



CITY OF RICHMOND

Department of Planning & Development Review *Staff Report*

Ord. No. 2019-133: To amend Ord. No. 2011-20-32, adopted Mar. 14, 2011, as amended by Ord. No. 2013-75-57, adopted Apr. 22, 2013, and Ord. No. 2015-20-122, adopted June 8, 2015, which authorized the special use of the property known as 310 North 33rd Street for the purpose of the conversion of an existing building to a multifamily dwelling with up to 50 units and principal commercial uses permitted on corner lots in the R-63 Multifamily Urban Residential District on the property, to authorize an additional dwelling unit on the first floor, upon certain terms and conditions.

To: City Planning Commission
From: Land Use Administration
Date: June 3, 2019

PETITIONER

Many Lives, LLC (Susan Ould)

LOCATION

310 North 33rd Street

PURPOSE

To amend Ord. No. 2011-20-32, adopted Mar. 14, 2011, as amended by Ord. No. 2013-75-57, adopted Apr. 22, 2013, and Ord. No. 2015-20-122, adopted June 8, 2015, which authorized the special use of the property known as 310 North 33rd Street for the purpose of the conversion of an existing building to a multifamily dwelling with up to 50 units and principal commercial uses permitted on corner lots in the R-63 Multifamily Urban Residential District on the property, to authorize an additional dwelling unit on the first floor, upon certain terms and conditions.

SUMMARY & RECOMMENDATION

A special use permit is in place at 310 North 33rd Street, authorizing up to 50 dwelling units and commercial space within an existing building. The owner has requested an amendment to the special use permit in order to authorize an additional dwelling unit within a portion of the commercial space. The remainder of the commercial space is occupied by a leasing office. The commercial space proposed to be converted into a two-bedroom dwelling unit has been vacant for more than two years in spite of efforts to find a commercial tenant.

Staff finds that the proposed amendment would be consistent with the Master Plan and would not unduly burden the availability of on-street parking in the area.

Staff finds that with the ordinance conditions 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 Amendment request.

FINDINGS OF FACT

Site Description

The subject property is approximately .50 acres and is located on the southwest corner of the intersection of North 33rd and East Marshall Streets in the Chimborazo neighborhood. It is the site of the former Chimborazo School, a 1904 three-story building that was adapted to house 50 apartments.

Proposed Use of the Property

The proposed special use permit amendment will increase the number of multi-family dwelling units to 51.

Master Plan

The subject property is located in the East Planning District. The Master Plan recommends mixed-use residential uses for the property. The primary recommended uses for this land use category are “single-, two-, and multi-family dwellings, live/work units and neighborhood serving commercial uses developed in a traditional urban form” (p. 304).

Zoning and Ordinance Conditions

The subject property is located in the R-63 Multi-Family Urban Residential. On June 8, 2015 City Council approved Ord. No. 2015-20-122 which authorized a special use of the property known as 310 N. 33rd Street for the purpose of converting an existing building to a multi-family dwelling with up to 50 units along with commercial space. The applicant wishes to convert a portion of the approved commercial space into a single dwelling unit. Thus an amended special use permit is required.

The special use permit ordinance would be amended as shown in the attached amended ordinance. Proposed amendments include:

3(h). A multifamily dwelling containing no more than [~~fifty (50)~~] 51 dwelling units shall be permitted on the property, configured substantially as depicted on the plans attached to Ordinance No. 2011-20-32, adopted March 14, 2011, as modified by the plans attached to Ordinance No. 2013-75-57, adopted April 22, 2013, the plans attached to Ordinance

No. 201520-122, adopted June 8, 2015, and the plans entitled “310 N. 33rd Amendment,” prepared by an unknown preparer, and dated February, 2019, showing a dwelling unit on the first floor of the building, copies of which are attached to and made a part of this amendatory ordinance. [Any] A leasing office may also be located in the building. If the building contains 50 dwelling units, any permitted principal commercial use on corner lots in the R-63 Multifamily Urban Residential District [shall be authorized] may be located within the area in the building indicated as “Amenity Space” on the plans attached to Ordinance No. 2013-75-57, adopted April 22, 2013, provided that dwelling units are not permitted. Parking requirements to serve this commercial use shall be waived.

(i) A minimum of [~~thirty-five (35)] 35 parking spaces to serve the dwelling use shall be required; however, in the event that the total number of dwelling units in the building number fewer than [~~thirty-five (35)] 35, parking shall be provided at the rate of one space per dwelling unit. Seven [(7)] of the required parking spaces shall be provided on-site and may be counted towards the parking requirements if they meet the dimensions for compact stalls specified in section [144.710.3:1(a)] 30-710.3:1(a) of the Code of the City of Richmond [(2004)] (2015), as amended, and substantially as shown on the [attached] plans attached to Ordinance No. 2015-20122, adopted June 8, 2015. All other required parking shall be provided in accordance with and subject to the provisions of section [144-710.4] 30-710.4 of the Code of the City of Richmond [(2004)] (2015), as amended, with the exception that any required off-street parking spaces may be provided off the premises [within a four hundred and fifty (450) foot radius of a principal entrance to the building occupied by such use]. However, if parking for the use on the property for which this ordinance grants a special use permit is provided on a property not held in fee simple by the owner of the property for which this ordinance grants a special use permit, evidence of a prospective tenure for such off-site parking that meets the requirements of this subsection must be approved as to terms by the Zoning Administrator before a building permit may be issued. Further, notwithstanding any provision of section [144-710.4] 30-710.4 of the Code of the City of Richmond [(2004)] (2015), as amended, to the contrary, the terms of the tenure must be approved by the Zoning Administrator and the form of the tenure must be approved by the City Attorney before a Certificate of Occupancy or a Certificate of Zoning Compliance may be issued.~~~~

Surrounding Area

Properties to the north, west and south of the subject property are zoned R-8 Urban Residential and primarily contain single-family dwellings. There are two multi-family dwellings across North 33rd Street that are also in the R-63 Multi-Family Urban Residential District.

Neighborhood Participation

A letter of support was received from the Church Hill Association.

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