

INTRODUCED: January 11, 2021

AN ORDINANCE No. 2021- 009

To amend and reordain Ord. No. 81-82-68, adopted May 11, 1981, as previously amended by Ord. No. 87-49-74, adopted Apr. 27, 1987, which authorized the special use of the property known as 307 North Robinson Street for the purpose of a veterinary clinic, to increase the number of employees allowed from three to five persons, upon certain terms and conditions,.

Patron – Mayor Stoney (By Request)

Approved as to form and legality by
the City Attorney

PUBLIC HEARING: FEB 8 2021 AT 6 P.M.

I. That Ordinance No. 81-82-68, adopted May 11, 1981, as previously amended by Ordinance No. 87-49-74, adopted April 27, 1987, be and is hereby amended and reordained as follows:

THE CITY OF RICHMOND HEREBY ORDAINS:

§ 1. That the [~~real estate containing 2770 square feet,~~] property known as 307 North Robinson Street[~~, located on the east right of way line of North Robinson Street between Hanover Avenue and Stuart Avenue, being more completely described as follows: beginning at a point~~

AYES: 9 NOES: 0 ABSTAIN: _____

ADOPTED: FEB 8 2021 REJECTED: _____ STRICKEN: _____

~~marking the intersection of the east right of way line of North Robinson Street and the south right of way line of a 12.9 foot alley, which said point is distant 137.9 feet from the south right of way line of Stuart Avenue; thence with said south right of way line of the 12.9 foot alley, 134 feet to a point where said alley intersects the west right of way line of a 12 foot north-south alley; thence with the west right of way line of said north-south alley 20 feet 8 inches to a point; thence westerly 134 feet to a point lying in the east right of way line of North Robinson Street; thence with said east right of way line of North Robinson Street 20 feet 8 inches to the point of beginning;~~ and identified as Tax Parcel No. W000-1124/035 is hereby permitted to be used for the purpose of a veterinary office, including employment of ~~[three]~~ five persons (in addition to two doctors of veterinary medicine) not residing on the premises; that the dwelling on the ~~[real-estate]~~ property may be converted for such purposes, on premises parking shall be permitted on said property.

§ 2. That the Commissioner of Buildings is hereby authorized to issue to the owner of said ~~[real-estate]~~ property, or successor or successors in fee simple title, such building permit as may be requisite for such purposes, and to permit the occupancy of the property for such purposes, substantially in accordance with the sketch of property dated March 16, 1987, entitled: “Fan Veterinary Clinic – 307 N. Robinson St.”, attached to ~~[the draft of this amendatory ordinance and to be made a part hereof]~~ Ordinance No. 87-49-74, adopted April 27, 1987, as modified by the plans entitled “SUP application for Fan Veterinary Clinic, 307 N. Robinson Street, Richmond VA 23220,” prepared by Johannas Design Group, and dated July 10, 2020, a copy of which is attached to and made part of this amendatory ordinance. The special use permit shall be transferable to the successor or successors in title of the owner, whether acquired by operation of law, deed or otherwise, and shall run with the land, subject to the following terms and conditions:

(a) That the acceptance of the permit and the exercise of the privileges granted by this ordinance by the owner and successor or successors in title shall constitute a warranty on the part of the owner and successor or successors that title to the land and the building will be vested in the same person or persons or corporation or both;

(b) That the owner will be bound by, observe and will comply with all other laws, ordinances and rules and regulations adopted pursuant thereto, applicable to the land and building, except as otherwise provided in this ordinance;

(c) That not less than five parking spaces shall be provided as shown on the ~~[attached plan]~~ plans attached to and made a part of Ordinance No. 87-49-74, adopted April 27, 1987.

(d) There shall be no exterior alterations or additions to the existing building except for normal repair and maintenance;

(e) Occupancy of the veterinary office shall not exceed ~~[three]~~ five persons employed in the conduct of the business in addition to two doctors of veterinary medicine.

