

INTRODUCED: January 13, 2020

AN ORDINANCE No. 2020-018

To authorize the special use of the properties known as 2615 West Cary Street, 2617 West Cary Street, and 2619 West Cary Street for the purpose of tourist homes, upon certain terms and conditions.

Patron – Mayor Stoney (By Request)

Approved as to form and legality
by the City Attorney

PUBLIC HEARING: FEB 10 2020 AT 6 P.M.

WHEREAS, the owner of the properties known as 2615 West Cary Street, 2617 West Cary Street, and 2619 West Cary Street, which are situated in a B-6 Mixed-Use Business District, desires to use such properties for the purpose of tourist homes, which use, among other things, is not currently allowed by section 30-444.2 of the Code of the City of Richmond (2015), as amended; and

WHEREAS, in accordance with section 17.11 of the Charter of the City of Richmond (2019), as amended, it has been made to appear that, if granted subject to the terms and conditions set forth in this ordinance, the special use granted by this ordinance will not be detrimental to the safety, health, morals and general welfare of the community involved, will not tend to create

AYES: 9 NOES: 0 ABSTAIN: _____

ADOPTED: FEB 10 2020 REJECTED: _____ STRICKEN: _____

congestion in streets, roads, alleys and other public ways and places in the area involved, will not create hazards from fire, panic or other dangers, will not tend to overcrowding of land and cause an undue concentration of population, will not adversely affect or interfere with public or private schools, parks, playgrounds, water supplies, sewage disposal, transportation or other public requirements, conveniences and improvements, and will not interfere with adequate light and air; and

WHEREAS, (i) the City Planning Commission has conducted a public hearing to investigate the circumstances and conditions upon which the Council is empowered to authorize such use, (ii) the City Planning Commission has reported to the Council the results of such public hearing and investigation and its recommendations with respect thereto, and (iii) the Council has conducted a public hearing on this ordinance at which the person in interest and all other persons have had an opportunity to be heard;

NOW, THEREFORE,

THE CITY OF RICHMOND HEREBY ORDAINS:

§ 1. **Finding.** Pursuant to section 30-1050.1 of the Code of the City of Richmond (2015), as amended, the Council hereby finds that the special use set forth in and subject to the terms and conditions of this ordinance will not (i) be detrimental to the safety, health, morals and general welfare of the community involved, (ii) tend to create congestion in streets, roads, alleys and other public ways and places in the area involved, (iii) create hazards from fire, panic or other dangers, (iv) tend to overcrowding of land and cause an undue concentration of population, (v) adversely affect or interfere with public or private schools, parks, playgrounds, water supplies, sewage disposal, transportation or other public requirements, conveniences and improvements, or (vi) interfere with adequate light and air.

§ 2. **Grant of Special Use Permit.**

(a) Subject to the terms and conditions set forth in this ordinance, the properties known as 2615 West Cary Street, 2617 West Cary Street, and 2619 West Cary Street and identified as Tax Parcel Nos. W000-1158/009, W000-1158/008, and W000-1158/007, respectively, in the 2020 records of the City Assessor, being more particularly shown on a survey entitled “Survey of the Lot & Improvements Thereon Located at #2615 W. Cary Street, Richmond, Virginia.,” prepared by A.G. Harocopos & Associates, P.C., and dated July 2, 1987, a survey entitled “Survey of the Lot & Improvements Thereon Located at #2617 W. Cary Street, Richmond, Virginia.,” prepared by A.G. Harocopos & Associates, P.C., and dated July 2, 1987, and a survey entitled “Survey of the Lot & Improvements Thereon Located at #2619 W. Cary Street, Richmond, Virginia.,” prepared by A.G. Harocopos & Associates, P.C., and dated July 2, 1987, copies of which are attached to and made a part of this ordinance, hereinafter referred to as “the Property,” are hereby permitted to be used for the purpose of tourist homes, hereinafter referred to as “the Special Use,” substantially as shown on the plans entitled “2615 / 2617 / 2619 W. Cary Street,” prepared by Christian Snowden Design, and dated November 8, 2018, hereinafter referred to as “the Plans,” copies of which are attached to and made a part of this ordinance.

(b) The adoption of this ordinance shall constitute the issuance of a special use permit for the Property. The special use permit shall inure to the benefit of the owner or owners of the fee simple title to the Property as of the date on which this ordinance is adopted and their successors in fee simple title, all of which are hereinafter referred to as “the Owner.” The conditions contained in this ordinance shall be binding on the Owner.

§ 3. **Special Terms and Conditions.** This special use permit is conditioned on the following special terms and conditions:

(a) The Special Use of the Property shall be as three tourist homes with up to two rooms or groups of rooms each, which rooms or groups of rooms may be accessible from the exterior of the building, substantially as shown on the Plans.

(b) No rooms or groups of rooms within the three tourist homes shall be rented to more than two adult persons per bedroom at any given time.

(c) The owner shall ensure that the Zoning Administrator is furnished with contact information for the operator of the Special Use.

(d) Outdoor lighting shall be located, directed, or shielded so as not to shine directly on adjoining properties or to create a traffic hazard by means of glare or similarity to or confusion with traffic signals, warning lights, or lighting on emergency vehicles.

(e) No fewer than six on-site parking spaces shall be provided on the Property, substantially as shown on the Plans.

(f) No fewer than two bicycle parking spaces shall be provided for the Special Use.

(g) All mechanical equipment serving the Property shall be located or screened so as not to be visible from any public right-of-way.

§ 4. **Supplemental Terms and Conditions.** This special use permit is conditioned on the following supplemental terms and conditions:

(a) All required final grading and drainage plans, together with all easements made necessary by such plans, must be approved by the Director of Public Utilities prior to the issuance of the building permit.

