



CITY OF RICHMOND

Department of Planning & Development Review *Staff Report*

Ord. No. 2020-205: To authorize the special use of the properties known as 1041 North Lombardy Street, 1480 Moore Street, and 1500 Moore Street for the purpose of multifamily dwellings containing a total of up to 90 dwelling units, with off-street parking, upon certain terms and conditions.

To: City Planning Commission
From: Land Use Administration
Date: October 5, 2020

PETITIONER

Mark Kronenthal, Esq., Roth Jackson Gibbons Condlin, PLC

LOCATION

1041 North Lombardy Street, 1480 and 1500 West Moore Street

PURPOSE

To authorize the special use of the properties known as 1041 North Lombardy Street, 1480 Moore Street, and 1500 Moore Street for the purpose of multifamily dwellings containing a total of up to 90 dwelling units, with off-street parking, upon certain terms and conditions.

SUMMARY & RECOMMENDATION

The subject property consists of three parcels totaling approximately 3.5 acres, and is a part of the Carver neighborhood in the City's Near West Planning District and the VCU & VUU Station Area of the Pulse Bus Rapid Transit Plan. The property is currently zoned M-1 Light Industrial and R-6 Single-Family Attached Residential. The applicant has requested a special use permit to allow multi-family dwellings containing a total of up to 90 dwelling units. This use is not permitted by the underlying zoning. A Special Use Permit is required to accomplish this request.

Also, the applicant has requested, as part of ORD. 2020-208, that the portion of Moore Street located between North Lombardy Street and Bowe Street be closed to public use and travel. The City will be receiving a pedestrian and bicycle access easement over the closed portion of Moore Street. In addition, the City will receive a public travel easement over the new private streets (Moore and Bowe) that will provide connectivity between Lombardy and Bowe Street. The City will retain the utility easements over the vacated portion of Moore Street.

Staff finds the proposed special use permit to be generally consistent with the recommendations of the Pulse Corridor Plan.

Staff finds that the proposed special use permit will not place an undue burden upon the availability of on-street parking in the area.

Staff finds that with the ordinance conditions 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 request.

FINDINGS OF FACT

Site Description

The subject property consists of three parcels totaling approximately 3.5 acres, and is a part of the Carver neighborhood in the City's Near West Planning District and the VCU & VUU Station Area of the Pulse Bus Rapid Transit Plan.

The parcels front on North Lombardy Street and Bowe Street, and are bisected by Moore Street. The property at 1041 North Lombardy Street is currently improved with 3-story condominiums, constructed in 2010, and surface parking. The Moore Street properties are improved with former industrial/commercial uses and surface parking.

Proposed Use of the Property

The proposed use of the property is up to 90 dwelling units within seven residential buildings, served by 197 off-street parking spaces, at a density of approximately 26 units per acre. The buildings are designed to have the appearance of 4-story townhouses.

Also, as part of ORD. 2020-208, the portion of Moore Street located between North Lombardy Street and Bowe Street will be closed to public use and travel. The City will be receiving a pedestrian and bicycle access easement over the closed portion of Moore Street. In addition, the City will receive a public travel easement over the new private streets (Moore and Bowe) that will provide connectivity between Lombardy and Bowe Street. The City will retain the utility easements over the vacated portion of Moore Street.

Master Plan

The City of Richmond's Pulse Corridor Plan designates the subject property for Neighborhood Mixed-Use (NMU) land use. Neighborhood Mixed-use areas are cohesive districts that provide a mix of uses, but with a larger amount of residential uses than other mixed-use districts. They are an urban, walkable environment with limited neighborhood-oriented uses incorporated along key commercial corridors and at corner sites.

The building size, density, and zoning districts for these areas will vary depending on historic densities and neighborhood characteristics. New development should be in scale with existing context.

Regardless of use, buildings should have street-oriented facades with windows and door openings along street frontages. Appropriate setbacks and open space should be provided for residential uses. New driveway entrances prohibited on priority streets. Vehicular access to parcels should use alleys where possible.

Parking lots and parking areas should be located to the rear of street-facing buildings.

Primary uses within NMU are offices and multi-family residential. Secondary uses include retail, personal services, cultural, institutional, plazas, and pocket parks (p. 31).

