



Application for **SPECIAL USE PERMIT**

Department of Planning and Development Review  
Land Use Administration Division  
900 E. Broad Street, Room 511  
Richmond, Virginia 23219  
(804) 646-6304  
<http://www.richmondgov.com/>

Application is hereby submitted for: (check one)

- special use permit, new
- special use permit, plan amendment
- special use permit, text only amendment

**Project Name/Location**

Property Address: 3103 Ellwood Date: 2/26/20  
 Tax Map #: W0001406026 Fee: \$1,200  
 Total area of affected site in acres: .062

(See **page 6** for fee schedule, please make check payable to the "City of Richmond")

**Zoning**

Current Zoning: R-48 Residential (Multifamily)

Existing Use: Hair Salon

**Proposed Use**

(Please include a detailed description of the proposed use in the required applicant's report)

Office  
Existing Use: Hair Salon

Is this property subject to any previous land use cases?

Yes  No   
 If Yes, please list the Ordinance Number: 2009-201-211, 2001-169-164, 1985-077-79

**Applicant/Contact Person:** Mark Baker

Company: Baker Development Resources  
 Mailing Address: 1519 Summit Ave., Suite 102  
 City: Richmond State: VA Zip Code: 23230  
 Telephone: ( 804 ) 874-6275 Fax: ( )  
 Email: markbaker@bakerdevelopmentresources.com

**Property Owner:** BONJONNIE, LLC

If Business Entity, name and title of authorized signee: Babette Petraitis, Owner

(The person or persons executing or attesting the execution of this Application on behalf of the Company certifies that he or she has or have been duly authorized and empowered to so execute or attest.)

Mailing Address: 9301 Cardiff Loop Rd  
 City: Richmond State: VA Zip Code: 23236  
 Telephone: ( 804 ) 771-9500 Fax: ( )  
 Email: \_\_\_\_\_

**Property Owner Signature:** Babette Petraitis

The names, addresses, telephone numbers and signatures of all owners of the property are required. Please attach additional sheets as needed. If a legal representative signs for a property owner, please attach an executed power of attorney. **Faxed or photocopied signatures will not be accepted.**

**NOTE:** Please attach the required plans, checklist, and a check for the application fee (see Filing Procedures for special use permits)

# **APPLICANT'S REPORT**

*February 26, 2020*

*Special Use Permit Amendment Request  
3103 Ellwood Avenue, Richmond, Virginia  
Map Reference Number: W0001406026*

Submitted to: **City of Richmond**  
Department of Planning and Development Review  
Land Use Administration  
900 East Broad Street, Suite 511  
Richmond, Virginia 23219

Submitted by: **Baker Development Resources**  
1519 Summit Ave., Suite 102  
Richmond, Virginia 23230

## Introduction

The property owner is requesting a special use permit amendment ("SUP") for 3103 Ellwood Ave. ("the Property"). The SUP would reauthorize the use of an existing commercial building for a general office use, which does not conform to the underlying R-48 Multi-Family Residential district zoning requirements applicable to the Property.

## Existing Conditions

### SITE DESCRIPTION AND EXISTING LAND USE

The property is located on the south side of Ellwood Avenue between Belmont and Auburn Streets. The property is referenced by the City Assessor as tax parcel W0001406026. Per the assessment, the property is approximately 21' wide and 125' deep with a lot area of approximately 2,697 square feet. The lot is rectangular in shape with alley access and two parking spaces in the rear.



The Property is improved with a two-story brick building constructed in 1912 which includes approximately 2,560 square feet of floor area along with two paved parking spaces. The building has been in operation as a beauty salon with a second-floor dwelling unit since 1985 when the original SUP for the use of the building was granted. In 2001 the SUP was amended to eliminate the operator-occupied residency requirement of the second-floor dwelling unit.

Because of the specificity of the original approval, a special use permit amendment is now needed to authorize the re-use of the Property as an office.

The Property is bordered to the south by a mix of more intense commercial uses located within the Carytown Service Corridor. These commercial/nonresidential uses generally extend north along Belmont Avenue and include office, retail, restaurants, art galleries and institutional uses such as the Belmont Branch of the Richmond Public Library. Properties to the west along Ellwood Avenue are generally two-family dwellings. A mix of single-family, two-family and multi-family dwellings lie to the east.

#### **EXISTING ZONING**

The Property is zoned R-48 Multi-Family Residential and falls within the West of the Boulevard Design Overlay District. The Property is subject to a Special Use Permit (Ord. 85-77-79) which permitted the use of the Property as a beauty salon with a second-floor dwelling unit. This SUP was amended in 2001 (Ord. 2001-169-164) to eliminate the owner-occupied residency requirement of the previous SUP. To the north, across Ellwood Ave., buildings are zoned R-6 while other, more intense zoning districts, such as RO-2 and UB-PO2 can be found immediately to the south in the Carytown Service Corridor.