(b) Storm or surface water shall not be allowed to accumulate on the land. The Owner, at its sole cost and expense, shall provide and maintain at all times adequate facilities for the

drainage of storm or surface water from the Property so as not to adversely affect or damage any other property or public streets and the use thereof.

(c) Facilities for the collection of refuse shall be provided in accordance with the requirements of the Director of Public Works. Such facilities shall be located or screened so as not to be visible from adjacent properties and public streets.

(d) Any encroachments existing, proposed on the Plans or contemplated in the future shall require separate authorization and shall be subject to the applicable provisions of the Code of the City of Richmond (2015), as amended, and all future amendments to such laws.

(e) In all other respects, the use of the Property shall be in accordance with the applicable underlying zoning regulations.

§ 5. **General Terms and Conditions.** This special use permit is conditioned on the following general terms and conditions:

(a) No permit implementing this special use permit shall be approved until satisfactory evidence has been presented to the Zoning Administrator that any delinquent real estate taxes applicable to the Property have been paid.

(b) The Owner shall be bound by, shall observe and shall comply with all other laws, ordinances, rules and regulations applicable to the Property, except as otherwise expressly provided in this ordinance.

(c) Words and phrases used in this ordinance shall be interpreted to have the meanings ascribed to them by section 30-1220 of the Code of the City of Richmond (2015), as amended, unless the context clearly indicates that a different meaning is intended.

(d) Notwithstanding any other provision of law, this special use permit is being approved due, in part, to the mitigating effects of each and every condition attached hereto;

consequently, if any portion of this ordinance is determined to be invalid for any reason by a final, non-appealable order of any Virginia or federal court of competent jurisdiction, the invalidity shall cause the entire ordinance to be void and of no further effect from the effective date of such order.

(e) The privileges granted by this ordinance may be revoked pursuant to the provisions of sections 30-1050.7 through 30-1050.11 of the Code of the City of Richmond (2015), as amended, and all future amendments to such laws. Failure to comply with the terms and conditions of this ordinance shall constitute a violation of section 30-1080 of the Code of the City of Richmond (2015), as amended, and all future amendments to such law, or any other applicable laws or regulations.

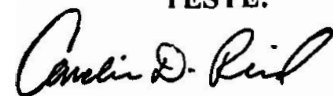
(f) When the privileges granted by this ordinance terminate and the special use permit granted hereby becomes null and void, whether as a result of the Owner relinquishing this special use permit in a writing addressed to the Director of Planning and Development Review or otherwise, use of the Property shall be governed thereafter by the zoning regulations prescribed for the district in which the Property is then situated.

§ 6. **Implementation.** The Zoning Administrator is authorized to issue a certificate of zoning compliance for the Special Use subject to the terms and conditions set forth in this ordinance. An application for the certificate of zoning compliance shall be made within 730 calendar days following the date on which this ordinance becomes effective. If the application for the certificate of zoning compliance is not made within the time period stated in the previous sentence, this ordinance and the special use permit granted hereby shall terminate and become null and void.

§ 7. **Effective Date.** This ordinance shall be in force and effect upon adoption.

A TRUE COPY:

TESTE:



City Clerk



City of Richmond

900 East Broad Street
2nd Floor of City Hall
Richmond, VA 23219
www.richmondgov.com

Item Request

File Number: PRE.2019.391

O & R Request

O & R REQUEST
4-9512
DEC 17 2019

Office of the
Chief Administrative Officer

DATE: December 13, 2019

EDITION: 1

TO: The Honorable Members of City Council

THROUGH: The Honorable Levar M. Stoney, Mayor
(This is no way reflects a recommendation on behalf of the Mayor.)

SS 1/6/2020

THROUGH: Lenora G. Reid, Acting Chief Administrative Officer *LR*

THROUGH: Sharon L. Ebert, Deputy Chief Administrative Officer for Economic Development and Planning *SE*

FROM: Mark A. Olinger, Director, Department of Planning and Development Review *MAO*

RE: To authorize the special use of the properties known as 2615, 2617, and 2619 West Cary Street for the purpose of use as tourist homes, upon certain terms and conditions.

RECEIVED
JAN 07 2020

ORD. OR RES. No. _____

PURPOSE: To authorize the special use of the properties known as 2615, 2617, and 2619 West Cary Street for the purpose of use as tourist homes, upon certain terms and conditions.

REASON: The applicant is requesting a special use permit to authorize the use of three, contiguous, two-family attached dwellings, as tourist homes as defined by the City's zoning ordinance. The B-6 Mixed-Use Business District does not permit tourist homes. A special use permit is therefore required.

RECOMMENDATION: In accordance with the requirements of the City Charter and the Zoning Ordinance, the City Planning Commission will review this request and make a recommendation to City Council. This item will be scheduled for consideration by the Commission at its February 3, 2020, meeting. A letter outlining the Commission's recommendation will be forwarded to City Council following that meeting.

BACKGROUND: The subject properties at 2615, 2617, and 2619 West Cary Street consist three parcels of land at 2,434, 2,437, and 2,424 SF, respectively. Together, the parcels amount to .17 acres of land improved with two-story, residential buildings. The buildings were constructed, per tax assessment records, in 1920 and are located in the Near West Planning District.

