



CITY OF RICHMOND

Department of Planning & Development Review *Staff Report*

Ord. No. 2020-175 - To amend and reordain Ord. No. 2007-224-196, adopted Sept. 10, 2007, which authorized the special use of the property known as 2811 Grove Avenue, for the purpose of authorizing an owner-occupied single-family dwelling with three tourist home lodging units, together with accessory parking, to remove the condition of owner-occupancy and to allow the hosting of special events, upon certain terms and conditions.

To: City Planning Commission
From: Land Use Administration
Date: September 9, 2020

PETITIONER

Melinda Fields – Virginia Museum of Fine Arts Foundation

LOCATION

2811 Grove Avenue

PURPOSE

To amend and reordain Ord. No. 2007-224-196, adopted Sept. 10, 2007, which authorized the special use of the property known as 2811 Grove Avenue, for the purpose of authorizing an owner-occupied single-family dwelling with three tourist home lodging units, together with accessory parking, to remove the condition of owner-occupancy and to allow the hosting of special events, upon certain terms and conditions.

SUMMARY & RECOMMENDATION

The subject property consists of a 10,890 SF, or .25 acre parcel of land improved with a 2,922 SF 2-story building constructed, per tax assessment records, in 1922 and is a part of the Museum District neighborhood in the Near West Planning District. The property is located on Grove Avenue between Arthur Ashe Boulevard and North Colonial Avenue.

The property was approved for a Special Use Permit in 2007 to allow the operation of tourist home lodging with the condition that the building would be owner-occupied and that no other commercial enterprises, including catering or restaurant operations, the hosting of meetings, weddings, receptions, and similar functions, operated on a for profit basis, be permitted on the premises.

The applicant, the Virginia Museum of Fine Arts Foundation, has requested an amendment to the existing Special Use Permit. The amendment would remove the condition of owner-occupancy, and would allow special events, such as meetings, weddings, receptions, and similar functions, on the property, with conditions specified below.

Staff finds that the proposed amendment would enable the continued tourist home use of the Property, which is in close proximity to significant tourist destinations, providing additional lodging options for the traveling public. Moreover, the proposed special event use of the property would be limited by conditions, including those pertaining to hours of operation and number of attendees.

Staff finds that the proposal would not pose an undue burden on the availability of on-street parking in the area due to on-site parking and the provision of valet parking during special events.

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 consists of a 10,890 SF, or .25 acre parcel of land improved with a 2,922 SF 2-story building constructed, per tax assessment records, in 1922 and is a part of the Museum District neighborhood in the Near West Planning District. The property is located on Grove Avenue between Arthur Ashe Boulevard and North Colonial Avenue.

Master Plan

The City of Richmond's current Master Plan designates the subject property for Single-Family (Medium Density) Residential uses which include, "...single family and two family dwellings, both detached and attached, at densities of 8 to 20 units per acre. Includes residential support uses such as schools, places of worship, neighborhood parks and recreation facilities, and limited public and semi-public uses. Typical zoning classifications that may accommodate this land use category: R-5A, R-6 and R-7." (City of Richmond, Master Plan, p. 133)

Zoning and Ordinance Conditions

The current zoning for the subject parcel is R-6 Single-Family Attached Residential. The City's Zoning Administration reviewed the application and provided the following comments:

The property is zoned R-6 (Single-family Attached Residential) and is currently subject to an SUP Ord. No. 2007-224-196 which allowed for the property to be used as an owner occupied single-family dwelling with up to three (3) tourist home lodging units with accessory parking.

The proposal is to strike the language in section one that requires the premises be an owner-occupied single-family dwelling in favor of allowing the new owner to designate the tenant.

There are no plans submitted with the proposal. Currently only four spaces are required but two can additional can be provided in the garage.

Proposed amended language to the existing special use permit includes:

3(d) The use of the ~~[building]~~ property shall be as ~~[an owner-occupied single family dwelling, with three (3)]~~ a tourist home with up to three lodging units. Two ~~[(2)]~~ of the lodging units, identified as the “Luxury Suite: and “Upstairs Front Suite” on the ~~[attached]~~ plans attached to and made a part of Ordinance No. 2007-224-196, adopted September 10, 2007, shall be located within the main building on the second floor. The first floor may contain uses customary to a tourist home use, which may include a bedroom for the owner or operator of the tourist home, but shall not contain a lodging unit. One ~~[(1)]~~ lodging unit, identified as the “Carriage House Guest Suite” on the ~~[attached]~~ plans attached to and made a part of Ordinance No. 2007-224-196, adopted September 10, 2007, may be located in the carriage house. No more than two guests shall be permitted per tourist home lodging unit, except that any child under ~~[twelve (12)]~~ 12 shall not be counted as a guest. ~~[No meal other than breakfast may be served to guests.]~~

(e) No other commercial enterprise, including catering, with the exception of catering for special events, [a] or restaurant operations, with the exception of restaurant operations for guests of the tourist home, ~~[the hosting of meetings, weddings, receptions, and similar functions operated on a for-profit basis,]~~ shall be permitted on the ~~[premises]~~ property.

(f) ~~[The maximum consecutive stay for any guest shall be fourteen (14) nights.]~~

~~[(g)]~~ No fewer than four ~~[(4)]~~ parking spaces shall be provided on premises in the gravel parking area and garage, substantially as shown on the ~~[attached]~~ plans attached to and made a part of Ordinance No. 2007-224-196, adopted September 10, 2007.

(g) Special events, including the hosting of meetings, weddings, receptions, and similar functions, shall be permitted on the property, either within or outside the buildings.

(h) No special event shall extend beyond 9:00 p.m. No personnel associated with the special event shall work on the property beyond 10:00 p.m.

(i) No special event shall have more than 15 attendees.

(j) No amplified music, public address, or loudspeaker system shall be operated outside of the buildings on the property.

(k) For each special event on the property, the owner shall provide valet parking service to one or more off-site parking areas.

(l) The owner shall ensure that the Zoning Administrator is furnished with contact information for the operator of the special use.

~~[(m)]~~ (m) Identification of the premises shall be limited to a nameplate not exceeding one ~~[(1)]~~ square foot in area attached flat against a vertical surface of the dwelling and numerals indicating the property’s address.

~~[(n)]~~ (n) There shall be no enlargement of or exterior alterations to the dwelling, except for normal repair and maintenance.

Surrounding Area

Surrounding properties are located in the same R-6 District as the subject property. A mix of single-, two-, and multi-family residential, commercial, mixed use, and institutional land uses (including the Virginia Museum of Fine arts across Grove Avenue from the subject property) are present in the vicinity.

Neighborhood Participation

Staff notified area residents, property owners, and the Museum District Association of the proposed amendment to the existing Special Use Permit. Staff has received a letter of no opposition for this application from the Museum District Association.

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