



## CITY OF RICHMOND

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

**Ord. No. 2020-030:** To authorize the special use of the properties known as 1600 West Broad Street and 1606 West Broad Street for the purpose of a mixed-use building containing up to 168 dwelling units, upon certain terms and conditions.

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**To:** City Planning Commission  
**From:** Land Use Administration  
**Date:** February 18, 2020

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#### **PETITIONER**

Ben Angelo – Opus Development Company, L.L.C.

#### **LOCATION**

1600 and 1606 West Broad Street

#### **PURPOSE**

To authorize the special use of the properties known as 1600 West Broad Street and 1606 West Broad Street for the purpose of a mixed-use building containing up to 168 dwelling units, upon certain terms and conditions.

#### **SUMMARY & RECOMMENDATION**

The applicant has requested a special use permit to allow for the construction of a 12-story, mixed-use building with ground floor commercial in an M-1 Light Industrial zoning district which does not conform to current permitted principal uses and associated feature requirements.

Staff finds that the proposed special use is generally consistent with the land use recommendations and six form elements of the Pulse Corridor Plan and the Allison Street Station Area vision and recommendations.

Staff finds that the proposed development would not have an undue burden on the availability of on-street parking in the area due to the provision of new on-street and on-site parking, provision of bicycle storage, and the availability of mass transit 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.

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## **FINDINGS OF FACT**

### **Site Description**

The subject property consists of two parcels totaling 25,275 SF (0.58 acres), improved with a convenience store/automobile fueling station. The property is a part of the Newtowne West neighborhood in the City's Near West Planning District and the Allison Street station area of the Pulse Corridor Plan. The property is located approximately three blocks from the Allison Street station to the west, and approximately four blocks from the VCU/VUU station to the east.

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

The proposed use of the property is a mixed-use building containing up to 168 dwelling units and commercial uses on the ground floor, served by 79 on-site structured parking spaces that are below grade or at ground level but not visible from the street. Parking for no fewer than 65 bicycles will also be provided.

### **Pulse Corridor Plan**

The City of Richmond's Pulse Corridor Plan places the subject property within a Nodal Mixed Use District, which is described as:

-Transit-oriented district located immediately adjacent to the Pulse BRT or other frequent transit service at key gateways and prominent places in the city in order to provide for significant, urban-form development in appropriate locations.

-Higher-density pedestrian- and transit-oriented development encouraged on vacant and underutilized sites; new development should be urban in form and may be of larger scale than existing context. It should directly engage with the prominence of Nodal Mixed-Use places and the public realm.

-Highly active street frontages and urban design features that encourage pedestrian activity required.

-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 reduced to allow more market-based parking strategies, including shared parking. Potential future zoning districts: B-4, B-5, RF-1, RF-2, or a new district [e.g. TOD-1]. (p. XI)

The recommendations for the Allison Street station area view the immediate area at Broad and Lombardy as a "significant node" within the Pulse corridor (p. 65).

According to the Plan, the Allison Street Station Area vision is: “Major redevelopment around the Allison Station breaks up superblocks by reintroducing the street grid and creating a walkable environment with high-density, mixed-use buildings on the north side of W. Broad Street; medium-density, mixed-use buildings infill the south side of W. Broad Street. As redevelopment proceeds, an infill Pulse station at Lombardy Street facilitates transit connections and access to jobs, daily shopping, and homes at this intersection. Redevelopment occurs on sites with auto-oriented uses and deep setbacks that currently disrupt the historic pattern of the street-oriented commercial corridor. The preservation of historic building stock and adequate buffers to residential neighborhoods is a priority (p. 63).”

“Low-intensity, automobile-oriented uses are replaced with a mix of uses, signature architecture, and walkable urban fabric...The Nodal Mixed-Uses on the north side of W. Broad Street will enable transformative redevelopment to an urban, midrise area (p. 63).

Allison Street Station Area recommendations include:

-Re-establish the streetwall on W. Broad Street. Encourage new development to build to the street.

-Improve north-south crossings of Broad Street for pedestrians and cyclists in the general vicinity of Hermitage and Lombardy Streets (p. 64).

The Plan also specifies this property as a portion of a targeted area for infill development that “imagines the redevelopment of the parking lot to a mixed-use building with underground parking, as well as a new residential infill building with ground floor commercial uses on a [former] surface parking lot (p. 68).”

The Pulse Plan outlines six form elements that accomplish appropriate transit-oriented development:

– Hold the corner: Buildings and spaces at intersections have active ground floors that wrap around the corner.

– Entrances face the street: Main entrances to businesses and residences front the street, fostering pedestrian activity.