#### **MASTER PLAN DESIGNATION**

The current Master Plan recommends "Single-Family (Medium Density)" for the Property. However, the draft Richmond 300 Master Plan recommends "Neighborhood Mixed-Use" for the Property as well as classifying the area the Property is in as a Regional Activity Center. The Richmond 300 Master Plan describes the Neighborhood Mixed Use land use category as "Cohesive highly-walkable urban neighborhoods that are predominantly residential but have a mix of retail, office, personal service, and institutional uses, which are usually found on major roads and at corner sites."

# Proposal

## PROJECT SUMMARY

The SUP would reauthorize the use of an existing commercial building for the general office use on both floors which does not conform to the underlying R-48 Multi-Family Residential district zoning requirements applicable to the Property.

## PURPOSE OF REQUEST

The current R-48 zoning does not permit the current or proposed uses of the Property. The SUP that authorized the current use of the property does not authorize the office use that is now proposed. The proposed office use is consistent in intensity with the uses currently permitted by the SUP and is compatible with the existing building configuration. A special use permit amendment is necessary in order to reauthorize the use of the building for this use.

## PROJECT DETAILS

The existing two-story structure would be renovated for the purpose of an office use on both floors. The office space would be upgraded to meet the expectations of high-quality commercial tenants in today's market. The office use would provide for a small-scale commercial use that could serve day-to-day convenience needs of neighborhood residents. The office use is less intense than the existing permitted salon (personal service use) which, from a zoning perspective, is generally a more restricted use than office. At the same time, the office use offers better compatibility with nearby residential uses given the typical daytime public hours of operation associated with that use. Consistent with the original approval and based on the buildings modest size and overall residential character, the proposed impact of the use would be limited. The use would offer a reasonable transition from more intense commercial uses within the Carytown Service Corridor and along Belmont to nearby residential uses.

In exchange for the SUP, the intent of this request is to allow for the reasonable re-use of this building as an office and the corresponding remodel of the building as a high-quality commercial space. The proposed use would arguable be less intense than the previously authorized use of the Property, thereby reducing any potential conflict between the use of the Property and nearby residential uses. The assurances conditioned through the SUP would guarantee an appropriate re-use of the building that is complimentary and appropriate in use and scale to the surrounding neighborhood.

## Findings of Fact

The following are factors included in Section 17.11 of the Charter and Section 114-1050.1 of the Zoning Ordinance relative to the approval of special use permits by City Council. The proposed special use permit amendment will not:

- ***Be detrimental to the safety, health, morals and general welfare of the community involved.***

The proposed special use permit amendment will not impact the safety, health, morals and general welfare of the nearby neighborhoods.

- ***Tend to create congestion in streets, roads, alleys and other public ways and places in the area involved.***

The proposed special use permit amendment will not result in significant traffic impacts to nearby residential neighborhoods. The traffic generation associated with the proposed uses is negligible and in keeping with the original use of the Property.

- ***Create hazards from fire, panic or other dangers.***

The property was developed and will be rehabilitated in a manner consistent with the requirements of the building code and in accordance with the requirements of Fire and Emergency Services. The City's codes applicable to this development are designed to eliminate such hazards.

- ***Tend to overcrowding of land and cause an undue concentration of population.***

The proposed special use permit amendment will not tend to over crowd the land or create an undue concentration of population. No expansions to the existing building are proposed.

- ***Adversely affect or interfere with public or private schools, parks, playgrounds, water supplies, sewage disposal, transportation or other public requirements, conveniences and improvements.***

The proposed special use permit amendment would not adversely affect the above referenced City services. To the contrary, the proposal could provide positive fiscal (tax) benefits that would enhance the City's ability to provide these services to the proposed development.

- ***Interfere with adequate light and air.***

The light and air available to the subject and adjacent properties will not be affected. No expansions to the existing building are proposed.

## Summary

In summary, we are enthusiastically seeking approval for this SUP, which would allow for the reasonable re-use and rehabilitation of the of the building with an office use. The proposed

office would be limited in scale and could provide for the day-to-day needs of nearby residents while offering opportunities for residents to live and work within or adjacent to their neighborhood. The project would remain consistent with original SUP that was previously authorized while arguably being less intense given the typical daytime public hours of operation associated with that use. The assurances conditioned through the SUP would guarantee an appropriate re-use of the building that is complementary to the surrounding residential neighborhood.