



CITY OF RICHMOND

Department of Planning & Development Review *Staff Report*

Ord. No. 2020-203: To amend Ord. No. 90-15-31, adopted Feb. 26, 1990, as previously amended by Ord. No. 96-169-163, adopted Jun. 24, 1996, Ord. No. 99-428-2000-16, adopted Jan. 24, 2000, Ord. No. 2003-246-253, adopted Sept. 8, 2003, and Ord. No. 2014-75-54, adopted Apr. 28, 2014, which authorized a special use of the property known as 428 North Boulevard, to permit exterior and interior modifications for museum and library purposes, upon certain terms and conditions.

To: City Planning Commission
From: Land Use Administration
Date: October 5, 2020

PETITIONER

Virginia Historical Society

LOCATION

428 North Arthur Ashe Boulevard – Virginia Museum of History and Culture

PURPOSE

To amend Ord. No. 90-15-31, adopted Feb. 26, 1990, as previously amended by Ord. No. 96-169-163, adopted Jun. 24, 1996, Ord. No. 99-428-2000-16, adopted Jan. 24, 2000, Ord. No. 2003-246-253, adopted Sept. 8, 2003, and Ord. No. 2014-75-54, adopted Apr. 28, 2014, which authorized a special use of the property known as 428 North Boulevard, to permit exterior and interior modifications for museum and library purposes, upon certain terms and conditions.

SUMMARY & RECOMMENDATION

The subject property is zoned R-6 Single-Family Attached Residential, which does not permit the existing museum/library because it is neither owned nor operated by a governmental agency. The original museum structure on the site was constructed in 1913. The museum became nonconforming in 1976 when the zoning ordinance was amended to remove the private museum use from the R-6 zoning district.

A special use permit and subsequent amendments authorized expansions to the museum/library in 1990, 1996, 2000, 2003 and 2014. Accessory classroom/education space, nonaccessory office, archival storage, and archival laboratory space are also authorized. The applicant has requested a new amendment to the special use permit to authorize additional interior modifications and expansion of the building, and site modifications including changes to the parking area, greenspace, landscaping, and signage. The new amendment would also authorize an accessory museum café within the building.

Staff finds that, with the proposed amendments, the use of the property and proposed modifications to the building and site, would continue to be consistent with the Master Plan's institutional land use designation.

Staff further finds that the proposed modifications, which have received a Certificate of Appropriateness from the Commission of Architectural Review, would enable an established institution to better fulfill its mission, discontinue the need for permanent off-site parking, and allow for better use of greenspace to the rear of the property.

Staff finds that the proposed removal of existing trees from the property is sufficiently offset by new plantings provided in the landscape plan, as confirmed by the City's Urban Forestry Division.

Staff further finds that with the conditions of the amended ordinance, the safeguards contained within the City Charter, relative to the granting of special use permits, are met. Specifically, staff finds that the proposed amendment 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 this special use permit amendment request.

FINDINGS OF FACT

Site Description

The 6.3 acre subject property contains a private museum facility located within The Museum District neighborhood of the Near West planning district. It is also located within an R-6 Single-Family Attached Residential zoning district, and the Boulevard National Historic District and Boulevard City Old & Historic District.

Proposed Use of Property

Previous amendments to the existing special use permit have authorized various modifications and additions to the Virginia Historical Society, now known as the Virginia Museum of History and Culture.

The proposed amendment request includes the following: Revise the property address to 428 N. Arthur Ashe Boulevard; Allow modifications and expansion of the current building; Allow site modifications, including reconfiguration of the rear parking area and greenspace to allow the greenspace to be adjacent to and incorporated into the building, rather than separated from the building by a drive aisle and parking spaces, as it is currently situated; Increase the on-site parking from no fewer than 119 parking spaces to no fewer than 179 spaces, and no longer require 70 off-site parking spaces. Provisions to allow the use of the abutting VMFA parking garage for additional parking would remain in place; Allow a museum café, additional exterior freestanding signage, and to allow removal of existing trees/landscaping and the installation of new trees/landscaping.

Master Plan

The City of Richmond's Master Plan designates the subject property for institutional land use. Primary uses include institutional uses such as places of worship, private schools, universities, museums, hospitals, and other care facilities. Typically this land use category depicts larger scale uses, while small-scale uses of this type are incorporated within the predominant surrounding land use designations (p 135.)

Zoning and Ordinance Conditions

Museums owned and operated by private non-profit organizations are not a permitted use in the R-6 Single-Family Attached Residential District. The Virginia Historical Society is a private non-profit organization. The museum is authorized to operate under a special use permit originally authorized by ordinance No. 90-15-31. This ordinance has been amended by ordinance No. 96-169-163, ordinance No.99-428-16-200-16, ordinance No.2003-246-253, and ordinance No.2014-075-54.

