



CITY OF RICHMOND

DEPARTMENT OF
PLANNING AND DEVELOPMENT REVIEW
BOARD OF ZONING APPEALS

May 7, 2021

SEVENTH CORNER, LLC
107 S 1st Street
Richmond, VA 23219
Attn: Jeremy Connell

Hirschler
2100 E Cary Street
Richmond, VA 23223
Attn: R. Robert Benaicha

To Whom It May Concern:

RE: **BZA 36-2021**

You are hereby notified that the Board of Zoning Appeals will hold an electronic public hearing on Wednesday, June 2, 2021 due to the disaster represented by the spread of COVID-19 pursuant to and in compliance with Ordinance 2020-232 to consider an application for a building permit to construct a new five-story mixed-use building at 15 WEST 7th STREET (Tax Parcel Number S000-0056/023), located in a B-7 (Mixed-Use Business) District.

Please be advised that the applicant or applicant's representative is required to participate in the electronic public hearing by calling 804-316-9457 and entering code 392 755 966# beginning at 1:00 p.m. For video access by computer, smart phone or tablet visit <https://richmondva.legistar.com/Calendar.aspx>. Select the Board of Zoning Appeals drop-down and 2021 drop-down, click meeting details for June 2, 2021 meeting and then click video access. In the event you have difficulty accessing a public hearing you may contact Mr. William Davidson at 804-396-5350 or by email at William.Davidson@richmondgov.com for assistance. In accordance with Ordinance No. 2020-232, please be advised that an inability to access one of the enumerated public hearing through video means shall not be considered a prerequisite for participating in the subject public hearing. It will be necessary for you to stay on the line until such time as your case is called. The Board of Zoning Appeals Rules of Procedure provides that in the case of an application for a variance or a special exception, the applicant, proponents or persons aggrieved under §15.2-2314 of the Code of Virginia, shall be permitted a total of six (6) minutes each to present their case. The Board of Zoning Appeals will withhold questions until the conclusion of the respective presentations. For the purposes of the record it also requested that before addressing the Board you identify yourself and spell your name.

Finally, when you submitted your application to the zoning office you were given an handout entitled, Suggestions for Presenting Your Case to the Board, which indicated that you should discuss your request with your neighbor(s) and neighborhood

BZA 36-2021

Page 2

May 7, 2021

association(s) prior to appearing before the Board of Zoning Appeals. Contact information for civic group(s) can be found by navigating to the Civic Group webpage of the City's website at <https://www.rva.gov/planning-development-review/civic-groups> . Once there, you can search for your property using the interactive map. A dialogue box will provide you with the names of all civic groups within which your property may lie. Once you have those group names, simply scroll down the page to the appropriate group(s) to find the contact information for each. The Board understands that given the current situation it is not practical to conduct face-to-face discussions with either your neighbors or neighborhood association(s) but the Board requests that you make a good faith effort to provide them with relevant information regarding your case.

If you have any questions regarding the Board's procedures or any issue involving presentation of your case, please feel free to contact me.

Very truly yours,

A handwritten signature in dark ink, reading "Roy W. Benbow". The signature is fluid and cursive, with the first name "Roy" being the most prominent.

Roy W. Benbow, Secretary

Phone: (804) 240-2124

Fax: (804) 646-5789

E-mail: Roy.Benbow@richmondgov.com

cc: Zoning Administrator

Notice of this meeting is being sent to the persons whom the Board of Zoning Appeals believes to be property owners in the immediate vicinity of the property concerned in this application. This notice is for their information only, and there is no need for them to appear unless they so desire. The Board will, however, welcome such views as any persons care to express during the hearing on this application.

101 West Commerce LLC
101 W Commerce Road
Richmond, VA 23234

36 West 6th Street LLC
1022 Heth Pl
Winchester, VA 22601

48 West 6th Street LLC
1111 Charles St
Fredericksburg, VA 22401

52 West 6th Street LLC
3740 S Ocean Blvd Apt 1101
Highland Beach, FL 33487

84 West 6th Street LLC
4825 Radford Ave #100
Richmond, VA 23230

Belt Douglas S & Deborah
5302 Caledonia Rd
Richmond, VA 23225

Cbd Development LLC
11100 W Broad St
Glen Allen, VA 23060

Cvm Building A LLC
11100 W Broad St
Glen Allen, VA 23060

Fall Line City View Row LLC
Po Box 647
Charlottesville, VA 22902

Harrys 80 West 6th Street Apartments LLC
2100 W Clay St 4th Fl
Richmond, VA 23223

Hermiones 68 West 6th Street Apartments
LLC
2100 E Cary St 4th Fl
Richmond, VA 23223

Hull Street 604 Llc C/o Stephen M Ragland
7204 Glen Forest Drive Ste 300
Richmond, VA 23226

Mjp Rva LLC
121 West 19th St 5e
New York, NY 10011

Pcr LLC
701 Hull Street
Richmond, VA 23224

Rons 64 West 6th Street Apartments LLC
2100 E Cary St 4th Fl
Richmond, VA 23223

Seibert John R & Shirley T
1040 Old Bon Air Road
Richmond, VA 23235

Tapestry Manchester LLC
4304 Sulgrave Rd
Richmond, VA 23221

Trp Reynolds South LLC
11100 W Broad St
Glen Allen, VA 23060

W M J Richmond LLC
11010 Jefferson Ave
Newport News, VA 23601

Property: 15 W 7th St Parcel ID: S0000056023**Parcel**

Street Address: 15 W 7th St Richmond, VA 23224-
Alternate Street Addresses: 615 Hull St
: 25 W 7th St
: 619 Hull St
Owner: SEVENTH CORNER LLC
Mailing Address: 269 FINIAL AVE, RICHMOND, VA 23226
Subdivision Name : NONE
Parent Parcel ID:
Assessment Area: 473 - Manchester
Property Class: 406 - B Paved Surface Parking
Zoning District: B-7 -
Exemption Code: -

Current Assessment

Effective Date: 01/01/2021
Land Value: \$1,142,000
Improvement Value: \$14,000
Total Value: \$1,156,000
Area Tax: \$0
Special Assessment District: None

Land Description

Parcel Square Feet: 45694
Acreage: 1.049
Property Description 1: 0239.71X0159.71 IRG0001.044 AC
State Plane Coords(?): X= 11790225.010562 Y= 3716108.074397
Latitude: 37.52402318 , **Longitude:** -77.44048950

Description

Land Type: Primary Commercial/Indust Land
Topology:
Front Size: 330
Rear Size: 0
Parcel Square Feet: 45694
Acreage: 1.049
Property Description 1: 0239.71X0159.71 IRG0001.044 AC
Subdivision Name : NONE
State Plane Coords(?): X= 11790225.010562 Y= 3716108.074397
Latitude: 37.52402318 , **Longitude:** -77.44048950

Other

Street improvement:
Sidewalk:

Assessments

Assessment Year	Land Value	Improvement Value	Total Value	Reason
2021	\$1,142,000	\$14,000	\$1,156,000	Reassessment
2020	\$1,142,000	\$14,000	\$1,156,000	Reassessment
2019	\$1,142,000	\$14,000	\$1,156,000	Reassessment
2018	\$501,000	\$14,000	\$515,000	Reassessment
2017	\$501,000	\$14,000	\$515,000	Reassessment
2016	\$501,000	\$14,000	\$515,000	Reassessment
2015	\$502,000	\$14,000	\$516,000	Reassessment
2014	\$274,000	\$14,000	\$288,000	Reassessment
2013	\$274,000	\$14,000	\$288,000	Reassessment
2012	\$274,000	\$14,000	\$288,000	Reassessment
2011	\$274,000	\$14,000	\$288,000	CarryOver
2010	\$274,000	\$14,000	\$288,000	Reassessment
2009	\$274,200	\$13,800	\$288,000	Reassessment
2008	\$274,200	\$13,800	\$288,000	Reassessment
2007	\$193,000	\$13,800	\$206,800	Reassessment
2006	\$183,800	\$0	\$183,800	Reassessment
2005	\$175,000	\$0	\$175,000	Reassessment

