



CITY OF RICHMOND

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

ORD. 2020-105: To amend and reordain City Code §§30-433.2 (concerning parking lots in the UB Urban Business District), 30-440.3 (concerning yards in the B-4 Central Business District), 30-446.2 (concerning parking lots in the B-7 Mixed-Use Business District), and 30-950.2-30-950.5 (concerning Plan of Development Overlays), for the purposes of implementing the recommendations of the Pulse Corridor Plan.

To: City Planning Commission
From: Department of Planning and Development Review
Date: September 8, 2020

PETITIONER

City of Richmond
900 East Broad Street Richmond,
VA 23219

LOCATION

The Pulse Corridor Plan Phase III Rezoning includes the Science Museum, Allison Street and VCU&VUU Station areas, in order to implement the next phase of the adopted Pulse Corridor Plan. The total area is bounded generally by Arthur Ashe Boulevard to the West; I-95/64 and the railroad to the North; Belvidere Street to the East; and West Broad Street, West Grace Street, the alley between West Grace Street and West Franklin Street, and West Franklin Street to the South. Not all properties in this area will be rezoned, though all will be included in the Plan of Development Overlay District. Single- and two-family residential districts will maintain their current zoning.

PURPOSE

To amend the official zoning ordinance for the purpose of implementing the recommendations of the Pulse Corridor Plan.

SUMMARY & RECOMMENDATION

This Ordinance is one of a set of three which will rezone the areas around the Science Museum, Allison Street and VCU&VUU BRT Pulse Station areas, in accordance with the recommendations of the adopted 2017 Pulse Corridor Plan. This ordinance will make small changes to the zoning text for the UB, B-4, B-7 districts and Plan of Development Overlays. In order to implement the future land use vision of the Pulse Corridor Plan, this ordinance will amend sections of the zoning ordinance to:

1. Remove parking areas and parking lots as Permitted Principal uses in the B-7 district (§ 30-446.2) and the UB Urban Business districts
2. Remove required rear and side yard setbacks in the B-4 district when adjacent to property in an RO-3 or R-73 district (§ 30-440.3) (Please note: staff recommends approval of the Ordinance with an amendment to remove the RO-3 district from this exception.)
3. Create a Plan of Development Overlay District for the area based on the six form elements of the Pulse Corridor Plan (§§ 30-950.2 through 30-950.5) (Please note: staff recommends to add language to this section to clarify that single- and two-family homes are exempt from POD review requirements.)

Staff recommends approval of the ordinance with the following amendments:

1. Remove the RO-3 Residential-Office District from the exception added to Section 30-440.3(2), so that the B-4 Central Business District will retain existing setbacks for on parcels abutting or across alley from property in an RO-3 district.
2. Add the phrase “with the exception of single- and two-family dwellings” to Section 30-950.3(b)(1) to clarify that the Plan of Development Overlay District does not apply to single- and two-family dwellings.

FINDINGS OF FACT

Background

These amendments are formulated based on the recommendations of the adopted Pulse Corridor Plan, analysis of the existing zoning ordinance, knowledge of existing development trends and plans, and an extensive public engagement process, both for the plan and for this area rezoning. In a growing city currently experiencing both a development boom and significant population increase, it is important to identify areas appropriate for new dense development and proactively rezone to make the desired development possible.

Master Plan

The first corridor-wide recommendation of the Pulse Corridor Plan is to create a Plan of Development Overlay based on the six form elements in the plan (p IX). This Ordinance will create a Plan of Development Overlay district which mirrors the outline of the future land use map of the Pulse Corridor Plan, covering the entire rezoning area and reaching west to Arthur Ashe Boulevard (see accompanying rezoning summary for more information).

In order to promote a more walkable, dense, urban environment, the Pulse Corridor Plan recommends removing parking lots as a Permitted Principal use (p XV). This Ordinance will remove parking lots as a Permitted Principal use from the B-7 District, which will be applied to parcels flanking Hermitage Road north of Leigh Street, and the UB Urban Business District, which is currently applied on parcels along the south side of Broad Street in the rezoning area.

Existing and Proposed Zoning

Section 30-950 of the zoning ordinance was created in 2004 for the purpose of setting forth the means of establishing POD Overlay districts, which “are in addition to and shall be

applied so as to overlay and be superimposed on such other zoning districts...as shown on the official zoning map” (Sec 30-950.2).

