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 <u>http://www.richmondgov.com/</u>

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

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

Zoning

|--|

Proposed Use

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

Existing Use:			

Is this property subject to any previous land use cases?

Yes	5

If **Yes**, please list the Ordinance Number:

Applicant/Contact Person: _____

No

Company:	
Mailing Address:	
City:	State: Zip Code:
Telephone: _()	Fax: ()
Email:	

Property Owner:

If Business Entity, name and title of authorized	i signee
--	----------

(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.)

Email:	- P PIIN	
Telephone: _()	Fax: _	_()
City:	State	e: Zip Code:
Mailing Address:		

T. Preston Lloyd, Jr., On behalf of Owner a/u Land Use Power of Attorney

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)

Review & Approval process for SPECIAL USE PERMIT



In instances where it has been determined that underlying zoning regulations cannot be met, a special use permit may be granted by City Council to provide relief from zoning regulations.

Special use permit applications are reviewed for compliance with the City's Master Plan to ensure the proposal is compatible with the surrounding area and that it is an appropriate use for the site. Specifically, applications are reviewed to ensure that the City Charter conditions for granting special use permits have been met. The City Charter requires that prior to City Council approval; 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; create hazards from fire, panic or other dangers; 3
- 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.

Applicants **are encouraged** to schedule a pre-application conference with the Division of Land Use Administration staff to review related Master Plan, land use and other issues that may be involved prior to making application. Please call (804) 646-6304 to schedule an appointment with the staff. Staff will review submitted applications to ensure all required materials and information are provided. If the application is not acceptable, the required information must be provided prior to formal staff review.

Applicants should also discuss the proposed special use permit with area civic associations, property owners, residents, and the area Council Representative prior to submitting an application. Letters from the associations and property owners stating their position in regards to the request should be submitted with the application.

The Division of Land Use Administration circulates the special use permit application materials to appropriate City agencies as determined necessary. City agencies reviewing the proposal may include: Public Works, Building Permits & Inspections, Public Utilities, Water Resources, Zoning Administration, and Fire and Emergency Services. The Division of Land Use Administration will coordinate responses by City agencies. Written comments will be provided generally within 30 days of the application submittal date.

After review by these agencies and by the Division of Land Use Administration, the staff will confer with the applicant regarding suggested conditions to be included in the ordinance and any suggested changes to the plans. If the property is located in a City Old and Historic District and the request involves exterior alterations, additions or new construction, the plans should also be reviewed by the Commission of Architectural Review prior to an ordinance being introduced in City Council. Once the plans are in final form, an ordinance is drafted and the plans are attached to and are made a part of the ordinance. The staff will forward a copy of the ordinance to the applicant for review and approval.

The ordinance is then reviewed by the City Attorney's office and the City Administration. Once their review is complete, the ordinance is introduced to City Council and a public hearing is scheduled, usually thirty days after introduction. During this thirty-day period, public notice of the hearing is posted on the site and in a daily newspaper. Notices are also mailed to the owners of all properties within 150 feet of the subject property. One week prior to the City Council public hearing, the Planning Commission, after receiving a report from the Department of Planning and Development Review, considers the proposed special use permit and forwards a recommendation to City Council. The Planning Commission welcomes information submitted prior to the meeting and may ask questions of proponents and opponents during the course of its deliberation on the ordinance. Six affirmative votes of City Council are required to adopt a special use ordinance. Please note that there is a fee of \$250 for each continuance caused by the applicant.

If the special use ordinance is adopted by City Council, the applicant has a specified time period in which to apply for a building permit to implement the special use permit. Building permit plans must be substantially in accordance with the adopted special use permit plans, otherwise a building permit will not be issued. In general, the approval process for special use permits takes between 120 to 180 days. However, depending on the complexity of the proposed special use permit, more or less time may be required. The City Planning Commission considers approval of special use permits at its regular meetings on the first and third Monday of each month. Incomplete submissions or major modifications to the plan during the review process may cause delays in the schedule.

Legislative Land Use Application Process

	Cantion eivedApplication & Letters RoutingWith 2 working days the application is routed to other reviewing agencies. Letter notifying	Comment Letter With 30 days of receipt, a comment letter is sent to the applicant requesting	Meeting with Applicant	Applicantion Resubmission	Resubmission Routing The application resubmission is routed for review by	Additional Information The applicant is notified within 19 days if additional
with appicant to discuss project programming, design, and due	days the application is routed to other reviewing agencies.	receipt, a comment letter is sent to the applicant requesting	meeting with the applicant occurs	additional information is	resubmission is	notified within 15
	civic associations within 1,000 feet and letter to the applicant with civic association contact information are sent.	additional information or clarification.	made in the comment letter.	resubmitted within 60 days of the comment letter. The applicant can request additional time if necessary, otherwise the application is withdrawn and a refund of the fees is given.	agencies within 2 working days.	information is required. If more information is required, the process returns t Step 5. If the application is complete, the process continue to Step 8.
	Post-Approval Applicant	€ Step 11 ←	Step 10	Step 9	Step 8	