The City of Richmond's current Near West Planning District Land Use Plan designates a future land use category for the subject property as Community Commercial. Primary uses include office, retail, personal service and other commercial and service uses, intended to provide the shopping and service needs of residents of a number of nearby neighborhoods or a section of the City. As compared to Neighborhood Commercial, this category includes a broader range of uses of greater scale and intensity, with greater vehicular access and orientation, but that are also compatible with nearby residential areas. Typical zoning classifications that may accommodate this land use category: B-2, UB, and UB-2. Nearby properties are a combination the same B-6 zone, with R-7 (Residential Single & 2 Family Urban) zones to the north and south on adjacent blocks. A mix of residential, commercial, and industrial land uses are present in the vicinity. The property is located within the Fan neighborhood.

FISCAL IMPACT / COST: The Department of Planning and Development Review does not anticipate any impact to the City's budget for this or future fiscal years.

FISCAL IMPLICATIONS: Staff time for processing the request; preparation of draft ordinance; and publishing, mailing and posting of public notices.

BUDGET AMENDMENT NECESSARY: No.

REVENUE TO CITY: \$2,400 application fee.

DESIRED EFFECTIVE DATE: Upon Adoption

REQUESTED INTRODUCTION DATE: January 13, 2020

CITY COUNCIL PUBLIC HEARING DATE: February 10, 2020

REQUESTED AGENDA: Consent.

RECOMMENDED COUNCIL COMMITTEE: None.

CONSIDERATION BY OTHER GOVERNMENTAL ENTITIES: City Planning Commission, February 3, 2020

AFFECTED AGENCIES: Office of Chief Administrative Officer
Law Department (for review of draft ordinance)
City Assessor (for preparation of mailing labels for public notice)

RELATIONSHIP TO EXISTING ORD. OR RES.: None.

REQUIRED CHANGES TO WORK PROGRAM(S): None.

ATTACHMENTS: Application Form, Applicant's Report, Draft Ordinance, Plans, Survey, Map

STAFF: Jonathan Brown, Senior Planner
Land Use Administration (Room 511) 646-5734

PDR File No. 19-46

SITE PLAN KEY:

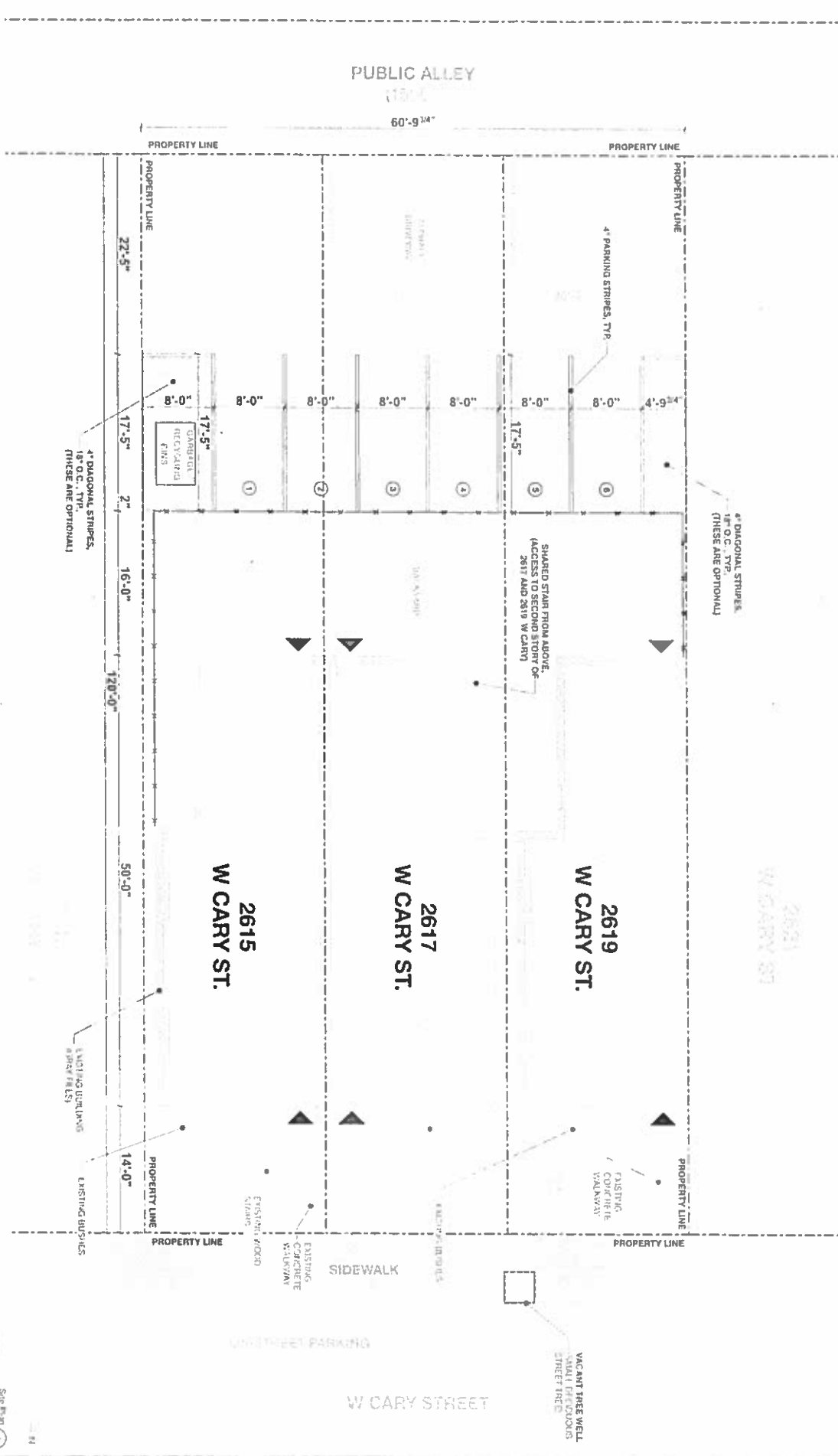
- ① PARKING SPACE NUMBER
- ▲ LUMP ENTRY/EXIT DOORS
- ② 4" DIA. VENT PIPE

NOTES TO THE ZONING DEPARTMENT

- 1. EXISTING WALLS IN GRAY

SITE PLAN NOTES:

