



## CITY OF RICHMOND

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

**Ord. No. 2023-261:** To authorize the special use of the property known as 3600 West Broad Street for the purpose of a residential use located on a portion of the first floor of the existing mixed-use building, upon certain terms and conditions.

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**To:** City Planning Commission  
**From:** Land Use Administration  
**Date:** October 2, 2023

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#### **PETITIONER**

Hirschler Fleischer, representing PMC Seaboard GP, LLC

#### **LOCATION**

3600 West Broad Street

#### **PURPOSE**

To allow a residential use on a portion of the first floor of the existing mixed-use building, upon certain terms and conditions.

#### **SUMMARY & RECOMMENDATION**

The applicant is requesting a Special Use Permit which would allow for a residential use located on a portion of the first floor of the existing mixed-use building within a Transit-Oriented Nodal (TOD-1) zoning district. The proposed use does not meet the requirements within the TOD-1 concerning permitted principal and accessory uses and building façade fenestration. Specifically, the proposed dwelling units are not allowed by sections 30-457.2 and 30-457.10(1)(b), requiring a 20-foot depth for non-dwelling unit principal uses along an entire street-oriented frontage, and operable windows for dwelling uses on a street-level story, respectively.

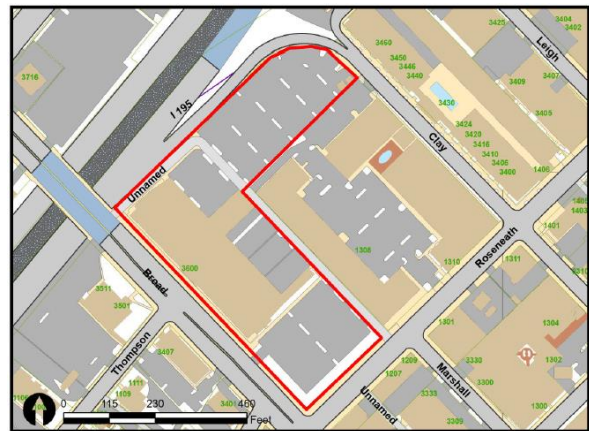


Figure 1 – 3600 W Broad Property Location (outlined in red)

Staff has reviewed the application and finds the proposed 18 dwelling units are generally consistent with recommendations of the City's Master Plan. The subject property is designated as Destination Mixed-Use, which recommends "higher density, transit-oriented development encouraged on vacant or underutilized sites," which is aligned with the proposal providing additional housing density in underutilized commercial space. Multi-family use is supported as a primary use and the site design is consistent with the mobility recommendations by providing accessory parking at the rear of the building, bike racks, as well as proximity to the GRTC bus routes/stops. The existing structure is aligned with the ground floor recommendations of a Destination Mixed-use designation by having ground floor storefront windows providing transparency between building and streets. While residential use is proposed in the west portion,

the building retains active commercial ground floor use along the east portion to provide street-oriented commercial frontage. Staff finds the added ground floor residential use will help to enhance the public realm and improve the activity at street-level in a location that has a majority of vacant ground-floor commercial space along the western portion of the building. Also, should the property owner desire to have non-residential uses in place of the ground floor residential use in the future, the property could abandon the Special Use Permit and follow the regulations of the underlying TOD-1 District.

As designated on the City's Zoning Map, the building is located on a priority street and has street-oriented commercial frontage along West Broad Street. Although the immediate frontage requires other principal uses, the applicant has explained the difficulties leasing most of the building's west side commercial space due to the location being a pocketed area immediately against the I-195 Beltline Expressway (Attachment 3). The applicant attributes the vacant commercial space to lacking pedestrian traffic due to exposure, access, and parking.



Figure 2 – Existing façade along west portion of 3600 W Broad St facing west

Staff believes that the change to residential use is reasonable for the reasons described in the application and that the commercial space is underutilized due to being isolated from pedestrian traffic west of the expressway. Staff finds the existing inoperable windows along the street-level façade are acceptable in this case given that renovation work may provide opportunity for installing operable windows in the future, and the existing single pane windows offer additional security and lighting to dwelling units at street level.

Given the unique location and the fact that the building provides a commercial frontage along the eastern portion, staff believe adaptive reuse is appropriate, and the increased housing density will further promote greater pedestrian activity along a commercial corridor. Moreover, the layout of the proposed residential units will be reviewed as part of the Plan of Development required by the Special Use Permit.

Staff finds that, with the ordinance conditions, the safeguards contained within the City Charter relative to the granting of Special Use Permits are met by the proposal. Staff finds that the proposed use would not be detrimental to the general welfare of the community involved, would not create congestion in the streets in the area involved, and would not create hazards, overcrowding of land, or interfere with public requirements and adequate light and air.