(e.1) That hours of operation shall not extend later than 6:00 p.m., except that not more than two nights per week the hours of operation may extend to no later than 8:00 p.m. ~~[There shall be not more than fifteen hours per week during which both doctors have scheduled appointments at the same time.]~~

(f) That identification of the premises shall be limited to that permitted by the B-1 Neighborhood Business District ~~[(Section 32-434.2 of the Code of the City of Richmond, 1985)]~~;

(g) That boarding of animals for non-medical purposes shall not be permitted;

(h) That facilities for the collection of refuse shall be provided in accordance with the requirements of the Department of Public Works. Such facilities shall be so located or screened as not to be visible from adjacent public alleys or properties;

(i) That all facilities shall be located within the building which shall be fully enclosed, air-conditioned and soundproofed;

(j) That should the owner use the premises for any purpose which is not permitted by this ordinance, or fails, refuses or neglects to comply with the provisions of fore-going paragraphs (a) through (i) and does not terminate such use or comply with such provisions within [~~ninety~~] 90 days after written notice so to do has been given to the owner by the Zoning Administrator, the privileges granted by this ordinance shall terminate and the special use permit shall become null and void;

(k) That when the privileges granted by this ordinance terminate and the special use permit becomes null and void or when use of the [~~premises~~] property is abandoned for a period of [~~twenty-four~~] 24 consecutive months, use of the [~~real-estate~~] property shall be governed thereafter by the zoning regulations prescribed for the district in which the real estate is then situated;

(l) That application for a building permit to convert and adapt the building will be made within [~~twelve~~] 12 months from the effective date of the ordinance granting the special use permit, which building permit will expire by limitation and become null and void if the adaptation of the building to such usage is not commenced within [~~one hundred eighty~~] 180 days from the date of building permit, or if work of converting and adapting the building is suspended or abandoned for a period of [~~one hundred eighty~~] 180 days at any time after the work is commenced, as provided in [~~Section 109.1 of~~] the Uniform

Statewide Building Code. Should application for the building permit not be made within [~~twelve~~] 12 months from the effective date of the ordinance granting the special use permit, or should the building permit expire and become null and void, the privileges granted by this ordinance will terminate and the special use permit will become null and void; and

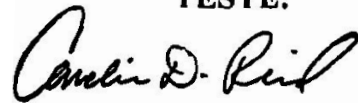
(m) Application for a new certificate of occupancy for the premises shall be made within one year of the date of adoption of this amendatory ordinance.

§ 3. This ordinance shall be in force and effect upon adoption and Ordinance No. [~~81-32-68~~] 87-49-74 shall remain in force and effect, except to the extent modified and supplemented by adoption of this ordinance and compliance with its terms and conditions.

II. This amendatory 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.2020.424

O & R Request

DATE: December 14, 2020

EDITION: 1

TO: The Honorable Members of City Council

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



THROUGH: J.E. Lincoln Saunders, Acting Chief Administrative Officer *JELS*



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

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



RE: To amend and reordain Ordinance No. 87-49-74, adopted April 27, 1987, which in turn amended Ordinance No. 81-82-68, adopted May 11, 1981, entitled "to authorize the use of the real estate containing 2770 square feet, known as 307 North Robinson Street".

ORD. OR RES. No. ____

PURPOSE: To amend and reordain Ordinance No. 87-49-74, adopted April 27, 1987, which in turn amended Ordinance No. 81-82-68, adopted May 11, 1981, entitled "to authorize the use of the real estate containing 2770 square feet, known as 307 North Robinson Street".

REASON: Since the ordinance authorizing the veterinary office was amended 35 years ago, staffing requirements of the practice have changed. The current facility is limited to three staff and two doctors and the requested amendment will allow two more staff to work at the facility.

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 1, 2021, meeting. A letter outlining the Commission's recommendation will be forwarded to City Council following that meeting.

BACKGROUND: The .064 acre subject property is located midblock on North Robinson Street between Stuart and Hanover Avenues in the B-1 Neighborhood Business District. The property contains a single-story structure with a full basement. The veterinary clinic will be the sole occupant of the premises. The property is located in the Fan neighborhood of the Near West Planning District.

Off-street parking shall continue to be provided in the rear of the property and accessed by an alleyway.

The veterinary clinic will only provide care for animals and will not provide a boarding service. All activity will take place indoors. The veterinary practice has been in operation nearly forty years and the modest expansion of the practice is supported by the Fan Area Business Alliance.

