



CITY OF RICHMOND

Department of Planning & Development Review *Staff Report*

Ord. No. 2019-325 - To authorize the special use of the property known as 1803 North 28th Street for the purpose of a church, day nursery, office, adult day care, and educational uses within an existing building, upon certain terms and conditions.

To: City Planning Commission
From: Land Use Administration
Date: December 2, 2019

PETITIONER

Mark Baker – Baker Development Resources

LOCATION

1803 North 28th Street

PURPOSE

To authorize the special use of the property known as 1803 North 28th Street for the purpose of a church, day nursery, office, adult day care, and educational uses within an existing building, upon certain terms and conditions.

SUMMARY & RECOMMENDATION

The applicant is proposing to use a vacant building at 1803 North 28th Street for the purposes of a variety of uses that are not permitted as principal uses within the underlying R-5 Single-Family Residential zoning of the property. A special use permit is therefore required.

Staff finds the proposed special use permit would authorize residential support uses, including educational uses previously authorized on the property.

Staff finds the proposed special use permit would assist in stabilizing the neighborhood by enabling the use of a vacant structure.

Staff finds that the proposed use will not place an undue burden on the availability of on-street parking in the area.

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 request.

FINDINGS OF FACT

Site Description

The subject property consists of a parcel totaling 4,529 SF, or .10 acres, of land. The property is a part of the Church Hill North neighborhood in the East Planning District. The property is located at the northeast corner of Y Street and North 28th Street.

Proposed Use of the Property

The applicant is proposing to use the existing building for church, day nursery, office, adult day care or educational uses.

Master Plan

The City of Richmond's current Master Plan designates the subject property for Single-Family Medium Density (SF-MD). Primary uses are 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.

Specifically for the East District, the Master Plan states "a continued need exists to stabilize older low-income residential neighborhoods throughout the District, particularly north of Broad Street in the Church Hill, Oakwood/Chimborazo, and Fairmount Neighborhoods (p. 163)."

Zoning and Ordinance Conditions

The current zoning for this property is R-5 Single-Family Residential.

The property was previously used as an educational facility and subject to Special Use Permit Ordinance No. 1988-277-248, which has lapsed due to the building being vacant for more than two years.

If approved, the proposed special use permit would impose development conditions on the property, including:

3(a) The Special Use of the Property shall be as an existing building with permitted uses which may include:

- (1) Adult daycare facilities;
- (2) Churches and other places of worship
- (3) Day nurseries licensed by and subject to the requirements of the Virginia Department of Social Services;
- (4) Office use, including business, professional and administrative offices, medical and dental offices and clinics, and studios of writers, designers and artists engaged in the graphic arts; provided that no retailing, wholesaling or servicing of merchandise shall be permitted on the premises nor shall the storage or display of merchandise to be serviced or offered for sale elsewhere be permitted on the premises;

(5) Public and private nonprofit business, professional and vocational schools not involving the use of heavy machinery, welding equipment or internal combustion engines; and

(6) Public and private nonprofit schools and educational institutions.

(7) Signs for the Special Use shall meet the requirements of section 30-507.1 of the Code of the City of Richmond (2015), as amended, concerning signs permitted in the R-63 Multifamily Urban Residential District and the requirements of section 30-505 of the Code of the City of Richmond (2015), as amended, concerning signs permitted in all districts.

(b) If any of the uses above are operated in such a manner as to be classified as a social service delivery use, a management program, pursuant to Sec. 30-1045.6(1)(e) of the Code of Richmond (2015), as amended, shall be approved by the Zoning Administrator prior to such operation.

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

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

(e) Bicycle storage for four bicycles shall be provided on the Property, substantially as shown on the Plans.

4(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.

(e) The Owner shall make improvements within the right-of-way, including the installation of a street tree along North 28th Street.

Surrounding Area

Surrounding properties are within the same R-5 Single-Family Residential District as the subject property. A mix of residential, vacant, institutional, and commercial land uses are present in the area.

Neighborhood Participation

Staff has not received any letters of support or opposition regarding this application.

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