



CITY OF RICHMOND

Department of Planning & Development Review *Staff Report*

Ord. No. 2021-038: To authorize the special use of the property known as 2416 Jefferson Avenue for the purpose of a mixed-use building containing outdoor dining and tourist home uses, upon certain terms and conditions.

To: City Planning Commission
From: Land Use Administration
Date: March 15, 2021

PETITIONER

Mark Baker – Baker Development Resources

LOCATION

2416 Jefferson Avenue

PURPOSE

To authorize the special use of the property known as 2416 Jefferson Avenue for the purpose of a mixed-use building containing outdoor dining and tourist home uses, upon certain terms and conditions.

SUMMARY & RECOMMENDATION

The subject property is located in the UB-PE4 zoning district and is a .354 acre triangular parcel bounded by Jefferson Avenue to the south, M Street to the northeast, and North 24th Street to the northwest. The property is located in the Union Hill neighborhood and the Union Hill City Old & Historic District. The proposed mixed-use building contains 21 dwelling units (with up to ten designated as tourist homes) and 5,151 square feet of ground floor commercial space. Plan of Development approval was granted following previous approval of the plans by the Commission of Architectural Review.

The proposed special use permit would authorize of a partial parking reduction which would consist of 23 on-street parking spaces and would not require off-street parking; a reduction of the 100 foot radius requirement associated with outdoor dining to approximately 80 feet; and the authorization of tourist home units that are accessed from the exterior of the building rather than the interior.

Staff finds that the proposed project is generally consistent with the intent if the UB Urban Business District and Parking Exempt Overlay District and the recommendations of the Master Plan. The project would contribute to the continued development of the Jefferson, Marshall & 25th Neighborhood Node.

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 safety, health, morals and general welfare of the community.

Therefore, staff recommends approval of this special use permit request.

FINDINGS OF FACT

Site Description

The subject property is located in the UB-PE4 zoning district and is a .354 acre triangular parcel bounded by Jefferson Avenue to the south, M Street to the northeast, and North 24th Street to the northwest. The property is located in the Union Hill neighborhood and the Union Hill City Old & Historic District.

Proposed Use of Property

The proposed mixed-use building contains 21 dwelling units (with up to ten designated as tourist homes) and 5,151 square feet of ground floor commercial space. The POD approval was granted following previous approval of the building plans by the Commission of Architectural Review.

The proposed special use permit would authorize of a partial parking reduction which would consist of 23 on-street parking spaces and would not require off-street parking; a reduction of the 100 foot radius requirement associated with outdoor dining to approximately 80 feet; and the authorization of tourist home units that are accessed from the exterior of the building rather than the interior.

Master Plan

The Richmond 300 Master Plan recommends Community Mixed-Use land use for the property. This designation is described as clusters of medium-density, walkable commercial and residential uses that provide neighborhood services to nearby residential communities and sometimes feature regional attractions.

Development Style: The building size, density, and zoning districts for these areas may vary significantly depending on historical densities and neighborhood characteristics. Future development should generally complement existing context. Uses may be mixed horizontally in several buildings on a block or vertically within the same building. Developments continue or introduce a gridded street pattern to increase connectivity.

Ground Floor: Ground floor uses engage with, and enliven, the street. Monolithic walls are discouraged, while windows, doors, storefronts, and other features that allow transparency and interaction between building and street are encouraged.

Mobility: Pedestrian, bicycle, and transit access are prioritized and accommodated. Bike parking is provided. Driveway entrances are required to be off alleys whenever possible; new driveways are prohibited on priority and principal streets. Parking areas are located within the structure and to the rear of buildings and require screening; shared parking requirements are encouraged.

Community Mixed-Use Diagram The building size, density, and zoning districts for these areas may vary depending on historical densities and neighborhood characteristics. The common theme among all Community Mixed-Use areas is that a mix of uses are allowed and buildings must address the street.

Intensity: Buildings generally ranging from two to six stories, based on street widths and depending on the historic context and stepping down in height adjacent to residential areas, as necessary. New buildings that are taller than historical buildings should step back from the build to line after matching the height of the predominant cornice line of the block.

Primary Uses: Retail/office/ personal service, multi-family residential, cultural, and open space.

Secondary Uses: Single-family houses, institutional, and government.

The subject property is also located within the Jefferson, Marshall & 25th Neighborhood Node. The vision for this node is: The intersection of N. 25th Street and Jefferson Avenue is located between the Union Hill and Church Hill neighborhoods and provides a mix of commercial, residential, and institutional uses. In the future the Node is strengthened by new development on vacant parcels, increased connectivity, and re-imagined institutional and park uses. While the Node is mainly built-out and its historic properties are protected by local Old & Historic Districts, there is opportunity for infill development on vacant parcels. New development should be in keeping with the existing character of the area. Because the properties along N. 25th Street and Jefferson Avenue are a mix of commercial and residential uses, care should be taken to preserve the continuity of existing blocks. The City of Richmond's East District Center, which is located on the east side of the 25th/Jefferson intersection, is an opportunity to leverage future development while continuing to provide public services. The small, triangular park at Jefferson/Clay/23rd is improved using sustainable practices in a manner consistent with neighborhood open space goals.

Jefferson Avenue is designated by Richmond 300 as a major mixed-use street.

