that construction of any new building or any addition over 1,000 square feet will be required to undergo a Plan of Development review based on the six design principles of the Pulse Corridor Plan:

1. *Hold the corner*: Buildings and spaces at intersections have active ground floors that wrap around the corner.
2. *Entrances face the street*: Main entrances to businesses and residences front the street, fostering pedestrian activity.
3. *Appropriate setbacks/stepbacks*: Commercial uses are closer to the street while residential uses are set back to foster privacy and to create a semi-public space. Stepbacks at upper stories create a means to honor existing form without overwhelming it.
4. *Transparency*: Façade fenestration allows visibility to and from the street. This is especially important on the ground floor, where fenestration should occupy a higher percentage of the building face.
5. *Façade Articulation*: Long, monolithic facades should be broken up and made more human-scale by varying the streetwall plane, height, colors, and materials.
6. *Screened parking/services*: Attractive landscaping pushed to the sidewalk help maintain a streetwall and mitigate the disruption caused by surface parking lots and utilitarian services.

In addition to the POD Overlay being added to the official zoning map, there will be a minor text amendment to the POD Overlay text (Sec. 30-950.2 (b)), adding B-4 and TOD-1, and RO-3 as eligible districts. Section 30-950.3 will also be amended to remove the phrase “for five or more vehicles” in reference to parking lots.

Many developments in Richmond city already undergo a Plan of Development review process. This POD Overlay District will not create a significant number of additional POD reviews, it simply means that reviews of development in this area will take the six form elements into account.

### **Attached Summary Document**

In order to convey the ideas and reasoning behind this rezoning process clearly and thoroughly, staff created a summary document complete with explanatory text, maps of existing and proposed zoning, exact zoning changes, and explanation of each recommendation. Please see summary (attached) for further details.

### **Public Engagement**

As the Pulse Corridor Plan was developed over the course of 2015-2017, City Staff held numerous public forums, set up online surveys, attended standing civic association meetings, and tracked public feedback.

In July 2017, staff held two public open houses at the Main Library to discuss the Monroe Ward rezoning, and provided informational maps and comparisons of zoning districts. In addition, a letter was sent to each property owner of over 400 addresses which will be affected by the rezoning. Of the 400 property owners affected, PDR received only two letters expressing concern or opposition, and has subsequently engaged with both parties.

In November 2018, staff once again sent notices in postcard form to 444 individual property owners, and received one inquiry of concern regarding parking, and twelve letters or emails from Historic Richmond Foundation and members regarding height and protection of historic buildings on Franklin Street. Because of this concern, staff altered the proposal to keep the current zoning on Franklin Street and make alterations to the district to ensure future uses and form are compatible with the existing character of the street.

Staff has received letters and emails of support from large property owners, developers and one affordable housing expert. Staff continues to regularly discuss the rezoning with property- and business-owners in the neighborhood, who are largely supportive of the rezoning and positively anticipate its effects on the neighborhood.

### **Staff Contact:**

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