



CITY OF RICHMOND

Department of Planning & Development Review *Staff Report*

Ord. No. 2020-149: To authorize the special use of the property known as 1101 North Arthur Ashe Boulevard for the purpose of a mixed-use building containing up to 29 dwelling units, with amenity spaces and commercial uses on the ground floor, upon certain terms and conditions.

To: City Planning Commission
From: Land Use Administration
Date: July 20, 2020

PETITIONER

Warwick Park LLC

LOCATION

1101 North Arthur Ashe Boulevard

PURPOSE

To authorize the special use of the property known as 1101 North Arthur Ashe Boulevard for the purpose of a mixed-use building containing up to 29 dwelling units, with amenity spaces and commercial uses on the ground floor, upon certain terms and conditions.

SUMMARY & RECOMMENDATION

The subject property is located in the TOD-1 Transit-Oriented Nodal zoning district. The applicant has requested a special use permit to allow a mixed-use building to include dwelling units that will have five to six bedrooms with a communal kitchen and living area. The dwelling units are intended to be occupied by more than three unrelated persons. The bedrooms will be lockable from the outside and not accessible to other tenants when vacant. These provisions are not allowed by the Zoning Ordinance, a Special Use Permit is therefore required to accomplish this request.

Staff finds that the proposed use meets the intent of the TOD-1 zoning district by redeveloping the property with a density that encourages walkable transit-oriented neighborhoods. Commercial uses will front Arthur Ashe Boulevard and provide an inviting pedestrian area. A new sidewalk will be installed along Myers Street on the eastern boundary where no sidewalk currently exists.

The proposed project conforms with the Pulse Corridor Plan recommendations to create appropriate setbacks with commercial uses closer to the street. The transparency of the façade fenestration as noted in the plan will provide for a more inviting pedestrian area.

Staff further finds that the proposal would not pose an undue burden on the availability of on-street parking as thirty off-street parking spaces are provided on the property underneath the residential structure, and behind the commercial uses, as well as 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 this special use permit request.

FINDINGS OF FACT

Site Description

The subject property consists of a parcel totaling 13,343 SF (.309 acres) of land improved with a garage and unscreened parking area. The property is a part of the greater Scott's Addition area in the City's Near West Planning District, and has frontage on both North Arthur Ashe Boulevard and Myers Street.

Proposed Use of Property

The proposed special use permit will allow the property to be used as apartments with more than three unrelated residents residing in each unit. The structure will contain 29 apartments located within five floors of residential area. The residential floors are situated above one floor of commercial and amenity area and parking, for a total of six stories. The lobby area for the residential units and two commercial units will face North Arthur Ashe Boulevard. Parking for 31 vehicles will be provided on site and will be accessed via Myers Street.

Master Plan

The City of Richmond's current Pulse Corridor Plan designates the subject property for Nodal Mixed Use (NO-MU). The plan calls for development aligned with the 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 are 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.

The proposed project is located in the Cleveland Station area. The vision statement for this area states *Scott's Addition continues its evolution as a mixed-use neighborhood...while becoming a destination in its own right for residential, office, retail and compatible uses.*

Zoning and Ordinance Conditions

The mixed-use development is a permitted use in the TOD-1 Transit Oriented Nodal District. However, the provision of apartments with five to six bedrooms with each bedroom individually leased does not must be authorized by the special use permit. The Zoning Ordinance's "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.

In the zoning ordinance, Section 30-457.1 states the following:

Pursuant to the general purposes of this chapter, the intent of the TOD-1 district is to encourage dense, walkable transit-oriented development consistent with the objectives of the master plan and to promote enhancement of the character of this development along principal corridors, at key gateways, and at nodes of high activity located near transit service, bicycle infrastructure, and pedestrian-friendly streetscapes. The district regulations are also intended to safeguard the character of adjoining properties by only being applied in areas that meet the criteria above, with buffering by setbacks and screening or transitional districts to lower intensity residential areas.

The district regulations are intended to encourage redevelopment and place-making, including adaptive reuse of underutilized buildings, to create a high-quality urban realm. They are intended to improve streetscape character by providing continuity of building setbacks, to enhance public safety by encouraging an active pedestrian environment consistent with the mixed-use character of the district by providing for windows in building façades along street frontages, and to promote an environment that is safe for walking and biking.

In approving the revised submission, Zoning Administration provided the following comments: *The useable open space requirement (Sec. 30-457.6) also needs to be waived. The plans base the ratio on lot area, but the requirement in TOD-1 is based on the floor area devoted to dwelling uses. So 4,034 SF of "useable open space" divided by 42,486 SF of floor area devoted to dwelling units is 0.0949- just shy of the 0.10 requirement.*

The special use permit would impose conditions on the property, including:

(a) The Special Use of the Property shall be as a mixed-use building containing up to 29 dwelling units, with amenity spaces and commercial uses on the ground floor, substantially as shown on the Plans.

(b) No fewer than 31 off-street parking spaces shall be provided for the Special Use, substantially as shown on the Plans.

(c) All building elevations, materials, building colors, and site improvements shall be substantially as shown on the Plans. Alternative designs, materials, and colors may be used, subject to the approval of the Director of Planning and Development Review in accordance with applicable law, prior to the issuance of a building permit.

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

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

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

(g) Up to six unrelated persons or combinations of related and unrelated persons may reside within individual dwelling units.

(h) Leases of occupancy shall be at least 30 days or greater in length.

Surrounding Area

The property is currently zoned TOD-1 Transit-Oriented Nodal District as are surrounding parcels to the north, south, east, and west. A mix of commercial, residential, office, and institutional land uses are present in the area.

Neighborhood Participation

Staff notified the Scott's Addition Boulevard Association and adjacent residents and property owners. A letter of "No Opposition" was received from the Scott's Addition Boulevard Association.

Staff Contact

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