



CITY OF RICHMOND

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

Ord. No. 2021-196: To authorize the special use of the property known as 5605 Grove Avenue for the purpose of an office use and providing for the repeal of Ord. No. 2009-200-204, adopted November 9, 2009, upon certain terms and conditions.

To: City Planning Commission
From: Land Use Administration
Date: July 19, 2021

PETITIONER

Jennifer Mullen, Esq.

LOCATION

5605 Grove Avenue

PURPOSE

To authorize the special use of the property known as 5605 Grove Avenue for the purpose of an office use and providing for the repeal of Ord. No. 2009-200-204, adopted November 9, 2009, upon certain terms and conditions.

SUMMARY & RECOMMENDATION

The applicant is requesting to authorize the special use of the property known as 5605 Grove Avenue for the purpose of constructing a new three-story office building with accessory parking. Ord. No. 2009-200-204, which allowed the current building to be used for retail purposes, is requested to be repealed. The property is located in an R-4 Single Family Residential District, which does not permit the proposed office use. Additionally, feature requirements of the R-4 District, including parking, yards (setbacks) and height, are not met for the proposed office building. Therefore, a special use permit is necessary to authorize the proposed office building.

Staff finds that the proposed office building is consistent with the use, form and intensity recommendations of Richmond 300. The recommended land use is Community Mixed-Use. The proposed office use is a primary use of the land use designation. The intensity recommended for Community Mixed-Use is two to six stories with new buildings stepping back to respect the predominant cornice line of the area, while the Westhampton Neighborhood Node has a primary next step to rezone the area for a height limit of three stories. The proposed three-story office building has a significant step back after two stories to respect the existing context, and the maximum height of the building (36') is one foot higher than the maximum height of the underlying R-4 District. The Community Mixed-Use land use designation envisions new development that complements the existing context, while having ground floor uses that engage with and enliven the street with windows, doors and storefront that allow transparency and interaction between the building and street. The proposed building has a door with direct access onto Grove Avenue with windows that are residential in scale to complement the existing context. Additionally, the proposed parking is located to the rear of the building and would not be visible from Grove Avenue.

The Westhampton Neighborhood Node envisions that over time, a few underdeveloped parcels will be redeveloped in a manner that complements and enhances the existing village-scale feel of the area. Staff feels that the high quality materials (brick and stone), varied front yard, building layout and landscaping help to complement and enhance the village-scale of the area.

Staff finds the proposed development, specifically its design and architectural elements, addresses several of the strategies within Objective 4.1 including the following: “Allow and encourage a variety of architectural styles”, “Require adequate distribution of windows and architectural features in order to create visual interest”, and “Increase building permeability by requiring new buildings to have functioning entrances from the sidewalk and restricting blank walls at ground level”. This also supports the Primary Next Step for the Westhampton Node pertaining to implementing design standards to create a high-quality and well-designed neighborhood Node that is consistent with the village-feel of the area

Staff finds that the proposal would not pose an undue burden on the availability of on-street parking in the area due to the provision of off-street parking and bike racks, as well as proximity to transit.

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 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 the Special Use Permit request.

FINDINGS OF FACT

Site Description

The subject property consists of a single parcel of land that has a lot area of 16,912 square feet (0.388 acres) and is improved with a two-story commercial building that has most recently been used as a retail antique store. The property is located in the Westhampton neighborhood, and is on Grove Avenue, mid-block between Granite Avenue and Seneca Road.

Proposed Use of the Property

The proposed Special Use is for a three-story office building with accessory parking.

Master Plan

The City’s Richmond 300 Master Plan designates these parcels as Community Mixed Use. This land use category is described as a cluster of medium-density, walkable commercial and residential uses that provide neighborhood services to nearby residential communities and sometimes feature regional attractions.

Development Style: The building size, density, and zoning districts for these areas may vary significantly depending on historical densities and neighborhood characteristics. Future development should generally complement existing context. Uses may be mixed horizontally in several buildings on a block or vertically within the same building. Developments continue or introduce a gridded street pattern to increase connectivity.

Ground Floor: Ground floor uses engage with, and enliven, the street. Monolithic walls are discouraged, while windows, doors, storefronts, and other features that allow transparency and interaction between building and street are encouraged.