Zoning Administration provided the following comments:

The proposal is to authorize 4,685 square feet of interior renovations and the addition of 1,784 square feet of exterior modifications. Please be advised of the following zoning regulations that are not met, therefore a special use permit is needed.

- **ZONING AND USE:**

The subject property is located in the Boulevard City Old and Historic District, and is zoned R-6 (Single Family Attached Residential), which permits museums owned or operated by any governmental agency while private, non-profit museums, such as the Virginia Historical Society, are not permitted. The existing use of the property is nonconforming, the property is under the terms and conditions of the Special Use Permit (SUP) Ordinance No.90-15-31, SUP Amendment No.1999-428-16, SUP Amendment No.2003-246-253 and SUP Amendment No.2014-075-54, for additions and improvements to the existing building.

The current use of the property is a museum and library with accessory gift shop and accessory classroom and educational space, with the option of up to 11,500 sf. of nonaccessory office space. As per SUP Ordinance No.2014-075-54.

Interior and exterior modifications, including building height, exterior materials, an addition (470 sf) on the South of the building, a new 386 sf mechanical room and new outdoor terraces are proposed.

Based on the proposed work and the current zoning designation an amendment to the SUP Ordinance No.2014-075-54, is required.

- **PARKING:**

Under the conditions of SUP Ordinance No.2003-246-253, adopted July 28, 2003, one-hundred thirty (130) on-site parking spaces plus seventy (70) off-site parking spaces were required. Under the conditions of SUP Ordinance No.2014-075-54, adopted April 28, 2014, one-hundred ninety (119) on-site parking spaces plus 70 off-site parking spaces were required at a parking lot located in the 500 block of North Colonial Avenue.

The proposal is to redesign the existing on-site parking area to include additional sixty (60) parking spaces, for a total of one-hundred seventy nine (179) on-site spaces. The relocation of the existing curb cut on Kensington Street and a new vehicle drop area are included in the new design.

The applicant is seeking the reduction of the parking requirement under SUP Ord.No.2014-075; from one-hundred ninety (119) on-site parking spaces and seventy (70) off-site spaces to one-hundred seventy nine (179) on-site parking spaces with no off-site parking requirement.

Under current zoning regulations, the parking requirement for art gallery, library or museum is one parking space plus one per 300 square feet of floor area in excess of 2,000 square feet. The requirement for auditoriums is one parking space per five seating capacity.

The parking requirement is not met; the proposed number of parking spaces requires an amendment to the SUP Ordinance No. 2014-075-54.

- **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.

The submitted lighting plan (L1.01) does not include proposed lighting intensity or lighting fixture schedule for review. [Additional information provided on final plans]

Perimeter buffer - Landscaped buffers along streets are required between areas devoted to parking and adjacent street lines. Buffer options would be A, B, C or D per City's zoning ordinance (Sec. 30-710.13). Buffer would be required between parking area and North Sheppard Street, Museum Lane and Kensington Avenue.

*Extensive changes are proposed per landscape plan (L1.01) from approved SUP No.2014-075-54, landscaping plan. **No buffer information submitted for review.***

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 within parking areas and parking lots containing more than 100 parking spaces, landscaped islands shall be located so that not more than 20 parking spaces are situated in a continuous row. Each end of each row of parking spaces shall be separated from adjacent access aisles and driveways by a landscaped island. The size of landscape Islands must be not be less than eight feet in width and improved with one deciduous tree with a caliper of at least 2.5 inches at the time of installation. The location, size and tree improvements of proposed landscape islands are met.

Tree Coverage - 10-year tree canopy not less than 30 square feet for each parking space per Sec. 710-15. **Tree coverage details not provided.**

Parking dimensions - Minimum drive aisle of 23' is required for proposed 90 degree spaces. Minimum full size stall of 8.5 width and 17.5 depth is required for 90 degrees parking spaces.

This provision is met.

- **REFUSE AREA:**

Outdoor areas used for the deposit and collection of trash shall be enclosed or screened with opaque structural or vegetative materials in such a manner as not to be visible from adjacent properties or from any public street or other public space. No work is showed in the existing area used for the collection of trash. This requirement is met.

IMPORTANT NOTE: As this is a Special Use Permit (SUP) request, specific items not meeting normal Ordinance requirements can be waived or modified.

If approved, the amended special use permit would include the conditions included in the attached ordinance (Ord. No. 2020-203).

Surrounding Area

Parcels to the east of the subject property are zoned R-48, whereas parcels to the north are zoned R-6, R-48, and R-73. Parcels to the west and south are within the same R-6 district as the subject property. A mix of single-, two- and multi-family residential, commercial, office and institutional uses (including the Virginia Museum of Fine Arts directly to the south) are found in the area.

Neighborhood Participation

Staff notified the Fan Area Business Alliance, the Fan District Association, the Museum District Association, as well as area residents and property owners. One letter of concern from a nearby resident was received.

Staff Contact

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