



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: 305 N. 18th Street Date: June 9, 2021  
 Tax Map #: E0000186026 Fee: \$1,800  
 Total area of affected site in acres: 1.55 acres

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

**Zoning**

Current Zoning: M-1

Existing Use: Multifamily - Mixed Use

**Proposed Use**

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

Add swimming pool and deck as accessory to multifamily use of the property, adjust parking layout and landscape to accomodate pool/deck

Existing Use: Multifamily Residential with ground floor B-6 uses

Is this property subject to any previous land use cases?

Yes

No



If Yes, please list the Ordinance Number: Most recent ordinance number is 2009-45-125, adopted 4/27/09  
Original ordinance was 2008-192-194, adopted Sept 8, 2008.

**Applicant/Contact Person:** John Grier

Company: Emerson-Roper Companies  
 Mailing Address: 2903 A Boulevard  
 City: Colonial Heights State: VA Zip Code: 23834  
 Telephone: (804) 419-2285 Fax: (804) 419-2211  
 Email: kgrier@plusmgt.com

**Property Owner:** CB Richmond Associates LC

If Business Entity, name and title of authorized signee: Philip R. Roper, III

(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: 2903 A Boulevard  
 City: Colonial Heights State: VA Zip Code: 23834  
 Telephone: (804) 518-1498 Fax: (804) 419-2211  
 Email: ccogle@whittle-roper.com

**Property Owner Signature:** 

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)

# **APPLICANT'S REPORT - SPECIAL USE PERMIT AMENDMENT REQUEST**

## **305 NORTH 18<sup>TH</sup> STREET - THE CEDAR BROAD APARTMENTS**

### **BACKGROUND**

This Special Use Permit Amendment is requested to update an existing Special Use Permit adopted in 2009, which authorized the development of a multifamily community (the Cedar Broad Apartments) along E. Broad Street in Shockoe Bottom.

The initial Special Use Permit for the Cedar Broad Apartments was granted on September 8, 2008, by Ordinance Number 2008-192-194, for up to 192 multifamily units, with a site layout and building designs locked in. Final building designs resulted in plans for 204 multifamily units, so a Special Use Permit Amendment was requested and received on June 22, 2009, by Ordinance No. 2009-45-125.

This 2009 Ordinance locked in a building designs, a site layout and landscaping details, and set minimums for the number of on on-site and off-site parking spaces.

The Cedar Broad Apartments were constructed in 2010, and after more than a decade of operation, it is clear there are adjustments needed to those Special Use Permit requirements to fine-tune the community to better match the current market needs of renters seeking housing in the Shockoe Bottom area.

### **REQUEST**

This request is intended to allow the continued evolution of the Cedar-Broad Apartments to match the current expectations and needs of downtown renters, by:

1. Provide enhanced amenities for the residents by amending the site layout plan to accommodate installation of an on-site swimming pool and pool deck; and by
2. changing the minimum parking requirements to reflect the actual parking demands of the actual renters, as demonstrated from the operation of this apartment community over the past decade, so that unused spaces can be put to good use by other Shockoe Bottom residents and businesses.

Specially, we ask approval of this Special Use Permit Amendment to:

1. ACCOMMODATE THE ADDITION OF A POOL AND POOL DECK AS AN AMENITY: A portion of the landscaped area along the surface parking lot will be converted to a swimming pool and adjacent paver hardscaped area, and a sun deck will be constructed over a portion of the surface parking area, necessitating the elimination of a few parking spaces. Thus, this request incorporates the elimination of the landscape area, the elimination of three parking spaces for the sun deck area and for relocation of an emergency

power generator, and the inclusion of elevation drawings and site plan adjustment for the sun deck;

2. ADJUST THE PARKING REQUIREMENTS: This aspect of the request would adjust the parking requirements to address the displacement of the three parking spaces on-site necessary for the pool deck construction, and to eliminate the requirement to have thirty-one off-site spaces leased to be available if needed for Cedar Broad residents.

## STATEMENT OF JUSTIFICATION

From the very outset, the Cedar Broad Apartments have attracted a resident base that works or goes to school in close proximity to the Apartments. Across the variety of rental multifamily properties within the Downtown, Shockoe Bottom and Tobacco Row areas, there are properties that are positioned geographically and/or by project design to serve specific segments of the market. The Cedar Broad Apartments, by virtue of its location at the bottom of the “Broad Street Hill” just down from the VCU Health Medical Campus, has attracted many walkers and cyclists that work or attend classes within just a few walkable blocks of their homes at the Cedar Broad Apartments.

Characteristics of this resident demographic include the following aspects that are relevant to this request:

- The renter profile is generally a younger, active person, that seeks more outdoor activities than currently provided, thereby necessitating the installation of the pool in the parking area to supplement the roof deck on the current building;
- The renter profile includes students and employees of the nearby VCU Health Campus, as well as employees of nearby Shockoe Bottom business establishments, and a sufficient number of these renters chose to not own vehicles due to their ability to walk to work and to entertainment, thereby leaving a number of on-site parking spaces unused each month, and not ever needing the reserved off-site spaces.

The specific numbers for the parking demand is as follows:

<u>Number of multifamily units:</u>	Total Built Units:	204
	Typ. Vacancy:	≥ 11 (incl. model unit)
	Typ. Leased Units:	≤ 193 (historical max.)

