



## CITY OF RICHMOND

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

**ORD NO. 2015-200:** To repeal City Code § 114-910.5, concerning the Brookland Park Boulevard/North Avenue parking overlay district PO-5, to remove the description of the district; to designate the PE-7 Brookland Park Boulevard/North Avenue Parking Exempt Overlay District; and to rezone certain properties along Brookland Park Boulevard between Montrose Avenue and Woodrow Avenue and along North Avenue between Essex Street and Crawford Street to the UB Urban Business District.

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**To:** City Planning Commission  
**From:** Land Use Administration  
**Date:** October 5, 2015

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#### **PETITIONER**

City of Richmond  
900 East Broad Street  
Richmond, VA 23219

#### **LOCATION**

Along Brookland Park Boulevard between Montrose and Woodrow Avenues and along North Avenue between Essex and Crawford Streets

#### **PURPOSE**

To repeal City Code § 114-910.5, concerning the Brookland Park Boulevard/North Avenue parking overlay district PO-5, to remove the description of the district; to designate the PE-7 Brookland Park Boulevard/North Avenue Parking Exempt Overlay District; and to rezone certain properties along Brookland Park Boulevard between Montrose Avenue and Woodrow Avenue and along North Avenue between Essex Street and Crawford Street to the UB Urban Business District.

#### **SUMMARY & RECOMMENDATION**

This Ordinance would revise the City's official zoning map for the area along Brookland Park Boulevard between Montrose and Woodrow Avenues and along North Avenue between Essex and Crawford Streets. This area has been identified for an update to the zoning districts and a review of the parking overlay district in order to reduce the number of nonconforming properties, and encourage appropriate infill development.

There are a total of 94 properties in the study area. Of those properties, 14 are proposed to be rezoned from B-2 to UB, four are proposed to be rezoned from R-6 to UB, and the remainder will retain their existing UB zoning. The proposed repeal of the parking overlay district and establishment of the parking exempt district would affect all of the properties in the study area. The intent of parking exempt overlay districts is to provide relief from the off-street parking requirements for certain uses so as to facilitate the development and redevelopment of economically depressed, older, urban commercial districts characterized by a substantial number of vacant and deteriorated structures. With the exception of certain high intensity uses, off-street parking is generally not needed for most uses in these areas because of high vacancy

rates, availability of on-street parking, and considerable walk-in trade due to proximity to residential areas and available public transportation. As these economically depressed, older, urban commercial districts undergo revitalization consideration should be given to re-establishing appropriate parking requirements.

The Commission approved a Resolution of Intent to revise the official zoning map for the Brookland Park Boulevard/North Avenue area and to amend the Zoning Ordinance by repealing the Brookland Park Boulevard/North Avenue PO-5 parking overlay district and establishing the Brookland Park Boulevard/North Avenue PE-7 parking exempt district at the July 20, 2015 meeting. That resolution is the first step for any City-initiated change to the Zoning Ordinance; this ordinance is the final step. The resolution and proposed zoning maps are included in the agenda package for consideration.

At their meeting, the Planning Commission requested additional information pertaining to on-street parking restrictions. Along Brookland Park Boulevard and North Avenue there are some sections that contain on-street parking time limitations (some 3-hour and some 2-hour). There are also the usual restrictions on parking near intersections, hydrants, bus stops, loading zones and parking lot entrances. There was also discussion at the meeting over allowing additional height in the study area – specifically with a switch to the UB2 district. The study area is predominantly composed of one-story buildings though there are also a number of two-story buildings. The UB district allows a height of 28', which for most one-story buildings would accommodate a second story. The UB2 district allows for three stories and even up to four stories in certain circumstances.

With respect to the land use analysis and guidance provided through the City's Master Plan and by the citizens of the community, Staff recommends rezoning to promote the area as a neighborhood commercial district, emphasizing traditional pedestrian-oriented goods and services over the more recent auto-related land uses. The proposed rezoning would allow for appropriate and compatible commercial development along the established commercial corridor. Therefore, Staff recommends approval.

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## **FINDINGS OF FACT**

### **Background**

The affected properties are located along Brookland Park Boulevard between Montrose and Woodrow Avenues and along North Avenue between Essex and Crawford Streets and lie within the R-6 (Single-family attached residential), UB-PO5 (Urban Business with a Parking Overlay), and B2-PO5 (Community Business with a Parking Overlay) zoning districts. The study area is primarily developed with commercial structures, with several vacant lots, and a few residential uses. The commercial area is plagued by vacant storefronts, extensive curb cuts, and lack of maintenance but is in close proximity to residential neighborhoods. The neighborhoods adjacent to the study area are zoned R-5 and R-6 (Single and single-family attached residential, respectively) and are improved with single-family and two-family attached dwellings in a medium density development pattern.

## **Master Plan**

The City's Master Plan primarily recommends Community Commercial uses for the study area, though portions toward the eastern and western boundaries are designated for Single-family (low and medium density) uses. The City library on North Avenue is designated for Public and Open Space use, as are Community High School and the Cannon Creek nature area, just outside of the study area. The neighborhoods adjacent to the study area are designated for single-family (medium and low density) uses. The Plan notes that commercial development in the North Planning District occurred early in the 20<sup>th</sup> century on main thoroughfares where the streetcar traveled, particularly Brookland Park Boulevard and Meadowbridge Road (page 247).

