

INTRODUCED: June 10, 2019

AN ORDINANCE No. 2019-160

To authorize the special use of the property known as 1515 Hull Street for the purpose of an artist woodworking studio, upon certain terms and conditions.

\_\_\_\_\_  
Patron – Mayor Stoney (By Request)

\_\_\_\_\_  
Approved as to form and legality  
by the City Attorney  
\_\_\_\_\_

PUBLIC HEARING: JUL 22 2019 AT 6 P.M.

WHEREAS, the owner of the property known as 1515 Hull Street, which is situated in a B-5 Central Business District, desires to use such property for the purpose of an artist woodworking studio, which use, among other things, is not currently allowed by section 30-442.1 of the Code of the City of Richmond (2015), as amended; and

WHEREAS, in accordance with section 17.11 of the Charter of the City of Richmond (2018), as amended, it has been made to appear that, if granted subject to the terms and conditions set forth in this ordinance, the special use granted by this ordinance will not be detrimental to the safety, health, morals and general welfare of the community involved, will not tend to create congestion in streets, roads, alleys and other public ways and places in the area involved, will not

AYES:            9            NOES:            0            ABSTAIN:        \_\_\_\_\_

ADOPTED:        JUL 22 2019    REJECTED:        \_\_\_\_\_    STRICKEN:        \_\_\_\_\_

create hazards from fire, panic or other dangers, will not tend to overcrowding of land and cause an undue concentration of population, will not adversely affect or interfere with public or private schools, parks, playgrounds, water supplies, sewage disposal, transportation or other public requirements, conveniences and improvements, and will not interfere with adequate light and air; and

WHEREAS, (i) the City Planning Commission has conducted a public hearing to investigate the circumstances and conditions upon which the Council is empowered to authorize such use, (ii) the City Planning Commission has reported to the Council the results of such public hearing and investigation and its recommendations with respect thereto, and (iii) the Council has conducted a public hearing on this ordinance at which the person in interest and all other persons have had an opportunity to be heard;

NOW, THEREFORE,

THE CITY OF RICHMOND HEREBY ORDAINS:

§ 1. **Finding.** Pursuant to section 30-1050.1 of the Code of the City of Richmond (2015), as amended, the Council hereby finds that the special use set forth in and subject to the terms and conditions of this ordinance will not (i) be detrimental to the safety, health, morals and general welfare of the community involved, (ii) tend to create congestion in streets, roads, alleys and other public ways and places in the area involved, (iii) create hazards from fire, panic or other dangers, (iv) tend to overcrowding of land and cause an undue concentration of population, (v) adversely affect or interfere with public or private schools, parks, playgrounds, water supplies, sewage disposal, transportation or other public requirements, conveniences and improvements, or (vi) interfere with adequate light and air.

§ 2. **Grant of Special Use Permit.**

(a) Subject to the terms and conditions set forth in this ordinance, the property known as 1515 Hull Street and identified as Tax Parcel No. S000-0197/021 in the 2019 records of the City Assessor, being more particularly shown on a plat entitled “Plat Showing Physical Improvements of #1515 Hull Street for Christopher Chase and Mary Lorino, City of Richmond, Virginia,” prepared by Townes Consulting Engineers, Planners, and Land Surveyors, and dated November 1, 2018, a copy of which is provided as an inset on the plans entitled “Project: 1515 Hull Street,” prepared by Loch Design, and dated December 12, 2018, copies of which are attached to and made a part of this ordinance, hereinafter referred to as “the Property,” is hereby permitted to be used for the purpose of an artist woodworking studio, hereinafter referred to as “the Special Use,” substantially as shown on the plans entitled “Project: 1515 Hull Street,” prepared by Loch Design, and dated December 12, 2018, hereinafter referred to as “the Plans,” copies of which are attached to and made a part of this ordinance.

(b) The adoption of this ordinance shall constitute the issuance of a special use permit for the Property. The special use permit shall inure to the benefit of the owner or owners of the fee simple title to the Property as of the date on which this ordinance is adopted and their successors in fee simple title, all of which are hereinafter referred to as “the Owner.” The conditions contained in this ordinance shall be binding on the Owner.

§ 3. **Special Terms and Conditions.** This special use permit is conditioned on the following special terms and conditions:

(a) The Special Use of the Property shall be as an artist woodworking studio, substantially as shown on the Plans. The Property also may be used for uses allowed pursuant to section 30-442.1 of the Code of the City of Richmond (2015), as amended.

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

(c) All building materials and elevations shall be substantially as shown on the Plans.