- 1. NEW PARKING SPACES LEFT TO INCLUDE
- | FRONT SPACE # | FRONT SPACE # | FRONT SPACE # |
|-----------------|-----------------|-----------------|
| 6 | 6 | 6 |
| 17'-4" x 11'-0" | 17'-4" x 11'-0" | 17'-4" x 11'-0" |
| ON STREET | ON STREET | ON STREET |
| 18.00 x 127.00 | 18.00 x 127.00 | 18.00 x 127.00 |
| TOTAL: | 6 | 6 |
2. ALL SPACES TO BE CONFORMANT WITH ALL CITY CODES AND ORDINANCES.



2615 / 2617 / 2619 W. Cary Street



RENTABLE SQUARE FOOTAGES			
	First Floor Unit	Second Floor Unit	
2619 W. Cary Street	753 SF	742 SF	
2617 W. Cary Street	754 SF	744 SF	
2615 W. Cary Street	701 SF	739 SF	



2619
W. CARY ST.



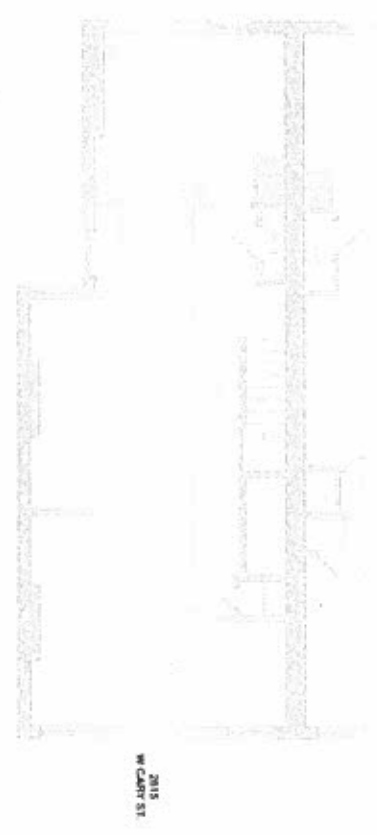
2619
W. CARY ST.



