



CITY OF RICHMOND

Department of Planning & Development Review *Staff Report*

Ord. No. 2018-189: To amend and reordain Ord. No. 2005-323-278, adopted Dec. 12, 2005, which authorized the use of the properties known as 110-118 West Marshall Street for the purpose of constructing additions to and renovating the buildings to accommodate 23 condominium dwelling units, commercial space, and accessory parking, to instead authorize 22 condominium dwelling units and additional commercial space, upon certain terms and conditions.

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

PETITIONER

Marlene Paul – Art 180

LOCATION

110-118 West Marshall Street

PURPOSE

To amend and reordain Ord. No. 2005-323-278, adopted Dec. 12, 2005, which authorized the use of the properties known as 110-118 West Marshall Street for the purpose of constructing additions to and renovating the buildings to accommodate 23 condominium dwelling units, commercial space, and accessory parking, to instead authorize 22 condominium dwelling units and additional commercial space, upon certain terms and conditions.

SUMMARY & RECOMMENDATION

The applicant is proposing to amend an existing Special Use Permit currently authorizing a condominium development containing office space and dwelling units. The amendment would authorize an expansion of the existing office use into an adjacent dwelling unit within the condominium development.

Staff finds that the proposed amendment would be consistent with the mix of uses recommended by the Pulse Corridor 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 amendment 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 parcel totaling 15,795 SF or .36 acres of land, improved with a condominium development containing office space and dwelling units. The subject property has an existing building constructed, according to tax assessment records, in 1920. The building is located on West Marshall Street between Brook Road and North Adams Street, in the Downtown Planning District and the Jackson Ward neighborhood.

Proposed Use of the Property

The applicant is proposing to amend an existing Special Use Permit currently authorizing a condominium development containing office space and dwelling units. The amendment would authorize an expansion of the existing office use into an adjacent dwelling unit within the condominium development.

Master Plan

The City of Richmond's adopted Pulse Corridor Plan designates a land use category for the subject property as Neighborhood Mixed Use. "Neighborhood Mixed use areas are cohesive districts that provide a mix of uses, but with a larger amount of residential uses than other mixed use districts. They are an urban, walkable environment with limited neighborhood oriented uses incorporated along key commercial corridors and at corner sites." (City of Richmond, Pulse Corridor Plan, p. 29)

Zoning and Ordinance Conditions

The property is currently zoned R-O2, Residential Office. The special use permit imposes additional conditions on the property, including:

3(f) Facilities for the collection of refuse shall be provided in accordance with the requirements of the Director of Public Works. Such facilities shall be so located or screened so as not to be visible from adjacent properties and public streets.

(g) The use of the building shall be as a maximum of 22 condominium dwelling units with amenities including a security system, central heating and air conditioning, dishwasher, disposal, range, and washer and dryer hook-up in each unit, at the time of initial occupancy, substantially as shown on the plans attached to Ordinance No. 2005-323-278, adopted December 12, 2005, and to this amendatory ordinance. The dwelling units shall be arranged and configured with minimum square footages substantially as shown on the plans attached to Ordinance No. 2005-323-278, adopted December 12, 2005, and to this amendatory ordinance. A maximum of 23 condominium dwelling units, substantially as shown on the plans attached to Ordinance No. 2005-323-278, adopted December 12, 2005, may be permitted, if the area labeled "New Space" on the plans attached to this amendatory ordinance is not used for commercial space as permitted in subsection (h) below.

(h) A maximum of 5,227 square feet of commercial space shall be provided and shall be in the location substantially shown on the plans attached to this amendatory ordinance. The commercial space may be divided into separate tenant spaces. The permitted principal uses shall be those allowed under the B-1 (Neighborhood Business) zoning district, except that (i) day nurseries, convenience stores, grocery stores, churches, and laundromats shall not be permitted and (ii)

restaurants, tea rooms, cafes, delicatessens, ice cream parlors, and food and beverage services shall be limited to 1,500 square feet in area per tenant, and the sale of alcoholic beverages shall not be permitted. The maximum square feet of commercial space may be reduced to 4,250 square feet, substantially as shown on the plans attached to Ordinance No. 2005-323-278, adopted December 12, 2005, if the area labeled "New Space" on the plans attached to this amendatory ordinance is used as a condominium dwelling unit as permitted in subsection (g) above.

(i) No fewer than 22 indoor parking spaces shall be provided and reserved exclusively for the condominium dwelling units and their guests, substantially as shown on the plans attached to Ordinance No. 2005-323-278, adopted December 12, 2005, and to this amendatory ordinance. No fewer than 23 indoor parking spaces shall be provided and reserved exclusively for the condominium dwelling units and their guests, substantially as shown on the plans attached to Ordinance No. 2005-323-278, adopted December 12, 2005, if the area labeled "New Space" on the plans attached to this amendatory ordinance is used as a condominium dwelling unit as permitted in subsection (g) above.

(j) Each commercial tenant shall provide off-site parking in accordance with Article VII of Chapter 30 of the Code of the City of Richmond (2015), as amended.

(k) Signage for the condominium dwellings shall be substantially as shown on the plans attached to Ordinance No. 2005-323-278, adopted December 12, 2005. The signage for the commercial uses shall not exceed one square foot for each linear foot of store front, provided that the aggregate sign area shall not exceed 100 square feet. Wall, projecting, suspended, awning, and canopy signs shall be permitted; however, projecting signs shall (i) be limited to 24 square feet in area, (ii) not project greater than five feet from the face of the building and (iii) not extend above the height of the wall to which it is attached. Freestanding signs shall not be permitted.

(l) Any encroachments either proposed on the attached plans or contemplated in the future shall require separate authorization and shall be subject to the applicable provisions of the Code of the City of Richmond (2015), as amended.

Surrounding Area

The property is currently zoned R-O2 Residential Office which occupies a short segment of West Marshall Street between Adams and North Madison streets. B-4 Central Business and R 6 Single Family Attached Residential District surround the property to the south and north respectively. A mix of residential, mixed use, commercial, industrial, and government uses are present in the vicinity.

Neighborhood Participation

The City has received a letter of support for this application from the Marshall Street Condominium Association.

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