Transfers

Transfer Date	Consideration Amount	Grantor Name	Deed Reference	Verified Market Sale Description
09/02/2011	\$350,000	CORRUGATED PARKING LLC	ID2011-15227	1 - VALID SALE-DO NOT USE
01/21/2004	\$175,000	OSTERBIND JOAN & B J BRANDIS &	ID2004-2110	
09/19/1991	\$0	Not Available	00021-1990	
03/17/1976	\$0	Not Available	000032-00463	

Planning

Master Plan Future Land Use: D-MU
Zoning District: B-7 -
Planning District: Old South
Traffic Zone: 1154
City Neighborhood Code: OTMN
City Neighborhood Name: Old Town Manchester
Civic Code:
Civic Association Name: Hull Street Action
Subdivision Name: NONE
City Old and Historic District:
National historic District: Manchester Industrial
Neighborhoods in Bloom:
Redevelopment Conservation Area:

Economic Development

Care Area: - Hull Street
Enterprise Zone: 1

Environment

100 YEAR Flood Plain Flag: Contact the Water Resources Division at 646-7586.
500 YEAR Flood Plain Flag: Y
Resource Protection Flag: Contact the Water Resources Division at 646-7586.
Wetland Flag: N

Census

Census Year	Block	Block Group	Tract
2000	1052	0601001	060100
1990	215	0601002	060100

Schools

Elementary School: Blackwell
Middle School: River City
High School: Armstrong

Public Safety

Police Precinct: 1
Police Sector: 112
Fire District: 13
Dispatch Zone: 127A

Public Works Schedules

Street Sweep: TBD
Leaf Collection: TBD
Refuse Collection: Tuesday
Bulk Collection: TBD

Government Districts

Council District: 6
Voter Precinct: 609
State House District: 71
State Senate District: 16
Congressional District: 4

Extension 1 Details

age

Extension Name: C01 -**Year Built:** 1900**Stories:** 0**Units:** 0**Number Of Rooms:** 0**Number Of Bed Rooms:** 0**Number Of Full Baths:** 0

0

Number Of Half Baths:**Condition:** normal for**Foundation Type:****1st Predominant Exterior:****2nd Predominant Exterior:** N/A**Roof Style:****Roof Material:****Interior Wall:****Floor Finish:****Heating Type:****Central Air:** N**Basement Garage Car #:** 0**Fireplace:** N**Building Description (Out Building and
Yard Items) :** Miscellaneous**Extension 1 Dimensions****Finished Living Area:** 0 Sqft**Attic:** 0 Sqft**Finished Attic:** 0 Sqft**Basement:** 0 Sqft**Finished Basement:** 0 Sqft**Attached Garage:** 0 Sqft**Detached Garage:** 0 Sqft**Attached Carport:** 0 Sqft**Enclosed Porch:** 0 Sqft**Open Porch:** 0 Sqft**Deck:** 0 Sqft

Property Images

Name:S0000056023 Desc:C01

[Click here for Larger Image](#)

Sketch Images

Name:S0000056023 Desc:C01



RICHMOND BOARD OF ZONING APPEALS APPLICATION FORM



THE RICHMOND ZONING ADMINISTRATION OFFICE
ROOM 110, CITY HALL, 900 EAST BROAD STREET
RICHMOND, VIRGINIA 23219
(804) 646-6340

BZA 36-2021

TO BE COMPLETED BY THE APPLICANT

PROPERTY

OWNER: SEVENTH CORNER, LLC PHONE: (Home) () _____ (Mobile) (804) 339-2358
ADDRESS: 107 S 1st Street FAX: () _____ (Work) () _____
Richmond, Virginia 23219 E-mail Address: jc@paretolc.com
Attn: Jeremy Connell

PROPERTY OWNER'S

REPRESENTATIVE: Hirschler PHONE: (Home) () _____ (Mobile) (804) 771-9512
(Name/Address) 2100 E Cary Street FAX: () _____ (Work) () _____
Richmond, VA 23223 E-mail Address: rbenaicha@hirschlerlaw.com
Attn: R. Robert Benaicha

TO BE COMPLETED BY THE ZONING ADMINISTRATION OFFICE

PROPERTY ADDRESS (ES) 15 West 7th Street

TYPE OF APPLICATION: ☐ VARIANCE ☒ SPECIAL EXCEPTION ☐ OTHER _____

ZONING ORDINANCE SECTION NUMBERS(S): 30-300 & 30-446.2(12)

APPLICATION REQUIRED FOR: A building permit to construct a new five-story mixed-use building.

TAX PARCEL NUMBER(S): S000-0056/023 ZONING DISTRICT: B-7 (Mixed-Use Business)

REQUEST DISAPPROVED FOR THE REASON THAT: The commercial frontage requirement is not met. In the B-7 (Mixed-Use Business) district, dwelling units located within buildings located on lots having street frontage on Hull Street or Commerce Road, a minimum of one-third or 1,000 square feet, whichever is greater, of the floor area of the ground floor of the building shall be devoted to other principal uses permitted in this district, and such uses shall have a depth of not less than 20 feet along the entire Hull Street and Commerce Road, except for ingress and egress. Another permitted principal use of one-third of the ground floor is required. A ground floor of 36,311 square feet with a commercial space of 3,808 square feet (10.5%) is proposed along the Hull Street frontage.

DATE REQUEST DISAPPROVED: April 1, 2021

FEE WAIVER: YES ☐ NO: ☒

DATE FILED: April 16, 2021 TIME FILED: 4:19 p.m. PREPARED BY: Brian Mercer RECEIPT NO. BZAC-090678-2021

AS CERTIFIED BY: [Signature] (ZONING ADMINISTRATOR)

I BASE MY APPLICATION ON:

SECTION 17.20 PARAGRAPH(S) _____ OF THE CHARTER OF THE CITY OF RICHMOND

SECTION 15.2 -2309.2 ☐ OF THE CODE OF VIRGINIA [OR]

SECTION 1040.3 PARAGRAPH(S) (5) OF THE ZONING ORDINANCE OF THE CITY OF RICHMOND

TO BE COMPLETED BY APPLICANT

I have received the handouts, *Suggestions for Presenting Your Case to the Board & Excerpts from the City Charter* ☒

I have been notified that I, or my representative, must be present at the hearing at which my request will be considered.

SIGNATURE OF OWNER OR AUTHORIZED AGENT: [Signature] DATE: 5/4/2021

*** TO BE COMPLETED BY THE SECRETARY TO THE BOARD OF ZONING APPEALS ***

CASE NUMBER: BZA 36-2021 HEARING DATE: June 2, 2021 AT 1:00 P.M.