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

§ 4. **Supplemental Terms and Conditions.** This special use permit is conditioned on the following supplemental terms and conditions:

(a) All required final grading and drainage plans, together with all easements made necessary by such plans, must be approved by the Director of Public Utilities prior to the issuance of the building permit.

(b) Storm or surface water shall not be allowed to accumulate on the land. The Owner, at its sole cost and expense, shall provide and maintain at all times adequate facilities for the drainage of storm or surface water from the Property so as not to adversely affect or damage any other property or public streets and the use thereof.

(c) 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 so as not to be visible from adjacent properties and public streets.

(d) Any encroachments existing, proposed on the 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, and all future amendments to such laws.

(e) In all other respects, the use of the Property shall be in accordance with the applicable underlying zoning regulations.

§ 5. **General Terms and Conditions.** This special use permit is conditioned on the following general terms and conditions:

(a) No permit implementing this special use permit shall be approved until satisfactory evidence has been presented to the Zoning Administrator that any delinquent real estate taxes applicable to the Property have been paid.

(b) The Owner shall be bound by, shall observe and shall comply with all other laws, ordinances, rules and regulations applicable to the Property, except as otherwise expressly provided in this ordinance.

(c) Words and phrases used in this ordinance shall be interpreted to have the meanings ascribed to them by section 30-1220 of the Code of the City of Richmond (2015), as amended, unless the context clearly indicates that a different meaning is intended.

(d) Notwithstanding any other provision of law, this special use permit is being approved due, in part, to the mitigating effects of each and every condition attached hereto; consequently, if any portion of this ordinance is determined to be invalid for any reason by a final, non-appealable order of any Virginia or federal court of competent jurisdiction, the invalidity shall cause the entire ordinance to be void and of no further effect from the effective date of such order.

(e) The privileges granted by this ordinance may be revoked pursuant to the provisions of sections 30-1050.7 through 30-1050.11 of the Code of the City of Richmond (2015), as amended, and all future amendments to such laws. Failure to comply with the terms and conditions of this ordinance shall constitute a violation of section 30-1080 of the Code of the City of Richmond (2015), as amended, and all future amendments to such law, or any other applicable laws or regulations.

(f) When the privileges granted by this ordinance terminate and the special use permit granted hereby becomes null and void, whether as a result of the Owner relinquishing this special use permit in a writing addressed to the Director of Planning and Development Review or

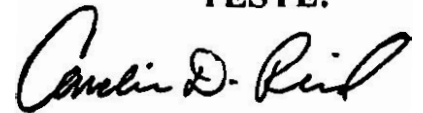
otherwise, use of the Property shall be governed thereafter by the zoning regulations prescribed for the district in which the Property is then situated.

§ 6. **Implementation.** The Commissioner of Buildings is authorized to issue a building permit substantially in accordance with the Plans for the Special Use subject to the terms and conditions set forth in this ordinance. An application for the building permit shall be made within 730 calendar days following the date on which this ordinance becomes effective. If either the application for the building permit is not made within the time period stated in the previous sentence or the building permit terminates under any provision of the Virginia Statewide Building Code, this ordinance and the special use permit granted hereby shall terminate and become null and void.

§ 7. **Effective Date.** This ordinance shall be in force and effect upon adoption.

**A TRUE COPY:**

**TESTE:**

A handwritten signature in black ink, appearing to read "Amelia D. Reed". The signature is written in a cursive style with a large initial 'A'.

**City Clerk**



# City of Richmond

900 East Broad Street  
2nd Floor of City Hall  
Richmond, VA 23219  
www.richmondgov.com

## Item Request

File Number: PRE.2019.067

## O & R REQUEST

RECEIVED

JUN 07 2019

4-8824  
MAY 16 2019

Office of the  
Chief Administrative Officer

OFFICE OF THE CITY ATTORNEY

### O & R Request

DATE: May 10, 2019

EDITION: 1

TO: The Honorable Members of City Council

THROUGH: The Honorable Levar M. Stoney, Mayor (Patron: Mayor, by Request)  
(This is no way reflects a recommendation on behalf of the Mayor)

*SS 6/6/19*

THROUGH: Selena Cuffee-Glenn, Chief Administrative Officer

*[Signature]*

THROUGH: Sharon L. Ebert, Deputy Chief Administrative Officer for Economic and Community Development

*[Signature]*

FROM: Mark A. Olinger, Director, Department of Planning and Development Review

RE: To authorize the special use of the property known as 1515 Hull Street, for the purpose of authorizing a contractor's shop and artist's studio, upon certain terms and conditions.

