



## CITY OF RICHMOND

### Department of Planning & Development Review *Staff Report*

**Ord. No. 2023-347:** To authorize the special use of the properties known as 4605, 4623, 4625, and 4627 West Broad Street for the purpose of exceeding the inclined plane height and rear setback for a mixed-use building and live/work units, upon certain terms and conditions.

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**To:** City Planning Commission  
**From:** Land Use Administration  
**Date:** December 4, 2023

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#### **PETITIONER**

Jeffrey Geiger

#### **LOCATION**

4605, 4623, 4625, and 4627 West Broad Street

#### **PURPOSE**

The applicant is requesting a Special Use Permit for the purpose of mixed-use building with off-street parking. While the proposed use is authorized by the TOD-1 Transit Oriented Nodal Development District, the use would not comply with sections 30-457.2, concerning permitted principal and accessory uses, 30-457.5(3), concerning yards, and 30-457.9, concerning height, of the Code of the City of Richmond (2020), as amended. A Special Use Permit is, therefore, required.

#### **RECOMMENDATION**

Staff finds that the proposal would be consistent with the recommendations of the City's Master Plan pertaining to the multifamily housing type within the Corridor Mixed-Use land use category including the horizontal mix of uses and housing types on the ground floor.

Staff finds that the proposed use supports Objective 14.3, to "Create 10,000 new affordable housing units for low- and very low-income households over the next 10 years." The proposed units are intended to be affordable to households that are within 60% to 80% of the Regional Area Median Income.

Staff also finds that the proposed multifamily building aligns with Master Plan's goal of developing Broad Street as a Great Street with a street typology of "Major Mixed-Use Street". This portion of Broad Street is in significant need of residents to make future commercial activity and street-life possible. This new multifamily building will be an important part of the overall transformation.

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, with the recommendation that the additional Plans submitted by the applicant entitled "Commonwealth - Live/Work Unit", and dated October 30, 2023, be included within the approved ordinance, with

the recognition that the proposed live/work units do not satisfy section 30-457.2(7) regarding minimum depth of ground floor commercial frontage.

## **FINDINGS OF FACT**

### **Site Description**

The property is located in the Monument Avenue Park neighborhood, between Blacker and Westmoreland Streets.

### **Proposed Use of the Property**

The proposed use of the properties is a new, mixed-use building with off-street parking. The density of the proposed use will be determined during Plan of Development review.

### **Master Plan**

The City's Richmond 300 Master Plan designates a future land use for the subject property as Corridor Mixed-Use, which are defined as properties that are "Found along major commercial corridors and envisioned to provide for medium- to medium-high-density pedestrian- and transit-oriented development."

### **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 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. Active commercial ground floor uses are required on street-oriented commercial frontages.

### **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.

### **Intensity:**

Buildings generally ranging from two to ten stories, based on street widths and depending on the historic context and stepping down in height adjacent to residential areas. 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.

Major Mixed-Use Streets:

- 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 these properties is TOD-1 Transit Oriented Nodal District. The following zoning regulations are not being met by the proposal, warranting special use permit approval.

PERMITTED PRINCIPAL AND ACCESSORY USES

Sec. 30-457.2(7) – Dwelling units.

...when such units are located within buildings fronting on streets designated as street-oriented commercial frontage, a minimum of one-third or 1,000 square feet, whichever is greater, of the floor area of the ground floor of the building shall be devoted to other principal uses permitted in this district, and such uses shall have a depth of not less than 20 feet along the entire street oriented commercial frontage...

*The application calls for live/work units along Broad Street frontage, without the 20 feet depth minimum of commercial frontage*

YARDS.

30-457.5(3). Rear Yard. No rear yard shall be required, except that where a rear lot line abuts or is situated across an alley from property in an R district there shall be a rear yard of not less than 20 feet in depth.

*A 5 ft. rear yard is proposed. Most of the rear yard is proposed to remain as a surface parking lot.*

HEIGHT.

30-457.9(1) Maximum height. When a rear lot line abuts or is situated across an alley from property in an R district, no portion of a building should penetrate an inclined plane originating from the third story of the property at the rear building wall and extending over the lot to the front lot line at an inclination of one foot horizontal for each one foot vertical.

*The proposed building height is 6 stories and penetrates the incline plane as shown on plans.*

Additional conditions will be imposed by the amended ordinance, including:

- The Special Use of the Property shall be as exceeding the inclined plane height and rear setback for a mixed-use building, substantially as shown on the Plans, and for live/work units, which may be located on any floor of the mixed-use building.
- All mechanical equipment serving the Property shall be located or screened so as not to be visible from any public right-of-way.

- Prior to the issuance of any building permit for the Special Use, a plan of development for the Special Use shall be approved by the Director of Planning and Development Review, or the designee thereof, pursuant to Article X, Division 4 of Chapter 30 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 streets.

### **Surrounding Area**

The property is located in the Monument Avenue Park neighborhood, between Blacker and Westmoreland Streets.

### **Affordability**

Median Family Income

Richmond region = \$109,400 per year.\*

Affordability threshold = 30% of household income towards housing costs.

= \$32,820 per year

= \$2,735 per month

Proposed starting monthly rents = \$1,500 per month.\*\*

*\*(U.S. Department of Housing and Community Development, 2023)*

*\*\* (estimated pricing provided by the applicant)*

### **Neighborhood Participation**

The city notified the Monument Avenue Park Civic Association about this application. To this date, the city has received a message of opposition from the Association. No additional letters or notifications in support of, or in opposition to this application.

**Staff Contact:** Jonathan Brown, PDR, Land Use Division, 804-646-5734