



## CITY OF RICHMOND

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

**Ord. No. 2014-235:** To rezone the properties known as 1829 West Cary Street and 1831 West Cary Street from the R-7 Single- and Two-Family Urban Residential District to the UB Urban Business District.

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**To:** City Planning Commission  
**From:** Land Use Administration  
**Date:** December 1, 2014

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#### **PETITIONER**

Bruce Boykin - Eck Enterprises, Inc.

#### **LOCATION**

1829 West Cary Street and 1831 West Cary Street

#### **PURPOSE**

To rezone the properties known as 1829 West Cary Street and 1831 West Cary Street from the R-7 Single- and Two-Family Urban Residential District to the UB Urban Business District.

#### **SUMMARY & RECOMMENDATION**

The subject property is located within the R-7 district that does not allow the mix of commercial and residential uses that can be accommodated by the layout of the existing building. Properties to the north and west of the subject property are located within the UB Urban Business District. Extending the boundaries of this district to include the subject property would allow a mix of uses in the existing building and enable application of appropriate off-street parking requirements.

While the Master Plan does not contemplate commercial use of the property, the property was originally constructed for first-floor commercial use and is unlikely, as configured and situated, to be converted to a single- or two-family dwelling as permitted by the underlying zoning and recommended by the Master Plan.

Moreover, the subject property is a component of the cluster of mixed-use, office, and commercial land uses running along West Cary Street from its intersection with South Meadow Street to the subject property, where the land uses transition along West Cary Street to predominantly residential (single-, two-, and multi-family) land uses.

Staff finds the UB Urban Business District designation is an appropriate designation for the subject property and would facilitate the appropriate use of an historic, corner commercial structure. Therefore, staff recommends approval of the rezoning request.

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## **FINDINGS OF FACT**

### **Site Description**

The subject property consists of two contiguous parcels of land located at the southeast corner of the intersection of West Cary Street and South Granby Street, in The Fan neighborhood of the Near West planning district. 1829 West Cary Street consists of a 0.129 acre (5,619 sq ft) parcel of land improved with a surface parking area. 1831 West Cary Street consists of a 0.103 acre (4,487 sq ft) parcel of land improved with a 2-story mixed-use building constructed around 1900 and a surface parking area to the rear. The first floor of the building contains a double-storefront corner commercial space and the second floor contains two apartment units.

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

The applicant is proposing non-residential use of the first floor of the structure and residential use of the second floor of the structure, pursuant to the permitted uses of the UB district. The original rezoning request was to also include the property in the Main Street/Uptown PO-3 parking overlay district, however, the property is not contiguous to the boundaries of the overlay district and therefore cannot be included in the overlay district.

### **Master Plan**

The City of Richmond's Master Plan recommends Single-family (Medium Density) land uses for the property. The Master Plan defines the primary uses for this category as single-family and two-family detached and attached dwellings at densities of 8 to 20 units per acre, and includes residential support uses such as schools, places of worship, and neighborhood parks, among others.

Specifically for West Cary Street east of Meadow Street, the Master Plan states, "West Cary Street should transition to a residential environment with limited commercial uses."

### **Zoning & Ordinance Conditions**

If rezoned, the subject property would be required to operate under the requirements of the UB district. Pursuant to the Zoning Ordinance, the intent of the UB district is to encourage business areas with a densely developed pedestrian-oriented urban shopping character, compatible with adjacent residential neighborhoods, and with minimal disruption from vehicle-oriented land uses and features that would detract from a safe, convenient and economically viable pedestrian environment. The district is intended to promote continuity of storefront character along principal street frontages, with minimum interruption by driveways and vehicle traffic across public sidewalk areas. The regulations within the district are intended to preserve the predominant scale and character of existing urban shopping areas, promote retention of existing structures and encourage that new development be compatible with such existing areas and structures.

A plan of development pertaining to the existing 20-space parking area on the subject property was approved in 2002. In 1952, the Board of Zoning Appeals permitted a carpenter repair shop and dwelling in the existing building (BZA Case No. 11-52). The first floor was last used as a catering business.

**Surrounding Area**

The subject property and properties to the east and south are located within the R-7 district that does not allow the mix of commercial and residential uses that can be accommodated by the layout of the existing building on the subject property. Properties to the north and west of the subject property are located within the UB district. Extending the boundaries of this district to include the subject property would allow a mix of uses in the existing building and enable application of appropriate off-street parking requirements.

**Neighborhood Participation**

Staff has received letters of support from the Uptown Association and owners of property and businesses in the area.

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