ORD. OR RES. No. \_\_\_\_\_

**PURPOSE:** To authorize the special use of the property known as 1515 Hull Street, for the purpose of authorizing a contractor's shop and artist's studio, upon certain terms and conditions.

**REASON:** The applicant has proposed to use a commercial building as a contractor's shop and artist's studio in which handmade furniture and decorative wooden items would be produced and sold. Such a use is not permitted in the B-5 Central Business District. A Special Use Permit is therefore required.

**RECOMMENDATION:** In accordance with the requirements of the City Charter and the Zoning Ordinance, the City Planning Commission will review this request and make a recommendation to City Council. This item will be scheduled for consideration by the Commission at its July 1, 2019, meeting. A letter outlining the Commission's recommendation will be forwarded to City Council following that meeting.

**BACKGROUND:** The subject property consists of a 3,023 SF (.07 acre) parcel of land improved with a 1-story, 1,459 SF commercial building constructed, per tax assessment records, in 1956. The property is located in the Manchester neighborhood within the City's Old South Planning District, on the north side of the 1200 block of Hull Street, between Cowardin Avenue and East 15th Street.

The City of Richmond's Downtown Master Plan designates the subject property as a Downtown Urban Center Area which is "...characterized by higher density, mixed-use development, typically arranged on a fine grained street network, with wide sidewalks, regular tree planting, and minimal setbacks. Uses are less restricted, and commercial uses are often located on the ground floor with large windows and doors fronting the sidewalk. The upper stories of buildings are typically a mix of office and residential uses."(City of Richmond Downtown Master Plan, pp. 3.25(6).)

This property is within the B-5 District recently established for this portion of the Hull Street corridor with the intention of encouraging more mixed-use, pedestrian-oriented development along the corridor. Properties to the north of the subject property are zoned R-63 Multi-Family Urban Residential. A mix of commercial, mixed-use, vacant, industrial, institutional, and single-, two, and multi-family residential land uses are present in the vicinity of the subject property.

**FISCAL IMPACT / COST:** The Department of Planning and Development Review does not anticipate any impact to the City's budget for this or future fiscal years.

**FISCAL IMPLICATIONS:** Staff time for processing the request; preparation of draft ordinance; and publishing, mailing and posting of public notices.

**BUDGET AMENDMENT NECESSARY:** No

**REVENUE TO CITY:** \$1,800 application fee

**DESIRED EFFECTIVE DATE:** Upon adoption

**REQUESTED INTRODUCTION DATE:** June 10, 2019

**CITY COUNCIL PUBLIC HEARING DATE:** July 22, 2019

**REQUESTED AGENDA:** Consent

**RECOMMENDED COUNCIL COMMITTEE:** None

**CONSIDERATION BY OTHER GOVERNMENTAL ENTITIES:** City Planning Commission  
July 1, 2019

**AFFECTED AGENCIES:** Office of Chief Administrative Officer  
Law Department (for review of draft ordinance)  
City Assessor (for preparation of mailing labels for public notice)

**RELATIONSHIP TO EXISTING ORD. OR RES.:** None

**REQUIRED CHANGES TO WORK PROGRAM(S):** None

**ATTACHMENTS:** Application Form, Applicant's Report, Draft Ordinance, Plans, Survey, Map

**STAFF:** Jonathan Brown, Senior Planner, Land Use Administration (Room 511) 646-5734





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**

Property Address: 1515 Hull Street, Richmond VA 23224-3803 Date: 12/10/2018

Tax Map #: S0000197021 Fee: 1,800

Total area of affected site in acres: 3.022 5 SF - 0.069 (total acreage of existing site)

(See **page 6** for fee schedule, please make check payable to the "City of Richmond")

**Zoning**

Current Zoning: B-5

Additional support letters will be provided when received.

Existing Use: 410 - B General Retail/Service

**Proposed Use**

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

Retail shop / small gallery and artist woodworking studio

Existing Use: Partially used as photography and music studio

Is this property subject to any previous land use cases?

Yes

No

If Yes, please list the Ordinance Number: I could not find anything on line. I don't know if I missed something.

**Applicant/Contact Person:** Mary Lorino for Christopher D. Chase

Company: LoCh Design

Mailing Address: 12 North 30th Street

City: Richmond

State: VA

Zip Code: 23223

Telephone: (804) 8,409,415

Fax: ( )

Email: mary@lochdesign.com

**Property Owner:** JLR PROPERTIES LLC

If Business Entity, name and title of authorized signee: Joe Ritzik

(The person or persons executing or attesting the execution of this Application on behalf of the Company certifies that he or she has or have been duly authorized and empowered to so execute or attest.)

