



Application for **SPECIAL USE PERMIT**

Department of Planning and Development Review
Land Use Administration Division
900 E. Broad Street, Room 511
Richmond, Virginia 23219
(804) 646-6304
<http://www.richmondgov.com/>

Application is hereby submitted for: (check one)

- special use permit, new**
- special use permit, plan amendment**
- special use permit, text only amendment**

Project Name/Location

Property Address: _____ Date: _____

Tax Map #: _____ Fee: _____

Total area of affected site in acres: _____

(See **page 6** for fee schedule, please make check payable to the "City of Richmond")

Zoning

Current Zoning: _____

Existing Use: _____

Proposed Use

(Please include a detailed description of the proposed use in the required applicant's report)

Existing Use: _____

Is this property subject to any previous land use cases?

Yes No If Yes, please list the Ordinance Number: _____

Applicant/Contact Person: _____

Company: _____

Mailing Address: _____

City: _____ State: _____ Zip Code: _____

Telephone: _() _____ Fax: _() _____

Email: _____

Property Owner: _____

If Business Entity, name and title of authorized signee: _____

(The person or persons executing or attesting the execution of this Application on behalf of the Company certifies that he or she has or have been duly authorized and empowered to so execute or attest.)

Mailing Address: _____

City: _____ State: _____ Zip Code: _____

Telephone: _() _____ Fax: _() _____

Email: _____

Property Owner Signature: T. Ben Lloyd Jr Acting under Power of Attorney of even date herewith

The names, addresses, telephone numbers and signatures of all owners of the property are required. Please attach additional sheets as needed. If a legal representative signs for a property owner, please attach an executed power of attorney. **Faxed or photocopied signatures will not be accepted.**

NOTE: Please attach the required plans, checklist, and a check for the application fee (see Filing Procedures for special use permits)

WILLIAMS MULLEN

Direct Dial: 804.420.6615
plloyd@williamsmullen.com

July 17, 2020

VIA E-MAIL

City of Richmond Department of Planning and Development Review
Land Use Administration Division
Attn. Matthew Ebinger, Secretary, Planning Commission

Re. Applicant's Report | Special Use Permit Application 321 W. Grace Street (Tax Parcel W000-0174/001)

Ladies and Gentlemen:

This firm is counsel to Pinecrest 321 Grace Street, LLC (the "Applicant"), on whose behalf we submit the enclosed the materials referenced on Exhibit A (collectively, the "Application") for authorization of the special use of certain property further described herein pursuant to Section 30-1050.1 *et seq.* of the Code of the City (the "Code"). This letter will serve as the Applicant's Report.

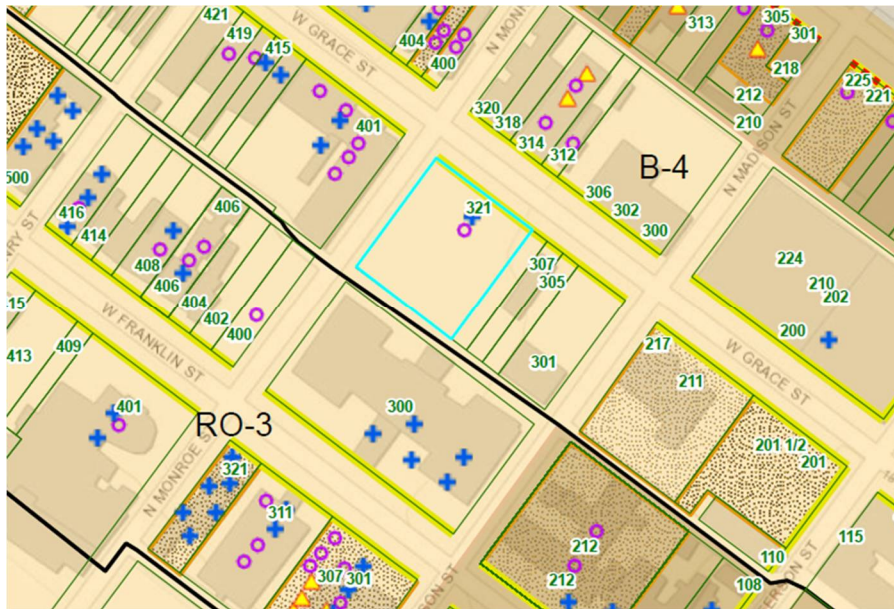
Subject Property

The subject property, presently owned by Thalhimer Franklin LLC, is 0.476 acres, more or less, known as 321 W. Grace Street, located at the southeast corner of W. Grace and N. Monroe Streets in Monroe Ward of the City of Richmond, Virginia, as depicted immediately below (the "Property").