Specifically for the VCU & VUU Station Area, the Pulse Plan states “Neighborhood Mixed-Uses in Carver support the existing medium-density residential development while allowing corner commercial and multi-family residential uses where appropriate” (p. 70).

Zoning and Ordinance Conditions

The property is currently zoned M-1 Light Industrial and R-6 Single-Family Attached Residential. The City’s Zoning Administration reviewed the application and provided the following comments:

Please be advised of the following zoning regulations that are not being met by the proposal, warranting special use permit approval:

Zoning and Use: *The subject properties are located within the M-1 and R-6 district. Only the parking area serving the multi-family use is proposed within the R-6 district. Multi-family dwelling uses are not permitted in the M-1 district, and parking areas serving the multi-family uses are not permitted in the R-6 district. (Sec. 30-412.1 & Sec. 30-452.1)*

Height: *45’ in the M-1 district, provided that when all portions of a building over 45’ in height are setback from side and rear lot lines a minimum of one foot for each two feet in height in excess of 45 feet and provided, further, that no portion of a building or structure shall penetrate an inclined plane originating at the centerline of an abutting street and extending over the lot at an inclination of one foot horizontal for each three feet vertical. Elevations have been provided, however there is not enough information to determine whether or not height requirement is met. This will need to be included in the SUP requests if it is not being met. (Sec. 30-452.4). Enclosed area providing roof access counts towards the building height.*

The special use permit would impose conditions on the property, including:

3(a) The Special Use of the Property shall be as multifamily dwellings containing a total of up to 90 dwelling units, substantially as shown on the Plans.

(b) No more than 197 off-street parking spaces shall be provided for the Special Use, substantially as shown on the Plans.

(c) All building elevations, materials, and site improvements, including landscaping and walkways, shall be substantially as shown on the Plans. Any vinyl siding shall be at least 0.044 inches in thickness. Alternative designs, materials, and colors may be used, subject to the approval of the Director of Planning and Development Review in accordance with applicable law, prior to the issuance of a building permit.

(d) The height of the Special Use shall not exceed the height as shown on the Plans.

(e) All mechanical equipment serving the Property shall be located or screened so as not to be visible from any public right-of-way.

(f) Short-term parking for no fewer than six bicycles shall be provided, substantially as shown on the Plans.

(g) Prior to the issuance of any final certificate of occupancy for the Special Use, the portion of Moore Street located between North Lombardy Street and Bowe Street, as shown enclosed with bold lines on a drawing prepared by the Department of Public Works, designated as DPW Drawing No. N-28921, dated August 12, 2020, and entitled "Proposed Closing to Public Use and Travel of Moore Street between N Lombardy Street and Bowe Street," a copy of which is attached to Ordinance No. 2020-_____, adopted _____, 2020, and as shown on a survey entitled "Plat Showing Two Parcels of Land Lying on the East Line of North Lombardy Street," prepared by Koontz Bryant Johnson Williams, and dated July 17, 2019, and on a survey entitled "ALTA / NSPS Land Title Survey Showing Three Parcels of Land Lying on the North Line of West Moore Street," prepared by Koontz Bryant Johnson Williams, and dated August 23, 2019, copies of which are attached to and made a part of this ordinance, shall first have been closed to public use and travel as a public right-of-way in accordance with Ordinance No. 2020-_____, adopted _____, 2020.

4(c) 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.

(e) The Owner shall make improvements within the right-of-way, including installation of 18 parking spaces along Bowe Street, street trees along Bowe Street and North Lombardy Avenue, and a new entrance to North Lombardy Street, which improvements may be completed in one or more phases as approved by the Director of Public Works.

Surrounding Area

Properties to the west are zoned R-53 Multi-Family Residential, properties to the south are zoned R-7 Single- and Two-Family Residential, parcels to the east are zoned R-6 and properties to the north are zoned M-1. A mix of commercial, residential, office, and institutional land uses are present in the area.

Neighborhood Participation

Staff notified the Carver Area Civic Improvement League neighborhood association, and area residents and property owners of this application. A letter of support has been received by the Carver Area Civic Improvement League.

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