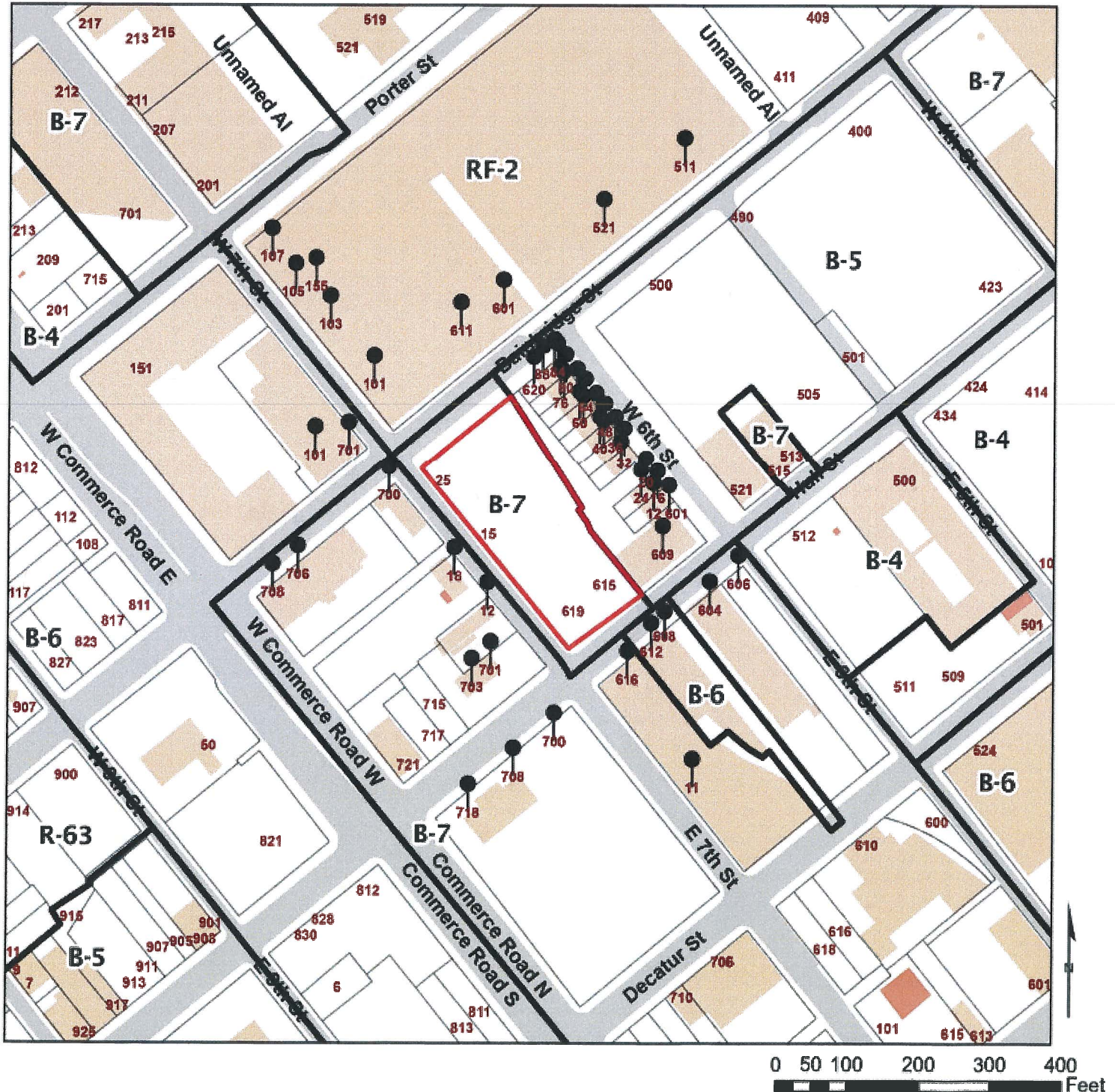
BOARD OF ZONING APPEALS CASE BZA 36-2021
150' Buffer

APPLICANT(S): SEVENTH CORNER, LLC

PREMISES: 15 West 7th Street
(Tax Parcel Number S000-0056/023)

SUBJECT: A building permit to construct a new five-story mixed-use building.

REASON FOR THE REQUEST: Based on Sections 30-300 & 30-446.2(12)
of the Zoning Ordinance for the reason that:
The commercial frontage requirement is not met.





BOARD OF ZONING APPEALS PRESENTATION SUGGESTIONS

CITY OF RICHMOND, VIRGINIA

When presenting your request for a variance or exception to the Board of Zoning Appeals, it is important that you consider the points outlined below. The City Charter requires that every decision of the Board must be based upon a finding of fact that the Board must determine from sworn testimony, together with pertinent evidence, presented at its public hearing. It is essential that the Board receive thorough and complete information in order for it to adequately consider your case and make an informed decision.

1. The powers and duties of the Board of Zoning Appeals (BZA) are specified in Section 17.20 of the City Charter and Article X, Division 5, of the Zoning Ordinance. The Zoning Office will assist you in identifying how your case should be filed. If you have questions regarding your case filing, please contact the Zoning Administration Office (804-646-6340) or at PDRZoningAdministration@Richmondgov.com. Please review the applicable provisions of the City Charter or the Zoning Ordinance thoroughly and address them when presenting your case to the Board to show that the applicable requirements have been satisfied.
2. The Board of Zoning Appeals is a quasi-judicial board whose decisions are controlled by statutory law and also take into consideration applicable case law that has been handed down by the Richmond Circuit Court and the Virginia Supreme Court. The Board suggests that if you have any legal questions regarding statutory or case law as it may apply to your application, that those legal issues should be discussed with an attorney before you make your final decision to submit an application to the Board.
3. The Board considers it essential that you discuss your case with nearby residents (notification letters are sent to all property owners within a 150-foot radius of your property) and any nearby civic association(s). Information regarding your neighborhood association(s) and/or contact person(s) may be obtained [here](#). Once on the page, you can search for your property using the interactive map. A dialogue box will provide you with the names of all civic groups within which your property may lie. Once you have those group names, scroll down the page to the appropriate group(s) to find the contact information for each.

Be advised that if you fail to discuss your request with your neighbors and neighborhood association(s), you should anticipate that your case will be continued until the Board's next regularly scheduled meeting. It is highly recommended that you contact your neighborhood association as soon as possible to determine their meeting schedule in order to be sure you allow yourself enough time to talk to all concerned parties prior to the hearing before the Board. The Board's Rules of Procedure require payment of a one-hundred fifty dollar (\$150) continuance fee if the applicant must request a continuance for the reason that the applicant failed to discuss their case with their neighbor(s) or neighborhood association(s).

4. You are also strongly encouraged to discuss your pending case with the Secretary of the Board, Roy Benbow at (804) 240-2124 well before the hearing. The BZA Secretary can be helpful by explaining the BZA public hearing requirements and process.
5. Utilizing photographs, plans, maps, diagrams and such other written or graphic evidence as needed to fully explain your request can be a great help to the Board in understanding your request and thereby improve your chances for success. Remember . . . a picture is worth a thousand words.
6. Note that, although the Board is not authorized to grant a waiver from the zoning regulations based on financial circumstances alone, it may be a factor to be taken into consideration along with other facts in a case. If your case involves such a factor, please provide the Board with complete and relevant financial information for its review.
7. The Board's hearings are informal, although all testimony is taken under oath. You are not required to be represented by an attorney in presenting your case. However, if you choose, you may have legal representation and/or may utilize such technical experts or other persons to testify on your behalf as you feel are needed to adequately explain your request to the Board.

Acknowledgement of Receipt by Applicant or Authorized Agent: _____

A handwritten signature in blue ink, appearing to read "R. Benbow", written over a horizontal line.

SPECIAL EXCEPTION REQUEST - APPLICANT'S REPORT

615 Hull Street, 619 Hull Street, 15 W. 7th Street and 25 W. 7th Street
Richmond, Virginia 23224
Tax Map No. S0000056023

1. BACKGROUND.

Seventh Corner, LLC, a Virginia limited liability company (the “*Applicant*”) is the owner of the parcel of real property in the City of Richmond (the “*City*”), comprising approximately 1.049 acres between Hull and Bainbridge Streets along West Seventh Street and shown on the City’s tax map as Parcel No. S0000056023 (the “*Property*”). The Property is relatively narrow and unconventionally configured. The Property has approximately 125 feet of frontage on Hull Street and extends back the entire 330-foot depth of the block along West Seventh Street to Bainbridge Street, where its width flairs out to approximately 157 feet. Approximately half of the Property closest to Bainbridge Street is currently surface parking; the remainder is vacant land. The Property is zoned B-7 [Mixed-Use Business District].