– Appropriate setbacks/stepbacks: Commercial uses are closer to the street while residential uses are setback to foster privacy and to create a semi-public space. Stepbacks at upper stories create a means to honor existing form without overwhelming it.

– Transparency: Façade 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.

– Façade articulation: Long, monolithic façades should be broken up and made more human-scale by varying the streetwall plane, height, colors, and materials.

– Screened parking/services: Attractive landscaping pushed to the sidewalk help maintain a streetwall and mitigate the disruption caused by surface parking lots and utilitarian services (p. IX).

### **Zoning and Ordinance Conditions**

The property is currently zoned M-1 Light Industrial and the proposal does not conform to current permitted principal uses and associated feature requirements. Specifically, dwelling uses are not permitted in the M-1 District and the 45' height limit in the M-1 District would be exceeded. The standard parking ratio of one parking space per dwelling unit would also not be met.

The applicant has followed the zoning standards of the TOD-1 Transit-Oriented Nodal District as a guide for the design of the proposed development. The TOD-1 District is an appropriate zoning district for property with a Nodal Mixed Use land use designation (as recommended by the Pulse Corridor Plan) and is comparable in form and use requirements to the B-4 Central Business District.

If reviewed under TOD-1 requirements, the proposal would meet setback, usable open space, screening, height, building façade fenestration, automobile and bicycle parking, and signage requirements. The small electrical room located in front of the parking garage, fronting Broad Street, would not meet the requirements as it would not be considered a principal use.

Regardless of zoning district, the “dwelling unit” definition is not being met with the proposal since more than three unrelated people may be residing together due to special use permit ordinance conditions regarding the number of unrelated persons per dwelling unit and provision of exterior locking mechanisms on interior rooms.

Development conditions would be imposed on the property through the special use permit process, including:

3(a) The Special Use of the Property shall be as a mixed-use building containing up to 168 dwelling units and commercial uses on the ground floor, substantially as shown on the Plans.

(b) No fewer than 79 off-street parking spaces and no fewer than six on-street parking spaces shall be provided for the Special Use, substantially as shown on the Plans.

(c) All building materials, material colors, and site improvements including landscaping, shall be substantially as shown on the Plans.

(e) All site improvements, including installation of trees and vegetation screening on the Property, shall be substantially as shown on the Plans. The vegetation screening shall follow the planting and fence/wall requirements of Buffer “A”, Buffer “C”, or “Buffer H”, as set forth in section 30-710.13(2)(b) of the Code of the City of Richmond (2015), as amended, unless otherwise approved by the Director of Planning and Development Review pursuant to applicable laws, rules, and regulations.

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

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

(h) Storage for no fewer than 55 resident bicycles and ten visitor bicycles shall be provided on the Property, substantially as shown on the Plans.

(i) Signs shall be limited to signs permitted in all districts pursuant to section 30-505 of the Code of the City of Richmond (2015), as amended, and signs permitted in the TOD-1 Transit-Oriented Nodal District pursuant to applicable provisions of the Code of the City of Richmond (2015), as amended.

(j) Interior doors to bedrooms within dwelling units may contain exterior locking mechanisms.

(k) Up to four unrelated persons or combination of related and unrelated persons may reside within individual dwelling units.

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 street trees and landscape buffer, sidewalk improvements, curb additions and extensions, bicycle racks, six on-street parking spaces, and a pedestrian safety railing, substantially as shown on the Plans, which improvements may be completed in one or more phases as approved by the Director of Public Works.

### **Surrounding Area**

The property is currently zoned M-1 Light Industrial as are surrounding parcels to the north, west, and east. Property to the south, across West Broad Street, is located in the UB Urban Business District. A mix of commercial, residential, office, and institutional land uses are present in the area.

### **Affordability**

The median household income for the Richmond region is currently \$67,703. The affordability threshold is 30% of household income which equates to \$20,311 or \$1,693 per month or less to avoid a housing cost burden.\*

The applicant has provided estimated range of rents for 4 bedroom and 1 bedroom units. Both the 4 bedroom and 1 bedroom units will be affordable to individuals who make below the Area Median Income. It should be noted that the income limits are based upon 1 person households due to fact that the 4 bedroom units will be individually leased by room, and therefore are viewed as individual units. The 1 bedroom units are estimated to be 84% of A.M.I. and the 4 bedroom units are estimated to be 49% of A.M.I.

*\*(U.S. Census Bureau, 2018 American Community Survey 1-Year Estimates)*

### **Neighborhood Participation**

Staff notified adjacent property owners, residents, and the Carver Area Civic Improvement League, Fan District Association, and Monument Avenue Preservation Society about this

application, and discussed the application with the West Grace Street Association. Staff has not received any letters of support or opposition for this application.

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