



## CITY OF RICHMOND

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

**Ord. No. 2016-040:**

---

**To:** City Planning Commission  
**From:** Land Use Administration  
**Date:** March 21, 2016

---

#### **PETITIONER**

Ross Fickenscher, Collier LLC  
3211 Seminary Avenue  
Richmond, VA 23227

#### **LOCATION**

3210 Chamberlayne Avenue

#### **PURPOSE**

To authorize the special use of the property known as 3210 Chamberlayne Avenue for the purpose of permitting offices and artist studios, upon certain terms and conditions.

#### **SUMMARY & RECOMMENDATION**

The subject property is currently located within the R-48 Multi-family Residential zoning district, which does not permit the proposed office and studio uses. The most recent Certificate of Occupancy for the property was issued in 1999 for an adult home with 54 bed, a nonconforming use based on a prior CO issued in 1990. City records indicate that the property has been vacant since 2005, and as a result, the nonconforming rights for an adult home have expired.

The proposed use of the property would be to locate a real estate office in the front building (house structure) and lease up to 13 smaller offices in the rear building. Clinic uses would be prohibited. There would also be storage for business-related items not to include maintenance supplies. The plans show the provision of 17 parking spaces.

The property is located in the North Planning District as defined by the 2000-2020 city-wide Master Plan, which recommends "Single-Family (Low-Density)" uses for the property. Primary uses for the Single-Family designation are, "single-family detached dwellings at densities up to seven units per acre" (p. 133). The Plan further states, "The Chamberlayne Avenue corridor north of Brookland Park Boulevard should continue to be primarily residential, with single and multi-family residential use and limited institutional uses...The Land Use Plan map identifies single-family low-density residential use for areas along Chamberlayne Avenue north of Brookland Park Boulevard where this is intended to be the predominant but not exclusive use (p. 257)."

Staff finds that the proposed offices and artist studios would not have an adverse impact on the surrounding community. The Master Plan discourages new adult care businesses in the North District, furthering the benefit of reusing a long vacant property for low-impact office use.

---

Staff finds that the proposal meets the City Charter criteria for the granting of special use permits. Specifically, the proposal would not be detrimental to the safety, health, morals and general welfare of the community established by the City's Master Plan and R-48 zoning district. Therefore, staff recommends approval of the special use permit request.

---

---

## **FINDINGS OF FACT**

### **Site Description**

The subject property, .5 acre in size, is currently located within the R-48 Multi-family Residential zoning district, which does not permit the proposed office and studio uses. The most recent Certificate of Occupancy for the property was issued in 1999 for an adult home with 54 bed, a nonconforming use based on a prior CO issued in 1990. City records indicate that the property has been vacant since 2005, and as a result, the nonconforming rights for an adult home have expired.

### **Proposed Use of the Property**

The proposed use of the property would be to locate a real estate office in the front building (house structure) and lease up to 13 smaller offices in the rear building. Clinic uses would be prohibited. There would also be storage for business-related items not to include maintenance supplies. The plans show the provision of 17 parking spaces.

### **Master Plan**

The property is located in the North Planning District as defined by the 2000-2020 city-wide Master Plan, which recommends "Single-Family (Low-Density)" uses for the property. Primary uses for the Single-Family designation are, "single-family detached dwellings at densities up to seven units per acre" (p. 133). The Plan further states, "The Chamberlayne Avenue corridor north of Brookland Park Boulevard should continue to be primarily residential, with single and multi-family residential use and limited institutional uses...The Land Use Plan map identifies single-family low-density residential use for areas along Chamberlayne Avenue north of Brookland Park Boulevard where this is intended to be the predominant but not exclusive use (p. 257)."

### **Zoning & Ordinance Conditions**

The proposed office and studio uses are not permitted in the R-48 Multi-family Residential District and a special use permit is required. The special use ordinance requires a minimum of 17 parking spaces be provided on site and that no residential uses shall be permitted.

### **Surrounding Area**

The properties to the north, south, and east across Chamberlayne Avenue are zoned R-48 and predominantly occupied by multi-family uses and adult care house.

### **Neighborhood Participation**

Staff has contacted 3rd District Council Representative, Chris Hilbert and the Ginter Park Residents Association. Staff has received one letter of support from the Ginter Park Residents Association.

**Staff Contact:** Willy Thompson, Senior Planner, (804) 646-5734