Filing Procedures for SPECIAL USE PERMIT



FILING

Special use permit applications are filed with the:

Department of Planning and Development Review Land Use Administration Division, Room 511 City Hall, 900 East Broad Street, Richmond, Virginia 23219 Telephone (804) 646-6304

APPLICATION REQUIREMENTS

The application for a special use permit must include the following, each part of which is explained below. *Application must be submitted in an electronic format (PDF).*

- 1. Application form, including a completed checklist;
- 2. Application fee;
- 3. Applicant's report;
- 4. Electronic PDF plans; and
- 5. Survey plat.
 - **1. Application Form:** All the owners of the property must sign the application form. If a legal representative signs for a property owner, a copy of an executed power of attorney is required.
 - 2. Application Fee: The appropriate fee must accompany the application. Checks should be made payable to the "City of Richmond". The fees are determined from the attached fee schedule.
 - **3. Applicant's Report:** *A written report must be submitted describing the proposed use.* For non-residential development, the description should include the anticipated number of employees, hours of operation, and an estimate of the amount of vehicular traffic thwill be generated by the use. The report should point out the specific features of the special use that will ensure that it will be compatible with the surrounding area, and that it is an appropriate use for the site. In addition, the City Charter specifies certain conditions that must be met before City Council can approve a special use permit. It must be shown that the proposed special use will *not:*
 - a. be detrimental to the safety, health, morals and general welfare of the community involved;
 - **b.** tend to create congestion in streets, roads, alleys and other public ways and places in the area involved;
 - c. create hazards from fire, panic or other dangers;
 - **d.** tend to cause overcrowding of land and an undue concentration of population;
 - e. adversely affect or interfere with public or private schools, parks, playgrounds, water supplies, sewage disposal, transportation or other public requirements, conveniences and improvements; or
 - f. interfere with adequate light and air.

The report must indicate the reasons why the applicant feels these conditions will be met (e.g., features of the plan, characteristics of the proposed use or surrounding area). *Please note* that the *above materials will be forwarded to the City Planning Commission and City Council along with the special use permit ordinance.*

Filing Procedures for **SPECIAL USE PERMIT**



FILING

- **4. Plans:** Plans are required to provide sufficient detail to permit the staff to make a determination of the compatibility of the proposed project with surrounding development. Plans must be properly scaled and include a scale bar. Depending on the request, plans may include the following:
 - a. Site Plan
 - **b.** Elevation Plans
 - **c.** Floor Plans
 - d. Landscape Plans
 - e. Signage Plan & Details
 - **f.** Lighting Plan & Details

In some cases not all plans would be relevant to the request and may not be required. If there is a question about the level of detail required, please contact Land Use Administration Staff. Electronic Plans (PDF) are required with the initial application and any subsequent resubmissions. Electronic plans may be submitted on a disk or via email at: <u>DCDLanduseadmin@richmondgov.com</u>.

- 5. Survey Plat: A PDF of a survey plat showing the property and including metes and bounds is required. The plat should show existing physical features of the property, including:
 - **a.** North arrow, scale, property address, the distance to nearest public street, preparer of plat, date, revision dates, area of site;
 - **b.** Existing structures, buildings, paved areas, fences, streets, alleys, easements, and limits of the 100 year flood plain, Chesapeake Bay Preservation Area limits, wetlands, and streams.

RICHMOND		ation Division reet, Room 511 Virginia 23219 04) 646-6304
COMMUNITY UNIT PLAN		
Preliminary	\$3,000 + \$100/acre ¹	
Extension of Preliminary Approval Final	\$1,500 \$1,500 + \$100/acre¹	
Amendment	$1,500 + 100/acre^{1}$	
CONDITIONAL USE PERMIT		
Initial	\$1,500 + \$100/acre ²	
Amendment	\$1,000 + \$100/acre ²	
PLAN OF DEVELOPMENT		
Floor area & Land disturbed ≤5,000 square feet	\$500 + \$100/acre ² et \$1,000 + \$100/acre ²	
Floor area & Land disturbed ≥5,001 & ≤50,000 square fee Floor area & Land disturbed ≥50,001 square feet	\$1,500 + \$100/acre ² \$1,500 + \$100/acre ²	
REZONING/CONDITIONAL REZONING	\$1,500 + \$100/acre²	
Each continuance caused by the applicant	\$250	
SPECIAL USE PERMIT		
Use	Initial Amendi	ment
Day Nursery	\$300 \$200	
Single- or two-family detached or attached dwelling Outdoor dining	\$300 \$200 \$300 \$200	
Mobile food business	\$300 \$200	
Sign	\$300 \$200	
Multi-family dwelling (3 to ten units)	\$1,800 \$1,200	
Commercial or industrial equal to or less than 5,000 sq ft		
Multi-family dwelling (more than 10 units)	\$2,400 \$1,800	
Commercial or industrial more than 5,000 sq ft	\$2,400 \$1,800	
Each continuance caused by the applicant	\$250	
SUBDIVISION		
Preliminary Plat	\$500 + \$15/lot	
Extension of Preliminary Plat Approval	\$150 \$500 + \$15 (lot	
Final Plat Subdivision Confirmation Letter	\$500 + \$15/lot \$100	
Continuance*	\$50	
	4	

(As of 9_7_2018) **(FEE SHEDULE)** Department of Planning and Development Review

A full refund of the application fee is permitted if the application is withdrawn prior to the second submittal of plans. Once a second submittal of plans is made, fees are not refundable.