Mobility: Pedestrian, bicycle, and transit access are prioritized and accommodated. Bike parking is provided. Driveway entrances are required to be off alleys whenever possible; new driveways are prohibited on priority and principal streets. Parking areas are located within the structure and to the rear of buildings and require screening; shared parking requirements are encouraged.

Intensity: Buildings generally ranging from two to six stories, based on street widths and depending on the historic context and stepping down in height adjacent to residential areas, as necessary. New buildings that are taller than historical buildings should step back from the build to line after matching the height of the predominant cornice line of the block. **Primary Uses:** Retail/office/ personal service, multi-family residential, cultural, and open space. **Secondary Uses:** Single-family houses, institutional, and government. Community mixed-use areas have commercial and residential buildings built to the sidewalk and parking located at the curbside or at the rear of the building. Objective 4.1 of Richmond 300 states: Create and preserve high-quality, distinctive, and well-designed neighborhoods and Nodes throughout the city. Objective 14.5 of Richmond 300 states: Encourage more housing types throughout the city and greater density along enhanced transit corridors and at Nodes by amending the Zoning Ordinance.

The properties are also located within the Westhampton neighborhood node, which is described as the Node that stretches from Libbie and Grove to Libbie and Patterson provides retail and services to nearby residents and attracts visitors from across the region to its businesses. Over time, a few underdeveloped parcels redevelop in a manner that complements and enhances the existing village-scale. The Community Mixed-Use future land use designation permits the creation of additional residential units and business, while also ensuring that new buildings are an appropriate scale the existing commercial buildings and promote walkability by placing vehicular access to the rear of the building.

Primary Next Steps for the node are:

- Rezone the area to allow for residential uses by-right in the Community Mixed-use area and retain a maximum height of three stories (see Goal 1 and Goal 14).
- Implement design standards to create a high-quality and well-designed neighborhood Node that is consistent with the village-feel of the area, and explore the creation of signature public art (see Goal 4 and Goal 17).
- Improve pedestrian and bike infrastructure to/from this Node (see Goal 4 and Goal 8).

- Implement high-frequency transit along Patterson Avenue with a transit stop at Patterson Avenue and Libbie (see Goal 8).

The portion of Grove Avenue that this property fronts on is designated as both a “Great Street” and a “Major Mixed-Use Street” on Richmond 300’s “Great Streets and Street Typologies Map.”

Zoning and Ordinance Conditions

The Property is currently located within the R-4 Single-Family Residential District. A Special Use Permit is necessary because offices are not permitted uses in the R-4 District. Additionally, the Special Use Permit will allow deviations from yard, height, and off-street parking requirements.

If adopted, the ordinance for the Special Use would impose the conditions on the Property, including:

- (a) The Special Use of the Property shall be as an office use, substantially as shown on the Plans, except that medical offices shall not be permitted.
- (b) No more than 30 employees shall be permitted on the Property at any given time.
- (c) The height of the Special Use shall be limited to 36 feet, substantially as shown on the Plans.
- (d) A minimum of 15 parking spaces shall be provided on the Property, substantially as shown on the Plans.
- (e) A minimum of three bike racks shall be provided on the Property, substantially as shown on the Plans.
- (f) All building materials and site improvements, including, but not limited to, building finishes, landscaping, and lighting, shall be substantially as shown on the Plans.
- (g) Use of the third story patio shown on sheet A1.02 of the Plans shall be accessory to the office use of the Property.
- (h) All mechanical equipment serving the Property shall be located or screened so as not to be visible from any public right-of-way.
- (i) Signs on the Property shall be limited to (i) signs in the general locations identified on sheet A2.00 of the Plans and (ii) signs permitted in all districts, pursuant to section 30-505 of the Code of the City of Richmond (2020), as amended. Signs on the Property visible from any

street frontage shall be limited to a total sign area of 20 square feet. Freestanding signs shall not be permitted on the Property.

Surrounding Area

The subject property and properties to the north, south, east, and west are located in the R-4 Single-Family Residential District.

Other commercial uses are located along Grove Avenue to the west and north of the subject property. Single family uses are located to the south and east of the subject property.

Neighborhood Participation

Staff notified area residents, property owners, and the Westhampton Citizens Association. Numerous letters of support and opposition have been received.

Staff Contact: Richard Saunders Senior Planner, PDR, Land Use Administration, 804-646-5648