Mailing Address: 7685 134th Street

City: Sebastian

State: FL

Zip Code: 32958

Telephone: (804) 2,406,060

Fax: ( )

Email: jlr111@aol.com

**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.** see following sheet for signature - this page included for clarity

**NOTE:** Please attach the required plans, checklist, and a check for the application fee (see Filing Procedures for special use permits)



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
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**Project Name/Location**

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Date: 12/10/2018

Tax Map #: 80000187021

Fee: 1,000

Total area of affected site in acres: 3,022.5 SF - 0.069 (total acreage of existing site)

(See page 6 for fee schedule, please make check payable to the "City of Richmond")

**Zoning**

Current Zoning: B-5

Existing Use: 410 - B General Retail/Service

**Proposed Use**

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Existing Use: Partially used as photography and music studio.

Is this property subject to any previous land use cases?

Yes

No

If Yes, please list the Ordinance Number: \_\_\_\_\_

**Applicant/Contact Person:** Mary Larino for Christopher D. Chase

Company: LoCh Design

Mailing Address: \_\_\_\_\_

City: Richmond

Telephone: (804) 8,400,415

State: VA

Zip Code: 23223

Email: mary@lochdesign.com

Fax: ( )

**Property Owner:** JLR PROPERTIES LLC

If Business Entity, name and title of authorized signee: \_\_\_\_\_

(The person or persons executing or attesting the execution of this Application on behalf of the Company certifies that he or she has or have been duly authorized and empowered to so execute or attest.)

Mailing Address: 7685 134th STREET

City: SEBASTIAN

Telephone: (804) 240-6060

State: 12L

Zip Code: 32958

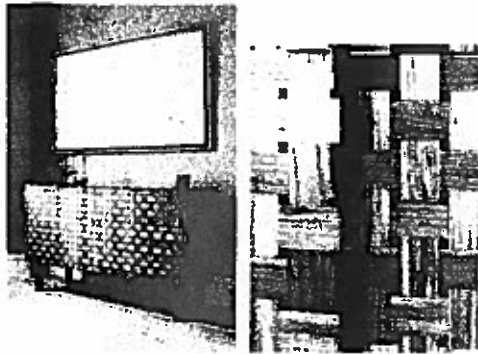
Email: JLR111@AOL.COM

Fax: ( )

**Property Owner Signature:** \_\_\_\_\_

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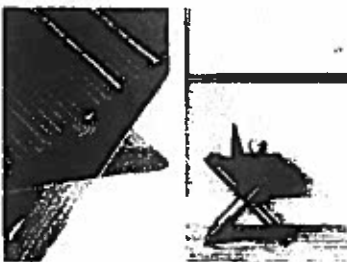
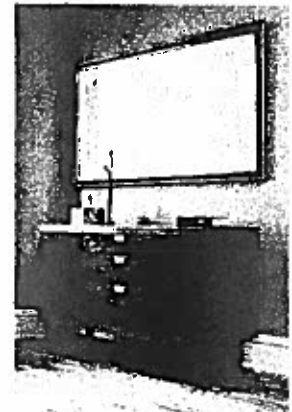


The proposed project is to renovate 1515 Hull Street for the purposes of a retail shop/small gallery and an artist woodworking studio. The B-5, Central Business District, zoning district allows for the retail shop and small gallery, however the artist woodworking studio is not allowed without a Special Use Permit.

The existing 1,240 SF building is a 1-story masonry structure that currently partially houses a photography and sound studio. The existing studios have filmed storefront windows and no active retail life. The adjacent structure(s) to the north are unused and boarded. There appears to be an active business adjacent to the south,

however much of the block is not in use. The applicant believes his storefront and business will be a positive contribution to the block and surrounding neighborhood.

