



CITY OF RICHMOND

Department of Planning & Development Review *Staff Report*

Ord. No. 2022-264: To authorize the special use of the property known as 109 West 15th Street for the purpose of (i) art galleries; (ii) offices, including business, professional and administrative offices, medical and dental offices and clinics; (iii) studios of writers, designers and artists engage in the graphic arts; (iv) personal services businesses that provide services directly to persons or services for personal items, including barber shops, beauty salons, health spas, fitness centers, dance studios, photography studios, travel agencies, shoe repair shops, tailor and garment alteration and repair shops, clothing rental stores, watch and jewelry repair shops and similar establishments; (v) printing, publishing and engraving establishments; (vi) recreation and entertainment uses, including theaters, museums, amusement centers, lodges and clubs, meeting facilities, auditoriums and assembly halls; (vii) retail stores and shops; and (viii) accessory uses and structures customarily incidental and clearly subordinate to such uses, upon certain terms and conditions, and to repeal Ord. No. 2007-009-48, adopted Mar. 12, 2007.

To: City Planning Commission
From: Land Use Administration
Date: October 6, 2022

PETITIONER

Lory Markham,
Representative of the Property Owner

LOCATION

109 West 15th Street

PURPOSE

To authorize the special use of the property known as 109 West 15th Street for the purpose of (i) art galleries; (ii) offices, including business, professional and administrative offices, medical and dental offices and clinics; (iii) studios of writers, designers and artists engage in the graphic arts; (iv) personal services businesses that provide services directly to persons or services for personal items, including barber shops, beauty salons, health spas, fitness centers, dance studios, photography studios, travel agencies, shoe repair shops, tailor and garment alteration and repair shops, clothing rental stores, watch and jewelry repair shops and similar establishments; (v) printing, publishing and engraving establishments; (vi) recreation and entertainment uses, including theaters, museums, amusement centers, lodges and clubs, meeting facilities, auditoriums and assembly halls; (vii) retail stores and shops; and (viii) accessory uses and structures customarily incidental and clearly subordinate to such uses, upon certain terms and conditions, and to repeal Ord. No. 2007-009-48, adopted Mar. 12, 2007.

SUMMARY & RECOMMENDATION

The applicant is requesting a Special Use Permit to allow additional uses to the currently allowed community theater located within an R-63 Residential (Multi-Family Urban) zone. The lot has an overall size of 0.305 acres and an existing building of roughly 15,000 square feet. The requested uses are not permitted within the R-63 zone; a Special Use Permit is therefore required.

Staff finds that the proposal would be consistent with the recommendations of the City's Master Plan future land use designation of Neighborhood Mixed-Use. The designation includes the following Secondary Uses: retail/office/personal service, institutional, and cultural – which includes the requested new uses.

Staff further finds that the proposal would not pose an undue burden on the availability of on-street parking in the area with the inclusion of onsite parking and 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.

FINDINGS OF FACT

Site Description

The property is located in the Manchester neighborhood at 109 West 15th Street, between Porter and Bainbridge Street. The property is currently a roughly 13,282.5 sq. ft. (0.305acre) parcel of land that contains an existing building of 15,000 square feet which was formerly a gymnasium associated with an adjacent private educational use. Most recently, the space has been used as a community theater.

Proposed Use of the Property

The applicant is requesting to allow further artistic and community service uses. The proposed use list was taken from the uses allowed in the B-5 zone. Renovation on the exterior will be limited to signage, lighting, and site work to enhance ADA accessibility. 11 parking spaces will be provided onsite.

Master Plan

The City's Richmond 300 Master Plan designates a future land use for the subject property as Neighborhood Mixed Use. This designation is defined as a "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: These areas feature 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.

Ground Floor: Regardless of use, buildings should engage the street with features such as street oriented façades with windows and door openings along street frontages. Appropriate setbacks, open space, front porches, elevated ground floors, and other features that provide a sense of privacy should be provided for residential uses.

Mobility: Pedestrian, bicycle, 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: Building heights are generally two to four stories. Buildings taller than four stories may be found along major streets (see Street Typologies Map). Parcels are generally between 1,500 and 5,000 sq. ft.

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

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

Zoning

Zoning and Use: The subject property is zoned R-63 (Multi-Family Urban Residential) district. This proposal is to add further permitted uses to the site that are not permitted by the zoning code. The proposed use list was taken from the uses allowed in the B-5 zone.