Current Use & Zoning District Regulation

The Property, designated as B-4 Central Business District on the Zoning Map of the City, is currently improved as a surface parking lot. Surrounding properties are designated as B-4 and RO-3, as shown on the Zoning Map excerpted immediately below. The Property's frontage along W. Grace Street is designated on the Zoning Map of the City as "priority street frontage".



Proposed Special Use

The Applicant proposes the redevelopment of the Property as an approximately 15-story student housing project, comprised of a mix of uses including multi-family residential dwelling units, over a podium of structured parking accessible via a rear alley and with non-residential uses fronting on W. Grace that may include retail or other amenities related to the student housing. These uses are permitted as a matter of right within the B-4 district. This density and mix of uses will complement the current reinvestment occurring within Monroe Ward in the vicinity of the Property, consistent with the well-established urban character of downtown.

In connection with its special use of the Property, the Applicant requests relief from two aspects of the applicable B-4 district regulations imposed by the Code of the City (the "Code"):

- A. **Relief from Front Yard Setback.** The Applicant requests authorization for the development of the Property with a zero-lot line setback along W. Grace Street. Per Section 30-440.3(1)(b) of the Code, the Property may be subject to a 10-foot front yard setback due to the existence of a building located at 307 W. Grace Street that is setback greater than 10 feet. It should be noted that this provision may not apply due to the vacant, unimproved lot that is located at 309 W. Grace Street, which is immediately adjacent to the subject Property and interposed between

the building at 309 W. Grace Street. However, to the extent that 307 W. Grace Street is deemed to impose any front yard setback, the Applicant requests relief.

- B. Relief from Rear Yard Setback. The Applicant requests authorization for the development of the Property absent the requirement of a rear yard setback. Per Section 30-440.3(3) of the Code, the Property is subject to a 20-foot rear yard setback requirement due to the proximity of land zoned RO-3 District located immediately across the alley at the rear of the parcel.
- C. Relief from Inclined Plane Height Restriction. The Applicant further requests authorization for the development of the Property absent a maximum height restriction. Per Section 30-440.6 of the Code, there is no maximum height limit in the B-4 District, except for the following limitation: “no portion of a building shall penetrate an inclined plane originating at the centerline of each abutting street and extending over the lot at an inclination of one foot horizontal for each four feet vertical.”

Relief from these regulations is requested due to the location of the Property at the intersection of two downtown streets, which imposes a restriction on the developable height of a structure. This is due to the inclined plane that prevents the building from achieving a sufficient density of student residential dwelling units to render the project feasible from a cost standpoint. The requested height and massing would be consistent with adjacent uses, such as 300 W. Franklin Street located immediately to the south of and adjacent to the Property, along with nine other buildings greater than five stories in the neighborhood.¹ The requested student residential density reflects the proximity of the Monroe Park campus of Virginia Commonwealth University, several blocks to the west. Density in this location promotes walkability and bicycle usage, which adding demand for retail uses in the vicinity.

The Applicant proposes to offset the impacts of its requested relief from the foregoing regulations by accepting conditions concerning the special use of the Property, requiring its development in general conformance with the plans and elevations enclosed with this Application.

Conformance with Master Plan

The Property is located within the portion of the City that is subject to the Downtown Plan, as adopted by City Council in October of 2008 (the “Downtown Plan”). As a component of the Richmond Master Plan, the Downtown Plan, adopted by City Council in 2001, “sets the policy direction for development in the city.”² The Downtown Plan recommends the development of the Property consistent with the General Urban Character Area. This Character Area calls for “medium-density, mixed-use development, distributed along medium-sized blocks”, typically with buildings that have “variable setbacks and landscaping, and a limited mix of commercial and civic uses”.³

The redevelopment of Monroe Ward, colloquially termed “the detached garage of downtown” by Director Mark Olinger, was further advanced by the adoption by City Council in July of 2017 of

¹ See Building Heights in Monroe Ward, Pulse Corridor Rezoning Summary, p. 8 (May 2019), available at <http://www.richmondgov.com/PlanningAndDevelopmentReview/documents/PulseCorridorPlan/MonroeWardRezoningSummary20190503.pdf>

² Downtown Plan p. 1.2.