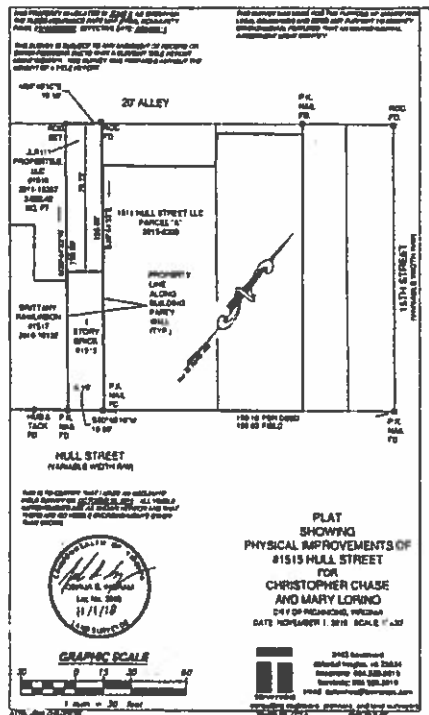
The intent of the applicant is to relocate his existing business from his rental studio in Scott's Addition to a permanent ownership location on Hull Street. His attraction to Hull Street was that he might have an active and visible storefront for his work – examples of which are displayed on this page. The City of Richmond currently does not distinguish between an artist woodworking studio and a large scale production or contracting shop; currently the determination of use is based solely on the type of equipment used in the location. There is no distinction based on square footage or number of employees, therefore his studio is looked upon in the same manner as a large manufacturing shop, which he currently is not nor is that his intention. The applicant fully understands why a large production shop, or simply a contractor's shop, would not be desired in the district, however he believes that a store representing beautiful handmade furniture and items which are crafted on site would be a benefit to the area.



The storefront would represent 240 SF of the building, the studio 1000 SF. Although he uses woodworking equipment such as a table saw, jointer, router, and a dust collection system, the equipment is not in use throughout the day and he generates less noise, trash and debris than many other types of businesses that are allowed in the district. The limited amount of material in use, as well as the dust collection system, ensure that wood debris is contained and his business would not be a fire hazard to neighboring properties. The proposed renovation will meet or exceed all building code requirements.

He intends to renovate the existing storefront and interior of the building, as well as improve the rear of the building by providing a trash and recycling enclosure, lighting, and generally cleaning and caring for the site. Although off street parking is not required in the district, he intends to park in the rear. The new storefront will allow for his work to be displayed and visible to the street, creating a vibrant and active street life and hopefully help attract additional businesses to the area. The business will have regular hours of operation, Monday – Friday 9:00 am until 5:00 pm. The applicant has been an active and contributing craftsman in the City of Richmond for over 30 years and hopes to continue to do so in a permanent location on Hull Street.





CODE REFERENCES	
2018 IBC (SPECIFICATION) 2018 IRC (ADDITION) 2015 EICC, ICC-A117.1-2009, AND 2010 ADA STANDARDS FOR ACCESSIBLE DESIGN	
BUILDING DATA	
BUILDING USE	SEPARATELY BUILT USE - OCCUPANCIES F. AND M.
CHIEF OF USE	YES
FIRE ALARM SYSTEM	NO
SPRINKLER SYSTEM	NO
BUILDING AREA	1245 SF
FLOOR CONSTRUCTION	2016
CONSTRUCTION CLASSIFICATION	419
ALLOWABLE AREA AND HEIGHT - F-1	12,000 SF AND 2 STORES CONTROLLING
ACTUAL AREA AND HEIGHT - M	12,500 SF AND 2 STORES
ACTUAL AREA AND HEIGHT - M	1,250 AND 1 STORY
ZONING INFORMATION	
ZONING DISTRICT	B-3 CENTRAL BUSINESS DISTRICT
PERMITTED CLASS	SPECIAL USE PERMITTED REQUESTED FOR ARTIST WOODWORKING STUDIO AND RETAIL STORE
PERMITS	NEEDED DISTRICT PERMITS NOT REQUIRED FOR THE USES INDICATED

