



## CITY OF RICHMOND

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

**Ord. No. 2016-237:** To authorize the special use of the property known as 1901 Stuart Avenue for the purpose of reconstructing an existing garage and to legitimize a multi-family nonconforming use, upon certain terms and conditions.

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**To:** City Planning Commission  
**From:** Land Use Administration  
**Date:** October 3, 2016

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#### **PETITIONER**

Ms. Michelle Bebbs  
Architecturally Yours

#### **LOCATION**

1901 Stuart Avenue

#### **PURPOSE:**

To authorize the special use of the property known as 1901 Stuart Avenue for the purpose of reconstructing an existing garage and to legitimize a multi-family nonconforming use, upon certain terms and conditions.

#### **SUMMARY & RECOMMENDATION**

The applicant proposes to reconstruct and replicate an existing aging garage to continue to serve as accessory parking for the existing apartment building and to legitimize the three unit apartment building. The special use permit would allow for the reconstruction of a garage to serve a nonconforming use.

The subject property is located on a parcel 0.086 acre in size and is improved with a multi-family building consisting of three dwelling units and a two bay garage. The multi-family dwelling is approximately 5,994 square feet in size and the garage is 600 square feet.

The existing garage and three unit apartment building are located on a parcel within an R-6 Single-Family Attached zoning district. The garage serves an existing three unit multi-family structure. The reconstruction of an accessory use for a nonconforming use is not permitted within the R-6 zoning district. However, the applicant wishes to reconstruct the existing garage and to legitimize the existing three unit apartment building.

The Richmond Master Plan designates this property as Single-Family (medium density) in the Near West Planning District. "Primary uses are multi-family dwellings at densities up 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)."

Staff finds that the proposal meets the City Charter criteria for the granting of special use permits. Specifically, the proposal would not be detrimental to the safety, health, morals and general welfare of the community established by the City's Master Plan and R-6 zoning district.

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Therefore, staff recommends approval of the special use permit request.

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## **FINDINGS OF FACT**

### **Site Description**

The subject property is located on a parcel 0.086 acre in size and is improved with a multi-family building consisting of three dwelling use and a two bay garage. The multi-family dwelling is approximately 5,994 square feet in size and the garage is 600 square feet.

### **Proposed Use of the Property**

The applicant proposes to reconstruct and replicate an existing aging garage to continue to serve as an accessory parking for the existing apartment building and to legitimize the three unit apartment building. The special use permit would allow for the reconstruction of a garage to serve a nonconforming use.

### **Master Plan**

The Richmond Master Plan designates this property as Single-Family (medium density) in the Near West Planning District. "Primary uses are multi-family dwellings at densities up 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 existing garage and three unit apartment building are located on a parcel within an R-6 Single Family Attached zoning district. The garage serves an existing three unit multi-family structure. The reconstruction of an accessory use for a nonconforming use is not permitted within the R-6 zoning district. However, the applicant wishing to reconstruct the existing garage and to legitimize the existing three unit apartment building.

Two off-street parking shall be provided for the use of the property, and the use of the accessory building shall be permitted as substantially shown on the plans attached to this ordinance.

### **Surrounding Area**

The properties to the north, south, east and west are all zoned R-6, with a city park to the north of the property and a mix of single and two-family dwellings to the south, east, and to the west.

### **Neighborhood Participation**

Staff has contacted 2<sup>nd</sup> District Council Representative, Charles Samuels, the Fan District Association and the Monument Avenue Preservation Society. Staff has received one letter of non-opposition from the Fan District Association.

**Staff Contact:** Leigh V. Kelley, Senior Planner, (804) 646-6384