The subject property is located in the B-1 Neighborhood Business District. The Master Plan calls for a future land use recommendation for this property as Neighborhood Commercial uses. *Primary uses include office, personal service and retail uses, intended to provide the daily convenience shopping and service needs of adjacent neighborhood residents. Such uses are typically small scale and low intensity, have limited hours of operation, involve a high percentage of walk-in trade and minimal vehicular traffic, and are especially compatible with adjacent low to medium density residential uses. Typical zoning classifications that may accommodate this land use category: B-1 and UB.*

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: \$1,200 application fee

DESIRED EFFECTIVE DATE: Upon adoption

REQUESTED INTRODUCTION DATE: January 11, 2021

CITY COUNCIL PUBLIC HEARING DATE: February 8, 2021

REQUESTED AGENDA: Consent

RECOMMENDED COUNCIL COMMITTEE: None

CONSIDERATION BY OTHER GOVERNMENTAL ENTITIES: City Planning Commission
February 1, 2021

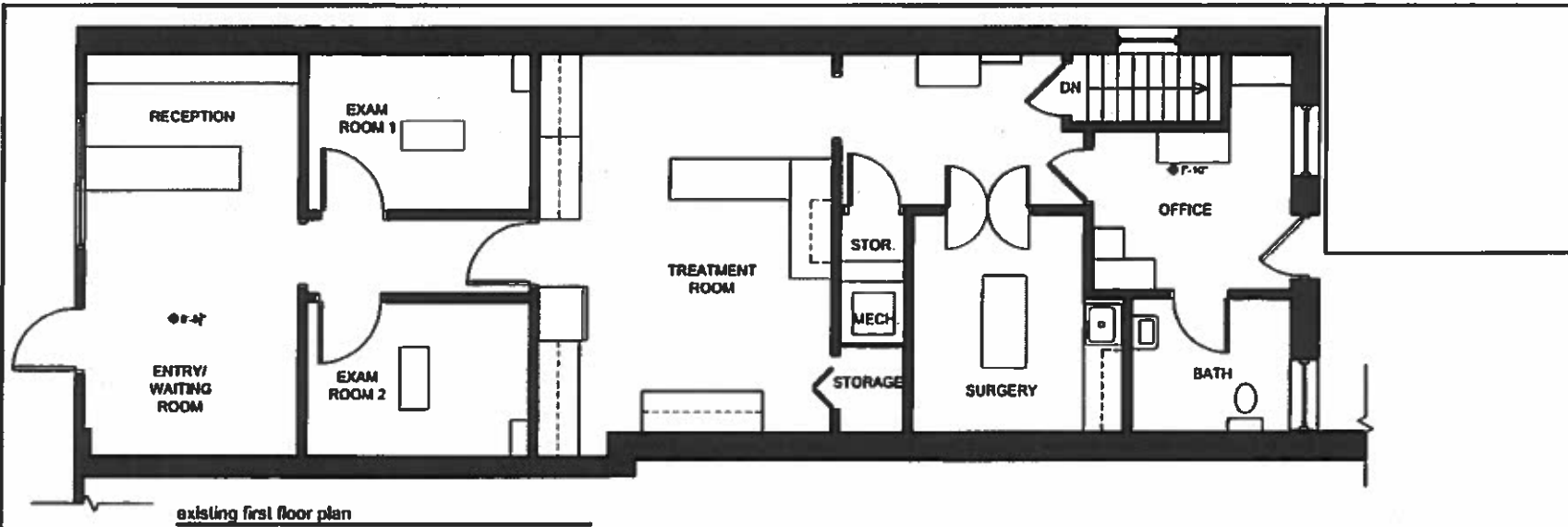
AFFECTED AGENCIES: Office of Chief Administrative Officer
Law Department (for review of draft ordinance)
City Assessor (for preparation of mailing labels for public notice)