In regards to the corridor, the Plan states that "the area has limited parking, obsolete retail spaces, and difficult traffic circulation", and further that "the proliferation of gas stations, auto repair stations, car sale lots, and outdoor storage lots renders the corridor unappealing" (page 251). The Plan goes on to say that "properties fronting Brookland Park Boulevard, particularly those east of North Avenue, should retain their pedestrian orientation without curb cuts and drive throughs" (page 258).

## **Relevant Zoning Districts**

### *UB Urban Business District*

*(existing along Brookland Park Boulevard, proposed for entire study area)*

A UB zone permits multi-family, office, personal service, restaurant, and retail uses. The intent of the district is to encourage business areas with densely developed pedestrian-oriented shopping character, compatible with adjacent residential neighborhoods, and with minimal disruption from vehicle-oriented land uses. This district is intended to promote continuity of storefront character along principal street frontages. Drive-up facilities are not permitted. The UB zone allows for residential uses above or to the rear of the first floor in conjunction with other permitted uses as long as the area dedicated to residential use does not exceed three times the area dedicated to the other permitted use. The maximum height allowed in the UB zone is 28 feet.

### *R-6 Single-Family Attached Residential District (proposed to be removed)*

An R-6 zone is a residential zoning district that allows single-family detached, single-family attached (such as row houses), two-family attached and two-family detached. The district regulations are designed to reflect the urban nature of such neighborhoods with single- and two-family dwellings situated on small lots with narrow yards and modest setbacks. New single-family detached structures on newly created lots require a minimum lot width of 50 feet. New two-family detached structures on newly created lots require a minimum lot width of 50 feet.

### *B-2 Community Business District (proposed to be removed)*

A B-2 zone permits multi-family, auto service centers, office, personal service, restaurant, and retail uses. This district is intended to apply to business areas that serve a number of neighborhoods and exceed the strict individual neighborhood orientation of B-1. A broader range of uses is allowed with less restrictive limits on intensity and signage. Additional drive-up and vehicle-oriented uses are permitted, in addition to entertainment uses and

limited wholesale and service activities. The maximum height allowed in the B-2 zone is 35 feet.

*Parking Exempt Overlay District (proposed for the entire study area)*

The Parking Exempt Overlay District is a revitalization tool for commercial zoning districts. The intent of these districts is to provide relief from the off-street parking requirements for certain uses so as to facilitate the development and redevelopment of economically depressed, older, urban commercial districts characterized by a substantial number of vacant and deteriorated structures. As the majority of the commercial structures in the study area pre-date the widespread use of the automobile, most properties contain little to no available space for vehicle parking areas. The Parking Exempt Overlay District eliminates parking requirements for all uses other than restaurants (1 space per 300 sq. ft. of floor area), grocery stores (1 space per 300 sq. ft. of floor area), theaters (1 space per 150 sq. ft. of floor area), and dwelling units (none for three units and 1 space per 4 units). The parking exemption is only applicable to existing buildings and all nonconforming parking can be retained.

**Comparison of Relevant Zoning District Regulations<sup>1</sup>**

Regulation	B-2 District	UB District
Height	35'	28'
Front Yard Setback	25' minimum	None required; 15' maximum
Side Yard <sup>2</sup>	None to 10' minimum	None to 10' minimum
Rear Yard <sup>2</sup>	None to 20' minimum	None to 20' minimum

**Comparison of Selected Parking Requirements<sup>1</sup>**

Use	Base requirements	PO-5 Current requirements	Parking Exempt requirements
Theaters; amusement centers, lodges and clubs; and similar uses	1:100	1:210	1:150
Nightclubs	1:70	1:210	1:100
Restaurants	1:100	1:210	1:300

Food stores	1:150 for not more than 5,000 sq ft; 1:300 for more than 5,000 sq ft	1:410	1:300
Retail; personal service; banks and similar uses	1:300 sq ft	1:410	None
Offices	1:300 sq ft for first 1,500 sq ft plus 1:400 sq ft in excess thereof	1:410 for first 1,500 sq ft Plus 1:730 in excess of 1,500 sq ft	None
Repair shops; furniture, carpet, appliance, hardware or home improvement stores	1:500	1:1,020	None
Dwelling units	None for 1 to 3 units; 1:4 per 4 dwelling units	1:4 units when located within buildings with other uses	1:4 units
		All other uses the minimum number of off-street parking spaces must meet normal requirements	No parking requirement for any other uses within existing buildings
			Newly constructed buildings and additions to existing buildings, the minimum number of off-street parking spaces must meet normal requirements

<sup>1</sup>Includes excerpts and interpretations from the City of Richmond Zoning Ordinance. Persons with specific zoning issues should always consult the Zoning Office.

<sup>2</sup>Side yard, lot width, and lot area requirements vary within the residential districts based on the intensity of the use (single-family as opposed to two-family or multi-family and detached units as opposed to attached units) and adjacent zoning districts.

### Public Participation

Staff sent notices to over 900 property owners, business owners and residents for a public meeting that was held on July 14, 2015. Staff also sent notice to five nearby civic associations. Approximately 35 people attended the meeting and were generally

supportive of the proposed changes. Staff presented the proposal at a regular meeting of the Brookland Park Business Association on August 13, 2015. While the Association did not take a formal position, they were also generally supportive of the proposal.

Staff has received two letters of opposition regarding the proposal from property owners along the corridor.

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