

1201 N ARTHUR ASHE BOULEVARD: APPLICANT'S REPORT FOR SPECIAL USE PERMIT APPLICATION



JUNE 9, 2022

PREPARED ON BEHALF OF:

Mu AA Owner LLC
c/o Level 2 Development
2920 W Broad Street, Suite 110
Richmond, Virginia 23220

PREPARED BY:

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June 9, 2022

Matthew Ebinger, AICP
Planning Supervisor, Land Use Administration
City of Richmond, Department of Planning and Development Review
900 East Broad Street, Room 511
Richmond, VA 23219

Dear Mr. Ebinger,

Please accept this applicant's report as an accompaniment to the special use application for the parcels listed below (Figure 1). Timmons Group is representing Level 2 Development ("the Owner") in this special use permit request.

ADDRESS	PARCEL NUMBER
1117 N Arthur Ashe Boulevard & 944 Myers Street	N000-1503/015
1119 N Arthur Ashe Boulevard	N000-1503/016
1201 & 1203 N Arthur Ashe Boulevard	N000-1503/025

Figure 1

The special use permit is requested to allow for relief from Secs. 30-457.2(18)a and 30-457.8(a) and (b) of the Zoning Ordinance of the City of Richmond Code of Ordinances. As a performance standard for parking decks and parking garages, this section of the TOD-1 district regulations in the Zoning Ordinance requires that "no portion of such structure located along a principal street frontage or a priority street frontage shall be used for parking or related circulation of vehicles, but such portion shall be devoted to other permitted principal uses which shall have a depth of not less than 20 feet along the principal street frontage or priority street frontage or to means of pedestrian or vehicle access, provided that vehicle access along any principal street frontage or priority street frontage shall be permitted only when no alley or other street frontage is available for adequate access."¹

The Owner desires to construct an 8-story mixed-use building containing up to 305 dwelling units with ground floor commercial uses along the principal street frontage (N Arthur Ashe Boulevard) and 296 structured parking spaces. Sec. 30-457.2(18)a does not allow parking decks or parking garages on any level along the principal street frontage (N Arthur Ashe Boulevard), which differs from the performance standard in a similar urban mixed-use zoning district (B-4), which only prohibits parking decks or parking garages uses on the ground floor along the principal street frontage.

The Owner is seeking relief from Sec 30-457.2(18)a of the Zoning Ordinance in order to allow for spaces in a parking deck along the principal street frontage (North Arthur Ashe Boulevard) on the second floor of the building. The Special Use is necessary due to site constraints, including narrowness of the site, a DPU 50' wide sewer easement bisecting the site, and because the owner desires to provide off-street parking at a ratio of approximately one space per dwelling unit. Limited on-street parking is available on the east side of N Arthur Ashe Boulevard, so the justification for the second-floor parking spaces is warranted. Active commercial uses are provided on the ground floor, and the openings for the parking deck on the second floor

¹ Code 2015, § 30-457.2; Ord. No. 2017-150, § 2, 9-25-2017; Ord. No. 2019-343, § 1(30-457.2), 6-22-2020

are designed to appear as an extension of the ground floor commercial storefront. Active uses are also provided on floors 3-8 of the building.

The Owner is seeking relief from Secs 30-457.8(a) and (b) of the Zoning Ordinance in order to allow for the modernization of an existing curb cut and to allow for a drop-off and pick up area for lobby access to the building (i.e., Uber, Lyft, UPS, USPS) with a plaza. Per the referenced zoning ordinance section, the modification to the existing curb cut and removal and replacement of the existing parking area with a new parking area are not permitted and necessitates a waiver through a Special Use Permit. The proposed drop off area and plaza are also both located over an unbuildable 50'-side sewer easement, which represents a significant hardship for the site and makes compliance with the zoning ordinance unattainable. The drop-off and pick-up area will allow for loading, drop-off, and pick-up activities to be more safely accommodated outside of the City right-of-way. It will also include pedestrian circulation and seating, including connection to a 5' pedestrian connection from Arthur Ashe Boulevard to Myers Street, which was a request by staff in order to accommodate pedestrian access between Myers Street and the Scott's Addition neighborhood.

A preliminary plan of development application package was submitted to the City on December 21, 2021, and as of the date of this special use permit application submittal, the technical plan of development application is in its second round of review. The applicant team has been working with City staff for approximately six months to meet all of the City of Richmond requirements, and the location of structured parking on the second floor of the mixed-use building as well as the drop off area and corresponding entrance location have recently been brought to our attention as performance standards that can only be waived via a special use permit.

The subject of the request for the special use permit (*to waive the location requirements related to structured parking on the second floor of a mixed-use building and location of vehicular entrance and off-street parking*) WILL NOT:

1. Be detrimental to the safety, health, morals and general welfare of the community involved
2. Create congestion in street, 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.
7. Impact the visual appearance or experience in the neighborhood.

I am available via the contact information on the first page of this applicant's report if there are any questions or concerns related to the special use permit application.

Sincerely



Amelia Wehunt, PE
Principal, Urban Practice, Timmons Group