



Legislation Details (With Text)

File #: ORD. 2014-078 **Version:** 1 **Name:**

Type: Ordinance **Status:** Withdrawn

File created: 3/24/2014 **In control:** City Council

On agenda: 4/21/2014 **Final action:** 9/8/2014

Title: TTo authorize the special use of the properties known as 2801 East Main Street, a portion of 2823 East Main Street, and a portion of East Cary Street for the purpose of permitting a multifamily dwelling with up to 65 dwelling units and principal uses permitted in the B-5 district, upon certain terms and conditions. (As Amended)

Sponsors: Mayor Jones (By Request)

Indexes: Special Use Permit

Code sections:

Attachments: 1. Ord. No. 2014-078 - Withdrawn 20140908, 2. Staff Report, 3. Location Map, 4. Images, 5. Plans, 6. Plan Amendments, 7. Profiles, 8. Staff Presentation to CPC, 9. Applicant Presentation to CPC, 10. Applicant Architectural Analysis and Viewshed Characterization Presentation to CPC, 11. Opposition Presentation to CPC, 12. Public Response

Date	Ver.	Action By	Action	Result
9/8/2014	1	City Council	withdrawn	
7/14/2014	1	City Council	continued and referred back	
6/9/2014	1	City Council	amended and continued	
5/27/2014	1	City Council	continued and referred back	
4/28/2014	1	City Council	amended and continued	
4/21/2014	1	Planning Commission	Recommended for Approval with amendments	Pass
3/24/2014	1	City Council	introduced and referred	

To authorize the special use of the properties known as 2801 East Main Street, a portion of 2823 East Main Street and a portion of East Cary Street for the purpose of permitting a multifamily dwelling with up to 65 dwelling units and principal uses permitted in the B-5 district, upon certain terms and conditions. (As Amended)

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

To: City Planning Commission
From: Land Use Administration
Date: April 21, 2014

PETITIONER

David White, Rocketts View SCP, L.P.

LOCATION

2801 East Main Street, a portion of 2823 East Main Street and a portion of East Cary Street

PURPOSE

The proposed special use permit would permit a 16-story mixed-use residential building in an existing M-1 Light Industrial Zoning District, which does not permit the proposed residential use.

SUMMARY & RECOMMENDATION

The subject property consists of a parcel of land containing 0.746 acres and a portion of East Cary Street, located at the corner of East Main Street and Pear Street in the Shockoe Bottom neighborhood. Abandonment of the East Cary Street right-of-way east of Pear Street and acquisition of the right-of-way by the applicant is necessary to develop the property as proposed.

The special use permit would authorize the construction of a mixed-use building with up to 65 condominium dwelling units and commercial uses permitted in the B-5 Central Business District on the first and second floor along Pear Street. A surface parking lot would be permitted between the new building and East Main Street to serve the apartments located on the adjacent lot to the east. The new building would be authorized to be up to 16 stories as measured adjacent to the building along its northern elevation.

The subject property was inadvertently omitted from the October 2008 version of the Richmond Downtown Plan, but was subsequently included in the Urban Center Area of the Downtown Character Map as part of the July 2009 amendment to the Richmond Downtown Plan. As such, the foundational elements of the Downtown Plan apply to the subject property, as do the guiding principles of the Urban Center character area. Though the subject property was not included within the bounds of in the Shockoe focus area, the recommendations for the focus area can still inform decisions, since the property is adjacent to the Shockoe Bottom area and an influencing component of the area. With the exception of Libby Hill Park to the north, the subject property is surrounded on three sides by the Shockoe focus area and fronts on Main Street, a main thoroughfare for Shockoe Bottom. Moreover, the subject property sits at the terminus of Cary Street and the buildings comprising Tobacco Row.

Seven Foundations are enumerated in the Downtown Plan. These serve as the fundamental themes on which the Downtown Plan and its guidance and recommendations were based. The proposed special use permit is not entirely consistent with Foundation 4 - River and Foundation 5 - Urban Architecture, but supports Foundation 1 - Variety and Choice.

In regards to the River foundation, the Downtown Plan asserts the creation of “green connections between city parks and the riverfront” and the preservation of “views to the river by limiting building heights and protecting important view sheds.” (p. 3.3). Pear Street could serve as a “clear, pedestrian-oriented connection” (pp. 3.14, 4.64) between Libby Hill Park and Great Shiplock Park/the riverfront. The proposed addition of sidewalk and landscaping along Pear Street will help establish it as such a connection. However, the number and width of the proposed curb cuts along Pear Street would hinder pedestrian use of the street. The height of the building would cause it to stand out in the landscape and alter views from surrounding areas. Though the building would not obscure the most notable view of the bend of the James River, it would change river views from Libby Hill Park.