Capital City Real Estate, LLC, a District of Columbia limited liability company (“*Capital City*”), the contract purchaser of the Property, desires to implement the vision of the City’s Richmond 300 plan in the center of Old Town Manchester through the development on the Property of a mixed-use building (the “*Building*”) generally in accordance with the Plan of Development enclosed with this Application (the “*POD*”).

Capital City’s proposed Building is ambitious in scope and design. As shown in the POD, the Building would include 173 dwelling units, more than 3,800 square feet of street-front commercial uses on the building’s ground-floor Hull Street frontage, together with more than 225 underground parking spaces. Its exterior is harmonious with the surrounding architecture while evocative of the future of the neighborhood, incorporating brick and glass, projecting wall signs and awnings, and lighting designed to engage pedestrians after sunset. In addition to the more than 3,800 square feet of commercial space along its Hull Street frontage, the Building would also engage pedestrians with its activated corner cut-out on its Hull Street corner, its energetic lobby design at its Bainbridge Street corner and three dwelling units having direct street access along West Seventh Street. Above the ground floor, the design would incorporate a mixture of recessed and projecting balconies for some units and a common “roofdeck” amenity on the 5th floor that would provide panoramic views of the City skyline. Less glamorous but equally important for the future of the community, the Building would provide a surplus of below-grade parking, sufficient to park both the planned on-site dwelling and non-dwelling uses as well as to provide additional spaces for use by other nearby properties. In addition, the Building’s design would beautify the streetscape along West Seventh Street through the inclusion of greenery along the Building’s pooldeck frontage and new street trees to be planted along West Seventh Street and within curb “bump-outs” at the Bainbridge and Hull Street corners.

Capital City submitted the POD to the City for approval on or about February 25, 2021. In response to the POD submission, the City’s Department of Planning and Development Review

informed Capital City that the POD is generally compliant with the requirements of the applicable B-7 regulations in all but one respect: although the Building would include the requisite minimum depth of non-dwelling uses along its Hull Street frontage, it would not meet the requirement, under City Code Section 30-446.2(12) (the “*Dwelling Use Provision*”), that a minimum of one-third of the floor area of the ground floor of the Building be used for non-dwelling uses. Ironically, the violation of the Dwelling Use Provision is a direct result of Capital City’s decision to locate the required parking for the Building below-ground rather than within the Building’s ground floor. Had Capital City located the parking on the ground floor, the commercial space shown in the POD would screen the parking from Hull Street and, when combined, the two non-dwelling uses would meet the requirements of the Dwelling Use Provision. However, Capital City believes that locating the parking below-ground provides a more seamless integration of the Building’s ground-floor uses with the surrounding pedestrian environment and also allows for a more robust amenity program to serve the Building’s residents.

Capital City has determined that it is not economically viable to extend the Building’s ground-floor commercial space in excess of the amount set forth in the POD in order to meet the Dwelling Use Provision. Accordingly, and pursuant to City Code Section 30-1040.3(5), the Applicant seeks a special exception from strict application of the Dwelling Use Provision to permit construction of the Building generally in accordance with the POD.

2. SPECIAL EXCEPTION REQUEST.

Capital City shares the Richmond 300 plan’s vision of growing the residential and employment base in Manchester through transit-oriented redevelopment of underutilized parcels. This type of redevelopment would capitalize on all the recent redevelopment in the neighborhood to continue the transformation of this stretch of Hull Street into a continuous walkable street, with active ground-floor uses and buildings which bridge the public and private spheres to provide a seamless live-work-play environment in the heart of the City.

However, the project would not be economically viable if the Dwelling Use Provision was strictly applied to require one-third of the Building’s ground-floor floor area be devoted to non-dwelling uses. This is the case for two reasons.

First, Capital City’s real estate broker consultants have determined that it would be difficult to procure tenants at market rates for commercial space in excess of the amount shown in the POD. A letter from Capital City’s broker opining about commercial space leaseability is attached hereto as Exhibit A. As shown in the ground-floor schematic drawing attached hereto as Exhibit B, the Building’s design includes 3,808 square feet of commercial space along the Hull Street frontage with an average depth of about 27 feet. The B-7 regulations require that such non-dwelling uses extend to no less than 20 feet in depth along the Hull Street frontage. Increasing the commercial square footage to one-third of the Building’s ground-floor floor area would entail leasing an additional 8,366 square feet of commercial space in a market where the nearby Current project will soon bring approximately 16,000 new square feet of retail space on top of tens of thousands of square feet of office space. In addition, thousands of square feet of other new retail and office space has recently been constructed or is in planning along this stretch of Hull Street. As Capital City’s broker opined in its attached letter, not only would such excess commercial square footage

in its project be competing for tenants in a near saturated market, it would suffer by comparison for fronting on West Seventh Street and not Hull Street.

Second, dedicating more ground-floor floor area to commercial uses would reduce the amount of onsite amenities that the Building may provide to its residents, thereby decreasing the desirability and tenantability of the dwelling units. As shown in the POD, the Building's design includes loading dock and service spaces adjacent to and behind the planned commercial space. Relocating those common amenities to accommodate expanded commercial space will likely require a redesign and reduction to the size of the common pooldeck, courtyard and/or lobby spaces currently provided. This, in turn, would reduce the desirability and rental value of the dwelling units. Moreover, if the excess commercial space languishes on the market, the vacant storefronts along West Seventh Street would have an adverse effect not only on the lease-up of dwelling units in the Building but also on the value of nearby commercial space having to compete with new vacant space.

City Code Section 30-1040.3(5) specifically permits the City's Board of Zoning Appeals to allow special exceptions to the Dwelling Use Provision where "there is a need for flexibility in application of the restrictions on the use of ground floor space". This can be true where, as here, the "mixed use character of development with a large dwelling component would be more advantageous to the livability and economic viability of the area" and/or where "it is not physically or economically viable to establish ground floor commercial space or to limit the amount or location of ground floor area devoted to dwelling units." Capital City's planned Building is precisely such a situation: strict application of the Dwelling Use Provision to a parcel with an irregular configuration like that of the Property would result in an inordinate and economically unviable amount of commercial space, and cannibalizing dwelling-use amenity space on the ground floor to support such unneeded commercial space would be detrimental to the livability and economic viability of both the Building and the surrounding the area. The Applicant asks that the Board of Zoning Appeals approve a special exception in this case.

3. SUITABILITY OF SPECIAL EXCEPTION AND FINDINGS OF FACT.

The following are specific factors listed in City Code Section 30-1040.3(5) to be considered with the review of applications for special exceptions to provisions in the use regulations of B districts providing that certain portions of the ground floor of the building shall be devoted to other permitted principal uses:

- a. *Due to the existing or projected land uses of properties on the same block, ground floor commercial space on the property is not economically viable.*

As detailed above, ground-floor commercial space in excess of the 3,808 square feet shown in the POD is not economically viable as it would (1) exceed market demand, (2) require redesign of the Building in such a manner as to potentially reduce common amenity space for dwelling units in the Building, and (3) potentially have an adverse effect on lease-up of dwelling units in the Building and neighboring for-lease commercial properties.

- b. *Granting the exception will increase residential occupancy thereby facilitating a mixed*

use character of the district in which the property is located consistent with objectives for mixed use in the area.

In addition to the effects already noted of requiring more commercial space on the Building's ground floor, such a requirement would also eliminate approximately 7 of the Building's dwelling units. A big part of what is making commercial space in the Old Town Manchester viable is the growing critical mass of residents. Reducing the number of dwelling units in the Building in favor of commercial space that is likely to remain vacant for some time, would cut against the goal of bringing more residents into the neighborhood while reducing the viability of the dwelling units and commercial space that is either already in the neighborhood or would be part of this Building.

