

**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: 801 East Main Street Date: 8/26/2022
Tax Map #: W0000010001 Fee: \$2,400
Total area of affected site in acres: .409 acres

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

Zoning

Current Zoning: B-4 District

Existing Use: Commercial - Office

Proposed Use

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

15 stories of multi-family residential (dwelling units) above 2 stories of commercial use
Existing Use: 17 stories of commercial - office use

Is this property subject to any previous land use cases?

Yes ☐ No ☒ If Yes, please list the Ordinance Number: _____

Applicant/Contact Person: Lee A. Shadbolt

Company: Commonwealth Architects
Mailing Address: 110 Shockoe Slip, 3rd Floor
City: Richmond State: VA Zip Code: 23219
Telephone: (804) 200-7172 Fax: ()
Email: Lshadbolt@comarchs.com

Property Owner: Plaza Associates, L.L.C. c/o W. J. Vakos Management Company

If Business Entity, name and title of authorized signee: William J. Vakos, Jr.

(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: 10333 Southpoint Landing Blvd, 3rd Floor
City: Fredereicksburg State: VA Zip Code: 22407
Telephone: (540) 898-3242 Fax: ()
Email: WJVak@wjvco.com

Property Owner Signature:

WILLIAM J. VAKOS, JR. MANAGER

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)



September 8, 2022

Mr. Matthew Ebinger, AICP
City of Richmond DPDR
Land Use Administration Division, Room 511
City Hall, 900 East Broad Street
Richmond, Virginia 23219

Re: Special Use Permit: 801 East Main Street (W00000010001 desc: C01)

Dear Mr. Ebinger:

This letter shall serve as the Applicant's Report accompanying the Special Use Permit application (the "SUP") for the property known as 801 East Main Street (the "Property"). The SUP would authorize the redevelopment of the property from an Office use to a mixed-use building with ground floor commercial uses on the ground floor, tenant amenity space on the second floor and up to 300 multi-family dwelling units on the third through seventeenth floors. The special use permit is necessary because the operable window requirement is not satisfied per Sec. 30-440.7(b) of the Zoning Ordinance relative to fenestration requirements for dwelling units.

Subject Property

The applicant, Plaza Associates, L.L.C. (the "Applicant") is a developer with an excellent reputation for high quality projects throughout the Commonwealth of Virginia. The applicant proposes that the 801 East Main Street Building (also referred to as the Wytestone Building or Ross Building) change from class-A office use to a Multifamily Dwelling use.

Current Use & Zoning District Regulation

The upper (third to seventeenth) floors of the Tower currently contain office tenants with the first floor occupied by retail tenants. The upper (third to seventeenth) floors will be renovated with in a change use from office to residential apartments. The second or mezzanine floor will contain a management office, lounge space, community room and fitness center. There are three basement levels containing parking. The existing historic building envelope containing a fixed curtainwall is expected to remain in place with minimal modification.

The Property is located within a B-4 (Central Business) zoning district, which permits a multitude of uses, including dwelling units (apartments), retail, restaurant, office and other uses. The Property is also located within the boundaries of the Arts District Station/Monroe Ward Plan of Development Overlay District (POD-2), which requires a Plan of Development (POD) for the construction of any new building or addition occupying more than 1,000 square feet of lot coverage.

The property is a corner lot and East Main Street is the Principal Street Frontage as well as being designated on the Zoning Map as both a Street Oriented Commercial frontage and a Priority Street Frontage. The building may not contain ground floor dwelling units along the East Main Street frontage and must have

only commercial uses with a minimum of one-third or 1,000 square feet, whichever is greater, of the ground floor of that portion of the building located adjacent to the Street Oriented Commercial Frontage. The commercial uses must be at least twenty feet (20') in depth measured from the building wall along East Main Street.

According to Sec. 30-440.7. Building façade fenestration: For dwelling uses, tourist homes, and shelters, windows or glass doors or both that allow views out of the interior building space shall comprise a minimum of 30 percent of the building façade between two and eight feet in height along the street frontage. In all cases, windows shall be double-hung, single-hung, awning, or casement type and fixed windows shall be permitted only as a component of a system **including operable windows** within a single wall opening. The building is within the historic district and needs to comply with the Department of the Interiors Standards for Rehabilitation in order to obtain historic investment tax credits. Modifying the historic fixed curtainwall windows to become operable would be contrary to the Department of the Interiors Standards and could possibly void the tax credits.

Proposed Special Use

The structure is located within state and national historic districts. The building is a contributor to these historic districts and is eligible for federal and state historic investment tax credits. A Part 1 submission to the Department of Historic Resources (DHR) has been made and it is Owner's intention to pursue all available historic investment tax credit opportunities with this property.

