



## CITY OF RICHMOND

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

**Ord. No. 2019-297:** To amend Ord. No. 2019-014, adopted Feb. 11, 2019, which authorized the special use of the property known as 2919 Griffin Avenue for the purpose of authorizing a single-family detached dwelling, to authorize a subdivision of the property and the construction of an additional single-family detached dwelling on the new parcel, upon certain terms and conditions.

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**To:** City Planning Commission  
**From:** Land Use Administration  
**Date:** November 4, 2019

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#### **PETITIONER**

Cory Weiner

#### **LOCATION**

2919 Griffin Avenue

#### **PURPOSE**

To amend Ord. No. 2019-014, adopted Feb. 11, 2019, which authorized the special use of the property known as 2919 Griffin Avenue for the purpose of authorizing a single-family detached dwelling, to authorize a subdivision of the property and the construction of an additional single-family detached dwelling on the new parcel, upon certain terms and conditions.

#### **SUMMARY & RECOMMENDATION**

The property contains a single-family dwelling and was located within the R-6 Single-Family Attached Residential District until October 12, 2015 when City Council adopted Ordinance No. 2015-200-196 which changed the zoning district to UB-PE7 Urban Business District. Single-family dwellings are not a permitted use in the UB-PE7 district and the existing single-family dwelling became a legally non-conforming use.

Ordinance 2019-014 remedied the legally non-conforming status of the property. Since this time, the property sold to a new owner who wishes to subdivide the parcel and build a single-family dwelling on the new parcel. Ordinance 2019-014 must be amended in order to allow these actions.

Staff finds that the Master Plan acknowledges residential use as appropriate within residential structures in the area of the subject property.

Staff finds that the special use permit amendment would allow additional residential use of the property in keeping with the character of the established surrounding residential neighborhood and consistent with the adjacent R-6 District.

Staff finds that the amended special use permit would continue to contain provisions, should the property owner choose so, to develop the property according to the underlying UB zoning of 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 the special use permit amendment request.

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## **FINDINGS OF FACT**

### **Site Description**

The subject property consists of a 10,500 SF (.241 acre) parcel of land containing a two-story structure within the UB-PE7 District. It is located in the North Barton Heights Neighborhood within the City's North Planning District near the intersection of Griffin Avenue and W. Brookland Park Boulevard.

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

The proposal consists of two residential parcels that each conform to the criteria specified in the zoning ordinance for development in the R-6 Single-Family Attached Residential District. Future use of the property under the UB Urban Business District regulations is also permitted by the special use permit.

### **Master Plan**

The City of Richmond's Master Plan designates 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 nearby neighborhoods or a section of the city.

Specifically for the North District, the Master Plan states that "along the western edge of the commercial area, between Griffin and Montrose Avenues, converting existing commercial uses located in single-family structures back to single-family uses would be appropriate. (See page 258, Richmond Master Plan.)

### **Zoning and Ordinance Conditions**

The property is located in the UB-PE7 Urban Business District and is subject to Ord. No. 2019-014. If approved, the amended ordinance would include the following amendments:

- 3(a) The Special Use of the Property shall be as [a] two single-family detached [dwelling] dwellings and those uses allowed by sections 30-412.1 through 30-412.8 of the Code of the City of Richmond (2015), as amended, substantially as shown on the [Survey] Plans.
- (c) No off-street parking shall be required for the Special Use.
- (d) Elevations and building materials shall be substantially as shown on the Plans.
- (e) The height of the single-family detached dwellings shall not exceed the height shown on the Plans.
- (f) The subdivision of the Property into two new parcels, substantially as shown on the Plans, shall be completed by obtaining the necessary approvals from the City and

recording the appropriate plats among the land records of the Clerk of the Circuit Court of the City of Richmond prior to the issuance of a certificate of occupancy for the single-family detached dwelling constructed on the new subdivided parcel.

### **Surrounding Area**

The properties located to the west, across Griffin Avenue, contain single-family dwellings on properties in the UB-PE7 and R-6 Single-Family Attached Residential zoning districts. Adjacent, to the south, are single-family dwellings in the R-6 Single-Family Attached Residential zoning district. Adjacent to the east and north are mixed-use structures on property in the UB-PE7 zoning district.

### **Neighborhood Participation**

Staff notified the Battery Park Civic Association and adjacent property owners/residents of the amendment request. Staff has received no objections or concerns regarding this request.

**Staff Contact:** David Watson, PDR, Land Use Division 804-646-1036