Creating a POD Overlay District means that construction of any new building or any addition over 1,000 square feet will be required to undergo a Plan of Development review based on the six design principles of the Pulse Corridor Plan, which are:

1. *Hold the corner*: Buildings and spaces at intersections have active ground floors that wrap around the corner.
2. *Entrances face the street*: Main entrances to businesses and residences front the street, fostering pedestrian activity.
3. *Appropriate setbacks/stepbacks*: Commercial uses are closer to the street while residential uses are set back to foster privacy and to create a semi-public space. Stepbacks at upper stories create a means to honor existing form without overwhelming it.
4. *Transparency*: Façade fenestration allows visibility to and from the street. This is especially important on the ground floor, where fenestration should occupy a higher percentage of the building face.
5. *Façade Articulation*: Long, monolithic facades should be broken up and made more human-scale by varying the streetwall plane, height, colors, and materials.
6. *Screened parking/services*: Attractive landscaping pushed to the sidewalk help maintain a streetwall and mitigate the disruption caused by surface parking lots and utilitarian services.

Many developments in Richmond city already undergo a Plan of Development review process. This POD Overlay District will not create a significant number of additional POD reviews, it simply means that reviews of development in this area will take the six form elements into account.

The other small changes will alter the zoning districts wherever they are applied throughout the city, with positive effect. In this rezoning area as well as in Monroe Ward, property owners or perspective buyers have found that they were restricted in their ability to expand their building or build on an existing parking lot, even when across an alley from an existing high-rise building. That’s because the B-4 zoning district requires a 20’ setback when a lot abuts or is across an alley from any R or RO district. This makes sense when transitioning to a Residential district with a two or three story height maximum. However, the RO-3 and the R-73 districts are high-rise, mixed-use districts, and do not need the same buffer a single- or two-family district would. Removing this provision will remove an unnecessary and unintended barrier to development. (Please note: staff will make a recommendation to remove the RO-3 district from this exception.)

Removing parking lots and parking areas as a Permitted Principal use in the B-7 and UB zoning districts means that wherever that zoning is applied, parking lots are not allowed to be the only use on a parcel of land, promoting a less auto-centric environment.

Accompanying Summary Document

In order to convey the ideas and reasoning behind this rezoning process clearly and thoroughly, staff created a summary document complete with explanatory text, maps of existing and proposed zoning, exact zoning changes, and explanation of each recommendation. [Please see summary document for further details.](#)

Public Engagement

As part of the development of the Pulse Corridor Plan over the course of 2015-2017, PDR staff held numerous public forums, set up online surveys, attended standing civic association meetings, and tracked public feedback.

In December 2019, staff hosted two public open house sessions at the Science Museum of Virginia with a presentation and a question/answer session on the proposed rezoning. Staff sent a letter to each affected property owner notifying them of the intent to rezone, of the public open houses, and where to get more information. Staff circulated a rezoning summary and posted on the City website. Over the past eight months, staff has had many conversations with property owners in the area, as well as representatives of VCU and Sauer Properties, the majority of whom have expressed support for the rezoning. Please see letters of support and opposition attached.

In addition, staff met with representatives of the West Grace Street Association five times between December 2018 and October 2019, and presented a draft map of the rezoning area in October for their review and feedback. The Director of Planning and Development Review attended the West Grace Street Association meeting February 11, 2020 to discuss the rezoning and answer any questions from Association members.

Members of the West Grace Street Association have expressed concern regarding allowed height in the proposed zoning districts, and staff has worked to address their concerns. In October 2019, upon request of the West Grace Street Association, staff created diagrams comparing the B-5 and the TOD-1 district, in order to illustrate the difference between the two districts and why staff believes TOD-1 is the better district for a small area on the south side of Broad Street across from the Science Museum. As of May 2020, neighborhood representatives wish to postpone any rezoning in favor of further discussion. In response to the concerns of the West Grace Street Association, PDR staff has removed the parcels along the south side of Broad Street from the rezoning area at this time.

Notice of the rezoning has been published in both the Richmond Times Dispatch and the Richmond Free Press, in accordance with Virginia State Code. Letters were sent to each property owner in the rezoning area in November of 2019 and April of 2020, also in accordance with State Code. Staff posted rezoning signs in the rezoning area in accordance with City Planning Commission Resolution 2015-010.

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