³ Downtown Plan p. 3.23.

the Pulse Corridor Plan (the “Pulse Corridor Plan”). This small area plan for the corridor and its adjacent neighborhoods forms a component part of the City’s Master Plan. The Pulse Corridor Plan designates the Property as “Downtown Mixed-Use” on its Future Land Use Map. This category is described as follows:⁴

- Higher-density pedestrian- and transit-oriented development encouraged on vacant or underutilized sites; new development should be urban in form and may be of larger scale than existing context.
- Active commercial ground floor uses required on street-oriented commercial frontages.
- Active ground floor uses and design required on priority street frontages.
- Driveway entrances required to be off alleys whenever possible; new driveways prohibited on street-oriented commercial and priority street frontages.
- Little to no setback of new development unless to create pedestrian-oriented amenities like plazas and outdoor dining.
- Surface parking 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 by shade trees.
- Parking requirements are substantially less in these areas than other areas of the city and are largely eliminated.

In order to encourage denser development within the pedestrian walkshed of the bus-rapid transit line, the Pulse Corridor Plan recommended a number of design principals within an overlay district to be applied within the Monroe Ward neighborhood, among others. These recommendations were ultimately codified by City Council in 2019 in the form of amendment to the City’s Code and zoning map for portions of Monroe Ward. This included the imposition of a plan of development overlay district, which imposed the following design elements from 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 create a semi-public space. Stepbacks at upper stories create a means to honor existing form without overwhelming it.
4. Transparency: Facade 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.

⁴ Pulse Corridor Plan p. XI.

5. Facade 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 helps maintain a streetwall and mitigate the disruption caused by surface parking lots and utilitarian services.

The Applicant's proposed development of the Property is consistent with both the density outlined by the Pulse Corridor Plan, as well as the design principles reflected in the POD Overlay for Monroe Ward. The Applicant proposes a first-floor layout and non-residential uses that will engage the street frontage of W. Grace (a priority street frontage) at its corner with Monroe Street. As depicted in the architectural precedents for the proposed building on the Property, enclosed with this Application, the corresponding architectural design is intended to "hold the corner", creating architectural interest for views looking east on W. Grace Street. The Applicant further anticipates an architectural design that will incorporate visual interest in the form of façade articulation and featuring a rooftop feature, likely incorporating elements of the building's amenities located on the top floor. Parking will be accessible exclusively through the rear alley and will be screened from view of the adjacent streets. The adjacent streetscape will be improved with appropriate plantings and street trees, as shown on the enclosed conceptual site plan.

Charter Requirements

Based on the foregoing, the proposed use on the Property meets the criteria set forth in as Section 17.11(b) of the Charter of the City that the Application is not (i) detrimental to the safety, health, morals and general welfare of the community involved; (ii) tend to create congestion in streets, roads, alleys and other public ways and places in the area involved; (iii) create hazards from fire, panic or other dangers; (iv) tend to cause overcrowding of land and an undue concentration of population; (v) adversely affect or interfere with public or private schools, parks, playgrounds, water supplies, sewage disposal, transportation or other public requirements, conveniences and improvements; or (vi) interfere with adequate light and air.

Conclusion

The proposed special use of the Property would further catalyze the significant growth and revitalization of Monroe Ward. The proposed higher density mix of student residential and non-residential uses advances the land use policy priorities of City Council evidenced in the Downtown Plan and Pulse Corridor Plan, as authorized by the Charter of the City.

City of Richmond Department of Planning and Development Review
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Thank you for your consideration of this matter. Please confirm your determination that the Application has been received and deemed complete by your office, and kindly contact us should you have any questions or require additional materials.

Very truly yours,

/s/

T. Preston Lloyd, Jr.

cc. The Hon. Kimberly Gray, Councilperson for 2nd District (via email)
Mark A. Olinger, Director, Department of Planning and Development Review (via email)
Pinecrest 321 Grace LLC (via email)

Enclosures

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EXHIBIT A
APPLICATION MATERIALS

In connection with the proposed Special Use Permit Application for 321 W. Grace Street (Tax Parcel No. W000-0174/001), the following materials are enclosed:

1. Special Use Permit Application form;
2. Survey of present conditions, entitled “ALTA/ACSM LAND TITLE SURVEY OF LAND KNOWN AS 321 W. GRACE STREET”, prepared by Timmons Group, dated July 5, 2020;
3. Land Use Special Power of Attorney from the Applicant and Owner;
4. Concept Study entitled “CONCEPT STUDY” dated July 17, 2020, pages A2 through A17, prepared by Hickok Cole, including the following:
 - a. Conceptual Site Plan & Landscape Concept, page A3
 - b. Conceptual Floor Plans and Building Cross-Section, pages A4-A8
 - c. Conceptual Massing Diagram, pages A12-A14
 - d. Illustrative Architectural Precedents, pages A15-17
5. Check made payable to City of Richmond in the amount of \$2,400.00.