RELATIONSHIP TO EXISTING ORD. OR RES.: None

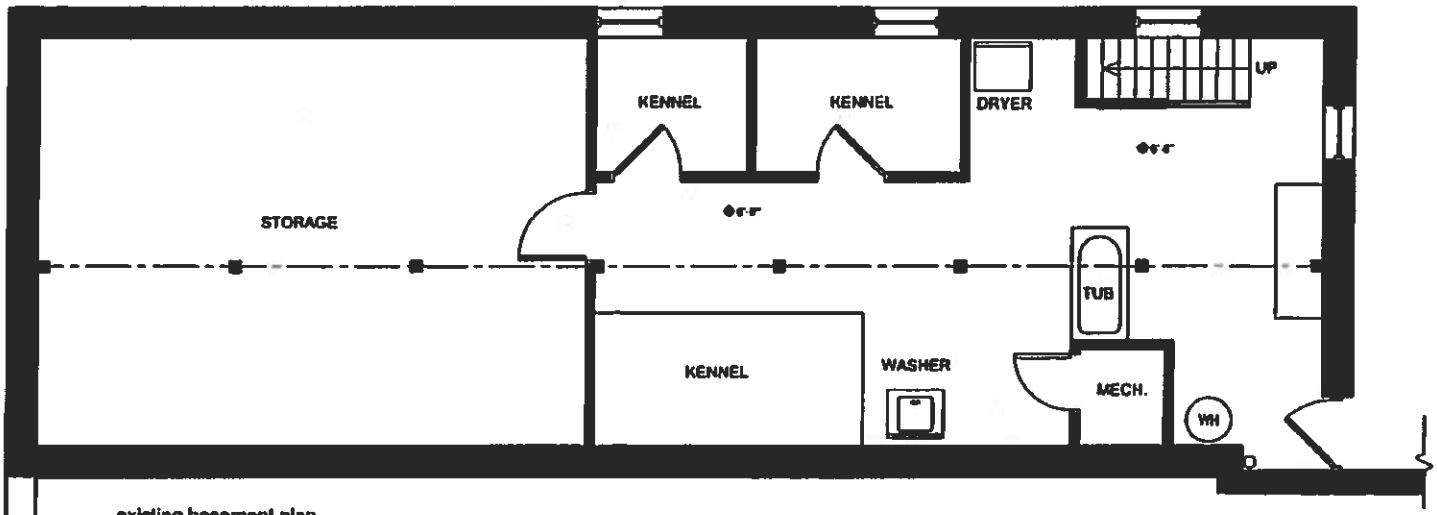
REQUIRED CHANGES TO WORK PROGRAM(S): None

ATTACHMENTS: Application and Narrative, Plans, Map, FABA support, Draft Ordinance

STAFF: David Watson, Senior Planner, Land Use Administration 804-646-1036



existing first floor plan
1/27/18



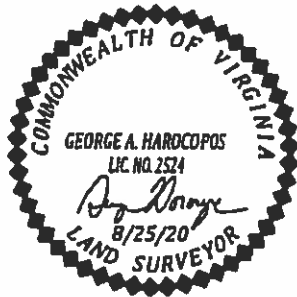
existing basement plan
1/27/18

JOHANNAS DESIGN GROUP 100 WEST GARY STREET RICHMOND, VA 23220 P 804 350 4800
 SUP application for Fan Veterinary Clinic
 307 N. Robinson Street
 Richmond VA 23220
 Existing Floor Plans
 PROJECT NO 2007
 DATE 7.10.2020
 SHEET NO SUP1

This is to certify that on 8/25/20
 I made an accurate field survey of the known 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
 shown hereon.

