



CITY OF RICHMOND

Department of Planning & Development Review *Staff Report*

Ord. No. 2023-225: To authorize the special use of the property known as 1120 West Clay Street for the purpose of a commercial building containing permitted principal uses on corner lots on all floors of the building, upon certain terms and conditions.

To: City Planning Commission
From: Land Use Administration
Date: August 21, 2023

PETITIONER

Michael Hallmark

LOCATION

1120 West Clay Street

PURPOSE

To authorize the special use of the property known as 1120 West Clay Street, for the purpose of a commercial building, upon certain terms and conditions.

SUMMARY & RECOMMENDATION

The applicant is requesting a Special Use Permit to authorize a commercial building. The proposed uses do not meet all current requirements for principal uses on corner lots within the R-63 Multifamily Urban Residential District. Specifically, the proposed use seeks to use commercial uses above the ground floor, seeks to exceed maximum square footage of commercial floor area, and seeks to exceed the commercial street frontage allowed along a single block. A Special Use Permit is, therefore, required.

Staff finds that the proposal would be consistent with the recommendations of the City's Richmond 300 Master Plan pertaining to the Neighborhood Mixed-Use land use designation. The building and site are currently vacant and underutilized making this designation ideal for the proposed mixed-uses. The scale and diversity of uses supports nearby transit and institutions such as Virginia Commonwealth and Virginia Union Universities.

Staff also finds that the proposed is located on a designated Major Mixed-Use Street, which is intended for higher volumes of people interacting within commercial and residential uses. The proposed location of the mixed-use building is located within a highly walkable area and carries a walkability score of "90 or more," which is described as a "walkers' paradise". The proposed may potentially provide additional services and a destination for nearby residents and visitors in an already vibrant neighborhood. (p. 113)

Staff finds that the proposed adaptive re-use of the existing building, constructed in 1920, demonstrates a creative way towards implementing Objective 3.1 within the Richmond 300 Master Plan which states "Preserve culturally, historically, and architecturally significant buildings,

sites, structures, neighborhoods, cemeteries, and landscapes that contribute to Richmond's authenticity.” (p. 94)

Staff also finds that the creative mixed-use goals for the building, including the combination of local food-hall, micro-retailing and small offices, helps to fulfill Objective 6.1c which states, “Support the retention, creation, and attraction of businesses in and near Nodes and major corridors” The property is located two blocks from Broad Street. (p. 109)

Staff finds that the proposed assists in achieving Objective 11.3d which states “Encourage the creation of new businesses and growth of small businesses by promoting and identifying smaller spaces (typically found along historic commercial corridors) for small businesses to start and grow.” The purpose of the development is to create several spaces for micro-start-up businesses and workspaces for a diversity of products. (p. 138)

Staff finds that during a current development trend of housing construction, the future use of the property will assist in achieving Objective 15.1b, which aims to “locate jobs near residents.” The proposed commercial uses are within an established, high-density neighborhood. (p. 159)

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.

FINDINGS OF FACT

Site Description

The property is located in the Carver neighborhood on the corner of West Clay and North Harrison Streets. The property is currently a 17,600 sq. ft. (.40 acre) parcel of land. The application is for the adaptive re-use of a two-story, historic building as well as the construction of an addition which will result in a four-story building. The surrounding land uses are primarily residential with small commercial uses along nearby Broad Street.

Proposed Use of the Property

Mixed-use office and restaurant

Master Plan

The City's Richmond 300 Master Plan designates a future land use for the subject property as Neighborhood Mixed Use. This designation is defined as “existing or new highly-walkable urban neighborhoods that are predominantly residential with a small, but critical, percentage of parcels providing retail, office, personal service, and institutional uses.”

Development Style:

These areas feature a variety of building types that are close to one another and create a unified street wall. The building size, density, and zoning districts for these areas vary depending on historical densities and neighborhood characteristics. Future development should generally complement existing context. Setbacks, plazas, and parks create a sense of place and community gathering areas. New developments on larger parcels continue or introduce a gridded street

pattern to increase connectivity within the neighborhood and to adjacent neighborhoods. In historic neighborhoods, small-scale commercial uses exist today or should be allowed to reestablish. In new neighborhoods, small scale commercial buildings should be introduced.

