



CITY OF RICHMOND

Department of Planning & Development Review *Staff Report*

Ord. No. 2015-248: To authorize the special use of the property known as 701 West Clay Street for the purpose of permitting up to three dwelling units and a restaurant, upon certain terms and conditions.

To: City Planning Commission
From: Land Use Administration
Date: December 7, 2014

PETITIONER

Charleen Baylor, Nutty Buttery

LOCATION

701 West Clay Street

PURPOSE

To authorize the special use of the property known as 701 West Clay Street for the purpose of permitting up to three dwelling units and a restaurant, upon certain terms and conditions

SUMMARY & RECOMMENDATION

The subject property is a 2,963 square foot corner lot, which is situated on the southeast side of the intersection of West Clay and Munford streets. Situated on the lot are two, two story brick buildings measuring 2,479 square foot and 3,764 square feet.

The structure that fronts at the corner of West Clay and Munford Streets is vacant on the first floor with one apartment unit on the second floor. The structure that fronts on Munford Street has one dwelling unit on the first floor and one dwelling unit on the second floor. The applicant proposes converting the structure on the corner of Munford and West Clay Streets into a restaurant with outdoor dining on the first floor and a dwelling unit or office space on the second floor. The structure that fronts Munford Street will remain unchanged, making two dwelling units. No off-street parking exists to serve the existing use or proposed uses of the property.

The City of Richmond's Master Plan designates the subject property at the intersection of West Clay and Munford Streets for Single Family (medium density) land use. Primary uses in this category are single-family and two-family dwellings, both detached and attached, at densities of 8 to 20 units per acre. Includes residential support uses such as schools, places of worship, neighborhood parks and recreation facilities, and limited public and semi-public uses. (p. 133).

In addition, within the Near West District there are numerous, isolated single-site commercial uses or the traditional "corner store". Neighborhood commercial uses historically provided needed goods and services to adjacent residents, and when located in multi-story buildings were usually coupled with residential uses above. (p. 236) Surrounding properties are all in the R-7 Residential Zoning District including single- and two- family homes. Additionally the property

is located on the corner of the visible and busy intersection of Belvidere and West Clay Streets. Staff finds this use would provide a buffer between the adjacent residential properties and this intersection.

Staff finds the subject property to be suitable to serve as up to three dwelling units and a restaurant. Moreover, Staff further finds that with the proposed use of the property, 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 request.

FINDINGS OF FACT

Site Description

The subject property is located near the intersection of West Clay and Munford Streets and consists of a parcel with approximately 2963 square feet of land area. The property is currently improved with two, two story brick buildings; both constructed in 1930. The property is adjacent to the busy intersection of Belvidere and West Clay Streets.

Proposed Use of the Property

The applicant is requesting the legitimization of a multi-family/ office/ restaurant use at 701 West Clay Street for the purpose of permitting a ground floor restaurant and three dwelling units above and to the rear of the property. The applicant has requested a special use permit to authorize the special use of the property known as 701 West Clay Street, upon certain terms and conditions. If approved, the ordinance would authorize the placement of a restaurant/ office/ three dwelling units to be located in the R-7 Single and Two Family Residential zoning district, which does not permit these uses.

Master Plan

The City of Richmond's Master Plan designates the subject property at the intersection of West Clay and Munford Streets for Single Family (medium density) land use. Primary uses in this category are single-family and two-family dwellings, both detached and attached, at densities of 8 to 20 units per acre. Includes residential support uses such as schools, places of worship, neighborhood parks and recreation facilities, and limited public and semi-public uses. (p. 133).

Zoning & Ordinance Conditions

The subject property is located in the R-7 Single and Two Family zoning district, which does not permit the location of multi-family, office and restaurant uses in the district. Therefore, the applicant is requesting a special use permit. The proposed restaurant and dwelling units will be set in the two existing 2 story brick buildings onsite. The ordinance

will waive the off street parking spaces and limit the hours of operation to Monday through Friday; 9am to 9pm. And Saturday from 10am to 10pm and Sunday from 11am to 7pm.

Surrounding Area

Surrounding properties are all in the R-7 Residential Zoning District including single- and two- family homes. Belvidere Street is located adjacent to property directly to the east.

Neighborhood Participation

Staff notified the Carver Area Civic League and Councilman Charles Samuels regarding the request. Staff has received one letter of support from Councilman Charles Samuels and no letters of opposition at this time; however, Staff has received two phone calls from neighbors with concerns.

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