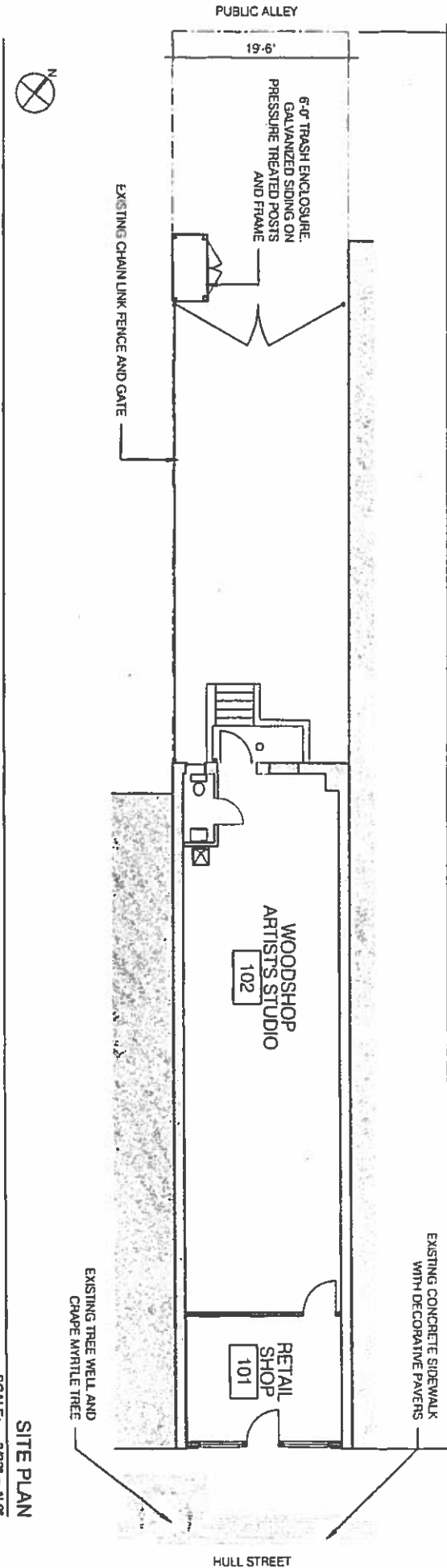
Sec. 114.210.2 On-street parking not required in certain districts  
 In CMA, DCC, B-4 and B-5 zoning districts, off-street parking spaces shall not be required for uses other than trucking uses, horse and ovals.

155'-0"

OCCUPANCY CALCULATIONS				
SPACE	TYPE OF OCCUPANCY	SF	OCCUPANCY FACTOR	OCCUPANTS
STORE FRONT AREA	M	204 SF	1 PER 40 SF	5
WOOD SHOP / ARTIST STUDIO	F-1	1,038	1 PER 200 SF	5.19
GRAND TOTAL				10.19

PLUMBING CALCULATIONS REQUIRED							
SPACE	OCCUPANTS	TOILET FACTOR	TOILETS REQ'D	LAV/FACIOR REQ'D	LAVS PROVIDED	TOILETS PROVIDED	LAVS PROVIDED
RETAIL	3.4	1 PER 500	01	1 PER 750	01		
FABRICATION	5.19	1 PER 100	05	1 PER 100	05		
TOTAL	8.59		07		07	1	1

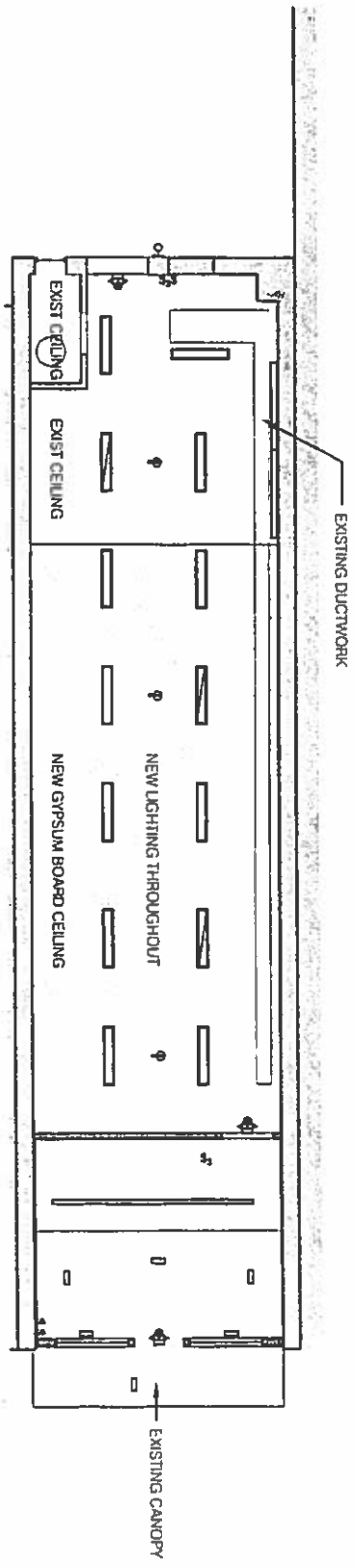
DRAWING FROM AND NOT REQUIRED WITH AN OCCUPANCY OF LESS THAN 15 PERSONS. REFERENCE TABLE 403.1.1 NOTE F



