



## CITY OF RICHMOND

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

**Ord. No. 2017- 228:** To amend Ord. No. 2016-016, adopted Feb. 22, 2016, last amended by Ord. No. 2016-316, adopted Jan. 9, 2017, which authorized the special use of the properties known as 105 East Duval Street, 701 North 1st Street, and 708, 708 A, 710, 712, 714, 718, 722, 724, 728, 730, 732, 736 and 744 North 2nd Street for up to 194 multifamily dwelling units, commercial uses, and accessory off street parking, to authorize up to 154 multifamily dwelling units, additional permitted uses, and amendments to the plans to reduce the height and mass of the proposed building, upon certain terms and conditions.

**To:** City Planning Commission  
**From:** Land Use Administration  
**Date:** December 4, 2017

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#### **PETITIONER**

Matt Engel – Community Preservation and Development Corporation

#### **LOCATION**

105 East Duval Street  
701 North 1st Street  
708, 708 A, 710, 712, 714, 718, 722, 724, 728, 730, 732, 736 and 744 North 2nd Street

#### **PURPOSE**

To amend Ord. No. 2016-016, adopted Feb. 22, 2016, last amended by Ord. No. 2016-316, adopted Jan. 9, 2017, which authorized the special use of the properties known as 105 East Duval Street, 701 North 1st Street, and 708, 708 A, 710, 712, 714, 718, 722, 724, 728, 730, 732, 736 and 744 North 2nd Street for up to 194 multifamily dwelling units, commercial uses, and accessory off street parking, to authorize up to 154 multifamily dwelling units, additional permitted uses, and amendments to the plans to reduce the height and mass of the proposed building, upon certain terms and conditions.

#### **SUMMARY & RECOMMENDATION**

The subject property is primarily vacant. The lone existing structure is the Franciscan convent building at the corner of North 1st Street and East Duval Street. The convent will be incorporated into the development of the property. The total land area for the development is 2.52 acres and is located in the Jackson Ward neighborhood on the block bounded by North 1st Street, East Jackson Street, North Second Street, and East Duval Street.

The applicant is proposing to develop 154 multi-family dwelling units with a corner commercial, retail or office use, and accessory off-street parking. The subject properties are zoned R-53 Multi-family Residential and R-63 Multi-family Urban Residential, which permit multi-family dwellings as well as certain corner commercial uses in the R-63 district. However, the proposal does not meet all the site requirements of the zoning ordinance. A special use permit authorizing 182 dwelling units was approved for the site on February 22, 2016 and amended on Jan. 9, 2017 to allow 194 dwelling units and modify the building plans.

An amendment to the current special use permit has been requested in order to accommodate the applicant's proposal to further modify the number of dwelling units authorized to 154, add offices and retail stores and shops as permitted uses, and make substantive changes to the plans, including reducing building height and replacing an internal parking garage with an internal surface parking area.

Staff finds that the proposed amendment would be consistent with the Master Plan.

Staff further 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.

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## **FINDINGS OF FACT**

### **Site Description**

The subject property is primarily vacant. The lone existing structure is the Franciscan convent building at the corner of North 1st Street and East Duval Street. The convent will be incorporated into the development of the property. The total land area for the development is 2.52 acres and is located in the Jackson Ward neighborhood on the block bounded by North 1st Street, East Jackson Street, North Second Street, and East Duval Street.

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

The proposal is to develop up to 154 multi family dwelling units and approximately 6,000 square feet of commercial/office space at the corner of North 1st and East Jackson Streets. This project is part of a joint partnership between the Richmond Housing and Redevelopment Authority (RRHA) and the Community Preservation and Development Corporation (CPDC). As part of the project, 72 of the dwelling units would serve as replacement housing for RRHA's Fay Towers senior development in the Gilpin neighborhood. The remaining units would be a mix of studio, 1 and 2 bedroom units.

The proposed amendment would require 71 parking spaces to serve the proposed residential and commercial uses of the property. Approximately 30 on street parking spaces are available along the property's frontage. The plans show improvements to the streetscape surrounding the proposal, including pedestrian scaled lighting and street trees.

### **Master Plan**

The Richmond Downtown Plan recommends General Urban and Urban Center Areas for the subject property. The Plan states, "Historic Jackson Ward is also an example of the general urban condition in Richmond. The district represents the historic pattern of settlement in Downtown Richmond, with a connected network of blocks and streets and buildings shaping the public space. A mix of buildings types exist in the neighborhood, ranging from single family homes to rowhouses to mixed use, main street buildings (p. 3.24)."

The Pulse Corridor Plan designates the property for Neighborhood Mixed Use land use. According to the plan, these 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 (p. xii).

### **Zoning and Ordinance Conditions**

The subject properties are zoned R-53 Multi-family Residential and R-63 Multi-family Urban Residential. The following are selected conditions from the proposed Ordinance:

3(a) The use of the Property shall be as up to 154 multifamily dwelling units and permitted principal uses on corner lots allowed in the R-63 Multifamily Urban Residential District, offices, retail stores and shops, together with accessory off-street parking, substantially as shown on the Plans.

(b) A minimum of 71 parking spaces shall be provided, substantially as shown on the Plans.

(c) Any sale of alcoholic beverages for off-premises consumption shall be permitted in accordance with a Virginia Department of Alcoholic Beverage Control Wine and Beer Off-Premises license, provided that the sale of fortified wines with 16 percent or more in alcohol content, the sale of beer or malt beverages in containers of 48 ounces or less or in less than six-pack quantities, the sale of wine in less than 750 milliliter bottles or containers, the sale of wine cooler packages in aggregate volumes of less than 750 milliliters, and the sale of alcoholic beverages from midnight to 6:00 a.m. daily shall be prohibited.

(d) Signs permitted on the Property shall be governed by the sign regulations applicable in the R-63 Multifamily Urban Residential District. The location and materials for all signs shall be in accordance with a detailed final plan therefor that must be approved by the Director of Planning and Development Review prior to the issuance of any building permit.

(e) Exterior building design, materials, and colors shall be substantially as shown on the Plans. Alternative designs, materials, and colors may be used if the Director of Planning and Development Review approves in writing prior to the issuance of any building permit.

### **Surrounding Area**

The Richmond Petersburg Turnpike I 95/164 is located to the north. The properties to the west are zoned R 63 and are occupied by single and multifamily dwellings. The properties to the east are vacant and zoned R 53, and the properties to the south are zoned R 53, R 63, and B 2, with a mix of single family and mixed use land uses, and vacant lots.

### **Neighborhood Participation**

The City’s Land Use Administration has received a notice of support from the Historic Jackson Ward Association.

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