¹For Community Unit Plans (CUP), the first 10 acres are included in the base price. ²For Conditional Use Permits, Plans of Development, and Rezonings, the first acre is included in the base price.

Plat of Correction

For all applications with an additional price per acre, fractions of an acre are rounded up to the nearest whole number. Do not prorate the fee per fraction of acre.

• Example: A Conditional Use Permit (CUP) for a 0.76 acre property would owe \$1,500 (base fee only). A CUP for a 2.3 acre property would owe \$1,700 (\$1,500 base fee + 2*100 (for the 1.3 acres over the first acre))

\$100

* No charge for the 1st continuance requested by the applicant or for any continuance requested by the Planning Commission. The second or subsequent continuance request by the applicant costs \$50.

Fees went into effect upon adoption of Ordinance No. 2018-209 by City Council on September 10, 2018. **6** CITY OF RICHMOND | SUP Application | Last Revised September 7, 2018

WILLIAMS MULLEN

Direct Dial: 804.420.6615 plloyd@williamsmullen.com

September 19, 2022

VIA E-MAIL

City of Richmond Department of Planning and Development Review Land Use Administration Division Attn. Alyson Oliver, Acting Secretary, Planning Commission

Re. Special Use Permit Application | 2-4 Manchester Road

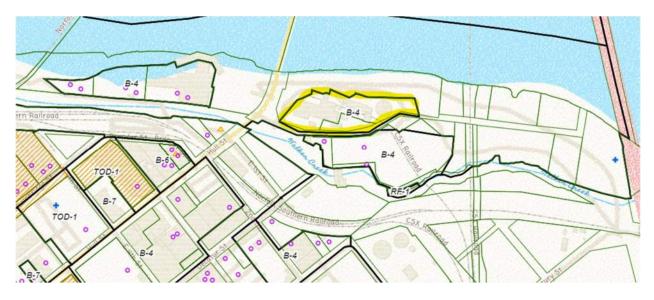
Ladies and Gentlemen:

This firm is counsel to Riverfront Silos II, LLC (the "Applicant"), on whose behalf we submit the enclosed the materials referenced on <u>Exhibit A</u> (collectively, the "Application") to request approval of the special use of certain property owned by Riverfront Silos LLC pursuant to Section 30-1050.1 *et seq.* of the Code of the City (the "Code"). This letter will serve as the Applicant's Report.

Property

The subject property, presently owned by Riverfront Silos, LLC, is 2.16 acres, more or less, located south of the James River flood wall, along the northern right-of-way line of Manchester Road and east of Hull Street in Historic Manchester, is comprised of two (2) tax parcels described immediately below (the "Property").

Address	Tax Parcel ID	Acreage	Existing Zoning
2 Manchester Road	S0000101006	0.29	B-4
4 Manchester Road	S0000101005	1.87	B-4



Current Use & Zoning District Regulation

The Property is currently comprised of vacant grain silos and ancillary structures formerly occupied by Southern States. The Property is designated as B-4 Central Business District on the Zoning Map of the City, pursuant to City Council approval of Ord. 2021-115 (the "Rezoning Approval"), which proposed the redevelopment of the Property as a mixed-use project, comprised of uses that may include multi-family residential, office, and hotel over a podium of structured parking and street-front retail (the "Project"). Surrounding properties are designated as RF-1, with the notable exceptions of two properties in the vicinity designated as B-4 Central Business District, as shown on the Zoning Map excerpted above.

Proposed Special Use

The Applicant requests certain exceptions from the zoning regulations applicable to the Property in connection with pursuing the Project. These include the following:

- 1. Authorization of penetration by portions of the building of the inclined plane from Manchester Road established pursuant to Sec. 30-440.6(1) of the Code of the City, as more particularly shown on the Inclined Plane Exhibit, enclosed herewith; and
- 2. Authorization of an area devoted to the parking and circulation of vehicles located between the main building on the Property and the northern right of way line of Manchester Road, notwithstanding the prohibition established in Sec. 30-440.4:1 of the Code of the City, as more particularly shown on the Conceptual Layout Plan, enclosed herewith.
- 3. Notwithstanding any provision of the City Code to the contrary, as a condition of special use permit approval, the Applicant will still be required to obtain plan of development approval for the Project.

