



CITY OF RICHMOND

Department of Planning & Development Review *Staff Report*

Ord. No. 2015-98: To authorize the special use of the property known as 320 North 32nd Street for the purpose of a mixed-use development, upon certain terms and conditions.

To: City Planning Commission
From: Land Use Administration
Date: May 18, 2015

PETITIONER

Andy Beach - Urban Core Development
409 E. Main Street, Suite 100
Richmond, VA 23219

LOCATION

320 North 32nd Street

PURPOSE

To authorize the special use of the property known as 320 North 32nd Street for the purposes of a mixed-use development in the R-8 District, upon certain terms and conditions.

SUMMARY & RECOMMENDATION

The subject property consists of a 0.086 acre (3,742 sq. ft.) parcel of vacant land. The property is located at the southwest corner of the intersection of East Marshall Street and North 32nd Street in the Church Hill neighborhood of the East Planning District. The property is also located within the St. John's Church City Old & Historic District and the proposed new construction has been reviewed and approved by the Commission of Architectural Review.

The proposed use of the property is a mixed use development consisting of up to three dwelling units and two ground floor commercial spaces, served by no fewer than three on-site surface parking spaces. The uses allowed within the commercial spaces shall be limited to the permitted principal uses on corner lots in the R-63 Multifamily Urban Residential District, pursuant to section 114-419.3 of the Code of the City of Richmond (2004), as amended.

The property is zoned in the R-8 Urban Residential District, which does not allow multi-family residential use or commercial use as by-right principal uses. A 3-unit multi-family dwelling is allowed as a principal use permitted by conditional use permit on a lot containing no less than 4,500 sq. ft. in area. Certain commercial uses are allowed as principal uses permitted by conditional use permit provided they are located in certain existing structures. The subject property is less than 4,500 sq. ft. in area and is unimproved. A special use permit is therefore required.

Staff finds that the proposed, historically-sensitive infill development would be consistent with the intended purpose of the R-8 Urban Residential District, would complement the surrounding mixed-use area, and would contribute to the stabilization of the neighborhood.

Staff finds that the proposed use would not pose an undue burden on the neighborhood's on-street parking capacity.

Staff further finds that with the conditions of the ordinance, the safeguards contained within the City Charter, relative to the granting of special use permits, are met. Staff therefore recommends approval of the proposed special use permit.

FINDINGS OF FACT

Site Description

The subject property consists of a 0.086 acre (3,742 sq. ft.) parcel of vacant land. The property is located at the southwest corner of the intersection of East Marshall Street and North 32nd Street in the Church Hill neighborhood of the East Planning District. The property is also located within the St. John's Church City Old & Historic District and the proposed new construction has been reviewed and approved by the Commission of Architectural Review.

Proposed Use of the Property

The proposed use of the property is a mixed use development consisting of up to three dwelling units and two ground floor commercial spaces, served by no fewer than three on-site surface parking spaces. The uses allowed within the commercial spaces shall be limited to the permitted principal uses on corner lots in the R-63 Multifamily Urban Residential District, pursuant to section 114-419.3 of the Code of the City of Richmond (2004), as amended.

Master Plan

The City of Richmond's Master Plan recommends Single-Family (medium density) land use for the subject property. Primary uses are single-family and two-family dwellings, both detached and attached, at densities of 8 to 20 units per acre. Typical zoning classifications recommended to accommodate this land use category are R-5A, R-6, and R-7 (p. 133).

However, the subject property abuts and is across East Marshall Street from an area with a Mixed Use (Residential) land use designation and could be considered an extension of that area. The Master Plan defines the primary uses for this category as single-, two-, and multi-family dwellings, live/work units and neighborhood-serving commercial uses developed in a traditional urban form. The typical zoning classification recommended to accommodate this land use category is R-63 (p. 304).

In regard to the East District, the Master Plan states there is a "continued need...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) and that "existing historic preservation design controls should be maintained" (p. 166). "Commercial uses in the East District should be concentrated within existing commercial service centers and mixed-use areas" (p. 169).

Prior to the 2010 Church Hill Neighborhood Master Plan Amendment, the Master Plan presented concerns regarding corner commercial uses, stating they “should be restricted to neighborhood commercial uses with limitations on operating hours, number of employees, and signage...Neighborhood commercial uses are deemed appropriate only as long as ABC licenses are not included in their operation” (p. 170). However, with the expansion of mixed-use areas recommended by the 2010 amendment, increased commercial activity is encouraged in the area and concerns regarding commercial uses, particularly the sale of alcohol, have been reduced.

Zoning & Ordinance Conditions

The property is zoned in the R-8 Urban Residential District, which does not allow multi-family residential use or commercial use as by-right principal uses. A 3-unit multi-family dwelling is allowed as a principal use permitted by conditional use permit on a lot containing no less than 4,500 sq. ft. in area. Certain commercial uses are allowed as principal uses permitted by conditional use permit provided they are located in certain existing structures.

According to the Zoning Ordinance, the R-8 Urban Residential District is intended to preserve and enhance the established character of older urban residential neighborhoods in the inner areas of the city by ensuring that infill development, as well as redevelopment, will be consistent with the predominant existing development pattern of such neighborhoods.

The conditions of the special use permit ordinance will limit the use of the subject property to a mixed use development consisting of no more than three dwelling units and two ground floor commercial spaces, served by no fewer than three on-site, screened surface parking spaces. The uses allowed within the commercial spaces will be limited to the permitted principal uses on corner lots in the R-63 District.

Likewise, signage on the premises will be limited to signage permitted in the R-63 District. Operations of the commercial spaces will cease no later than 11:00 PM daily and all mechanical units will be located out of the public view.

All building materials, material colors, and site improvements will be subject to the provisions of any applicable Old and Historic Overlay district regulations and any approvals granted by the Commission of Architectural Review. And street trees will be installed in the North 32nd Street and East Marshall Street rights-of-way in front of the subject property, pursuant to the standards and requirements of the Department of Public Works.

Surrounding Area

The subject property, adjacent properties to the south, and properties across North 32nd Street are within the R-8 district that encompasses much of the Church Hill neighborhood. Adjacent properties to the west and across East Marshall Street are within the R-63 Multifamily Urban Residential zoning district that coincides with the Mixed Use (Residential) area referenced above. Residential (single-, two-, and multifamily) land uses predominate the area, with vacant, commercial, and institutional uses present as well. A mixed-use structure is located across from the subject property at the northwest corner of the intersection of East Marshall Street and North 32nd Street.

Neighborhood Participation

Staff notified the Church Hill Association and Councilwoman Cynthia I. Newbille of the request. A letter of support was received from the Church Hill Association.

Staff Contact: Matthew J. Ebinger, (804) 646-6308