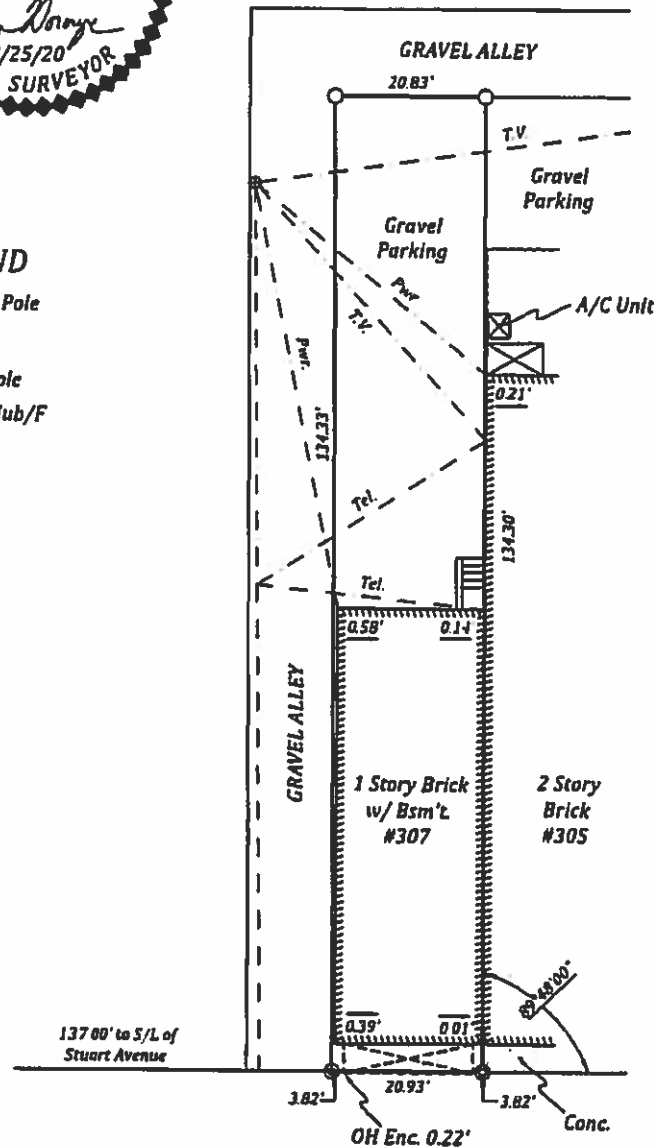
NOTE: THIS LOT APPEARS
 TO BE IN FEMA FLOOD ZONE
 X AS SHOWN ON HUD
 COMMUNITY PANEL NUMBERS
5101290036D

NOTE:
 This survey has been prepared without
 the benefit of a title report and does
 not therefore necessarily indicate all
 encumbrances on the property.



LEGEND

- ⊙ Power Pole
- Rod/F
- ⊙ Drill Hole
- ⊙ Lead Hub/F



NORTH ROBINSON STREET

SURVEY OF
 LOT & IMPROVEMENTS LOCATED THEREON
#307 NORTH ROBINSON STREET
 RICHMOND CITY, VIRGINIA

JN 49783

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

4920 E MILLBRIDGE PKWY SUITE 200 MIDLOTHIAN VA 23112
 Office 804 744 2630 FAX 804 744 2632
 E-MAIL AGHARCOPOS72@GMAIL.COM

NOTE: PLAT PREPARED FOR THE EXCLUSIVE
 USE OF THE CONVEYANCE TO:
 JEFFREY TAYLOR

Scale 1"=20' Date 8/25/20 Drawn by AGH



Application for SPECIAL USE PERMIT

Department of Planning and Development Review
Land Use Administration Division
900 E Broad Street, Room 511
Richmond, Virginia 23219
(804) 646-6304
http://www.richmondgov.com/

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: 307 North Robinson Street Date: 7/24/2020
Tax Map #: W0001124035 Fee: \$1200
Total area of affected site in acres: 0.064

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

Zoning

Current Zoning: B-1 Neighborhood Business

Existing Use: Veterinary Clinic

Proposed Use

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

Veterinary clinic with two veterinarians and five additional staff

Existing Use: Veterinary clinic with one veterinarian and two additional staff

Is this property subject to any previous land use cases?