Ground Floor:

Regardless of use, buildings should engage the street with features such as street-oriented façades with windows and door openings along street frontages. Appropriate setbacks, open space, front porches, elevated ground floors, and other features that provide a sense of privacy should be provided for residential uses.

Mobility:

Pedestrian, bicycle, and transit access are prioritized and accommodated. Bike parking is provided. New driveways are prohibited on Priority and Principal Street frontages. Vehicular access to parcels should use alleys wherever possible. Parking areas should be located to the rear of street-facing buildings.

Intensity:

Building heights are generally two to four stories. Buildings taller than four stories may be found along major streets. Parcels are generally between 1,500 and 5,000 sq. ft.

Primary Uses: Single-family houses, accessory dwelling units, duplexes, small multi-family buildings (typically 3-10 units), and open space.

Secondary Uses: Large multi-family buildings (10+units), retail/office/personal service, institutional, cultural, and government.

The property is located on a designated Major Mixed-Use Street which includes characteristics such as:

- Carry high volumes of vehicles, pedestrians, and bicycles, through commercial and mixed-use areas
- Prioritize use and density-scaled sidewalks and crosswalks
- Require form elements, such as buildings to the street with parking in the rear, as well as building windows and entrances on the street
- Incorporate streetscape features, such as trees, benches, and trash receptacles
- Ideal locations for transit routes and transit stops
- Prioritize the curbside for walking, bicycling, transit, and short-term parking access and loading for local shops and restaurants

Zoning and Ordinance Conditions

The current zoning for this property is R-63 Multifamily Urban Residential District. The proposed use does not meet the below zoning requirements of permitted uses on corner lots, therefore an SUP is required.

Sec. 30-419.3(b) of the zoning ordinances states that the following conditions shall be applicable to permitted principal uses listed in subsection (a) of this section:

Zoning Conditions	SUP Request
30-419.3(b)(1) Such uses shall be limited to the ground floor of buildings devoted to other permitted principal uses.	<i>Proposed uses shall occupy all floors.</i>
30-419.3(b)(2) The total floor area devoted to such uses on any lot shall not exceed 1,500 square feet. Additional floor area, not to exceed a total of 5,000 square feet, may be permitted subject to approval of a conditional use permit as set forth in Article X of this chapter, provided that off-street parking shall be required in accordance with the provisions of Article VII of this chapter for the amount of floor area in excess of 1,500 square feet.	<i>The total floor area is approximately 35,160 square feet.</i>
30-419.3(b)(3) Such uses shall occupy the portion of the building located at the street corner. Along the principal street frontage of the lot, such uses shall extend no greater distance from the street corner than the equivalent of 15 percent of the total length of the block along such frontage.	<i>The proposed occupies approximately 50 percent of the block.</i>

This special use permit is conditioned on the following special terms and conditions:

- The Special Use of the Property shall be as a commercial building containing permitted principal uses on corner lots on all floors of the building, substantially as shown on the Plans.
- No off-street parking shall be provided for the Special Use.
- The height of the Special Use shall not exceed three stories, substantially as shown on the Plans.
- All building materials, elevations, and site improvements shall be substantially as shown on the Plans.
- All mechanical equipment serving the Property shall be located or screened so as not to be visible from any public right-of-way.
- The Special Use shall be operated within the hours of 7:00 a.m. to 11:00 p.m., Monday through Sunday.
- The food hall shall operate under section 30-419.3(5) of the Code of the City of Richmond (2020), as amended.
- 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 street

- The Owner shall make improvements within the right-of-way, including new brick pavers, a bicycle rack, and three street trees, substantially as shown on the Plans

Surrounding Area

Surrounding properties are primarily within R-8 Urban Residential and the R-63 Multifamily Urban Residential Districts. The surrounding land uses are primarily multi-family residential with some commercial and mixed-uses in the immediate vicinity.

Neighborhood Participation

Staff notified area residents, property owners, and the Carver Community Civic Association of the proposed Special Use Permit. Staff has received a letter of support from the Carver Community Civic Association.

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