2617
W. CARY ST.



2617
W. CARY ST.



2615
W. CARY ST.



2615
W. CARY ST.

Second Floor - Existing Plan 2

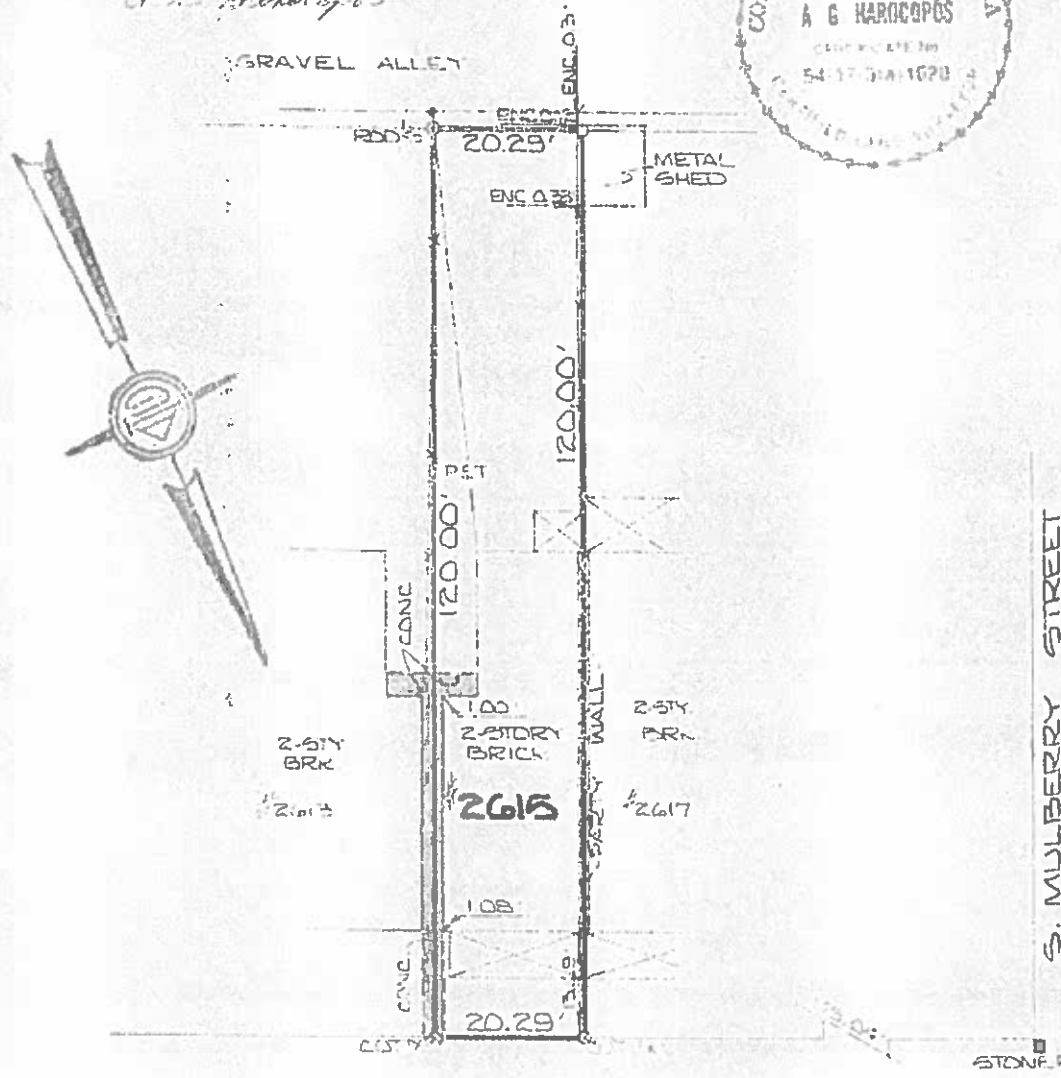
First Floor - Existing Plan 1

2615 / 2617 / 2619 W. Cary Street

This is to certify that on 7-02-87
 I made an accurate field survey of the premises shown
 hereon, that all improvements known or visible are
 shown hereon, that there are no encroachments by
 improvements either from adjoining premises, or from
 subject premises upon adjoining premises, other than
 as shown hereon

A. G. Harcochos

NOTE THIS LOT APPEARS
 TO BE IN HUD FLOOD ZONE
 "Q" AS SHOWN ON HUD
 COMMUNITY PANEL NUMBERS
50129-2010-B



W. CARY STREET

SURVEY OF
 THE LOT & IMPROVEMENTS THEREON
 LOCATED AT
#2615 W. CARY STREET
 RICHMOND, VIRGINIA.

PLAT PREPARED FOR:
 BRAGDON R. BRADSHAW

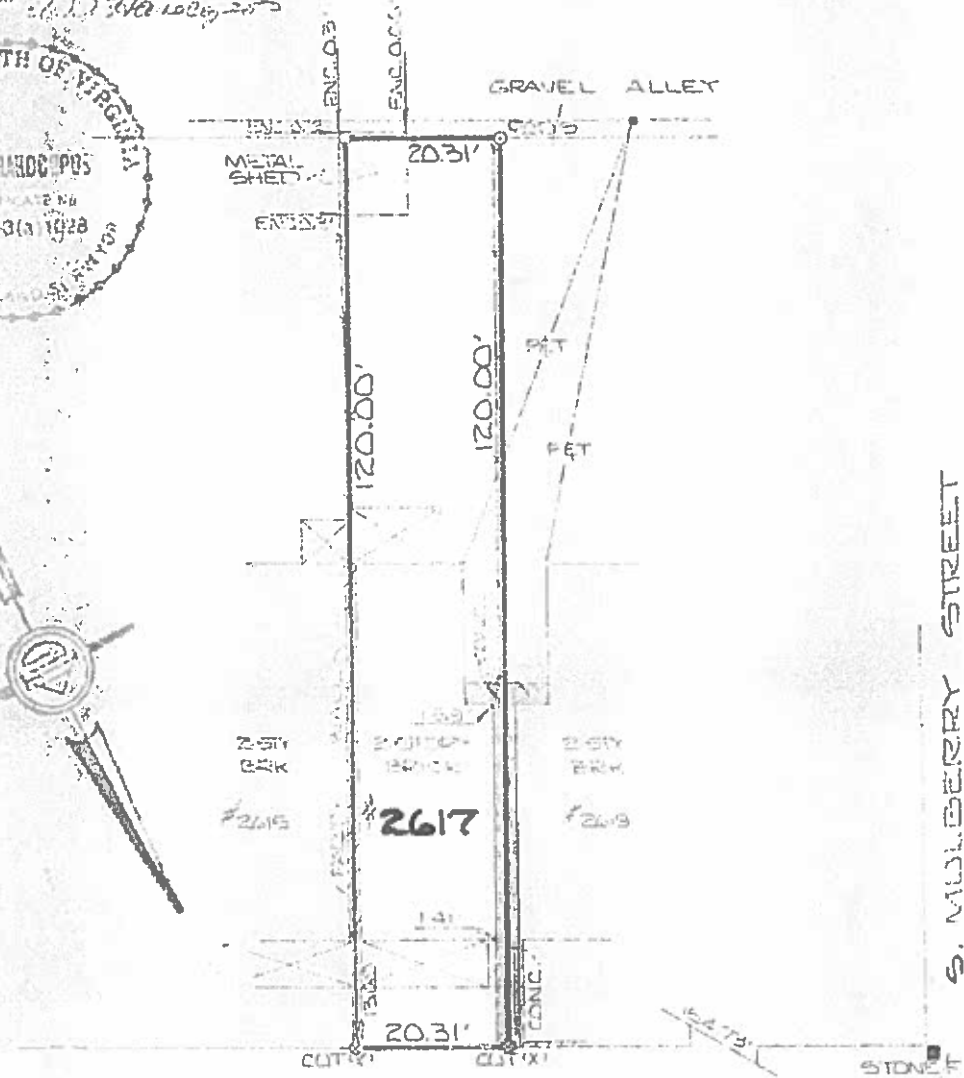
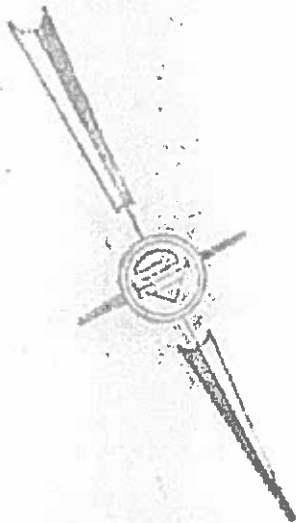
A. G. HARCOCHOS & ASSOCIATES, P.C.	
CERTIFIED LAND SURVEYOR AND CONSULTANT	
5700-B HOPKINS RD	RICHMOND VA 23234
Office 271 4734	
Scale: <u>1"=20'</u>	Date: <u>7-02-87</u> Drawn by: <u>[Signature]</u>

BRUSHING 40,5000 6282' 01

JN13556

This is to certify that on 7-22-87
 I made an accurate field survey of the premises shown
 hereon; that all improvements known or visible are
 shown hereon; that there are no encroachments by
 improvements either from adjoining premises, or from
 subject premises upon adjoining premises, other than
 as shown hereon.