These uses include:

- (i) art galleries;
- (ii) offices, including business, professional and administrative offices, medical and dental offices and clinics;
- (iii) studios of writers, designers and artists engage in the graphic arts;
- (iv) personal services businesses that provide services directly to persons or services for personal items, including barber shops, beauty salons, health spas, fitness centers, dance studios, photography studios, travel agencies, shoe repair shops, tailor and garment alteration and repair shops, clothing rental stores, watch and jewelry repair shops and similar establishments;
- (v) printing, publishing and engraving establishments;
- (vi) recreation and entertainment uses, including theaters, museums, amusement centers, lodges and clubs, meeting facilities, auditoriums and assembly halls;
- (vii) retail stores and shops; and
- (viii) accessory uses and structures customarily incidental and clearly subordinate to such uses.

R-63 Feature Requirements: Lot area, lot width, lot coverage, height, and yard requirements are only applicable to permitted principal and accessory uses.

- Front yard. No front yard shall be required.
- Side yard. Not less than 5 feet in width.
- Rear yard. Not less than 15 feet in depth.
- Lot coverage. Shall not exceed 65 percent of the area of the lot.
- Height. Three Stories or 52 feet in height.

Parking:

- Art Galleries require 10 spaces, plus 1 space per 300 sq. ft. of floor area in excess of 2,000 sq. ft.
- Office uses require 1 space per 300 sq. ft. of floor area for the first 1,500 sq. ft., plus 1 space per 400 sq. ft. in excess thereof.
- Personal Service uses require 1 space per 300 sq. ft. floor area.
- Philanthropic uses are calculated with the sum of spaces required for each component of the use, per the most similar use listed in this section.

Ordinance Conditions

The current use of Community Theater was approved for SUP by Ord. No. 2007-009-48, adopted Mar. 12, 2007. The current application repeals the previous approval ordinance and conditions, but carries through and updates several of the original conditions.

Development conditions will be imposed by the amended ordinance, including:

- (a) The Special Use of the Property shall be as (i) art galleries; (ii) offices, including business, professional and administrative offices, medical and dental offices and clinics; (iii) studios of writers, designers and artists engage in the graphic arts; (iv) personal services businesses that provide services directly to persons or services for personal items, including barber shops, beauty salons, health spas, fitness centers, dance studios, photography studios, travel agencies, shoe repair shops, tailor and garment alteration and repair shops, clothing rental stores, watch and jewelry repair shops and similar establishments; (v) printing, publishing and engraving establishments; (vi) recreation and entertainment uses, including theaters, museums, amusement centers, lodges and clubs, meeting facilities, auditoriums and assembly halls; (vii) retail stores and shops; and (viii) accessory uses and structures customarily incidental and clearly subordinate to uses permitted in this ordinance.
- (b) Hours of operation for art galleries, recreation and entertainment uses, and events open to the general public shall be between the hours of 8:00 a.m. and 11:00 p.m.
- (c) Eleven parking spaces shall be provided on the Property, substantially as shown on the Plans.
- (d) All exterior windows within the second and third story flex assembly space shall use sound dampening glass.
- (e) A sign shall be posted in the first floor lobby that requests that patrons of the Special Use be courteous and quiet as they exit the Property. Such sign shall be at least one and one-half square feet in area.
- (f) The retail sale of beer and wine, for on-premises or off-premises consumption, may take place on the Property accessory to other permitted uses, subject to the regulations of the Virginia Alcoholic Beverage Control Authority, or its successor agency.
- (g) All mechanical equipment serving the Property shall be located or screened so as not to be visible from any public right-of-way.
- (h) All site improvements shall be substantially as shown on the Plans.
- (i) Signs on the Property shall be limited to signs permitted in all districts pursuant to section 30-505 of the Code of the City of Richmond (2020), as amended, and canopy signs not to exceed 53 square feet in area, substantially as shown on the Plans

Surrounding Area

The subject property is zoned R-63 (Multi-Family Urban Residential). The surrounding properties are also zoned the same R-63 zone.

The subject property is located approximately one block from the Hull Street commercial corridor and approximately one block from Route 1/Richmond Highway commercial corridor.

Neighborhood Participation

The City notified area residents and property owners along with the Manchester Alliance Civic Association. Staff has not received any inquires or letters from the public regarding this application.

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