Conformance with Richmond 300 Master Plan

The Property is located within the Priority Growth Node for Manchester, as referenced in the Richmond 300 Master Plan, adopted by City Council on December 14, 2020 (the "Master Plan"). The Master Plan's vision for the Manchester neighborhood includes the following observation: "Manchester continues to increase in population and economic activity to support a thriving business corridor along Hull Street. The formerly industrial part of Manchester provides jobs as well as housing." The proposed Project continues to align with this vision, by providing a mix of residential, office and retail uses.

The Property is designated as "Destination Mixed-Use" on the Future Land Use Map of the Master Plan. This designation contemplates both a development style and intensity consistent with that of the proposed Project, as enumerated in the following (emphasis added):

Master Plan Features	Elements of Project
Development Style : Higher density, transit- oriented development encouraged on vacant or underutilized sites. <i>New development should be</i> <i>urban in form, may be of larger scale than</i> <i>existing context</i> , and, where relevant, should pay special attention to the historic character of the existing context. Development should enhance the public realm and create a sense of place. Many buildings are vertically mixed use.	While the inclined plane within the B-4 promotes light and air in an effort to avoid a narrow canyon of space between tall structures within the downtown area, this property is surrounded on three sides by the flood wall and undevelopable open space. Furthermore, the property located across Manchester Road has recently been redeveloped as multifamily buildings at a considerably lower height. These factors sufficiently mitigate the impact of the requested relief from the inclined-plane rule on light/air for the surrounding properties.
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. Active commercial ground floor uses are required on street-oriented commercial frontages.	As required by zoning, commercial uses are proposed along the primary street frontage of Manchester Road in the vicinity of its intersection with Hull Street.
Mobility : Pedestrian, bicycle, and transit access are prioritized and accommodated. Bike parking is provided. <i>Driveway entrances are required to</i> <i>be off alleys whenever possible</i> ; new driveways are prohibited on priority and principal street frontages. Surface parking is prohibited as a principal use; when surface parking is provided as an accessory use, it should be located to the rear of buildings and screened. Parking requirements are reduced to allow more market- based parking strategies, including shared parking	Primary vehicular ingress and egress to the structured parking podium will be from the rear access way (functionally equivalent to an alley). However, to maximize use of ride-sharing and ensuring a safe location for dropoff/pickup, the Project proposes an area for vehicular circulation and temporary parking in the vicinity of the Manchester Road entrance to the Project.
Intensity : Buildings typically a <i>minimum</i> height of five stories	By maximizing height, this project will provide greater housing supply for the City's growing residential population.
Primary Uses: Retail/office/personal service, multi-family residential, cultural, and open space	The Project offers consistency with these primary uses.

In outlining its priorities for the Manchester Priority Growth Node, the Master Plan alludes to the prior recommendations of the Riverfront Plan, adopted by City Council in November of 2012, which "redefines the City-River relationship, dramatically expanding both visual and direct physical access to the James River." The Riverfront Plan includes an exhibit, excerpted below, which labels the Property as "Southern States Silos" and overlays a designation for "development".



The Riverfront Plan offers the following guidance for areas designated for development: "The Plan anticipates incremental redevelopment of under-utilized parcels and languishing former industrial sites. Development strategies should favor mixed use, with an emphasis on street level retail where appropriate. The fundamental emphasis of redevelopment along the Riverfront is to intensify pedestrian activist at street level through infill development with sufficient density to be an attractor and destination of activity. Greater density reinforces urban character, provides for an increase in pedestrian activity, resulting a safer and more vibrant city."

Charter Requirements

Based on the foregoing, the proposed use on the Property meets the criteria set forth in Section 17.11(b) of the Charter of the City that the Application is not (i) detrimental to the safety, health, morals and general welfare of the community involved; (ii) tend to create congestion in streets, roads, alleys and other public ways and places in the area involved; (iii) create hazards from fire, panic or other dangers; (iv) tend to cause overcrowding of land and an undue concentration of population; (v) adversely affect or interfere with public or private schools, parks, playgrounds, water supplies, sewage

disposal, transportation or other public requirements, conveniences and improvements; or (vi) interfere with adequate light and air.

Conclusion

The proposed special use permit authorizes a project that will further catalyze the significant growth and revitalization of Historic Manchester, which is presently undergoing significant reinvestment and development after decades of decline. The proposed exceptions to the zoning ordinance will allow a higher density mix of commercial and residential uses, consistent with the land use policy priorities of City Council evidenced in the Richmond 300 Master Plan and Riverfront Plan. The proposed Project is consistent with the character of the surrounding properties and meets each of the criteria set forth in Section 17.11(b) of the Charter of the City of the Charter of the City.

Thank you for your consideration of this matter. Please confirm your determination that the Application has been received and deemed complete by your office, and kindly contact us should you have any questions or require additional materials.