- c. *Any alterations to the building will not be architecturally incompatible with the dominant character of building façades on the block.*

Granting the special exception in question would not entail alterations to the building's architecture, and accordingly, would not reduce the architectural compatibility of the Building's façade with the dominant character of other facades on the block.

The following are general factors listed in City Code Section 30-1040.3 to be considered with the review of special exception applications.

The proposed special exception will:

- *Adequately safeguard the health, safety, and welfare of the adjoining and surrounding property.*

The proposed development will provide the opportunity for much-needed housing stock and attractive, well-positioned commercial space that engages with the Hull Street commercial corridor. The Building will enhance the community's health, safety and welfare.

- *NOT unreasonably impair an adequate supply of light and air to adjacent property.*

The proposed development area is in a location with ample air, light and space components. The special exception in question would not change the volume or height of the Building and accordingly light and air available to the Property and adjacent properties will not materially change if the special exception is granted.

- *NOT increase congestion in streets.*

The granting of the special exception in question would have no discernible impact on congestion in the streets versus the by-right permitted uses. In addition, the Building's POD calls for provision of ample off-street, but on-site, parking, and the Property is serviced by public transit running along Hull Street.

- *NOT increase public danger from fire or otherwise unreasonably affect public safety.*

The Project will be constructed in accordance with applicable building and fire safety codes and energy conservation requirements.

- *NOT diminish or impair the established property values in surrounding areas.*

If anything, granting the special exception, and limiting the amount of required ground-floor commercial space along West Seventh Street, will increase the value of existing nearby commercial space. Furthermore, the Building's dwelling units will bring an additional critical mass of residents to the neighborhood, which will increase the foot traffic to nearby commercial space and thereby increase values.

4. **CONCLUSION.**

Currently, the Property is half-vacant, underutilized, and ripe for development as high-density mixed use that will stimulate additional development within this gateway to the City. The City's Richmond 300 plan recognizes and promotes this potential in the neighborhood.

Approval of this special exception request will allow Capital City to make a significant investment into the Property. This new investment will continue the success the City has already realized through its creation of by-right opportunities in the neighborhood. This request is exactly the situation that the City Council envisioned when it enacted the special exception ordinances to permit flexibility in application of the zoning ordinance's limits on ground-floor dwelling uses in the Property's zoning district.

[REMAINDER OF PAGE BLANK; EXHIBITS FOLLOW]

EXHIBIT A

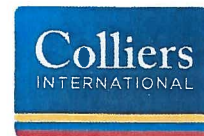
Broker Opinion Letter

[ATTACHED]

Harrison Hall
Senior Vice President

2221 Edward Holland Dr.
Suite 600
Richmond, VA 23230
www.colliers.com

CELL +1 804 814 5299
FAX +1 804 320 4839
Harrison.Hall@Colliers.com



February 15, 2021

Chris Love
1515 14th Street NW, Suite 201
Washington, DC 20005

In re: 7th Corner Commercial Suite

Dear Chris:

We are familiar with the project at the corner of 7th and Hull. You will need to be very careful in not to deliver too much retail/commercial at the site. Commercial with Hull Street frontage I would consider viable but putting space down 7th I think would be ill-advised. I think you will want to max-out at 3,500 – 4,500 SF of usable space. Manchester, even along Hull Street, has been challenging to attract national and even local tenants as there is a lack of daytime population and it is not yet seen as a destination market. Achieving market rents on new construction is especially difficult. The Current at 400 Hull Street had approximately 14,000 SF of retail space and it has been a struggle to lease (pre-leasing/leasing for over 2yrs). They were eventually able to land Hatch Local for about half of the space and it is my understanding that the Tenant was able to strike very favorable terms as the Landlord understandably needed something to breath life into the project. They took frontage along Hull including the hard corner. In terms of more traditional office space, which I can see the corner of 7th and Hull being, you currently have over 70,000 SF of available office space between 12th and 2nd on Hull, proving the market is saturated with product.

Commercial as a small component of the new development of 7th and Hull can be successful if well thought-out and targeted. Focusing on the Hull St frontage is key. Leaving commercial off of a secondary street like 7th is advisable. The last thing your project wants is lasting vacancy which becomes a blight on the project and the area.

Kindest regards,

A handwritten signature in blue ink, appearing to be "H Hall", written over a horizontal line.

Harrison Hall
Senior Vice President
Colliers International



EXHIBIT B

Ground-Floor Schematic Drawing

[ATTACHED]