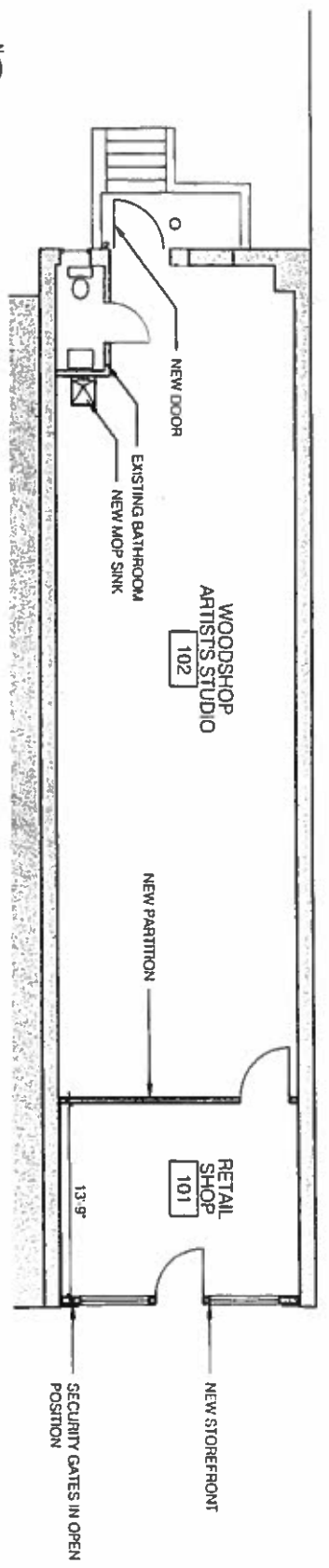
Project: 1515 Hull Street

date: 12 12 2018

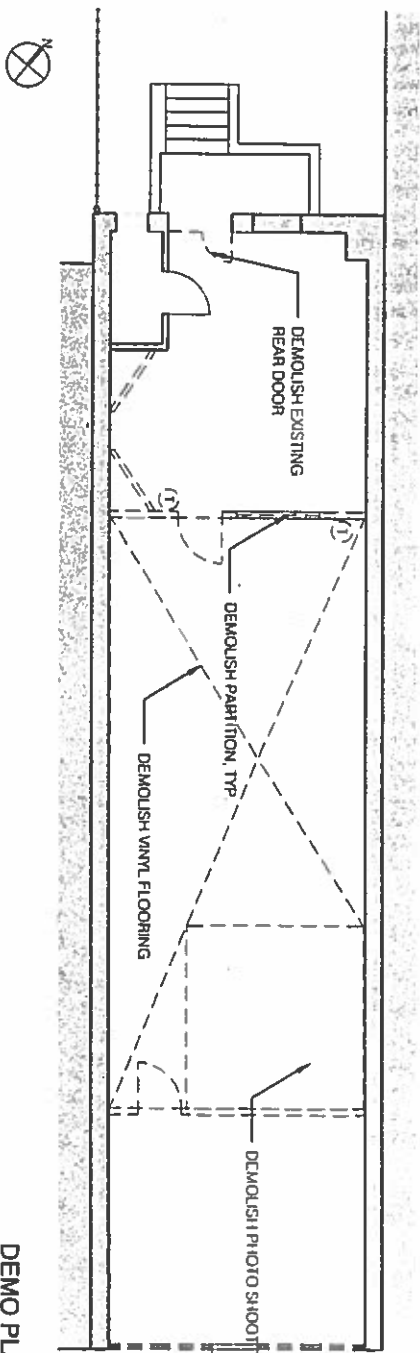
www.fochdesign.com



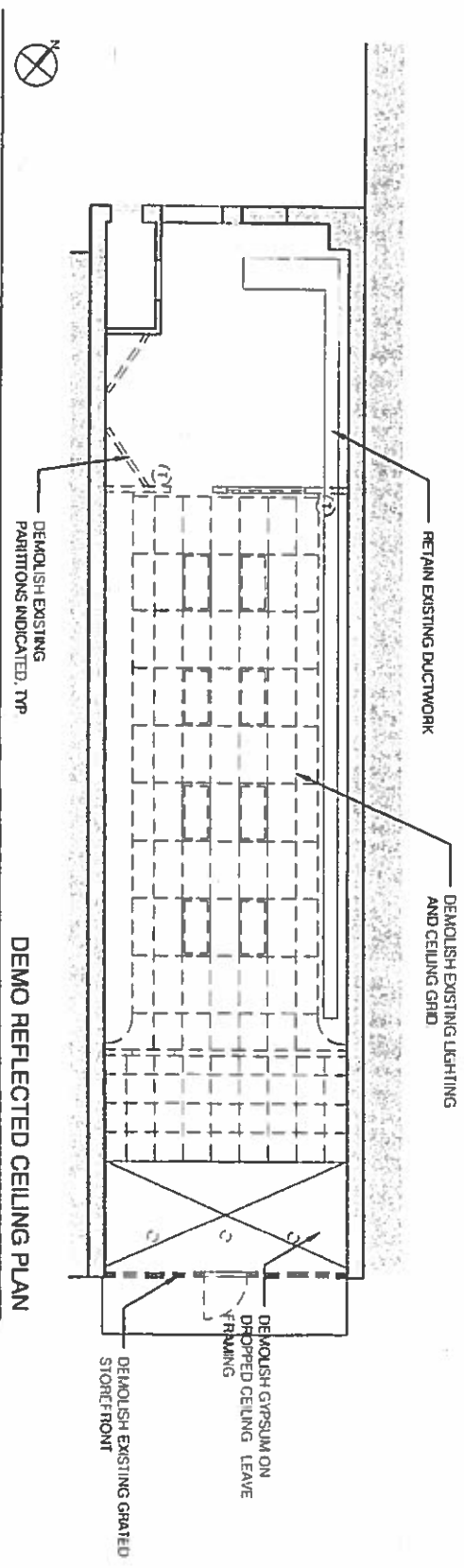
PROPOSED REFLECTED CEILING PLAN



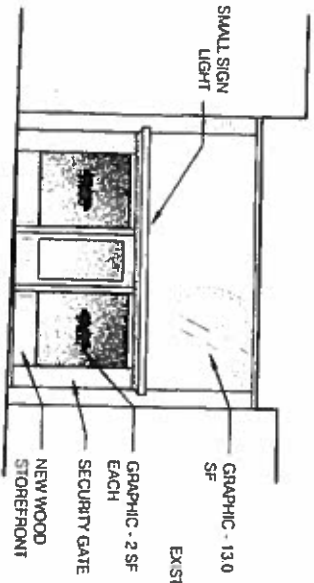
PROPOSED FLOOR PLAN



DEMO PLAN  
SCALE: 1/8" = 1'-0"

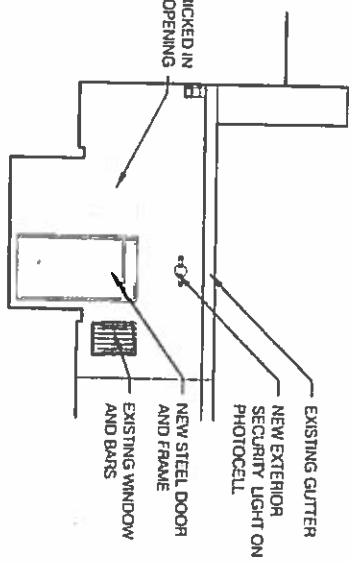


DEMO REFLECTED CEILING PLAN  
SCALE: 1/8" = 1'-0"



