



## CITY OF RICHMOND

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

**Ord. No. 2018- 191:** To authorize the special use of the property known as 3117 West Cary Street for the purpose of permitting certain signs, upon certain terms and conditions.

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**To:** City Planning Commission  
**From:** Land Use Administration  
**Date:** July 16, 2018

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#### **PETITIONER**

Josh Klein

#### **LOCATION**

3117 West Cary Street

#### **PURPOSE**

To authorize the special use of the property known as 3117 West Cary Street for the purpose of permitting certain signs, upon certain terms and conditions.

#### **SUMMARY & RECOMMENDATION**

The applicant is requesting a special use permit to authorize one sign mounted above a canopy, one projecting sign, five window signs, and a canopy sign, for a new home furnishings and textile retail store. A sign mounted above a canopy is a sign type currently not permitted by the Zoning Ordinance. The special use permit would also allow the signage associated with the building to exceed the maximum area requirements of the Zoning Ordinance.

Staff finds that the proposed sign mounted above a canopy is an appropriate sign type and that the overall signage proposed has been designed so as not to dominate the building facade.

Staff finds that the proposed signage would refer to a use supported by the Community Commercial land use designation of the Master Plan.

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 special 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.

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## FINDINGS OF FACT

### Site Description

The subject property consists of a 9,600 SF (.22 acre) parcel of land improved with a commercial building constructed, per tax assessment records, in 1950. The property is located on the south side of West Cary Street, between South Belmont and McCloy Streets, within the Carytown Service Center in the Near West Planning District.

### Proposed Use of the Property

The special use of the property would be one sign mounted above a canopy, one projecting sign, five window signs, and a canopy sign, for a new home furnishings and textile retail store.

### Master Plan

The City of Richmond's Master Plan designates a land use category for the subject property as Community Commercial. "Primary uses include office, retail, personal service and other commercial and service uses, intended to provide the shopping and service needs of residents of a number of nearby neighborhoods or a section of the City. As compared to Neighborhood Commercial, this category includes a broader range of uses of greater scale and intensity, with greater vehicular access and orientation, but that are also compatible with nearby residential areas (p. 134).

### Zoning and Ordinance Conditions

The property is located within the Urban Business, Carytown Parking Overlay District (UB-PO-2).

According to the zoning ordinance, an awning or canopy sign is permitted in the UB District. However, the current sign regulations do not permit a sign mounted above a canopy. An awning or canopy sign "means a sign painted on or attached flat against an awning or canopy, which sign does not extend beyond the extremities of the surface to which it is attached." The proposed sign is located above the existing canopy, which extends beyond the extremities of the surface to which it is attached.

Per the Zoning Ordinance, the aggregate area of all signs located on a lot shall not exceed one square foot for each linear foot of street frontage nor in any case 100 square feet. In addition, no individual sign shall exceed the smaller of 32 square feet in area or such smaller sign area specified elsewhere in the sign regulations. The property has eighty (80) linear feet of street frontage. Therefore, the aggregate area of all signs shall not exceed eighty (80) square feet. The proposed aggregate area for the above canopy, projecting, and window signs is 121.07 square feet. The above canopy sign (87.81 square feet) exceeds the maximum area (32 square feet) for any individual sign.

The special use permit ordinance would impose conditions on the property, including:

3(a) The Special Use of the property shall be for signage, including a sign mounted above a canopy, substantially as shown on the plans attached to this ordinance. Signage permitted in all districts pursuant to section 30-505 of the Code of the City of Richmond (2015), as amended, shall also be permitted on the Property.

(b) No off-street parking shall be required for the property.

(c) All mechanical equipment serving the Property shall be located or screened so as not to be visible from any public right-of-way.

### **Surrounding Area**

Properties along the Cary Street corridor are within the same UB-PO-2 district as the subject property. Properties to the south are located in the R-5 Single Family Residential District. A mix of commercial and mixed-use land uses predominate the Cary Street corridor. A mix of single- and two-family land uses predominate the area to the south of the subject property.

### **Neighborhood Participation**

A letter of no opposition was received from Carytown Merchants' Association Board.

**Staff Contact:** Jonathan Brown, Senior Planner, Land Use Administration, 804-646-5734