Objective 4.1 of Richmond 300 states: Create and preserve high-quality, distinctive, and well-designed neighborhoods and Nodes throughout the city.

Zoning & Ordinance Conditions

The property is situated in a UB Urban Business District and the Jefferson Avenue Parking Exempt Overlay District (PE4).

The zoning ordinance states that the intent of the UB Urban Business District is to encourage business areas with a densely developed pedestrian-oriented urban shopping character, compatible with adjacent residential neighborhoods, and with minimal disruption from vehicle-oriented land uses and features that would detract from a safe, convenient and economically viable pedestrian environment. The district is intended to promote continuity of storefront character along principal street frontages, with minimum interruption by driveways and vehicle traffic across public sidewalk areas. The regulations within the district are intended to preserve the predominant scale and character of existing urban shopping areas, promote retention of existing structures and encourage that new development be compatible with such existing areas and structures.

In regard to the Parking Exempt District, the zoning ordinance states that the intent of parking exempt overlay districts is to provide relief from the off-street parking requirements for certain

uses so as to facilitate the development and redevelopment of economically depressed, older, urban commercial districts characterized by a substantial number of vacant and deteriorated structures

Zoning Administration provides the following comments:

The purpose of the SUP request is the construction of a mixed-use building that has been authorized for the Property pursuant to the Plan of Development (POD-051588-2019), which was approved on September 16, 2019. This SUP request would permit a mix of uses within that building that are permitted within the UB District but which cannot meet some of the UB feature and definition requirements related to them. The proposed mixed-use building contains 21 dwelling units (with up to ten designated as tourist homes) and 5,151 square feet of ground floor commercial space.

Please be advised that the following conditions of the proposed mixed-use building do not comply with the current zoning regulations:

OFF-STREET PARKING REQUIREMENT: Per the conditionally approved Plan of Development, there are 23 parking spaces that can be provided in portions of the right-of-way abutting the Property's frontages on North 24th Street, Jefferson Avenue, and M Street. The potential ten (10) tourist home units require up to ten (10) parking spaces and two (2) parking spaces are required for the remaining eleven dwelling units. The remaining eleven (11) on-street parking spaces credited towards the Property significantly limit the potential uses of the 5,151 square feet of commercial space. This SUP requests the overall parking requirement be fixed at the 23 on-street parking spaces for all potential permitted principal uses on the Property.

OUTDOOR DINING WITHIN 100 FEET OF ANY PROPERTY IN ANY R DISTRICT: In the UB District, where restaurants are concerned, Section 30-433.2(21)(a.) requires that "no deck, patio, terrace or other area outside a completely enclosed building and used for the service or accommodation of patrons shall be situated within 100 feet of any property in any R district". A triangular outdoor dining patio is proposed at the corner of M Street and Jefferson Avenue, which is located approximately 84 feet from the closest property located within an R district.

ACCESS TO TOURIST HOME: Per Section 30-433.2(27) of the Zoning Ordinance, tourist homes are permitted principal uses in the UB district; however, access to the tourist home shall be provided exclusively from within the building. Per the definition stated in Section 30-1220.122 of the Zoning Ordinance, a tourist home means a building containing not more than ten guestrooms, with or without kitchens and with or without board, intended to be rented for compensation for occupancy by the traveling public and similar transient guests on a daily basis and in which access to individual guestrooms is provided exclusively from within the building, as distinguished from a hotel, motel, lodginghouse, group home, shelter or similar form of housing. The proposed tourist home would have access from an open central courtyard. As proposed, no more than ten of the dwelling units would be occupied on a daily basis at any given time.

If approved, 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 outdoor dining and tourist home uses, substantially as shown on the Plans. Uses permitted by the zoning regulations prescribed for the district in which the Property is situated shall also be permitted.
- (b) Outdoor dining shall be permitted within the area labelled "Commercial 1" on the Plans. Operations of the outdoor dining area shall cease by no later than 11:00 p.m. daily.
- (c) Up to ten dwelling units may be used as tourist home units, which may be accessible from the exterior of the building. No tourist home units shall be rented to more than two adult persons per bedroom at any given time. The Owner shall ensure that the Zoning Administrator is furnished with contact information for the operator of the Special Use.
- (d) On-site parking spaces shall not be required on the Property. A maximum of 23 on-street parking spaces along the frontages of the Property shall be credited to the Special Use pursuant to section 30-710.2:3(d) of the Code of the City of Richmond (2020), as amended, and as shown on the Plans.
- (e) All building materials and colors shall be substantially as shown on the Plans, subject to the provisions of any applicable Old and Historic District regulations and any approvals granted by the Commission of Architectural Review.
- (f) All mechanical equipment serving the Property shall be located or screened so as not to be visible from any public right-of-way.

Surrounding Area

The properties to the north and west of the subject property are located within the R-63 Multifamily Urban Residential zoning district. Properties to the east are located within the RO2 Residential-Office District. Properties to the south are located in the UB-PE4 Urban Business District and R-63 Multifamily Urban Residential. Residential, office, mixed use, commercial, and public-open space land uses are present in the area.

Neighborhood Participation

Staff notified the Union Hill Civic Association and area residents and property owners. A letter of opposition and numerous letters of support from individuals have been received.

Staff Contact

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