



CITY OF RICHMOND

Department of Planning & Development Review *Staff Report*

Ord. No. 2020-119: To amend Ord. No. 2019-089, adopted Apr. 22, 2019, which authorized the special use of the properties known as 5400 Hull Street Road, 5336 Hull Street Road, and 5348 Hull Street Road for the purpose of self-storage facilities and multifamily dwellings containing up to 245 dwelling units, to modify the site plans, upon certain terms and conditions.

To: City Planning Commission
From: Land Use Administration
Date: June 1, 2020

PETITIONER

Kemp Enterprises, Inc.

LOCATION

5400, 5438, and 5336 Hull Street Road

PURPOSE

To amend Ord. No. 2019-089, adopted Apr. 22, 2019, which authorized the special use of the properties known as 5400 Hull Street Road, 5336 Hull Street Road, and 5348 Hull Street Road for the purpose of self-storage facilities and multifamily dwellings containing up to 245 dwelling units, to modify the site plans, upon certain terms and conditions.

SUMMARY & RECOMMENDATION

The special use authorized by Ordinance No. 2019-089 consisted of senior apartments housed in buildings up to 52 feet tall and a self-storage facility with 175,000 square feet of floor space. The proposed amendment will not alter the uses authorized, however a modification of the site plan has been requested. The proposed new plan will shift the self-storage structures away from the Hull Street Road frontage and allow the residential building to front on Hull Street Road.

Staff finds the proposed amendment would continue to be consistent the goals of the Mater Plan.

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 is consistent with other uses in the community. In addition, the proposed redevelopment and would not create traffic impacts more significant than uses allowed on the property by right.

Therefore, staff recommends approval of this special use permit amendment request.

FINDINGS OF FACT

Site Description

On April 22, 2019, City Council adopted Ordinance No. 2019-089 as part of the consent agenda. The subject properties of that ordinance are 5400, 5438, and 5336 Hull Street Road. These properties total 12.19 acres. The properties located at 5400 and 5366 Hull Street Road are vacant. 5438 Hull Street Road has a 1,267 square foot dilapidated structure located near the Hull Street Road frontage. The property is located in the Swanson neighborhood of the Midlothian Planning District

Proposed Use of Property

The special use authorized by Ordinance No. 2019-089 consisted of senior apartments housed in buildings up to 52 feet tall and a self-storage facility with 175,000 square feet of floor space. The proposed amendment will not alter the uses authorized, however modifications of the site plan and building plans have been requested. The proposed new plan will shift the self-storage structures away from the Hull Street Road frontage and allow the residential building to front on Hull Street Road. The amended plans will reduce the height of the storage structure from four stories to three stories.

The proposed age-restricted housing will provide much needed housing for residents 55 and older. This type of land use generally has a low impact on the surrounding neighborhood in that it is generally quiet and has a minimal impact peak hours traffic. The self-storage facility will provide both climate controlled and unconditioned storage space. Storage facilities are a low impact land use in terms of noise and traffic generation.

Master Plan

The City of Richmond's Master Plan designates a future land use category for the subject property as General Commercial (Richmond Master Plan.) Primary uses include a broad range of office, retail, general commercial, wholesale and service uses, typically located along major transportation corridors and serving large portions of the City, the region or the traveling public. The typical zoning classification that may accommodate this land use category is B-3 General Business District.

A Housing and Neighborhood Goal of the Master Plan is to provide "a variety of housing choices" (p. 20).

Specifically for the Midlothian Planning District, the Plan states "the location, character, and extent of commercial uses within the District should enhance the economic viability of such uses, provide convenient access, and allow for expansions where appropriate while protecting adjacent residential uses from commercial encroachment...the

continuation of strip-commercial development along and of the major corridors of the District is not recommended” (p. 215).

For commercial development along Hull Street Road, “all traffic and access should be focused on Hull Street. Significant consideration should be given to any development proposals that provide enhanced design and an improved image for the corridor” (p. 215).

