



## CITY OF RICHMOND

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

**CPCR 2018-047:** To authorize an exception to §14-264 of the Code of the City of Richmond for the property known as 3005 Riverside Drive pursuant to §14-292(c) of the Code of the City of Richmond.

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**To:** City Planning Commission  
**From:** Land Use Administration  
**Date:** May 7, 2018

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#### **PETITIONER**

Amelia Wehunt, Timmons Group

#### **PROPERTY OWNER**

City of Richmond, Dept. of Parks, Recreation and Community Facilities

#### **LOCATION**

3005 Riverside Drive

#### **PURPOSE**

To authorize an exception to allow an encroachment into the Resource Protection Area (RPA) buffer within the Chesapeake Bay Protection Area on the property.

#### **SUMMARY & RECOMMENDATION**

The exception request would allow the James River Park System to make site improvements to the existing equipment and material storage yard as well as the addition of three new warehouse/flex space buildings for additional storage and educational training purposes. Final Location, Character, and Extent approval for development of the site was granted by the Planning Commission on February 21, 2017.

The optimal place for the storage units is away from the main entrance and behind the existing facility, which is within the RPA area. Because this also an MS4 area, bulk storage materials such as sand and lay should be covered and safe from rainwater to prevent illicit discharges into the James River.

Additional improvements include a gravel diaphragm along the edge of pavement for stabilization, and for underdrains from permeable pavement and storm piping from the building that discharge to an outfall within the seaward portion of the RPA Buffer within the Chesapeake Bay Protection Area on the property.

The development would encroach in both the landward and seaward portions of the Resource Protection Area of the Chesapeake Bay Protection Area, as shown on the City's adopted Chesapeake Bay Preservation Map. This development would result in approximately 12,925 square feet of impact to the RPA.

Section 14-264 of the Code of the City of Richmond does not permit structures or non-water-dependent facilities to encroach into an RPA and, therefore, the petitioner has requested an exception from the Planning Commission to encroach into the RPA buffer, pursuant to §14-292(c) of the Code of the City of Richmond.

Water Resources Staff finds that appropriate measures would be taken to mitigate the impacts of the proposed encroachment and that the encroachment would be in keeping with the allowed encroachments of the City's code and with the State's current Chesapeake Bay program.

Therefore, Water Resources Staff recommends approval of the exception request.

## **FINDINGS OF FACT**

### **Site Description**

The current property is used as the James River Park Systems Headquarters & Visitors Center. There is currently one building on the site that houses the visitor center and staff offices. There are also temporary ConEx boxes on site for storage.

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

The three (3) new structures will be storage facilities for existing equipment, lawn mowers, maintenance equipment, educational equipment, and bulk material storage of aggregate, mulch, sand, clay, and dirt, as well as facilities for training purposes.

### **Zoning & Master Plan**

The property is located in the R-5 Single-Family Residential Zoning District.

Final Location, Character, and Extent approval for development of the site was granted by the Planning Commission on February 21, 2017.

The Downtown Plan shows the subject property in a Public & Open Space Area. These areas "...include publicly owned and operated parks, recreation areas, open spaces, schools, libraries, cemeteries and other government and public service facilities. Also included are environmentally sensitive areas and scenic areas where urban development should not occur. Typically, this category depicts larger scale uses or open spaces, while small-scale facilities are incorporated within the predominant surrounding land use designations. This land use category may be accommodated by any zoning classification." (City of Richmond, 2001)

### **Chesapeake Bay Protection Areas**

The Resource Protection Area (RPA) is defined as that component of the Chesapeake Bay Preservation Area comprised of lands adjacent to water bodies with perennial flow that have an intrinsic water quality value due to the ecological and biological processes they perform or are sensitive to impacts which may result in significant degradation to the quality of State waters.

Per Richmond City Code section 14-231(a)... In their natural condition, these lands provide for the removal, reduction or assimilation of sediments, nutrients and potentially harmful or toxic substances in runoff entering the Bay and its tributaries, and minimize the adverse effects of human activities on State waters and aquatic resources.

Additionally, “the 100-foot wide buffer area shall be the landward component of the resource protection area as set forth in Section 14-231(b)(5). Notwithstanding permitted uses, encroachments, and vegetation clearing, as set forth in this section, the 100-foot wide buffer area is not reduced in width. To minimize the adverse effects of human activities on the other components of the resource protection area, State waters, and aquatic life, a 100-foot wide buffer area of vegetation that is effective in retarding runoff, preventing erosion, and filtering nonpoint source pollution from runoff shall be retained if present and established where it does not exist.” (Section 14-264(3))

### **Surrounding Area**

Properties to the north, east, and south of the subject property are located in the R-5 Single-Family Residential District. Properties to the west are located in the R-3 Single-Family Residential District.

The property is within the James River Park System with Coopers, Fish and Markham Grants Islands immediately to the north. The Woodland Heights, Forest Hill Park, and Forest Hill neighborhoods are within the vicinity of the subject property.

### **Neighborhood Participation**

Notice of the public hearing for the proposed exception has been advertised in accordance with State Code and property owners with 150 feet of the subject property have been mailed notice of the public hearing.

Staff has not received any letters of support or opposition regarding the exception request.

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