In regards to the Urban Architecture foundation, the Downtown Plan states the need to “require all new construction within the Downtown to respect and reinforce its urban location, relating to the scale and character of the adjacent buildings and fronting the street with windows and primary entrances” (p. 3.3). “[Shockoe Bottom] has a distinct urban character, consistent with its history as the oldest part of Richmond. This character has been the driving force behind the growth and investment experienced in ‘the Bottom’ in recent years” (p. 1.17) and infill development should “enhance and reinforce [this] historic, urban character” (p. 4.58). The proposed site plan with surface parking areas between the main building and the streets does not reinforce its urban location.

In regards to the Variety and Choice foundation, the housing units in the Shockoe Bottom neighborhood are predominantly renter-occupied. The addition of the proposed owner-occupied housing units will offer more variety of housing tenure choices for prospective residents of the neighborhood. Additionally, the Master Plan states, "it is important to increase the proportion of homeowners in areas with a high concentration of rental property" (p. 103).

Staff supports the continued revitalization of Shockoe Bottom via infill development of underused, non-contributing parcels and the addition of owner-occupied units to an area with a very high concentration of renter-occupied units. However, staff has concerns with the proposed site layout of the development, including surface parking in front of the main building both along East Main Street and Pear Street and the excessive number of curb cuts along Pear Street.

Staff finds that the City Charter conditions relative to the granting of special use permits are nearly met. Staff finds that the City Charter condition related to the protection of the general welfare of the community, which is established by the City's Downtown Plan, would be met if the applicant adjusted the site plan to better reinforce the site's urban location as recommended in the Downtown Plan. This could be accomplished by removing the parking areas between the main building and the streets and reducing the prominence of the curb cuts along Pear Street. Therefore, staff recommends approval of the proposal subject to amendments to address these concerns relative to the site layout.

FINDINGS OF FACT

Site Description

The subject property consists of a parcel of land containing 0.746 acres and a portion of East Cary Street, located at the corner of East Main Street and Pear Street in the Shockoe Bottom neighborhood. Abandonment of the East Cary Street right-of-way east of Pear Street and acquisition of the right-of-way by the applicant is necessary to develop the property as proposed. The lot is currently improved with an abandoned gas station.

Proposed Use of the Property

The special use permit would authorize the construction of a mixed-use building with up to 65 condominium dwelling units and commercial uses permitted in the B-5 Central Business District on the first and second floor along Pear Street. A surface parking lot would be permitted between the new building and East Main Street to serve the apartments located on the adjacent lot to the east. The new building would be authorized to be up to 16 stories as measured adjacent to the building along its northern elevation.

Master Plan

The subject property was inadvertently omitted from the October 2008 version of the Richmond Downtown Plan, but was subsequently included in the Urban Center Area of the Downtown Character Map as part of the July 2009 amendment to the Richmond Downtown Plan.

Zoning & Ordinance Conditions

The property is currently located in the City's M-1 Light Industrial Zoning District, which does not permit residential use as proposed by the applicant.

The special use permit ordinance would permit the principal use of the main building to be a maximum of sixty-five dwelling units, all of which would be condominiums as defined in section 55-79.41 of the Code of Virginia (1950), as amended. The ordinance requires the dwelling units to contain a minimum of 800

square feet of floor area each. Secondary use of the main building along its Pear Street frontage may include those non-residential principal uses permitted in the B-5 district, such as an art gallery.

Three levels of parking would be permitted at the base of the main building below the East Main Street grade, containing a total of 78 parking spaces. With the addition of two on-site surface parking spaces at the Pear Street entrance of the main building, a total of 80 parking spaces are proposed for use by the main building. A surface parking area located on the subject property, containing 21 parking spaces, would be permitted to be used by the residents in the apartment building on the adjacent property at 2823 East Main Street.

The ordinance would require a minimum of one parking space per dwelling unit on the subject property and would allow any excess spaces to be provided; however, the excess spaces would not be required and could be eliminated from the project.

The proposed building would be limited to sixteen (16) stories in height as measured from the finished grade adjacent to the building along the East Main Street frontage.

Prior to the issuance of a building permit for the main building, final detailed signage, lighting, façade, and landscaping plans shall be submitted to and approved by the Director of Planning & Development Review. Moreover, any substantive changes to the site layout and main building, including but not limited to changes to the unit count, building façade design and fenestration, shall be shown in final plans that shall be submitted to and approved by the Director of Planning and Development Review prior to issuance of a building permit.

Surrounding Area

The Tobacco Row mixed-use warehouse district is located to the west along East Cary Street. East Main Street and Libby Hill Park are located to the north. An existing apartment building, pool and accessory parking are located to the east and elevated train tracks, Dock Street and Great Shiplock Park are located to the south.

Neighborhood Participation

Staff sent notice of the application to the Shockoe Partnership, the Shockoe Bottom Neighborhood Association, the Church Hill Association, and Councilwoman Newbille. Staff has received letters of opposition and support, including a letter of opposition from the Church Hill Association, a letter of opposition and signed petition from the River View Advocates, and letters of support from the Shockoe Partnership, Shockoe Bottom Neighborhood Association, the Historic Richmond Foundation and 32 individuals.

Staff Contact: Lory Markham, (804) 646-6309