NOTE THIS LOT APPEARS
 TO BE IN HUD FLOOD ZONE
 "X" AS SHOWN ON HUD
 COMMUNITY PANEL NUMBERS
51022-2010-13



W. CARY STREET

S. MULBERRY STREET

SURVEY OF
 THE LOT & IMPROVEMENTS THEREON
 LOCATED AT
 #2617 W. CARY STREET
 RICHMOND, VIRGINIA.

PLAT PREPARED FOR:
 BRADSON R. BOLLING

A. G. HAROCOPOS & ASSOCIATES, P.C.	
CERTIFIED LAND SURVEYOR AND CONSULTANT	
5700 B HOPKINS RD	RICHMOND VA 23234
Office 271 6734	
Scale 1"=20'	Date 7-22-87
Drawn by [Signature]	

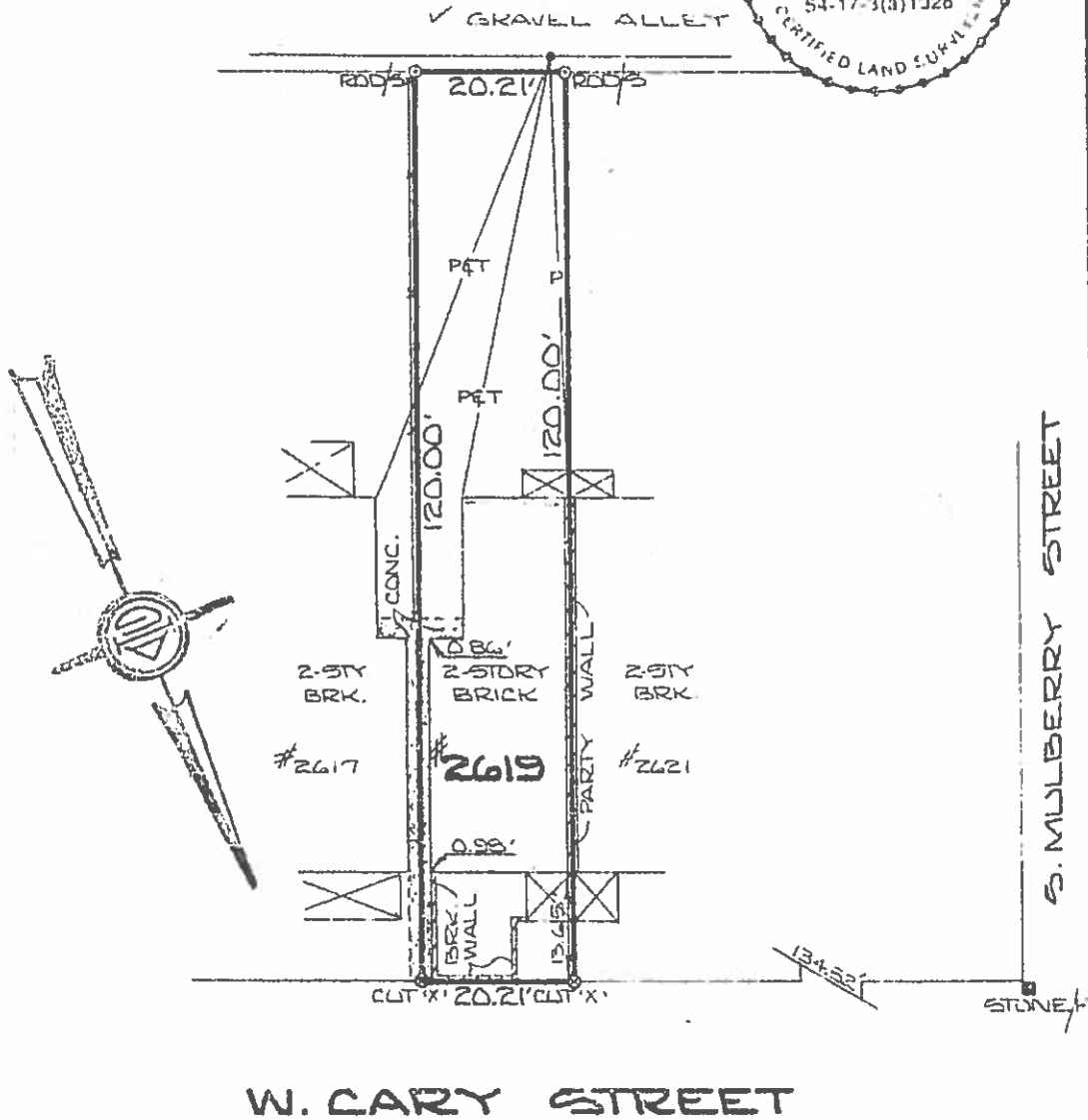
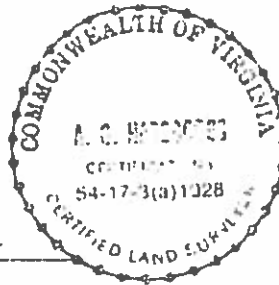
RICHMOND 40-5-100 62627-03

N 13564

This is to certify that on 7-02-87
 I made an accurate field survey of the premises shown
 hereon; that all improvements known or visible are
 shown hereon; that there are no encroachments by
 improvements either from adjoining premises, or from
 subject premises upon adjoining premises, other than
 as shown hereon.