Very truly yours,

/s/

T. Preston Lloyd, Jr.

cc. The Hon. Ellen Robertson, Councilperson for 6th District (via email) Kevin J. Vonck, Ph.D., Director, Department of Planning and Development Review (via email)

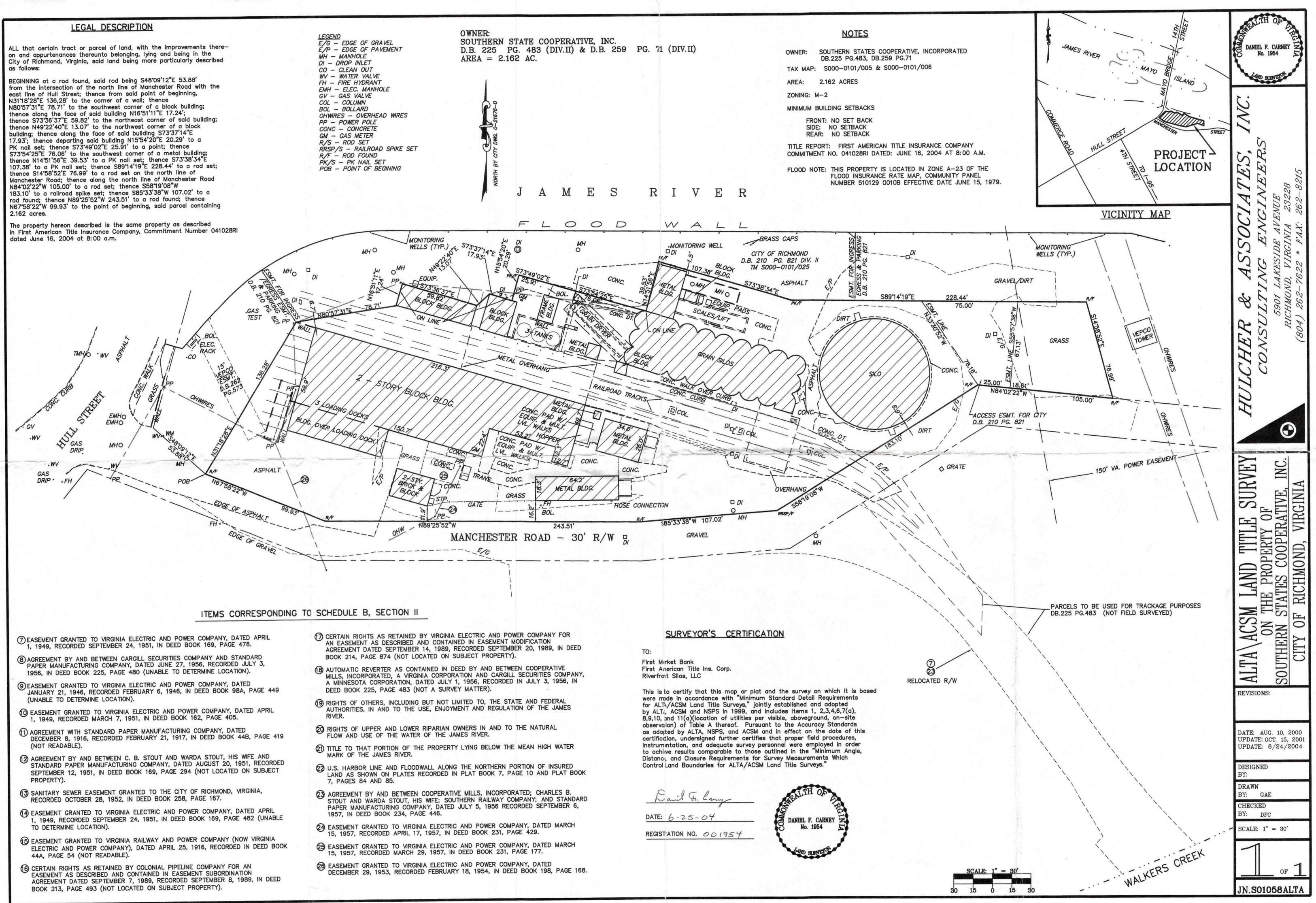
Enclosures

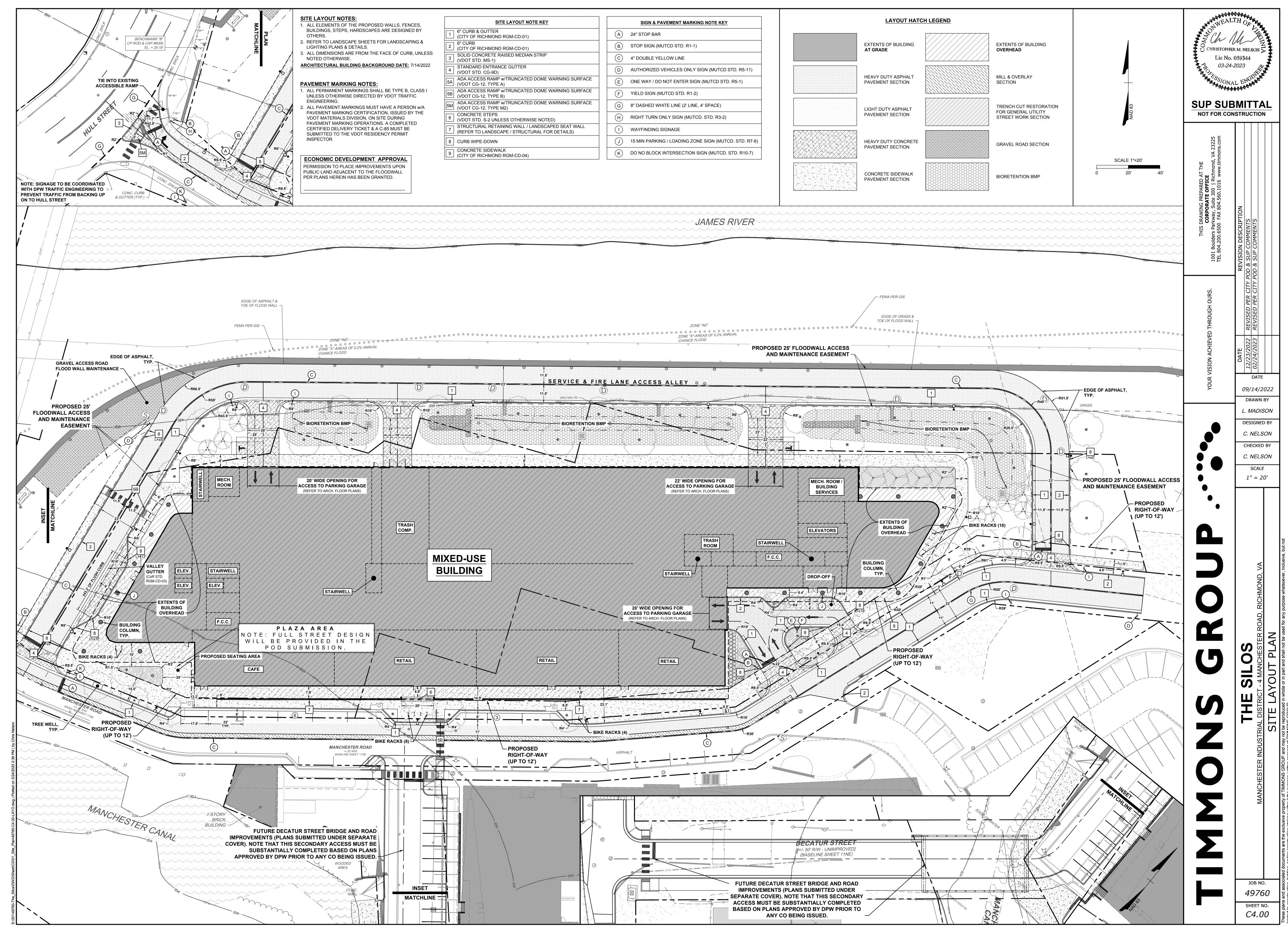