Therefore, staff recommends approval of the Special Use Permit.

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## **FINDINGS OF FACT**

### **Site Description**

The property is in the Scott's Addition neighborhood, situated on a block bounded by Roseneath Road and the I-195 Beltline Expressway and immediately across from North Thompson Street. The property is currently a 255,346 sq. ft. (5.86 acre) parcel of land.

### **Proposed Use of the Property**

The application requests allowing 18 additional dwelling units on the west portion of the first floor of the existing mixed-use building. The proposed change would result in a mixed-use building with 212 dwelling units and approximately 26,000 sq ft of commercial space on the east portion of the first floor.

### **Master Plan**

The City's recently adopted Richmond 300 Plan designates a future land use for the subject property as Destination Mixed-Use. A Destination Mixed-Use designation is described as:

Key gateways featuring prominent destinations, such as retail, sports venues, and large employers, as well as housing and open space. Located at the convergence of several modes of transportation, including Pulse BRT or other planned transit improvements.

Development Style: Higher density, transit-oriented development encouraged on vacant or underutilized sites. New development should be urban in form, may be of larger scale than existing context, and, where relevant, should pay special attention to the historic character of the existing context. Development should enhance the public realm and create a sense of place. Many buildings are vertically mixed use. Developments continue or introduce a gridded street pattern to increase connectivity."

Ground Floor: Ground floor uses engage with, and enliven, the street. Monolithic walls are discouraged, while windows, doors, storefronts, and other features that allow transparency and interaction between building and street are encouraged. Active commercial ground floor uses are required on street-oriented commercial frontages.

Mobility: Pedestrian, bicycle, and transit access are prioritized and accommodated. Bike parking is provided. Driveway entrances are required to be off alleys whenever possible; new driveways are prohibited on priority and principal street frontages. Surface parking is prohibited as a principal use; when surface parking is provided as an accessory use, it should be located to the rear of buildings and screened. Parking requirements are reduced to allow more market-based parking strategies, including shared parking. Intensity: Buildings typically a minimum height of five stories.

Primary Uses: Retail/office/ personal service, multi-family residential, cultural, and open space.  
Secondary Uses: Institutional and government.

### **Zoning**

The proposed use does not meet the requirements within the TOD-1 District for permitted principal uses and building façade fenestration.

Zoning Administration has commented, *“For a mixed use building containing dwelling units in the TOD-1, the ground floor of the building shall be devoted to other principal uses permitted in this district, and such uses shall have a depth of not less than 20 feet along the entire street oriented commercial frontage, except for ingress and egress. This requirement is not met, therefore an SUP is required. TOD-1 requires windows be operable for dwelling uses on the street level story. This will be required unless waived.”*

### **Ordinance Conditions**

If adopted, the Special Use Permit would impose conditions on the property, including:

- (a) The Special Use of the Property shall be a residential use located on a portion of the first floor of the existing mixed-use building, substantially as shown on the Plans. No more than 18 dwelling units shall be constructed within this portion of the first floor reserved for residential use and each of these dwelling units shall be provided with at least one window on the exterior wall of the building. The remaining portion of the first floor shall continue to be used for permitted uses under the TOD-1 Transit-Oriented Nodal District pursuant to section 30-457.2 of the Code of the City of Richmond (2020), as amended.
- (b) Operable windows as required by section 30-457.10 of the Code of the City of Richmond (2020), as amended, shall not be required for the Special Use.
- (c) Prior to the issuance of any building permit for the Special Use, a plan of development, or an amendment of the existing plan of development, for the Special Use, showing floorplans for the up to 18 dwelling units of the Special Use and any exterior changes shall be approved by the Director of the Department of Planning and Development Review, or designee, pursuant to Article X, Division 4 of the Code of the City of Richmond (2020), as amended.
- (d) All mechanical equipment serving the Property shall be located or screened so as not to be visible from any public right-of-way.

### **Surrounding Area**

The current zoning for the property is Transit-Oriented Nodal District (TOD-1) and is situated between the Broad/Malvern and Scott's Addition neighborhoods that are connected by TOD-1 running along West Broad Street. The location is surrounded by a mix of zones, including residential to the south (R-6; R-48; R-53; R-63), west (R-5), east (R-7), and is proximate to institutional (I), industrial (M-1; M-2), and business zones to the north (B-7) and south (UB-2). The immediate area is generally made up of commercial and office uses with multifamily uses present along side streets. The density of the proposed application is 212 dwelling units upon 5.86 acres or 36 units per acre.

### **Neighborhood Participation**

Staff notified area residents and property owners, as well as the Greater Scott's Addition Association. Staff has not received any written public comments.

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