Yes No
If Yes, please list the Ordinance Number: Ordinances 87-49-74 and 81-82-68, Zoning Appeal 110-65

Applicant/Contact Person: Jeffrey W. Taylor, DVM
Company: Fan Veterinary Clinic
Mailing Address: 307 North Robinson Street
City: Richmond State: Virginia Zip Code: 23220
Telephone: (804) 358-3779 Fax:
Email: vetrock@comcast.net

Property Owner: Diradour, LLC
If Business Entity, name and title of authorized signer:

(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: 2206 Monument Avenue
City: Richmond State: Virginia Zip Code: 23220
Telephone: (804) 239-8180 Fax:
Email: charlie@lionspawdevelopment.com

Property Owner Signature:

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)



JOHANNAS design group
1901 West Cary Street
Richmond Virginia 23220

P. 804.358.4993
F. 804.358.8211
W. johannasdesign.com

7.17.2020

Applicant's Report
Fan Veterinary Clinic
307 North Robinson Street
Richmond, VA 23220

Existing Property

The property at 307 North Robinson Street is in the Fan Area historic district. The 2790 square foot lot contains a 1260 square foot (sf) commercial building, with a basement of similar size. The building is located on the southeastern corner of the intersection of Robinson and the adjacent alley, on the western end of the property. The property, facing the sidewalk of North Robinson Street, is adjacent to a 12'9" alley to the north, a 12"0" alley to the east, and another building, 305 N. Robinson, to the south. The building at the property is approximately 20'3" wide and 60' in length, shorter than the building #305.

The building was constructed in 1920 and has been subject to prior zoning variances and ordinances. The variance in 1965 allowed a painting contractor's establishment and office to occupy the property. An ordinance for veterinary clinic use, allowing two employees and a veterinarian and including off-street parking, was adopted on May 11 1981, and another ordinance adopted on April 27, 1987, increased the staff to five, two of which were veterinarians.

The current tenant of the property, Jeffrey W. Taylor, DVM, had been the tenant at the time of the application for the 1987 ordinance. Shortly thereafter in 1987, Dr. Taylor applied for a certificate of occupancy, having completed the work as required per the ordinance, under tracking number #87-05-15-08, and inadvertently never completed the process to receive the CO.

Proposed Veterinary Clinic

The tenant of the property has had his veterinary clinic at the property since 1981. As advances, staffing requirements, and trends have changed over time, the current facility could easily accommodate two veterinarians and five additional staff. No construction changes are necessary or contemplated at this time.

In the almost forty years since the practice was established, it has created lasting relationships with many clients in the immediate neighborhood and surrounding region. This change of use will allow the Fan Vet to further support and enhance the community it serves.

Special Use Permit

This SUP requests reinstatement of the authorization for an additional doctor of veterinary medicine from the SUP adopted in 1987. The building is essentially as shown on the floor plan, unchanged from the requirements of the ordinance in 1987, and five parking spaces are provided as presented for the ordinance in 1987. The existing B-1 zoning allows similar medical and dental practices, and the property has five on-site parking spaces plus an on-street parking space on Robinson immediately in front of the building. The current zoning ordinance requires one parking space per

300sf for the first 1500sf and one per 400sf for excess. At 1260sf on the first floor and basement, the building would require 7.55 parking spaces. This SUP requests that 1.55 parking spaces be forgiven.

Neighborhood

The Property is located in the Fan Area Historic District neighborhood. It is expected to have seven employees, two of whom will be doctors of veterinary medicine. The hours of operation will not extend further than 6PM , with not more than two nights per week extending to 8PM. The intensity of the proposed use will be similar to the prior adopted in 1987.

Master Plan

The 2000-2020 Richmond Master Plan’s existing land use plan from 2000 marks Robinson as a “Collector Street” and this property as “Commercial” and the land use plan from 2017 labels it as “Neighborhood Commercial”. The Master Plan explains that this section for Robinson Street should connect with “Carytown to create a continuous urban shopping experience...” This proposal does not change the use of the property, and the change will allow it to continue and contribute to the goal.

City Charter Conditions for SUP

- A. The proposed special use will not be detrimental to the safety, health, morals, and general welfare of the community involved. The proposed special use will benefit the community.
- B. The proposed special use will not tend to create congestion in streets, roads, alleys and other public ways and places in the area involved. The proposed special use is not more intense than the existing use.
- C. The proposed special use will not create hazards from fire, panic or other dangers. The existing building had been constructed in accordance with applicable building codes.
- D. The proposed special use will not tend to cause overcrowding of land and an undue concentration of population. The change will not affect the neighborhood in any measurable way.
- E. The proposed special use 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.
- F. The proposed special use will not interfere with adequate light or air.