Manchester Silos SUP - Applicant's Report(101061509.1)

EXHIBIT A APPLICATION MATERIALS

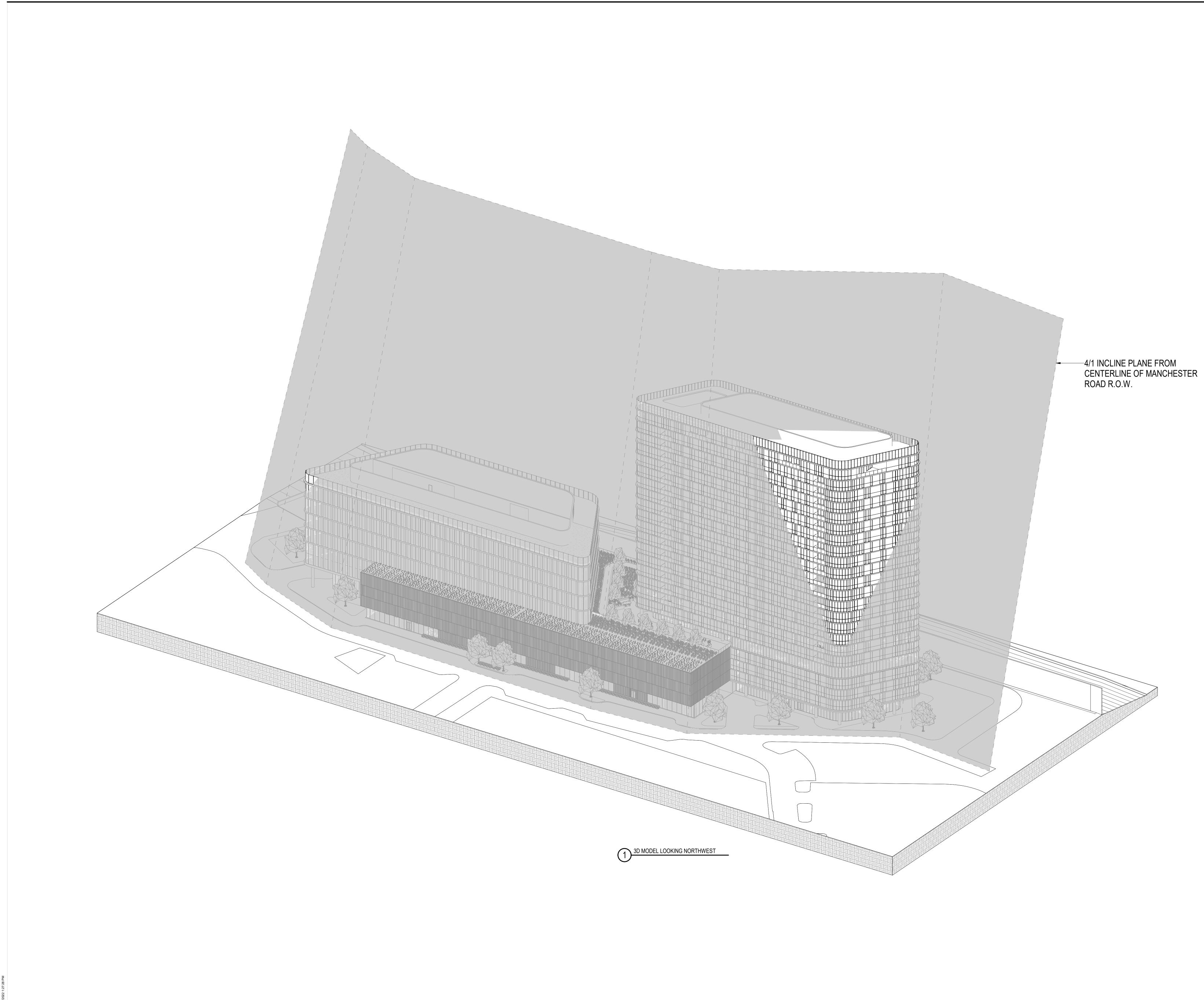
In connection with the proposed Special Use Permit Application for 2-4 Manchester Road (Tax Parcel Nos. S0000101006 and S0000101005), the following materials are enclosed:

- 1. Special Use Permit Application form;
- Survey of present conditions, entitled "ALTA/ACSM LAND TITLE SURVEY ON THE PROPERTY OF SOUTHERN STATES COOPERATIVE, INC., CITY OF RICHMOND, VIRGINIA", prepared by Hulcher & Associates, Inc., dated August 10, 2000, as last revised June 24, 2004;
- 3. Land Use Special Power of Attorney from Riverfront Silos, LLC;
- 4. Conceptual layout plan entitled "THE SILOS, SITE LAYOUT PLAN" prepared by Timmons Group, dated August 26, 2022 (the "Conceptual Layout Plan"); and
- 5. Conceptual massing diagram entitled "3D Massing" prepared by Kahler Slater dated August 31, 2022 (the "Inclined Plane Exhibit").





	SITE LAYOUT NOTE KEY	SIGN & PAVEMENT MARKING NOTE KEY
POSED WALLS, FENCES, APES ARE DESIGNED BY	6" CURB & GUTTER (CITY OF RICHMOND RGM-CD-01)	(A) 24" STOP BAR
ETS FOR LANDSCAPING &	CURB (CITY OF RICHMOND RGM-CD-01)	B STOP SIGN (MUTCD STD. R1-1)
THE FACE OF CURB, UNLESS	3 SOLID CONCRETE RAISED MEDIAN STRIP (VDOT STD. MS-1)	C 4" DOUBLE YELLOW LINE
CKGROUND DATE: 7/14/2022	4 STANDARD ENTRANCE GUTTER (VDOT STD. CG-9D)	D AUTHORIZED VEHICLES ONLY SIGN (MUTCD STD. R5-11)
ES:	ADA ACCESS RAMP w/TRUNCATED DOME WARNING SURFACE (VDOT CG-12, TYPE A)	E ONE WAY / DO NOT ENTER SIGN (MUTCD STD. R5-1)
SHALL BE TYPE B, CLASS I ED BY VDOT TRAFFIC	ADA ACCESS RAMP w/TRUNCATED DOME WARNING SURFACE (VDOT CG-12, TYPE B)	F YIELD SIGN (MUTCD STD. R1-2)
IUST HAVE A PERSON w/A	ADA ACCESS RAMP w/TRUNCATED DOME WARNING SURFACE (VDOT CG-12, TYPE M2)	G 8" DASHED WHITE LINE (2' LINE, 4' SPACE)
FICATION, ISSUED BY THE ON SITE DURING TIONS. A COMPLETED	6 CONCRETE STEPS (VDOT STD. S-2 UNLESS OTHERWISE NOTED)	(H) RIGHT TURN ONLY SIGN (MUTCD. STD. R3-2)
F & A C-85 MUST BE ESIDENCY PERMIT	7 STRUCTURAL RETAINING WALL / LANDSCAPED SEAT WALL (REFER TO LANDSCAPE / STRUCTURAL FOR DETAILS)	U WAYFINDING SIGNAGE
	8 CURB WIPE-DOWN	J 15 MIN PARKING / LOADING ZONE SIGN (MUTCD. STD. R7-6)
NT APPROVAL	9 CONCRETE SIDEWALK (CITY OF RICHMOND RGM-CD-04)	K DO NO BLOCK INTERSECTION SIGN (MUTCD. STD. R10-7)
VEMENTS UPON HE FLOODWALL I GRANTED.		





