



CITY OF RICHMOND

Department of Planning & Development Review *Staff Report*

Ord. No. 2016-171: To amend Ord. No. 2014-121-201, adopted Nov. 10, 2014, which authorized the special use of the property known as 1650 Overbrook Road for the purpose of authorizing multifamily dwellings with up to 205 dwelling units, to permit up to 117 multifamily dwelling units and other site amenities, upon certain terms and conditions.

To: City Planning Commission
From: Land Use Administration
Date: July 18, 2016

PETITIONER

H. L. Salomonsky
Overbrook LLC
1553 E. Main St., Richmond, VA 23219

LOCATION

1650 Overbrook Road

PURPOSE

To amend Ord. No. 2014-121-201, adopted Nov. 10, 2014, which authorized the special use of the property known as 1650 Overbrook Road for the purpose of authorizing multifamily dwellings with up to 205 dwelling units, to permit up to 117 multifamily dwelling units and other site amenities, upon certain terms and conditions.

SUMMARY & RECOMMENDATION

The subject property is an improved lot of 6.44 acres located on the block bounded by Overbrook Road to the south, Hermitage Road to the west, and a private alley running the length of the northern boundary. The primary masonry structure has a building footprint of 110,851 square feet and varies in building height between approximately 18 feet and 35 feet. A second masonry structure is located at the corner of Overbrook Road and Hermitage Road and it has a building footprint of 2,392 square feet. Located next to this building is one-story metal building 1,532 square feet in size. The larger building was used historically as an old tobacco warehouse.

In 2014, upon a positive recommendation from the Commission, City Council adopted Ord. No. 2014-121-201, which authorized up to 205 multi-family dwelling units. At the time, the applicant did not intend on pursuing the State and Federal Historic Tax Credits and the proposal included new windows in each elevation to provide every dwelling unit with a window in an exterior wall of the buildings.

The applicant proposes amending that ordinance to develop up to 117 dwelling units and provide 296 total parking spaces. The development of the primary building would take place in two sections, "Section A" and "Section B," with "Section B" being developed for commercial use. "Section A" would be developed for up to 117 dwelling units. Site amenities continue to include a

swimming pool. The one-story masonry building at the corner of Overbrook Road and Hermitage Road labeled “Section C” is designated for commercial use. The metal building would be removed.

The property is currently zoned M-1 Light Industrial, which does not permit the proposed multifamily use of the property. The City of Richmond’s Master Plan, adopted in 2001, also designates the subject property for “industrial” development. In keeping with the industrial zoning and Master Plan land use designation, the property has most recently been used for furniture sales.

For the Near West Planning District, The Master Plan states that “There are a number of vacant industrial and commercial properties within the District, many of which are within or adjacent to residential neighborhoods. Creative reuse strategies for these buildings or sites are needed” (p. 229). Staff notes that the proposed multi-family use is not in compliance with the Master Plan designation of “industrial” for the subject property. Residential and commercial uses offer a reasonable alternative for reuse that would support preservation of the existing building.

Staff notes that the proposal does address the City’s goal of creating new housing targeted toward market rate rentals. Staff notes that, given the large land area associated with the project, the resulting density is lesser than many similar adaptive re-use projects that have received approval. The successful renovation of the Todd Ham building and the Stove Works buildings at the corner of Hermitage and Leigh Streets indicates that this location is a desirable alternative to nearby residential areas such as Carver and the Fan District. This proposal would also provide adequate on-site parking for the proposed use and significant right-of-way and site improvements, including the installation of sidewalks and street trees along Overbrook.

Under the proposed amendment the layout of the dwelling units within the tobacco warehouses includes the addition of windows in the north and east elevations to afford X units windows in an exterior wall of the building. In an effort to provide light and air to the interior dwelling units to meet the intent of the Planning Commission’s Windowless Dwelling Unit Resolution, the applicant’s plans include seven interior courtyards. The courtyards would be between x and x square feet and would be covered with a transparent structural plastic material, which would be raised above the surrounding roof in order to provide fresh air into the courtyards. X units would be provided light and air via these proposed courtyards.

Initially, there are no windows proposed for the south elevation facing Overbrook Road because unlike the 2014 proposal, the applicant intends to receive the State and Federal Historic Tax Credits for the proposed amendment. However, in a further effort to meet the Windowless Dwelling Unit’s stated intent of providing windows for the promotion of public safety through increased interaction with activities occurring in the street, there is a condition in the ordinance that would allow the Director of Planning and Development Review to require the owner to install windows on the south elevation facing Overbrook Road five to six years after the final certificate of occupancy for the buildings is issued. This would provide x additional units with windows in an

exterior wall and allow for transparency into and out of the building along Overbrook Road. Without this requirement the elevation facing Overbrook Road would remain largely unchanged from its current condition with very few openings along its x linear feet.