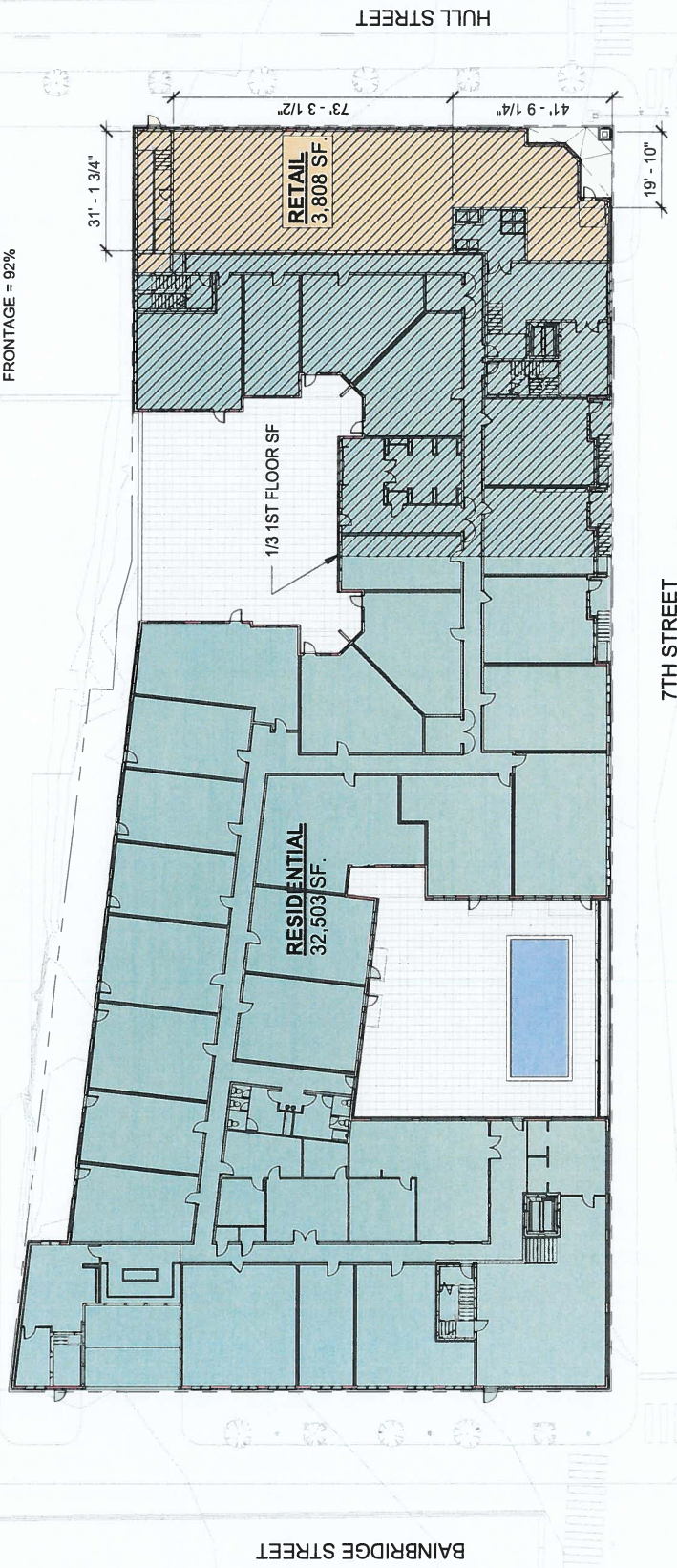
13460012.2 045237.00006

MANCHESTER COMMODORE

1ST FL TOTAL SF = 36,311

1/3 1ST FL SF = 12,174

HULL STREET RETAIL
FRONTAGE = 92%



RETAIL FRONTAGE DIAGRAM

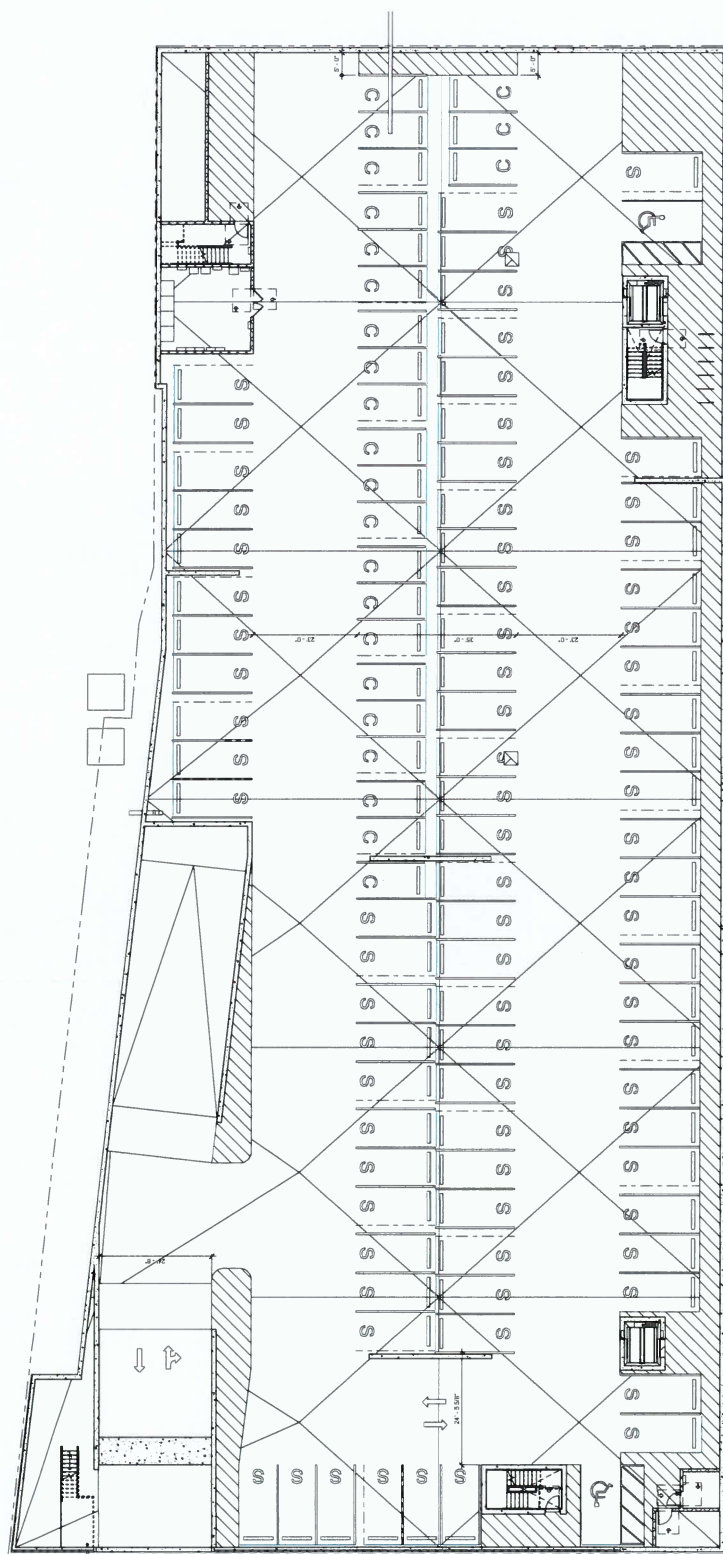
04.07.21

SK1.1

MANCHESTER COMMODORE

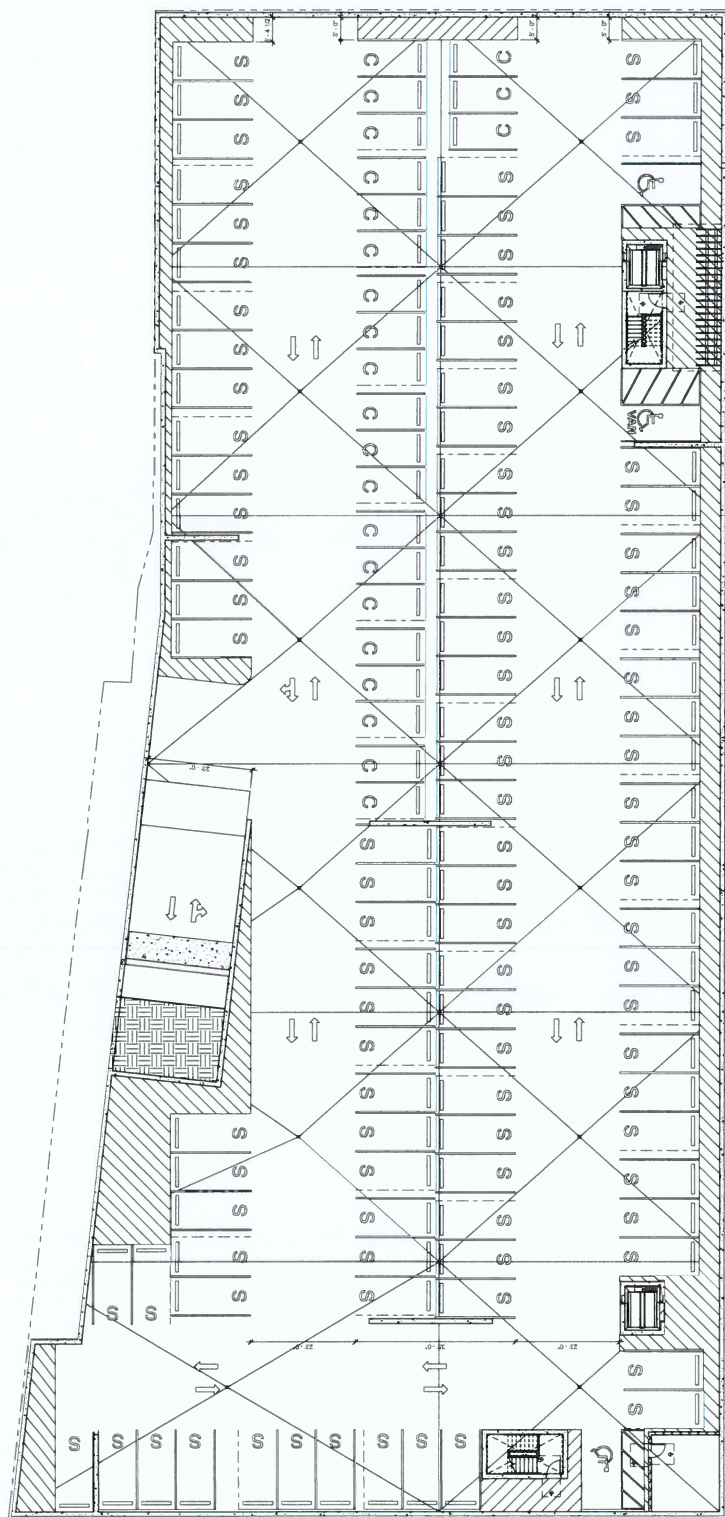
25 WEST 7TH STREET
RICHMOND, VA 23224

Parking Count - COR		PARKING SPACES, BUS	PACKS/BLU
EVEL P1			
waiting spaces: AUA/AU 6 11 7.5 (F: Ase)	2		
waiting spaces: AUA/AU 5 11 5 (Se)	24		
waiting spaces: AUA/AU 5 11 5 (Se)	24		
waiting spaces: AUA/AU 5 11 5 (Se)	50		
LARGE 02			
waiting spaces: AUA/AU 6 11 7.5 (F: Ase)	2		
waiting spaces: AUA/AU Van 6 11	1		
waiting spaces: AUA/AU 6 11 5 (Se)	23		
waiting spaces: AUA/AU 6 11 5 (Se)	57		
waiting spaces: AUA/AU 6 11 5 (Se)	57		



