



CITY OF RICHMOND

Department of Planning & Development Review *Staff Report*

Ord. No. 2015-020: To amend Ord. No. 2013-75-57, adopted April 22, 2013, which amended Ord. No. 2011-20-32, which authorized the property known as 310 North 33rd Street for the purpose of the conversion of the existing building to a multifamily dwelling with up to 50 units, and additionally authorized principal commercial uses permitted on corner lots in the R-63 Multifamily Urban Residential District on the property, to authorize outdoor dining, upon certain terms and conditions.

To: City Planning Commission
From: Land Use Administration
Date: May 4, 2015

PETITIONER

Susan Ould
PO Box 518
Keswick, VA 22947

LOCATION

310 North 33rd Street

PURPOSE

To amend Ord. No. 2013-75-57, adopted April 22, 2013, which amended Ord. No. 2011-20-32, which authorized the property known as 310 North 33rd Street for the purpose of the conversion of the existing building to a multifamily dwelling with up to 50 units, and additionally authorized principal commercial uses permitted on corner lots in the R-63 Multifamily Urban Residential District on the property, to authorize outdoor dining, upon certain terms and conditions.

SUMMARY & RECOMMENDATION

The subject property is located on the southwest side of the intersection of North 33rd and East Marshall Streets in the City's Church Hill neighborhood. The parcel contains approximately 0.50 acres of land area and is improved with a brick building that was constructed in 1904 as the Chimborazo School, a City school. The building contains 3 stories, each with approximately 12,438 square feet in area, for a total livable area of 37,314 square feet. The property is abutted by a one-way public alley which extends south from Marshall Street and then turns right, exiting on 33rd Street.

On April 22, 2013, City Council authorized a special use permit amendment (Ord. No. 2013-75-57) for the purposes of authorizing principal commercial uses permitted on corner lots in the R-63 Multifamily Urban Residential District. The approved commercial square footage was 2,500 square feet and the parking space requirements for the commercial space was waived.

The proposed outdoor dining area would be limited to 575 square feet and be required to cease operations no later 11:00 P.M. No additional parking would be required as part of the proposed dining area.

The subject property is located in the City's Chimborazo Park Old and Historic district and is zoned R-63 Multifamily Urban Residential District. Properties to the north, west, and south of the subject property are zoned R-8 (Urban Residential) and are generally improved with single-family detached residences. There are several vacant lots to the west of the public alley abutting the subject property that are owned by Mount Carmel Baptist Church, which is located at the intersection of 32nd and Broad Streets. Chimborazo Park is located to the south of the subject property, across Broad Street. There are two multi-family buildings across the street from the former school, which are also located in the R-63 District. A small UB (Urban Business) district is located to the east of the subject property along Marshall Street.

The subject property is located in the East Planning District, as defined by the 2000-2020 city-wide Master Plan. The Master Plan originally recommended Single-family (Medium Density) uses for the subject property. This designation was amended in April 2010, however, to recommend "Mixed Use Residential" uses for the property. The Master Plan defines the primary uses for this land use category as "single, two, and multi-family dwellings, live/work units and neighborhood serving commercial uses developed in a traditional urban form" (page 304).

Outdoor dining is a permitted in the R-63 Multi-family Urban Residential zoning district. However, the R-63 district requires no outdoor dining area be within 100 feet of any property in an R district. The proposed dining area is approximately 65 feet from the R-8 District, and therefore, an amendment to the special use permit is required. The applicant has proposed to limit the hours, occupancy, and noise.

Since the ordinance was introduced, the applicant has agreed to change the closing time from 11:00pm to 9:00pm.

Staff further finds that the proposal does meet 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-63 zoning district. Therefore, staff recommends approval of the special use permit request as amended.

FINDINGS OF FACT

Site Description

The subject property is located on the block bounded by East Marshall Street to the north, North 33rd Street to the east, East Broad Street to the south, and North 32nd Street to the west. The property is occupied by The parcel contains approximately 0.50 acres of land area and is improved with a brick building that was constructed in 1904 as the Chimborazo

School, a City school, and has been rehabilitated and developed for multi-family and commercial uses.

Proposed Use of the Property

The proposed outdoor dining area would be limited to 575 square feet and be required to cease operations no later 11:00 P.M. No additional parking would be required as part of the proposed dining area.

Master Plan

The subject property is located in the East Planning District, as defined by the 2000-2020 city-wide Master Plan. The Master Plan originally recommended Single-family (Medium Density) uses for the subject property. This designation was amended in April 2010, however, to recommend "Mixed Use Residential" uses for the property. The Master Plan defines the primary uses for this land use category as "single, two, and multi-family dwellings, live/work units and neighborhood serving commercial uses developed in a traditional urban form" (page 304).

Zoning & Ordinance Conditions

Outdoor dining is a permitted in the R-63 Multi-family Urban Residential zoning district. However, the R-63 district requires no outdoor dining area be within 100 feet of any property in an R district. The proposed dining area is approximately 65 feet from the R-8 District, and therefore, an amendment to the special use permit is required. The applicant has proposed to limit the hours, occupancy, and noise.

The ordinance proposes that the hours of operation would be cease no later than 9:00 p.m. daily. In addition the size of the outdoor dining area would be limited to 575 square feet and no music or public address system shall be operated in the outdoor dining area.

The ordinance stipulates that no parking shall be required for the outdoor dining area.

Surrounding Area

The subject property is located in the City's Chimborazo Park Old and Historic district and is zoned R-63 Multifamily Urban Residential District. Properties to the north, west, and south of the subject property are zoned R-8 (Urban Residential) and are generally improved with single-family detached residences. There are several vacant lots to the west of the public alley abutting the subject property that are owned by Mount Carmel Baptist Church, which is located at the intersection of 32nd and Broad Streets. Chimborazo Park is located to the south of the subject property, across Broad Street. There are two multi-family buildings across the street from the former school, which are also located in the R-63 District. A small UB (Urban Business) district is located to the east of the subject property along Marshall Street.

Neighborhood Participation

Staff has received one letter of support.

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