



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

Project Name: Restore-PT Practice Date: 11-15-2013

Property Address: 404 N 23rd Street, Richmond, VA 23223fff Tax Map #: E000-0257/009

Fee: \$1800.00 Total area of affected site in acres: <1
(See page 3 for fee schedule, please make check payable to the "City of Richmond")

Zoning

Current Zoning: R-8

Existing Use: vacant lot

Is this property subject to any previous land use cases?

- Yes
- No

If Yes, please list the Ordinance Number:

Proposed Use

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

Ground floor commerical space for a

Physical Therapy Practice

2nd floor for a single family apartment

Applicant/Contact Person: Derek or Rebecca Metzler

Company: Restore-PT, Inc.

Mailing Address: 411 N 23rd St

City: Richmond State: _____ Zip Code: 23223

Telephone: () 804-644-1221 Fax: ()

Email: db_metzler@verizon.net

Property Owner: 404 N 23rd St, LLC * see attachment

If Business Entity, name and title of authorized signee: Derek and Rebecca Metzler

Mailing Address: 411 N 23rd St

City: Richmond State: _____ Zip Code: 23223

Telephone: () 644-1221 Fax: ()

Email: _____

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)

SUP Applicant's Report

404 N 23rd St, Richmond VA 23223

Proposed use for property located at 404 N 23rd St. Richmond, VA 23223

This is a mixed-use building with commercial use (B-Business) on the ground floor and a single-family residence (R-3) apartment on the second floor.

The commercial property will house Restore-PT, Inc. that is currently operating at 401 N 23rd Street. This is a specialty Physical Therapy Practice (non-ambulatory) that will be ADA compliant.

Employees:

- one full-time Physical Therapist
- one part-time Registered Nurse
- one part-time massage Therapist

Hours of operation:

- Mon-Friday 9a-630p

Traffic/Parking requirements:

- Patients are scheduled hour-long sessions on the half hour: Alternating the PT and Massage Therapist
- The Physical Therapist and RN live on the street and walk to work
- *See attached traffic/parking study

Background

The lot located at 404 N 23rd St is currently vacant with no buildings or accessory structures. It is only 35 feet wide by 33 feet deep. Approximately 10 years ago, a two-story wood structure was located at this address. The building included a ground floor commercial space and 2nd floor residential apartment and covered roughly 60-70% of the lot. The photo below was taken in the mid 1990's before the City demolished the structure.

Based on the current zoning ordinance for R-8 district, the required setbacks, lot coverage, and off-street parking requirements would make this lot unbuildable due to the reduced usable lot area. In addition to the restricted lot area, the ordinance also limits the commercial use of the property. Therefore, it is necessary to apply for a Special Use Permit.



Proposed Use + Architectural Character

Building Use

In order to preserve and re-establish the character and original use of the lot, the Special Use Permit proposes a 835 sf ground floor commercial space for a physical therapy practice with two employees and 650 sf 2nd floor single-family apartment. The physical therapy practice is currently located across the street at 401 N 23rd St. Similar to the original building, there will be two separate entrances for both the commercial and residential space.

Size

The new building's proposed lot coverage is approximately 80%. The proposed building is two stories with a height not to exceed the adjacent property to the South.

Architectural Character

The intention of the new structure is not to duplicate the original historic building. However, the architectural character will be similar in scale, material, and form to the original historic building. As this property is located in Church Hill North historic district, it is subject to CAR review.

R-8 Urban Residential District Zoning Ordinance Requirements

Setbacks

Front yard: depth of not less than 10 feet and not greater than 18 feet.

Side yard: five feet

Rear yard: five feet

Lot Coverage: 65% of the lot

Height: Maximum of 3 stories or 36 feet and a minimum of two stories.

Off-street parking

Office: 1 per 300sf for the first 1500sf. (3 spaces)

Dwelling-single family detached: (1 space)

Use

The current R-8 district restricts new ground floor commercial spaces that will be used as a professional office. However, if the commercial space is located in an existing ground floor then this non-dwelling use is allowed through a conditional use permit. Dwelling units that are a minimum of 600 sf are also allowed to be located above the ground floor of an existing building provided there are no more than 4 dwellings in the building. This too requires a conditional use permit.

Neighborhood Support

Surrounding neighbors of N 23rd St, Church Hill, and the immediate neighbors of the property, 404, were approached about the proposed SUP. Over 100 signatures were collected in support of the proposed use of the property. The property owner of 406 N 23rd street signed the form, however due to physical ailments, the adjacent property owner of Marshall Street did not sign even though documents were sent to her address. The property owner that backs up to 404, also did not sign, but also claimed would not fight the SUP. The only reason this property owner did not support the SUP is because he believes the property should belong to Ms. Ellis, even though the property was never structured this way. These signatures are provided with this package.

In addition to neighbor support, the SUP proposed drawings were also presented to the Church Hill Association (CHA) zoning committee, which represents St. John's Church, Church Hill North, and Chimborazo historic districts. They appeared supportive and will recommend it to the CHA board. Unfortunately, this board does not meet until the beginning of January and won't be able to vote until this time.