A5 PARKING LEVEL P1 - FLOOR PLAN
3/32" = 1'-0"

Parking Count		COR	WANDING SINGLE SIZE	PROCESSED
LEVEL 1P1				
wandering spaces - ALUM A (7.17 x 15' ALUM)				2
wandering spaces - B (11.17 x 90' BAY)				24
wandering spaces - C (11.17 x 90' BAY)				24
wandering spaces - D (11.17 x 90' BAY)				60
LEVEL 1P2				
wandering spaces - ALUM A (7.17 x 15' ALUM)				2
wandering spaces - ALUM A (7.17 x 15' ALUM)				1
wandering spaces - B (11.17 x 90' BAY)				23
wandering spaces - C (11.17 x 90' BAY)				23
wandering spaces - D (11.17 x 90' BAY)				579

A5 PARKING LEVEL P2 - FLOOR PLAN
3/32" = 1'-0"

PARKING LEVEL P2 - FLOOR PLAN

- RETAIL
- RESIDENTIAL
- AMENITY
- SERVICE
- COURTYARD
- LOBBY
- GARDEN
- PRIVATE BALCONY
- PRIVATE STOOP
- CIRCULATION
- ELEVATOR
- STAIR
- TRASH
- VESTIBULE



A5 LEVEL 1 FLOOR PLAN
 1/8" = 1'-0"

- RESIDENTIAL
- SERVICE
- PRIVATE BALCONY
- CIRCULATION
- ELEVATOR
- STAIR
- TRASH



A5 LEVEL 2 - FLOOR PLAN
 SHEET 2-10



- RESIDENTIAL
- SERVICE
- PRIVATE BALCONY
- CIRCULATION
- ELEVATOR
- STAIR
- TRASH



A5 LEVEL 3 - FLOOR PLAN
3/22/21



- ☒ RESIDENTIAL
- ☒ SERVICE
- ☒ PRIVATE BALCONY
- ☒ CIRCULATION
- ☒ ELEVATOR
- ☒ STAIR
- ☒ TRASH



A5 LEVEL 4 FLOOR PLAN
 3/22/21

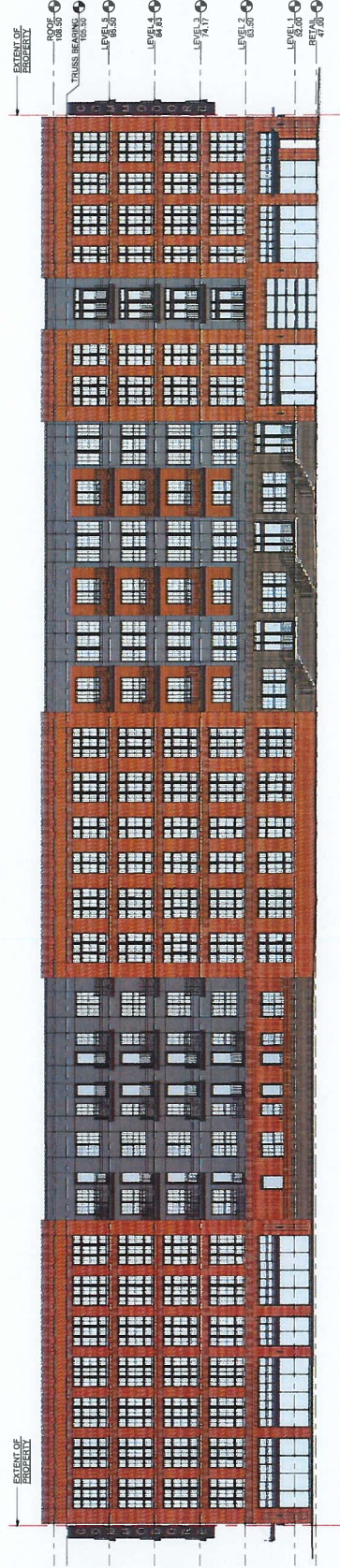
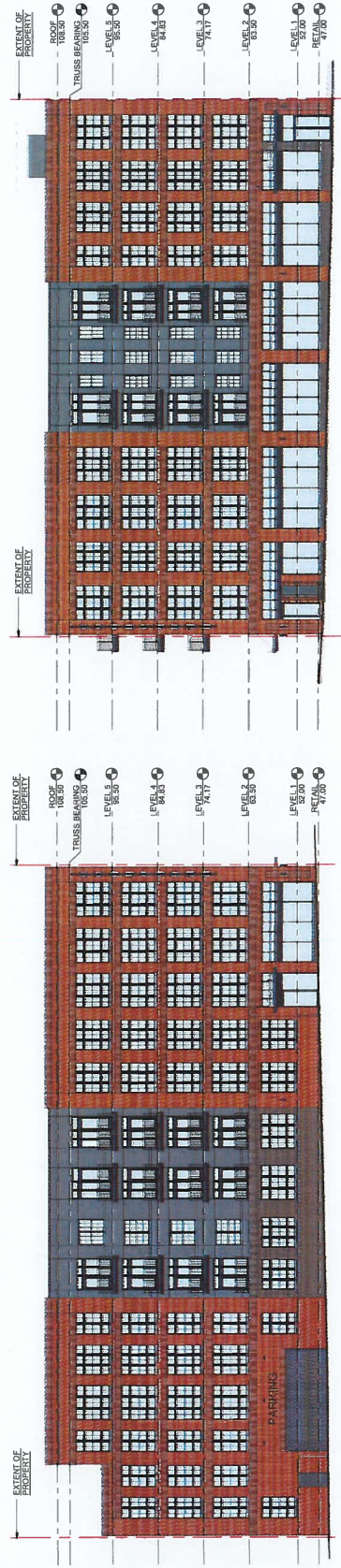


PROJECT NO.	427002
DATE	NOVEMBER 2014
BY	ODELL
FOR	MANCHESTER COMMODORE
CONTRACT NO.	14-00000000000000000000
CONTRACT DATE	11/11/14