Zoning and Ordinance Conditions

The Zoning Office reviewed the application provided the following comments:

The proposal is to amend the existing SUP ordinance to allow construction of a 4-story multi-family buildings for senior housing (242 units) and a 175,000 SF self-storage facility over three parcels. A previous SUP authorized the same use with 240 senior housing units. This amendment proposes a change in the layout and design of the proposed use.

Please be advised of the following zoning regulations cannot be met with the proposal.

- **ZONING AND USE:** *The subject property is located both in the B-3 and R-4 zoning districts.
The proposed self-storage facility is located solely within the B-3 zoning district. The proposed floor area for the self storage facility exceeds the maximum permitted under the B-3 district regulations (up to 20,000 SF permitted, 175,000 SF proposed). Sec. 30-438.1(58)

The proposed senior apartments are located in both the B-3 zoning district and R-4 zoning district. Dwelling units are not permitted in the B-3 district unless contained in the same building as other permitted principal uses. Sec. 438.1(15)

Multi-family dwellings are not permitted in the R-4 district Sec. 408.1*
- **HEIGHT:** *The height requirement will not be met for the portion of the multi-family building within the R-4 district. Sec. 30-408.7*
- **DUMPSTER SCREENING:** *Outdoor areas accessory to any use other than single-family and two-family that are used for the deposit and collection of trash shall be screened with opaque structural or vegetative materials in such a manner as to not be visible from adjacent properties in an R, RO, HO, I or OS district or from any public street or other public space. Outdoor dumpsters are shown as being screened, but details/elevations were not provided to*

determine if screening will be adequate to meet this requirement. It is recommended that a compactor be provided to reduce waste.

- **PARKING IMPROVEMENTS, LANDSCAPING AND SCREENING**
 - *Lighting- Parking area must be provided with lighting if accessed in non-daylight hours. All parking areas must be illuminated at an intensity of at least 0.5 horizontal footcandles. Max height of fixtures is 35', and fixtures must be full cut-off compliant. Parking lot lighting details were not included with what was submitted to confirm compliance.*
 - *Internal landscaping- Internal landscaping requirements are applicable for parking areas containing 30 or more spaces. The number of landscaped islands required is one for every 15 spaces. Not more than 15 parking spaces may be situated in a continuous row without an intervening island, and each end of each row of parking spaces is required to be separated from adjacent access aisles and driveways by a landscaped island. Islands must be improved with one deciduous tree with a caliper of at least 2.5 inches at the time of installation. Internal landscaping requirements do not appear to be met with the proposal. Sec. 30-710.14*
 - *Tree Coverage- 10-year tree canopy not less than 30 square feet for each parking space per Sec. 710-15. Tree coverage details were not provided. Sec. 30-710.15*
- **BICYCLE PARKING**
 - *One long-term space for every 4 dwelling units or fraction thereof. Two short-term spaces for first 50 parking dwelling units; 2 additional short-term spaces for every additional 50 units or fraction thereof. No bicycle parking is provided with what has been submitted. Sec. 30-730.2*

The amended special use permit ordinance will impose conditions on the property, including:

a) The Special Use of the Property shall be as (i) multifamily dwellings containing up to 245 dwelling units and interior and exterior amenity space, substantially as shown on the Plans, and (ii) self-service storage facilities consisting of three single-story buildings and one building not to exceed [~~four~~] three stories. The self-service storage facilities shall

not exceed an aggregate floor area of 175,000 square feet, substantially as shown on the Plans.

b) Occupancy of residential units developed upon the Property shall be age-restricted to persons 55 years of age or older in accordance with the following parameters:

1. It is the intent of the parties that residential units shall be occupied by persons 55 years of age or older and that no residential unit shall be occupied by a person under the age of 18 years of age. In some instances, persons under the age of 55 but over the age of 18 shall be entitled to occupy residential units, subject, at all times, to the laws and regulations governing 55 and over restricted housing as more particularly set forth and described in paragraph 2 below.

