



## CITY OF RICHMOND

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

**Ord. No. 2020-140:** To amend and reordain Ord. No. 85-77-79, adopted Apr. 15, 1985, as amended by Ord. No. 2001-169-164, adopted May 28, 2001, which authorized the special use of the property known as 3103 Ellwood Avenue, to authorize the elimination of the operator occupied residency requirement of the second floor dwelling unit, additional signage and awning installation, to authorize an office use, upon certain terms and conditions.

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**To:** City Planning Commission  
**From:** Land Use Administration  
**Date:** July 6, 2020

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**PETITIONER**  
BONJONNIE, LLC

**LOCATION**  
3103 Ellwood Avenue

#### **PURPOSE**

To amend and reordain Ord. No. 85-77-79, adopted Apr. 15, 1985, as amended by Ord. No. 2001-169-164, adopted May 28, 2001, which authorized the special use of the property known as 3103 Ellwood Avenue, to authorize the elimination of the operator occupied residency requirement of the second floor dwelling unit, additional signage and awning installation, to authorize an office use, upon certain terms and conditions.

#### **SUMMARY & RECOMMENDATION**

The subject property is zoned R-48 Multi-Family Residential District and subject to conditions specified by a special use permit last authorized by Ordinance No. 2001-169-164. The proposed amendment to the ordinance will allow office uses on the property.

Staff finds the proposal for continued non-residential use of the property will have minimal impact with the surrounding uses and would be consistent with the mix of uses prevalent in the area. The proposed office uses typically have daytime business hours that would not intrude upon the adjacent residences.

Staff further finds that the proposal would not pose an undue burden on the availability of on-street parking in the area due to the provision of on-site parking spaces and anticipated foot traffic pertaining to the property.

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 this special use permit amendment request.

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## **FINDINGS OF FACT**

### **Site Description**

The subject property consists of a 2,697 SF parcel of land and is improved two-story brick building constructed circa 1912. The property is located on Ellwood Avenue, one parcel west from its intersection with South Belmont Avenue, in the Carytown neighborhood.

### **Proposed Use of Property**

The property currently contains a beauty salon on the ground floor and the second floor is residential within a 2,560 square foot building. The proposal calls for the renovation of both floors for a conversion to office uses. Each floor will contain approximately 1,280 square feet of floor space.

### **Master Plan**

The City of Richmond's Master Plan designates a future land use category for the subject property as Single-Family Medium Density. Primary uses for this category include "...residential support uses such as schools, places of worship, neighborhood parks and recreation facilities, and limited public and semi-public uses.

The draft Richmond 300 Master Plan calls for Neighborhood Mixed Uses for the property. These uses are described as cohesive highly walkable urban neighborhoods that are predominantly residential with a small and critical percentage (around 10%) of parcels providing retail, office, personal service, and institutional uses.

### **Zoning and Ordinance Conditions**

Ord. No. 85-77-79 authorized the use of the building as a beauty salon on the ground floor and a proprietor-occupied residence on the second floor. Ord. No. 2001-169-164 removed the requirement for the residential space to be owner occupied. Office uses are not permitted uses in the R-48 Multi-Family Residential District and were not enabled by the original special use permit nor the subsequent amendment.

Zoning Administration provided the following comments:

*The proposal is to convert the use of the building from mixed use with hair salon on the first floor and a dwelling unit on the second floor to offices on both floors. The previous SUP must be amended because the use requirements of the ordinance (Ord. No. 2001-*

169-164) Please also be advised that the following underlying zoning requirements are not being met:

- **ZONING AND USE:** (Sec. 30-416.1) The subject property is located in the R-48 (Multifamily Residential) zoning district. Offices are not a permitted principal use in the R-48 district.
- **PARKING:** (Sec. 30-710.1 (a) 23. The parking requirement for office is one space per 300 square feet for the first 1,500 square feet plus one space per 400 square feet for floor area in excess of 1,500 square feet. Eight (8) spaces required for 2,560 square feet of floor area, 2 spaces proposed.

Please let the applicant know that the current ordinance restricts sign area to “one eight-inch by twelve-inch sign mounted flat on a vertical surface of the rear of the building as shown on the plans attached to Ordinance No. 85-77-79 and an additional eight-inch by twelve-inch sign mounted flat on a vertical surface of the front of the building indicated that the salon entrance and parking area located to the rear of the building.” The applicant is highly encouraged to include any proposed signage that will be different from what was approved in the previous SUP.

**Changes to the ordinance, if adopted, include the following amendments:**

(c) That two parking spaces shall be provided at the rear of the property as shown on the plans attached to [~~Ordinance No. 85-77-79~~] this amendatory ordinance. The parking area shall be screened from view of the adjacent property to the west by a [~~six-foot high wood~~] fence as shown on the plans attached to [~~Ordinance No. 85-77-79~~] this amendatory ordinance;

(d) That the parking area shall be paved with bituminous asphalt or cement concrete and parking spaces shall be delineated on the pavement surfaces;

(e) [~~There shall be a maximum of four persons employed on the premises in the conduct of the business;~~

(f) [~~That clients shall be seen by appointment only. Public access to the beauty salon shall be from the rear of the premises~~] The office use of the property shall consist of business, professional, and administrative offices, medical and dental offices or clinics, and studios of writers, designers, and artists engaged in the graphic arts, substantially as shown on the plans attached to this amendatory ordinance;

[~~(g) There shall be a maximum of four workstations as shown on the attached plans.~~

(h) (f) [~~That identification of the property shall be limited to one eight inch by twelve inch sign mounted flat on a vertical surface of the rear of the building as shown on the plans attached to Ordinance No. 85-77-79 and an additional eight inch by twelve inch sign mounted flat on a vertical surface of the front of the building indicating that the salon entrance and parking are located at the rear of the property~~] Signs for the office use shall

be in accordance with the regulations for signs in the R-63 Multifamily Urban Residential District;

~~[(+)] (g) That facilities for the collection of refuse shall be provided in accordance with the requirements of the Director of Public Works. Such facilities shall be located or screened as not to be visible from adjacent properties and public streets or public alleys;~~

~~[(j) That exterior alterations shall be limited to the erection of awnings attached to the second floor of the rear porch and above the building's Ellwood Avenue entrance. The erection of such awnings shall be subject to approval by the Urban Design Committee. There shall be no other exterior alterations or additions to the existing building except for normal repair and maintenance;]~~

### **Surrounding Area**

The adjacent properties to the west, north, and east of the subject property are located within the same R-48 Multi-Family Residential District. Parcels to the south are located in the RO-2 Residential Office District. A mix of uses are present in the vicinity, as the subject property is located between the Belmont Avenue commercial cluster and the commercial uses along the Cary Street commercial corridor.

### **Neighborhood Participation**

Staff notified the Fan Area Business Alliance, Museum District Association, and adjacent residents and property owners. No letters of opposition have been received. The Museum District Association provided a letter of no opposition.

### **Staff Contact**

David Watson AICP, Senior Planner, Land Use Administration, 804-646-1036