- RESIDENTIAL
- AMENITY
- SERVICE
- PRIVATE BALCONY
- PRIVATE TERRACE
- CIRCULATION
- ELEVATOR
- STAIR
- TRASH



AS LEVEL 5 - FLOOR PLAN
DATE 11/14





FIELD BRICK VENEER



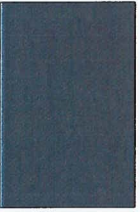
ACCENT BRICK VENEER



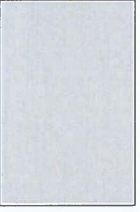
WATER TABLE BRICK VENEER



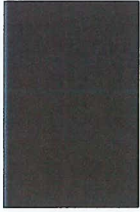
FIBER CEMENT LAP SIDING



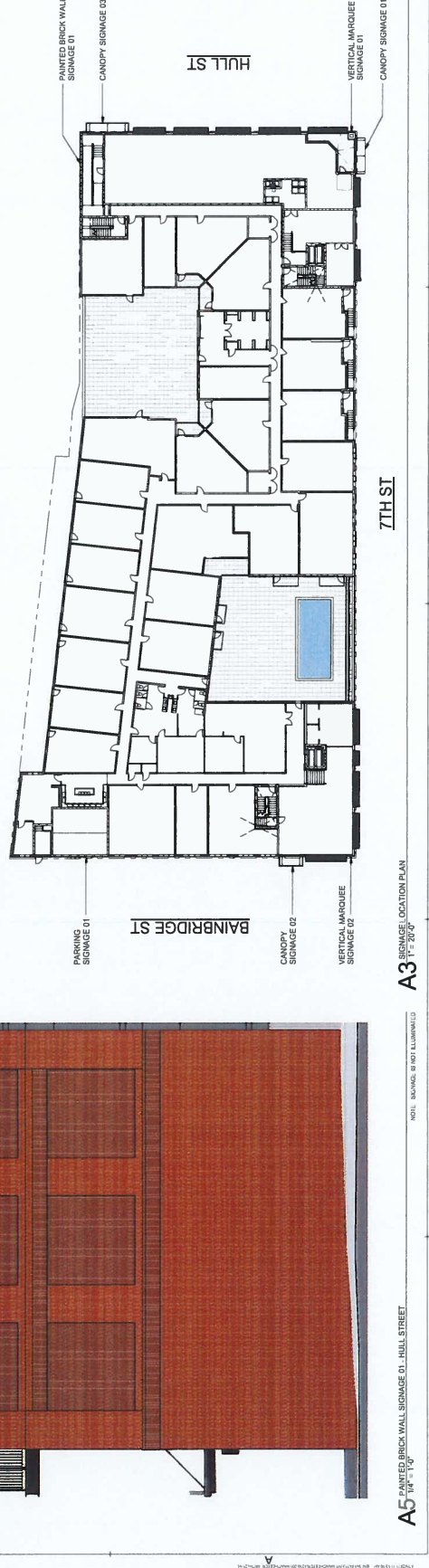
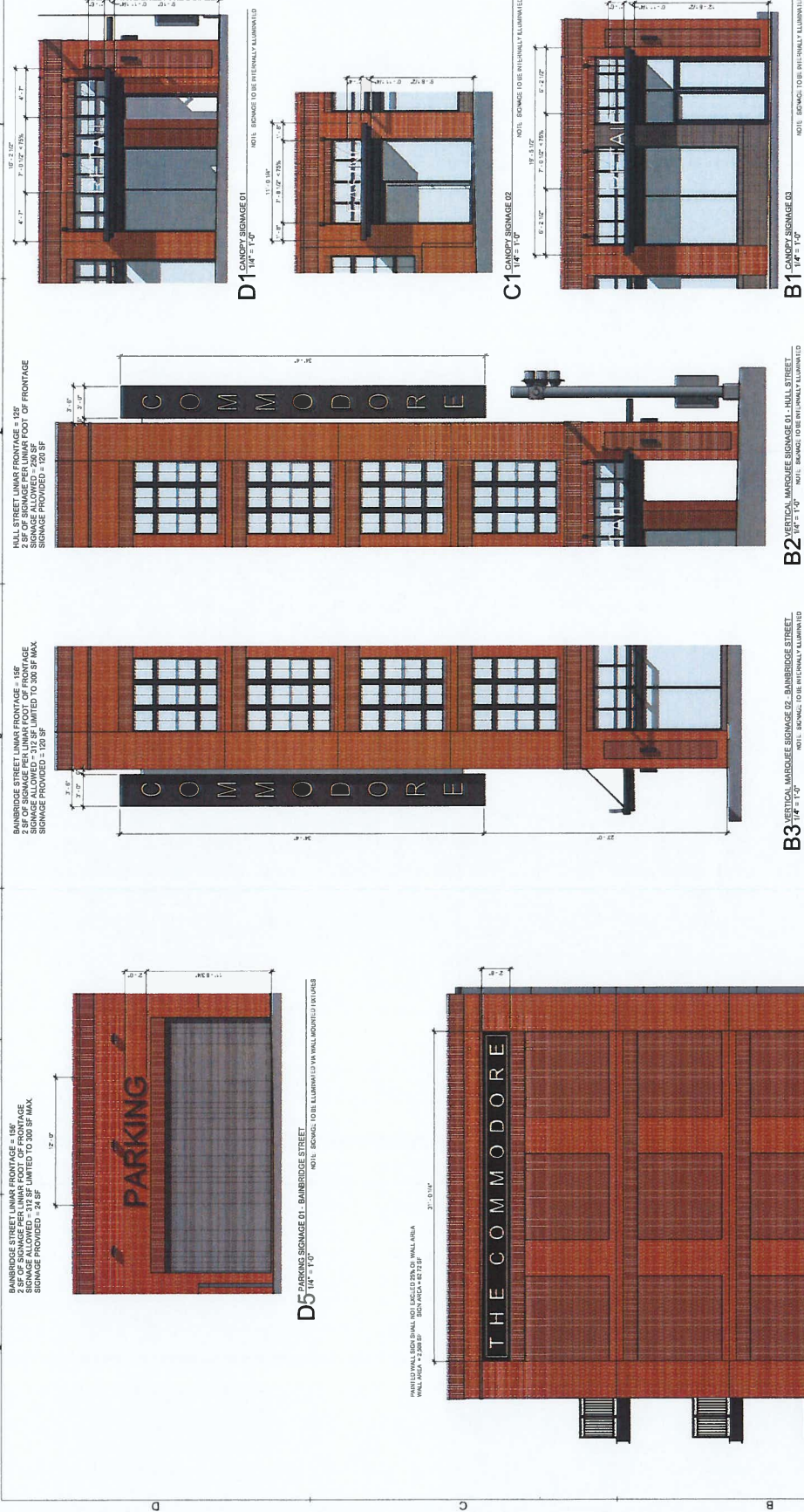
FIBER CEMENT PANELS WITH REVEALS



FIBER CEMENT PANELS WITH REVEALS



ALUMINUM SOFFIT/OVERHEAD
ALUMINUM SIDING
METAL RAILINGS
CORNER AND SIGNAGE









Mercer, Brian P. - PDR

From: Mawby, Doug - DPW
Sent: Friday, April 23, 2021 8:34 AM
To: Saunders, Richard L. - PDR; Robert Benaicha
Cc: Mercer, Brian P. - PDR; 'Nick Garrett'
Subject: RE: POD - 15 W 7th St

Categories: Misc.

Rich – I have just looked at the PDF of the revised corner design. The proposed changes address my concerns for pedestrian traffic and cabinet access at this corner. If revised POD plans include this change, it is approvable by Right of Way.

PS – remember to design the street scape as if the center line is located where it is in the aerial view in Google, not where the paving crew placed it after redoing the street. We will need to adjust the line later....

Doug Mawby

(804)646-0110

doug.mawby@richmondgov.com

Right of Way Management Division

Department of Public Works

City of Richmond



From: Saunders, Richard L. - PDR
Sent: Friday, April 23, 2021 7:14 AM
To: Robert Benaicha <RBenaicha@hirschlerlaw.com>; Mawby, Doug - DPW <Doug.Mawby@Richmondgov.com>
Cc: Mercer, Brian P. - PDR <Brian.Mercer@richmondgov.com>; 'Nick Garrett' <garrettn@odell.com>
Subject: RE: POD - 15 W 7th St

I am happy to set up a Teams call, just let me know.

From: Robert Benaicha [<mailto:RBenaicha@hirschlerlaw.com>]
Sent: Thursday, April 22, 2021 7:23 PM
To: Saunders, Richard L. - PDR <Richard.Saunders@richmondgov.com>; Mawby, Doug - DPW <Doug.Mawby@Richmondgov.com>
Cc: Mercer, Brian P. - PDR <Brian.Mercer@richmondgov.com>; 'Nick Garrett' <garrettn@odell.com>
Subject: RE: POD - 15 W 7th St
Importance: High

CAUTION: This message is from an external sender - Do not open attachments or click links unless you recognize the sender's address and know the content is safe.