A. G. Harcopeco

NOTE: THIS LOT APPEARS
 TO BE IN HUD FLOOD ZONE
 "C" AS SHOWN ON HUD
 COMMUNITY PANEL NUMBERS
 510129-0010-B



SURVEY OF
 THE LOT & IMPROVEMENTS THEREON
 LOCATED AT
 #2619 W. CARY STREET
 RICHMOND, VIRGINIA.

PLAT PREPARED FOR:
 BRADON R. BOULING

A. G. HARCOPECO & ASSOCIATES, P.C.
 CERTIFIED LAND SURVEYOR AND CONSULTANT

5700-B HOPKINS RD RICHMOND VA 23234

Office 271 4734

Scale 1"=20' Date 7-02-87 Drawn by L.G.S.

40-500-626.27 03

157



SUP-056357-2019

Application is hereby submitted for: (check one)

- special use permit, new
- special use permit, plan amendment
- special use permit, text only amendment

Project Name/Location

Property Address: 2615, 2617 and 2619 West Cary Street Date: 05/30/2019
 Tax Map #: W000/1158-007, 008, 009 Fee: _____
 Total area of affected site in acres: 0.17 acres

(See page 6 for fee schedule, please make check payable to the "City of Richmond")

Zoning

Current Zoning: B-6 Mixed-Use Business District

Existing Use: Three two-family attached dwellings

Proposed Use

(Please include a detailed description of the proposed use in the required applicant's report)

Three two-family attached dwellings operated as a tourist home (short term occupancy)

Existing Use: Three two-family attached dwellings operated as a tourist home (short term occupancy)

Is this property subject to any previous land use cases?

Yes No If Yes, please list the Ordinance Number: _____

Applicant/Contact Person: Mark Baker

Company: Baker Development Resources

Mailing Address: 11 South 12th Street, Suite 500

City: Richmond State: VA Zip Code: 23219

Telephone: (804) 874-6275 Fax: ()

Email: markbaker@bakerdevelopmentresources.com

Property Owner: Bowling Bragdon R & Catherine M

If Business Entity, name and title of authorized signee: _____

(The person or persons executing or attesting the execution of this Application on behalf of the Company certifies that he or she has or have been duly authorized and empowered to so execute or attest)

Mailing Address: 2720 Rettig Road

City: Richmond State: VA Zip Code: 23225

Telephone: (804) 912-7183 Fax: ()

Email: david.bradshaw185@gmail.com

Property Owner Signature: [Handwritten Signatures]

The names, addresses, telephone numbers and signatures of all owners of the property are required. Please attach additional sheets as needed. If a legal representative signs for a property owner, please attach an executed power of attorney. **Faxed or photocopied signatures will not be accepted.**

NOTE: Please attach the required plans, checklist, and a check for the application fee (see Filing Procedures for special use permits)

APPLICANT'S REPORT

*June 4, 2019,
Revised July 31, 2019*

*Special Use Permit Request
2615-2619 West Cary Street, Richmond, Virginia
Map Reference Number: W000-1158/007, 008, and 009*

Submitted to:	City of Richmond Department of Planning and Development Review Land Use Administration 900 East Broad Street, Suite 511 Richmond, Virginia 23219
Submitted by:	Baker Development Resources 11 South 12 th Street, Suite 500 Richmond, Virginia 23219

Introduction

The property owner is requesting a special use permit ("SUP") for 2615 through 2619 West Cary Street ("the Property"). The SUP would authorize the use of three existing two-family attached dwellings as tourist homes that do not conform to the underlying B-6 Mixed-Use Business District zoning requirements applicable to the Property.

Existing Conditions

SITE DESCRIPTION AND EXISTING LAND USE

The Property is located on South side of West Cary Street between South Robinson and South Mulberry Streets. The Property is referenced by the City Assessor as tax parcels W000-1158/007, 008, and 009. The Property consists of three individual lots of record, each of which are approximately 20' wide by 120' in depth. The Property contains approximately 7,296 square feet of lot area, and has access for parking at the rear via an improved east-west alley. Each of the three lots are improved with a two-family attached dwelling. The existing buildings were built circa 1920 and, collectively, contain 6 dwelling units and a total of 5,174 square feet of finished floor area. The six dwelling units are currently occupied together as professionally managed tourist homes.

The surrounding properties in the subject block are occupied by a mix of two-family dwellings, commercial offices, retail uses and restaurants. This block is situated between the Carytown Service Center, less than two blocks to the west, and the Cary Street Station mixed-use development to the east. The Cary Street corridor in this area contains a mix of commercial use of varying intensities along with two-family and multi-family residential uses. A mix of residential uses including single-family, two-family and multi-family dwellings can be found to the south along Parkwood Avenue and beyond. Similarly, multi-family, two-family, and single-family dwellings are located to the west along South Boulevard and in the vicinity of the intersection of South Mulberry and West Main Street.

EXISTING ZONING

The Property is zoned B-6 Mixed-Use Business. The surrounding properties to the north, south, east and west are also zoned B-6. Properties further to the west, along the Boulevard are zoned R-48 Multi-family residential while Properties to the south along Parkwood Avenue are zoned R-7 Single and Two-Family Urban Residential. A mix of Urban Business and R-7 districts are located to the north along West Main Street.