The Applicant, proposes that the existing building on the Property (the "Building") undergo a high-quality historic renovation, preserving the Building in substantially the same physical configuration. Specifically, the Applicant expects to:

1. Renovate the interior open spaces (previously maintained for office use) into approximately 300 residential units. The buildings core including stairs, elevators, vertical shaft and historic elevator cores will remain intact with MEP upgrades and retrofitted ceilings.
2. The exterior mid-century modern curtainwall facades (fixed glazing) will remain in place with minimal modification.
3. Change the non-historic revolving doors into two sets of glass and aluminum storefront doors similar to the original design.
4. Modify the historic lobby for updated MEP systems and patching and repairing the ceilings in kind.

The request in this SUP is narrowly limited to addressing the requirement for operable windows {and bicycle parking requirements if necessary}.

Conformance with Master Plan

The proposed special use of the property conforms to the City's Master Plan, approved in the form of the Richmond 300 Master Plan (the "Master Plan") designates the parcel to be within the "Downtown Mixed Use" with a node for "Downtown Core". There is specific text guidance contained elsewhere in the Master Plan (Richmond 300) that is supportive of the request. The "Downtown Mixed Use" is described as the "Central business district" of the Richmond region which features high density development with office buildings, residential buildings, and a mix of complementary uses, including regional destinations in a highly-walkable urban environment. Development Style: Higher density pedestrian and transit-oriented development encouraged on vacant or underutilized sites. Historic buildings are adapted for new uses."

The added residential density will help accomplish Richmond 300's goal for the "Downtown Core" priority growth node for transitioning the area "from a primarily office district to an 18-hour district (18 hours of the day are lively and 6 are sleepy) with a mix of uses, including entertainment, residential, and retail uses." Additionally, the building's proximity to the greenspace provided by Capital Square and riverfront

amenities helps offset the SUP request. All units are proposed to have windows that will provide ample light.

Charter Requirements

The request addresses the following factors indicated in the Charter and the Zoning Ordinance relative to the approval of special use permits by City Council. The proposed SUP will not:

- **Be detrimental to the safety, health, morals and general welfare of the community involved.**

The proposed SUP will not impact the safety, health, morals and general welfare of the surrounding community. The proposed SUP is consistent with the recommendations of the Master Plan related to the Property. It would contribute to the general welfare of the community by, among other things, providing an opportunity to renovate the existing historic Building in a manner consistent with the quality of renovations in the surrounding community. The added residential density will add the vibrancy of Richmond's downtown core, thereby helping accomplish established goals and objectives of Richmond 300.

- **Tend to create congestion in streets, roads, alleys and other public ways and places in the area involved.**

The proposed SUP will not result in significant traffic impacts in the area involved, again, owing to its consistency with the Master Plan and its design principals. Parking is provided for the residential units, 1) on the lower 3 floors of the Building, 2) in the Owners adjacent parking garage at 8th and Cary Street, 3) and in the parking garage at 8th and Franklin St (by lease agreement). It is of course, in the applicant's best interest to provide a seamless parking experience for its tenants. This goal is synergistic with the community's interests. There is no motor vehicle parking requirement for the building for non-dwelling use(s) and there would be no parking requirement for any dwelling use of the building as long as a commercial use, other than a parking deck or garage, exists within the building.

- **Create hazards from fire, panic or other dangers.**

The Building will be renovated in a manner consistent with the requirements of the building code and in accordance with the requirements of Fire and Emergency Services. The City's codes applicable to this development are designed to eliminate such hazards. Existing fire hydrants are located within the safe, appropriate distance established by the Fire Department for the Property.

- **Tend to overcrowding of land and cause an undue concentration of population.**

The proposed SUP will not modify the existing structure's footprint. It will not tend to over crowd the land or create an undue concentration population. The development is consistent with the pattern of development in the surrounding area and is consistent with the Master Plan.

- **Adversely affect or interfere with public or private schools, parks, playgrounds, water supplies, sewage disposal, transportation or other public requirements, conveniences and improvements.**

The proposed SUP would not adversely affect the above referenced City services. The Applicant has owned the facility since 1998 and been a good steward of the facility and surrounding neighborhood. The proposed occupancy and use of services will be sympathetic to the neighborhood and provide needed housing.

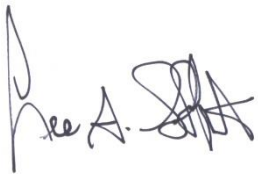
- **Interfere with adequate light and air.**

The proposed SUP will not interfere with adequate light and air; the height and configuration of the Building will not materially change from existing conditions.

Conclusion

In summary, the Applicant enthusiastically seeks approval of the SUP. The revitalization of the Building, made possible through the SUP, would allow the renovation of a high quality use in the Building for the benefit of the community at large. The Project would contribute to the vibrancy of the block through the provision and preservation of an appropriate urban form that is consistent with the historic development pattern of the surrounding neighborhood.

Sincerely,

A handwritten signature in dark ink, appearing to read "Lee A. Shadbolt". The signature is stylized with a large initial "L" and "S".

Lee A. Shadbolt, AIA, NCARB
Principal

Attachment