



## CITY OF RICHMOND

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

**Ord. No. 2022-210:** To authorize the special use of the property known as 421 North 33rd Street for the purpose of a mixed-use building with office use on the ground floor and one dwelling unit on the second floor, upon certain terms and conditions.

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**To:** City Planning Commission  
**From:** Land Use Administration  
**Date:** July 18, 2022

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#### **PETITIONER**

Mark Baker – Baker Development Resources

#### **LOCATION**

421 North 33<sup>rd</sup> Street

#### **PURPOSE**

To authorize the special use of the property known as 421 North 33rd Street for the purpose of a mixed-use building with office use on the ground floor and one dwelling unit on the second floor, upon certain terms and conditions.

#### **SUMMARY & RECOMMENDATION**

The proposal is to convert the first floor of an existing two-family detached dwelling into office space, while maintaining a residence on the second story. Per Section 30-413.12(3) of the Zoning Ordinance, office use is permitted by Conditional Use Permit in the R-8 Urban Residential Zoning District if it can be demonstrated that the building was originally designed for commercial use or converted for that purpose prior to 1943. The subject property has never been occupied by a commercial use in the past, therefore a Special Use Permit is required.

Staff finds that the proposal would be consistent with the recommendations of the City's Master Plan pertaining to the development style and features within the Neighborhood Mixed-Use land use category including the density, building height, and primary uses.

Staff finds that the proposal would not pose an undue burden on the availability of on-street parking, and is consistent with the parking requirements for an approved first-floor office conditional use in the R-8 Urban Residential District (Sec. 30-710.2:5).

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.

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## **FINDINGS OF FACT**

### **Site Description**

The subject property contains a lot area of approximately 4,146 square feet and contains an existing two-family dwelling dating to ca. 1910. The property is located within the Chimborazo neighborhood.

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

The applicant is requesting a Special Use Permit which would authorize the ground floor unit to be converted into office space.

### **Master Plan**

The City's Richmond 300 Master Plan designates a future land use for the subject property as Neighborhood Mixed Use which are defined as "Existing or new highly walkable urban neighborhoods that are predominantly residential with a small, but critical, percentage of parcels providing retail, office, personal service, and institutional uses." These areas feature a variety of building types that are close to one another and create a unified street wall. The building size, density, and zoning districts for these areas vary depending on historical densities and neighborhood characteristics. Future development should generally complement existing context. Setbacks, plazas, and parks create a sense of place and community gathering areas. New developments on larger parcels continue or introduce a gridded street pattern to increase connectivity within the neighborhood and to adjacent neighborhoods. In historic neighborhoods, small-scale commercial uses exist today or should be allowed to reestablish. In new neighborhoods, small scale commercial buildings should be introduced. Regardless of use, buildings should engage the street with features such as street-oriented façades with windows and door openings along street frontages. Appropriate setbacks, open space, front porches, elevated ground floors, and other features that provide a sense of privacy should be provided for residential uses. Pedestrian, bicycle, and transit access are prioritized and accommodated. Bike parking is provided. New driveways are prohibited on Priority and Principal Street frontages. Vehicular access to parcels should use alleys wherever possible. Parking areas should be located to the rear of street-facing buildings.

Intensity: Building heights are generally two to four stories. Buildings taller than four stories may be found along major streets. Parcels are generally between 1,500 and 5,000 sq. ft.

Primary Uses: Single family houses, accessory dwelling units, duplexes, small multi-family buildings (typically 3 - 10 units), and open space.

Secondary Uses: Large multifamily buildings (10+units), retail/office/personal service, institutional, cultural, and government.

## **Zoning and Ordinance Conditions**

The current zoning for the subject parcel is R-8 Urban Residential District. The following sections of within the City's current zoning ordinance are not met by the application.

Section 30-413.12(3) Principal uses permitted by conditional use permit:

The following nondwelling uses occupying the ground floor of existing buildings, provided that the building devoted to any such use was, prior to May 19, 1943, originally constructed for or converted to commercial use, and provided further that drive-up facilities and facilities for dispensing motor fuels shall not be permitted in conjunction with any such use:

- a. Art galleries, including custom framing in conjunction therewith.
- b. Barber shops and beauty salons, including manicure, spa, tanning and similar services in conjunction therewith.
- c. Grocery stores, convenience stores and specialty food and beverage stores, including bakeries where products are sold principally at retail on the premises.
- d. Laundromats and laundry and dry cleaning pick-up stations.
- e. Offices, including business, professional and administrative offices, and studios of writers, designers and artists engaged in the arts.
- f. Restaurants, tea rooms, cafes, delicatessens, ice cream parlors and similar food and beverage service establishments, including catering businesses in conjunction therewith, but not including establishments providing live entertainment or establishments where food or beverage is intended to be consumed on the premises outside a completely enclosed building.
- g. Video rental stores.

*The subject property has never been occupied by a commercial use in the past, therefore a Special Use Permit is required.*

The special use permit would impose conditions on the property, including:

(a) The Special Use of the Property shall be as a mixed-use building with office use on the ground floor and one dwelling unit on the second floor.

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

(c) The aggregate area of all signs directed toward or intended to be viewed from any street frontage shall not exceed 8 square feet and shall be limited to suspended signs and wall signs. No individual suspended sign shall exceed 6 square feet.

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

**Surrounding Area**

Surrounding and nearby properties are primarily zoned R-8 Urban Residential. The properties located on the southern end of the block are located within the UB Urban Business District and a Parking Exempt Overlay (PE6). Properties surrounding the subject parcel contain single-family dwellings, with intuitional uses on the southwest corner of the block.

**Neighborhood Participation**

Staff notified area residents, property owners, and the Church Hill Central Civic Association, of the proposed Special Use Permit. Staff has not received any letters of support or opposition for this application at the time of this report.

**Staff Contact:** Alyson Oliver, Senior Planner, Land Use Administration, 804-646-3709