MASTER PLAN/POLICY GUIDANCE

Supporting policy for future land use in this block is included in the Richmond Master Plan 2000-2020 (the "Master Plan"), adopted by City Council on January 8, 2001. The Master Plan Near West Planning District Land Use Plan designates the subject property "Community Commercial". This classification includes office, retail, personal service, and other commercial and service uses. The Master Plan Near West Land

Use Policies and Strategies recognized this block as being appropriate for the expansion of the Carytown Service Center, which it indicates should be expanded east to Robinson Street. The property was rezoned to the current B-6 zoning designation in 2007 in order to better reflect this designation and encourage mixed-use development in accordance with existing development patterns in the vicinity. This request is consistent with the mix of uses called for by the Master Plan. It is respectful to the existing, historic development pattern in the vicinity while encouraging a walkable urban environment and greater patronage of the Carytown Service Center and other nearby uses.

Proposal

PROJECT SUMMARY

The applicant wishes to authorize the use of three existing two-family attached dwellings for use as tourist homes. This use is consistent with the historic use of the properties which has always been residential. The tourist homes would allow the two-family dwellings to serve as a hospitality use with dwelling units available for occupancy by guests for periods of less than one month. This would provide unique guest accommodations as options for members of the traveling public, including those with families, who are desirous of the ability to reside at a property that is residential in scale and character during their stay in the City.

PURPOSE OF REQUEST

The current B-6 zoning permits the occupancy of the two-family dwellings by right. In addition to a wide range of commercial uses, the B-6 district also permits dwellings provided that the lease terms run at least thirty days. However, the owner wishes to rent the dwellings as guest accommodations for the traveling public on a less-than monthly basis. This use would be permitted as a "tourist home" in certain commercial zoning classifications including the UB Urban Business district, where located nearby. However, while the B-6 district is arguably a more intense commercial district than UB, that use is not enumerated in the B-6 district as a principal use. Because the dwelling units would be occupied for periods of less than one month a special use permit is required.

In exchange for the SUP, the intent of this request is to accommodate a use that is beneficial to the surrounding area while also preserving and rehabilitating structures that are part of the existing fabric and which were originally intended for residential use. More specifically, this request would provide six high-quality, unique guest accommodations for use by the traveling public, where they may provide a positive impact due to the proximity to restaurants, retail, destinations/cultural attractions, transit, and pedestrian infrastructure.

PROJECT DETAILS

The three existing two-family attached dwellings would be occupied as six high-quality, spacious, one-bedroom dwelling units which would be available for occupancy as tourist homes. Each dwelling would be luxuriously furnished and would be designed to provide for the needs of the traveling public. The dwellings would be professionally managed. The dwellings would compare favorably with other multi-family dwelling projects in the vicinity that are available for long term rental. The buildings are part of the existing urban fabric and the proposed use is compatible with and complementary to the surrounding neighborhood.

Six off-street parking spaces would be provided on the site accessed from the alley at the rear of the Property. This is consistent with the requirement for the dwelling use under the B-6 regulations. Given that the Property would typically serve the traveling public with guests generally arriving in a maximum of one vehicle the provision of six off street parking spaces will more than adequately address the parking needs of the Property.

Findings of Fact

The following are factors included in Section 17.11 of the Charter and Section 114-1050.1 of the Zoning Ordinance relative to the approval of special use permits by City Council. The proposed special use permit will not:

- *Be detrimental to the safety, health, morals and general welfare of the community involved.*

The proposed special use permit will not impact the safety, health, morals and general welfare of the nearby neighborhood.

- *Tend to create congestion in streets, roads, alleys and other public ways and places in the area involved.*

The proposed special use permit will not result in significant traffic impacts to nearby residential neighborhoods. The negligible traffic generation associated with these uses. The proposed six units would be limited in size, type and scale and would be intended to provide for the convenience of occupants within walking distance of neighborhood destinations and would avoid any traffic or parking concerns by nature of the scale of the use and the parking proposed.

- *Create hazards from fire, panic or other dangers.*

The property will be developed in a manner consistent with the requirements of the building code and in accordance with the requirements of Fire and Emergency Services. The City's codes applicable to this development are designed to eliminate such hazards.

- *Tend to overcrowding of land and cause an undue concentration of population.*

The proposed special use permit will not tend to over crowd the land or create an undue concentration of population. This request only deals with terms of occupancy rather than permitted density. The six units are permitted as a matter of right.

- *Adversely affect or interfere with public or private schools, parks, playgrounds, water supplies, sewage disposal, transportation or other public requirements, conveniences and improvements.*

The proposed special use permit would not adversely affect the above referenced private operations or City services. To the contrary, the proposal would provide positive fiscal (tax) benefits that would enhance the City's ability to provide these services to the area.

- *Interfere with adequate light and air.*

The light and air available to the subject and adjacent properties will not be affected. The buildings are existing and this request does not contemplate and future expansions.

Summary

In summary we are enthusiastically seeking approval for this SUP, which would authorize the reuse of three existing two-family attached dwellings (a total of six dwelling units) as tourist homes for occupancy terms less than thirty days. We believe that this proposal provides an excellent opportunity for these existing residential buildings to be repurposed for a use that is most compatible with the neighborhood in terms of use and character. From a policy perspective, the two-family dwellings occupied as tourist homes would be consistent with the mix of uses envisioned for the vicinity and will add to the overall vibrancy of the area. The proposed use would also be complementary to the many cultural attractions, retail and restaurant destinations in the vicinity, which would benefit from the patronage of travelers who would occupy the individual dwelling units.