104 Shockoe Slip, Richmond, Virginia 23219 Telephone 804.767.2500 722 Williamson Street, Madison, Wisconsin 53703 Telephone 608.283.6300 Fax 608.283.6317 125 South Clark Street, Suite 675-2, Chicago, Illinois 60603 Telephone 312.789.4516

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Project No. HOURIGAN 221118 000123 Sheet Title **3D MASSING VIEWS**

Enter address here

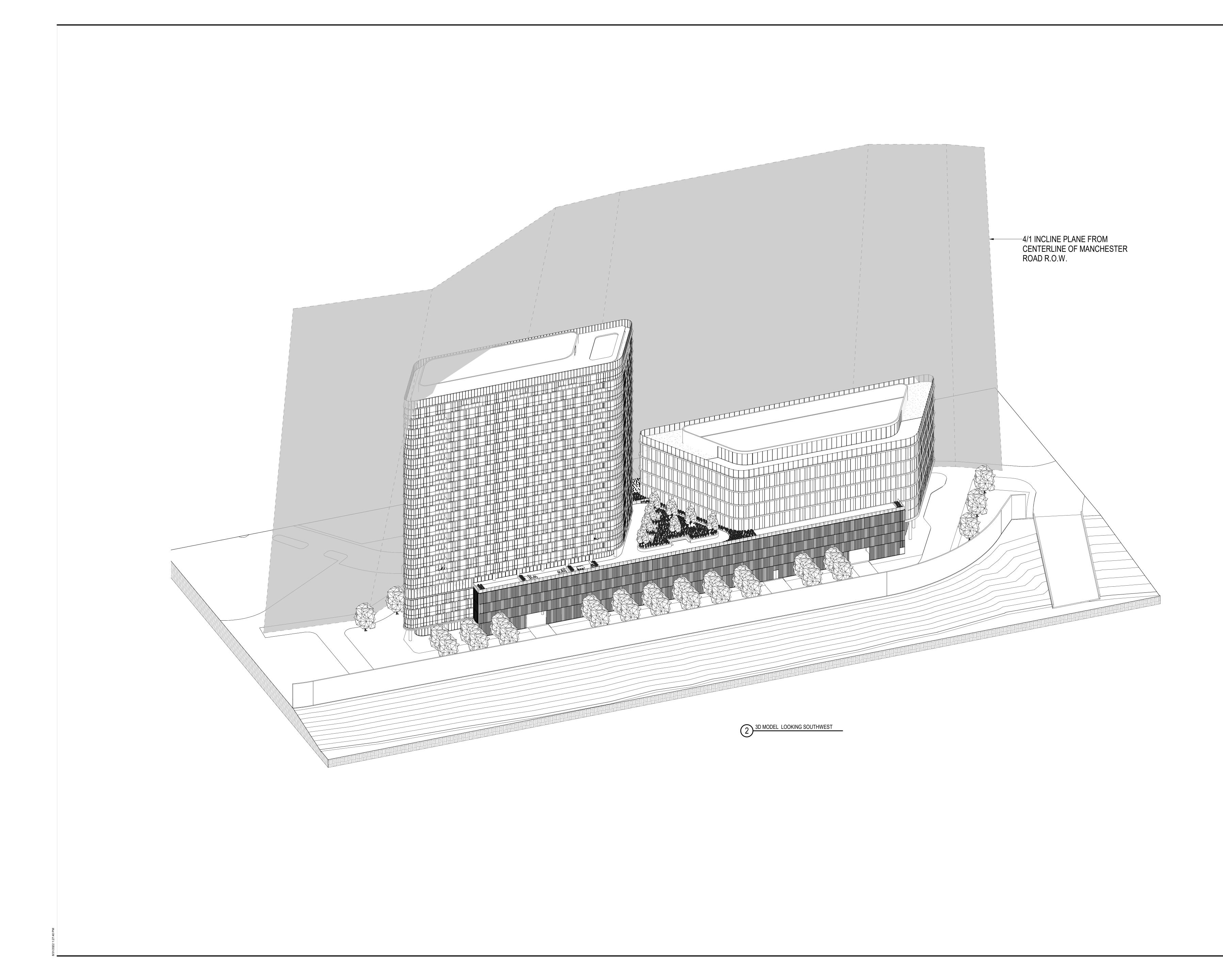
SILOS MIXED USE

SCOPE DOCUMENTS Drawing Date 8/31/2022

POD SUBMITTAL

Revisions







104 Shockoe Slip, Richmond, Virginia 23219
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722 Williamson Street, Madison, Wisconsin 53703
Telephone 608.283.6300 Fax 608.283.6317
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Enter address here

SILOS MIXED USE

SCOPE DOCUMENTS Drawing Date 8/31/2022

POD SUBMITTAL

Revisions