**FRONT ELEVATION**

SCALE: 1/8" = 1'-0"

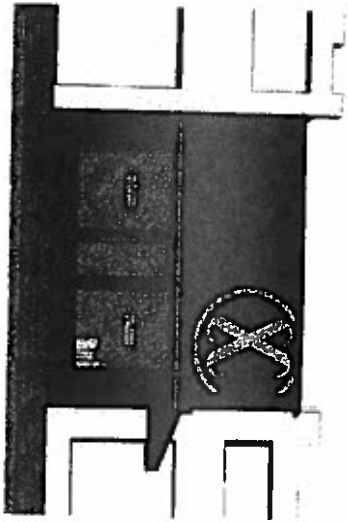


**REAR ELEVATION**

SCALE: 1/8" = 1'-0"



EXISTING REAR ELEVATION (CURRENT)



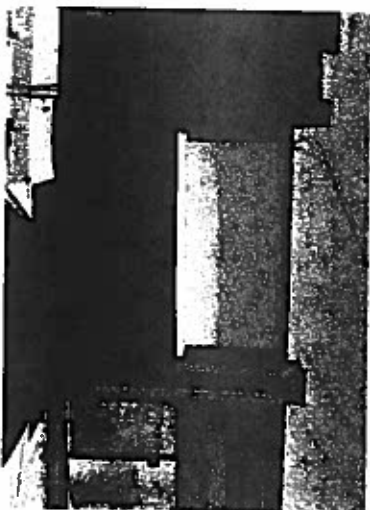
**FRONT ELEVATION RENDERING WITH SECURITY GATE OPEN**

SCALE: 1/8" = 1'-0"



**FRONT ELEVATION RENDERING WITH SECURITY GATE CLOSED**

SCALE: 1/8" = 1'-0"



EXISTING FRONT ELEVATION (CURRENT)