



## CITY OF RICHMOND

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

**Ord. No. 2021-273:** To authorize the special use of the property known as 419 Brook Road for the purpose of a (i) mixed-use building containing uses permitted in the B-1 Neighborhood Business District on the ground floor and one dwelling unit on the second floor or (ii) two-family dwelling, upon certain terms and conditions.

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**To:** City Planning Commission  
**From:** Land Use Administration  
**Date:** October 18, 2021

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#### **PETITIONER**

Lory Markham, Markham Planning

#### **LOCATION**

419 Brook Road

#### **PURPOSE**

To authorize the special use of the property known as 419 Brook Road for the purpose of a (i) mixed-use building containing uses permitted in the B-1 Neighborhood Business District on the ground floor and one dwelling unit on the second floor or (ii) two-family dwelling, upon certain terms and conditions.

#### **SUMMARY & RECOMMENDATION**

The applicant is requesting to authorize the special use of the property known as 419 Brook Road for the purpose of a mixed use building or two family dwelling, upon certain terms and conditions. The property is located in both an R-6 Single Family Attached Residential District and a B-1 Neighborhood Business District, as well as the Jackson Ward City Old & Historic District. The proposed commercial use is not permitted within the portion of the property zoned R-6, while the proposed dwelling use is not permitted on the ground floor in the portion of the property zoned B-1. A special use permit is therefore necessary to authorize either of the proposed uses. 27.02 square feet of the subject property are proposed to be deeded to the adjacent property with an address of 207-A W Clay Street through a boundary line adjustment. The boundary line adjustment is necessary to align the property line with the center line of the masonry wall between the subject building and the building at 207 A W Clay Street.

Staff finds that the proposed uses are consistent with the recommendations of Richmond 300. The property has a land use designation of Neighborhood Mixed-Use. The building has historically been used as a dry cleaning business. The proposal to reestablish a commercial use on the ground floor is consistent with Action Strategy A under Object 3.2, which encourages creating flexibility in the Zoning Ordinance to allow to the adaptive reuse of historic buildings. The proposed residential use (either one or two units) is a primary use recommended. The property also falls within the "Downtown-Jackson Ward" priority growth node. The node is envisioned to continue to be predominantly residential with non-residential uses scattered throughout at corners and along major roads. New infill development is encouraged to incorporate high-quality architecture and complement the character of historic buildings. Staff feels that the proposed

adaptive reuse of the historic building with a rooftop addition meets the vision of the node. Additionally, the site is proximate to many commercial uses in Jackson Ward and is within one quarter mile of the Arts District Pulse Station. The proposed rooftop addition has received a Certificate of Appropriateness from the Commission of Architectural Review (CAR).

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.

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## **FINDINGS OF FACT**

### **Site Description**

The subject property consists of a single parcel of land that has a lot area of 1,783 square feet (0.041 acres) and is currently improved with a single story building containing approximately 1,500 square feet of floor area that previously housed a dry cleaning building. 27.02 square feet of the subject property are proposed to be deeded to the adjacent property with an address of 207 A W Clay Street through a boundary line adjustment. The boundary line adjustment is necessary to align the property line with the center line of the masonry wall between the subject building and the building at 207-A W Clay Street. The property is located in the Jackson Ward neighborhood on the west side of Brook Road, midblock between W Marshall Street and W Clay Street, and a half block away from the recently renovated Abner Clay Park.

### **Proposed Use of the Property**

The proposed Special Use Permit would allow for the renovation of the ground floor to either a commercial use or dwelling unit, and would authorize a rooftop addition which would house a dwelling unit on the second floor.

### **Master Plan**

The City's Richmond 300 Master Plan designates the property as Neighborhood Mixed-Use. This land use category is described as existing or new highly-walkable urban neighborhoods that are predominantly residential with a small, but critical, percentage of parcels providing retail, office, personal service, and institutional uses.

Development Style: A variety of building types that are close to one another and create a unified street wall. The building size, density, and zoning districts for these areas vary depending on historical densities and neighborhood characteristics. Future development should generally complement existing context. Setbacks, plazas, and parks create a sense of place and community gathering areas. New developments on larger parcels continue or introduce a gridded street pattern to increase connectivity within the neighborhood and to adjacent neighborhoods. In historic neighborhoods, small-scale commercial uses exist today or should be allowed to reestablish. In new neighborhoods, small scale commercial buildings should be introduced.

Mobility: Bicycle, pedestrian, and transit access are prioritized and accommodated. Bike parking is provided. New driveways are prohibited on Priority and Principal Street frontages. Vehicular access to parcels should use alleys wherever possible. Parking areas should be located to the rear of street-facing buildings.

Intensity: Buildings heights are generally two to four stories. Buildings taller than four stories may be found along major streets.

Primary Uses: Single-family houses, accessory dwelling units, duplexes, small multi-family buildings (typically 3-10 units), and open space.

Secondary Uses: Large multi-family buildings (10+ units), retail/office/personal service, institutional, cultural, and government.

The subject property also falls within the “Downtown Jackson Ward” priority growth node as shown on the land use map of Richmond 300. The plan envisions this area to continue to be predominantly residential with non-residential uses scattered throughout at corners and along major roads. New infill development is encouraged to incorporate high quality architecture and complement the character of historic buildings.

### **Zoning and Ordinance Conditions**

The subject property is located within both the R-6 Single Family Attached Residential District and the B-1 Neighborhood Business District, as well as the Jackson Ward City Old & Historic District. The proposed commercial use is not permitted within the portion of the property zoned R-6, while the proposed dwelling use is not permitted on the ground floor in the portion of the property zoned B-1. The yard (setback) requirements are also not being met for the proposed second story addition. If adopted, the Special Use Permit would impose the following conditions on the properties:

- (a) The Special Use of the Property shall be as a mixed-use building containing any use permitted in the B-1 Neighborhood Business District on the ground floor and one dwelling unit on the second floor, or as a two-family dwelling, substantially as shown on the Plans.
- (b) No parking shall be required for the Special Use.
- (c) All mechanical equipment serving the Property shall be located or screened so as not to be visible from any public right-of-way.
- (d) All building materials shall be substantially as shown on the Plans, unless otherwise approved by the Commission of Architectural Review.
- (e) Prior to issuance of any certificate of occupancy for the Special Use, the boundary line between the Property and the parcel identified as 207-A West Clay Street (Tax Map # N000-

0120/047) must be adjusted as shown on the survey entitled “Parcel Line Modification Between Two Parcels Situated on the East Line of Brook Road, In the City of Richmond, Virginia,” prepared by McKnight & Associates, P.C., and dated March 18, 2021, which may be accomplished by recording the appropriate plats and deeds among the land records of the Clerk of the Circuit Court of the City of Richmond.

### **Affordability**

The median household income for the Richmond region is currently \$68,529 per year. The affordability threshold is 30% of household income towards housing costs, which equates to \$20,559 per year, or \$1,713 per month, or less, to avoid a housing cost burden. The applicant intends to rent the units at market rate.

### **Surrounding Area**

Other buildings that front Brook Road within the block house a variety of uses, including warehouse, mixed use and residential. To the north of the property are predominantly single- and two-family residential uses that front on W Clay Street. Properties to the north and east are located within the R 6 Single Family Attached Residential District. Properties to the east are located within the B 1 Neighborhood Business District. Properties to the south are located within the RO 2 Residential Office District.

### **Neighborhood Participation**

Staff notified area residents and property owners, as well as the Historic Jackson Ward Association. Staff has not received any letters of support or opposition.

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