2. Each dwelling unit within the Property shall be developed and operated in compliance with applicable federal and state laws and regulations regarding housing intended for occupancy by persons 55 years of age or older, including but not limited to, the Fair Housing Act of 1968, 42 U.S.C. § 3601 (1968), except as provided by section 3607(b)(2)(C) of the Fair Housing Act of 1968, 42 U.S.C. § 3601 (1968), regarding discrimination based on familial status; the Housing for Older Persons Act of 1995; the Virginia Fair Housing Law; any regulations adopted pursuant to the foregoing; any judicial decisions arising thereunder; any exemptions or qualifications thereunder; and any amendments to the foregoing as now or may hereafter exist. Specific provisions of the age restriction described above and provisions for enforcement of the same shall be set forth in a declaration of restrictive covenants and property owners' association documents.

c) No more than 300 on-site parking spaces shall be provided on the Property for the Special Use, substantially as shown on the Plans.

d) Within the area specifically designated for the self-service storage facility use, a single caretaker's dwelling unit may be provided. If provided, any occupancy of this dwelling unit shall be limited to the employed staff of the storage facility. There shall be no age restriction on the occupancy of the caretaker's dwelling unit.

e) Signs pertaining to the Special Use shall be limited to signs permitted in all districts, in accordance with section 30-505 of the Code of the City of Richmond (2015), as amended, and to the signs as shown on the Plans. The location and dimensions of the signs shown on the Plans must be approved by the Director of Planning and Development Review in accordance with this ordinance and applicable provisions of the Code of the City of Richmond (2015), as amended. At the Owner's request, the Director of Planning and Development Review may approve signs that are not shown on the Plans but that are otherwise consistent with this ordinance and the Code of the City of Richmond (2015), as amended.

f) All building materials, material colors, and elevations shall be substantially as shown on the Plans.

g) All site improvements, including installation of landscaping, fencing, and sidewalks on the Property, shall be substantially as shown on the Plans, provided that, at the Owner's request, the Director of Planning and Development Review may approve site improvements other than those shown on the Plans that are otherwise consistent with this ordinance. A final landscape plan must be submitted and approved by the Director of Planning and Development Review prior to the issuance of any building permit. No chain-link fencing shall be permitted on the Property.

h) The height of the Special Use shall not exceed four stories in height, substantially as shown on the Plans. The maximum height of the Special Use shall not exceed 52 feet.

i) Lighting structures for the parking areas shall not exceed 30 feet in height. The intensity of illumination within the parking areas shall not be less than 0.5 horizontal foot-candle at any location, provided that in no case shall the intensity of illumination exceed 0.5 horizontal foot-candle at any property line. The lighting maximum-to-minimum ratio within the parking areas shall not exceed 15:1. Parking area lighting fixtures shall be constructed or shielded in such a manner that all light emitted by the fixture, either directly from the lamp or indirectly from the fixture, is projected below the horizontal plane of the fixture.

j) All mechanical equipment serving the Property shall be located or screened so as not to be visible from any public right-of-way.

Surrounding Area

Properties adjacent to the subject property to the east and west along Hull Street Road are zoned B-3 General Business and contain commercial uses. The rear portions of the properties abut single-family homes in the R-4 Single-Family Residential District to the west and south. Abutting to the east are the Meadow Creek Apartments on property located in the R-48 Multi-Family Residential District. The properties located across Hull Street Road to the south are within the South Garden neighborhood of the Broad Rock District. They share the same Community Commercial Master Plan Future Land Use Designation as the subject properties and are zoned B-3 General Business.

Housing Affordability

Housing is considered affordable if its total cost is 30% or less of median income. The Richmond regional annual median (AMI) income is \$67,703. Thirty percent of which is \$20,311, or \$1,693 per month. A household earning 80% of AMI has an affordability ceiling of \$16,249, or \$1,354 per month. A household earning 60% of AMI has an affordability ceiling of \$12,187, or \$1,015 per month.

The proposed apartments are restricted to residents 55 years and older. One-bedroom units will range from \$800 to \$840 and two-bedroom units will range from \$900 to \$950. As such, all units are deemed affordable to those households earning 60% of AMI.

Neighborhood Participation

Area residents and property owners were notified of the proposed amendments. No communication expressing opposition has been received.

Staff Contact

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