The Planning Commission considered this ordinance at its June 20, 2016 meeting and voted to recommend approval of the ordinance to City Council. After the Commission's vote, the Department of Historic Resources issued statement that included; "Planning at the outset of a project to make inappropriate alterations as soon as the five year look-back period expires is very disturbing and is an affront to the thousands who have used the tax credit program for its intended purpose, with long-term preservation in mind."

At the City Council meeting on June 27, 2016, the Council requested that the Commission reconsider the ordinance given the position of the Department of Historic Resources. Subsequently, the Commission voted at its July 5, 2016 to reconsider the ordinance during its July 18, 2016 meeting.

There have been no amendments to the proposal or the ordinance since the Commission considered it on June 20, 2016.

FINDINGS OF FACT

Site Description

The subject property is an improved lot of 6.44 acres located on the block bounded by Overbrook Road to the south, Hermitage Road to the west, and a private alley running the length of the northern boundary. The primary masonry structure has a building footprint of 110,851 square feet and varies in building height between approximately 18 feet and 35 feet. A second masonry structure is located at the corner of Overbrook Road and Hermitage Road and it has a building footprint of 2,392 square feet. Located next to this building is one-story metal building 1,532 square feet in size.

Proposed Use of the Property

In 2014, City Council adopted Ord. No. 2014-121-201, which authorized up to 205 multi-family dwelling units. The applicant proposes amending that ordinance to develop up to 117 dwelling units and provide 296 total parking spaces. The development of the primary building would take place in two sections, "Section A" and "Section B," with "Section B" being developed for commercial use. "Section A" would be developed for up to 117 dwelling units. Site amenities include a swimming pool. The one-story masonry building at the corner of Overbrook Road and Hermitage Road labeled "Section C" is designated for commercial use. The metal building would be removed.

Master Plan

The City of Richmond's Master Plan, adopted in 2001, also designates the subject property for "industrial" development. In keeping with the industrial zoning and Master Plan land use designation, the property has most recently been used for furniture sales.

For the Near West Planning District, The Master Plan states that “There are a number of vacant industrial and commercial properties within the District, many of which are within or adjacent to residential neighborhoods. Creative reuse strategies for these buildings or sites are needed” (p. 229).

Zoning & Ordinance Conditions

The property is currently zoned M-1 Light Industrial, which does not permit the proposed multifamily use of the property. The M-1 District prohibits conversion of an existing building to residential use. The development of the primary building would take place in two sections, “Section A” and “Section B,” with “Section B” being permitted for uses allowed in the B-6 Mixed-Use Business District. “Section A” would be developed for up to 117 dwelling units. “Section B” is currently occupied by a furniture business and it is the intention of the applicant to continue using “Section B” for commercial uses.

The entire parking lot, including that portion on the north side of the property abutting a private alley, is proposed to contain landscaped islands planted with trees. The placement of landscaped islands relative to the number of parking spaces exceeds Zoning Code requirements.

The project exceeds the landscaping requirements of the district. On the Overbrook Road side of the building, the applicant proposes a ten foot (10’) wide planter located within the property line separating the entire parking lot, (except for egress points), from a new five foot (5’) wide concrete sidewalk to be located the public right-of way and which abuts a seven foot (7’) wide swath of land, also in the public right-of way, containing new street trees planted forty feet (40’) apart to be located between the sidewalk and the street along its entire length.

On the Hermitage Road side of the building, landscaping also exceeds that required in the M-1 District by providing buffers planted with street trees ranging in width from ten feet (10’) to twenty-three feet (23’).

On the Hardy Street side of the building, a landscaped pocket park is proposed between the parking lot and the building.

Surrounding Area

The properties to the north across a private alley and to the east is zoned M-1 Light Industrial and are occupied by the Richmond SPCA, warehousing, and general offices. The properties to the south across Overbrook Road are zoned M-2 Heavy Industrial District and are occupied by general offices, warehousing, Hardywood Brewery, Hermitage Investment Group, and A. H. Harris and Sons, a construction supply company. The property to the west, across Hermitage Road is zoned M-2 and is occupied by the Richmond Ambulance Authority.

Neighborhood Participation

Staff has contacted 2nd District Council Representative, Charles Samuels and has received one letter of opposition.

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