Required Spaces: 173 on-site, 31 off-site, for total of 204

Number of Spaces Typically Assigned to Residents: 161 on-site spaces\*\*\*

\*\*\* field surveys indicate typical peak spaces occupied is around 145, including staff spaces, due to resident work and travel schedules.

Given this historical total occupancy and total parking demand, this request proposes addressing the parking needs of the residents as follows:

- Eliminate off-site parking requirements completely, as those spaces have never been needed;
- Set the on-site parking requirement at 168 spaces, which would be more than adequate to accommodate historical demand, and would accommodate the proposed displacement of three on-site spaces for construction of the sun deck and relocation of the generator.

This reduction would equate to 1 space per 1.2 units, which compares favorably to the requirements applied to the B-5 zoned properties in Shockoe Bottom, where the parking requirement is 1 space per 4 units.

### **COMPARISON TO COMPREHENSIVE PLAN GUIDANCE**

The recently-adopted Richmond 300 Plan encourages housing strategies that foster continued investment in the city's housing resources to adapt those resources to current market needs, and promotes policies that will result in reduced reliance on individual automobile transport, and implies throughout that urban parking requirements could effectively be less than 1 per unit as alternative modes of transport become more prevalent in the City, particularly in the Downtown and surrounding neighborhoods.

While similarly encouraging high-quality, market driven housing, the recently-released draft of the Shockoe Bottom area plan offers a slightly more nuanced set of strategies regarding parking needs, by suggesting there is a need to examine overall parking needs in Shockoe Bottom, as there is at least the perception of a parking shortage overall, and there are potential conflicts between overnight on-street parking (and sometimes day-time parking) by residents, and parking needs of area employees during the day and restaurant and entertainment patrons in evenings.

As a possible solution, the draft Plan notes that there may be spaces in existing parking areas and decks that are not needed by the primary use, and could be a source of parking spaces for other uses that have an inadequate on-site supply or cannot be adequately supported by the on-street parking.

Thus, while the applicant recognizes the need for care in this request for a reduced parking requirement, it is noted that a) the request is based on the real-world experience in the past decade where a steady percentage of residents forego car ownership due to the proximity to work or school, and b) the off-site spaces are reserved in another Shockoe Bottom property where the primary use does not need them, and given that the spaces are going unused year-after-year, this off-site parking resource is wasted when it could be used by others if the current 31-space off-site requirement imposed on Cedar Broad Apartments is dropped.

As such, the reinvestment in the Cedar Broad Apartments by adding a pool and sun deck are supported with housing policies in both Plan documents, and similarly, adjusting the parking requirements would not be inconsistent with the two documents.

## **CITY CHARTER REQUIREMENTS**

The City Charter requires that prior to City Council approval of a Special Use Permit, it must be shown that the proposed special use will not:

1. be detrimental to the safety, health, morals and general welfare of the community involved;
2. create congestion in streets, roads, alleys and other public ways and places in the area involved;
3. create hazards from fire, panic or other dangers;
4. tend to cause overcrowding of land and an undue concentration of population;
5. adversely affect or interfere with public or private schools, parks, playgrounds, water supplies, sewage disposal, transportation or other public requirements, conveniences and improvements; or
6. interfere with adequate light and air.

In general, the proposed Special Use Permit Amendment would not contribute to any of the negative impacts prohibited by the City Charter, and would, in fact, contribute to an enhanced housing experience for the residents of the Cedar Broad Apartments by facilitating a significant investment in the community's amenity package, and adjusting the parking requirements would free up unused spaces that might someday be supportive of other uses within the Shockoe Bottom area.

Thus, the standards set by the City Charter would be met.

## SPECIFIC CHANGES TO PREVIOUS ORDINANCE

The following list outlines the specific changes to the existing Special Use Permit established by Ordinance No. 2009-45-125:

1. The existing plan references in § 1. may be retained, but the site and landscape plans therein will be modified by the submitted plan entitled “Construction Area of Pool and Sun Deck”, prepared by Emerson-Roper Companies, dated June 9, 2021, and the site and building elevation plans therein will be modified and supplemented by the submitted plans that show the pool and paver area improvements and the raised sun deck improvements, entitled “Cedar Broad Pool“, consisting of sheets A.1 and A.2, prepared by Walter Parks Architect, dated June 28, 2021.
2. The parking requirements, as set forth in § 3.(l), will be modified to read as follows: ~~(l) Parking spaces shall be provided at a minimum ratio of one parking space per dwelling unit. One hundred seven – three (173) sixty-eight~~ on-site parking spaces shall be provided to serve the use or uses of the properties configured and arranged substantially as depicted on the ~~attached plans attached to Ordinance No. 2009-45-125, as modified by the attached plans.~~ A maximum of thirty percent (30 %) of these spaces are permitted to meet the dimensions of a compact parking space as defined by section 114-710.3:1(a) of the Code of the City of Richmond (2004), as amended. ~~In addition to the on-site parking, no fewer than thirty-one (31) or the minimum number required to provide the desired one parking space per dwelling unit ratio, off-site parking spaces shall be provided within a one thousand feet (1,000') radius of the East Broad Street entrance to the residential portion of the building.~~