



CITY OF RICHMOND

Department of Planning & Development Review *Staff Report*

Ord. No. 2016-262: To authorize the special use of the property known as 203 Rear North Davis for the purpose of permitting garages; offices, including business, professional and administrative offices; studios of writers, designers and artists; and uses accessory to an off-site home occupation within an existing structure, upon certain terms and conditions.

To: City Planning Commission
From: Land Use Administration
Date: November 7, 2016

PETITIONER
RLGL, LLC

LOCATION
203 Rear North Davis

PURPOSE

To authorize the special use of the property known as 203 Rear North Davis for the purpose of permitting garages; offices, including business, professional and administrative offices; studios of writers, designers and artists; and uses accessory to an off-site home occupation within an existing structure, upon certain terms and conditions.

SUMMARY & RECOMMENDATION

The subject property consists of a 3,223 SF (0.074 acre) parcel of land improved with a freestanding garage with second floor office/studio space that was constructed, per tax assessment records, in 2006.

The subject property is located in The Fan neighborhood of the Near West planning district. The property is accessed via City alleys and is located at the center of the block bound by Grove Avenue, North Davis Avenue, Hanover Avenue, and North Stafford Avenue.

The subject property and all adjacent properties are located within the same R-6 Single-Family Attached Residential District that encompasses much of the area.

The subject property has previously been used for non-residential uses not permitted in the R-6 district. If approved, the special use permit would permit such uses, i.e. garages; offices, including business, professional and administrative offices; studios of writers, designers and artists; and uses accessory to an off-site home occupation within an existing structure, as described below.

Staff finds that while not consistent with the Single-family (Medium-Density) land use recommendation of the Master Plan, the scale of the building is in keeping with the New West planning district and the non-residential uses proposed in the special use permit are consistent with the commercial uses serving the Fan neighborhood.

Staff further finds that the conditions of the special use permit would serve to mitigate the potential negative effects of the proposed uses of the subject property on surrounding residential uses.

Staff further finds that the provision of garage spaces for uses in the area and limitations on the intensity of the non-garage use of the subject property should not cause an undue burden on the existing supply of on-street parking.

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 3,223 SF (0.074 acre) parcel of land improved with a freestanding garage with second floor office/studio space that was constructed, per tax assessment records, in 2006. The subject property is located in The Fan neighborhood of the Near West planning district. The property is accessed via City alleys and is located at the center of the block bound by Grove Avenue, North Davis Avenue, Hanover Avenue, and North Stafford Avenue.

Proposed Use of the Property

The use of the first floor of the building located on the Property shall be garages serving permitted uses located within the block bounded by Grove Avenue, North Davis Avenue, Hanover Avenue, and North Stafford Avenue; within the block bounded by Grove Avenue, North Robinson Street, Hanover Avenue, and North Davis Avenue; or within the block bound by Grove Avenue, North Stafford Avenue, Hanover Avenue, and Strawberry Street. No more than two garage bays may be used for furniture storage, repair, and sales, provided such use is accessory to a permitted home occupation at the property known as 2415 Hanover Avenue and identified as Tax Parcel No. W000-1082/008 in the 2016 records of the City Assessor. Use of the first floor shall be substantially as shown on the Plans.

The use of the second floor of the Property shall be a total of no more than two offices, including business, professional and administrative offices, or studios of writers, designers and artists. The following uses shall not be permitted on the second floor: medical and dental offices and clinics, art galleries, personal service businesses that provide services directly to persons or services for personal items, including barber shops, beauty salons, health spas, fitness centers, dance studios, photography studios, travel agencies, shoe repair shops, tailor and garment alteration and repair shops, clothing rental stores, watch and jewelry repair shops, music studios and similar establishments, or pet shops, veterinary clinics and animal hospitals, including boarding kennels. No products shall be offered for sale directly to customers. Use of the second floor shall be substantially as shown on the Plans.

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 (p. 133).

A guiding land use principle for the New West planning district is that "infill development of like density, scale and use is appropriate" (p. 230). The Fan specifically "is identified on the Land Use Plan map as appropriate for the continuation of a wide range of urban residential uses (with varying housing styles and residential densities) and commercial uses to serve the area" (p. 233).

Zoning & Ordinance Conditions

The subject property is located in the R-6 Single-Family Attached Residential District. In addition to the R-6 requirements of the Zoning Ordinance, the special use permit would impose additional development conditions, including:

-Permitted uses, as listed above

- There shall be no process or activity conducted or equipment operated on the Property that generates any noise, vibration, odor, smoke, fumes, glare, or electrical interference discernable to the normal senses beyond the lot lines of the Property. The use or storage, either or both, of hazardous materials of such type or in such quantities not normally customary for the uses permitted on the Property shall be prohibited. There shall be no housing of persons for compensation on the Property, and there shall be no commercial repair of vehicles or internal combustion engines on the Property.

-No parking shall be required for the non-garage use of the Property.

- No more than two employees in each office or studio on the second floor shall be permitted. The number of employees pertaining to the non-garage use of the first floor shall be subject to the regulations governing a home occupation at the property known as 2415 Hanover Avenue and identified as Tax Parcel No. W000-1082/008 in the 2016 records of the City Assessor.

- Visitation by clients, customers, vendors, or other visitors associated with the non-garage use of the Property, including deliveries, shall not exceed a total of four vehicle visits per day or more than two persons at any one time and shall occur only between the hours of 8:00 a.m. and 6:00 p.m. All operations of the non-garage use of the Property shall cease by 9:00 p.m. daily.

- No more than three identification signs shall be permitted on the Property. No sign shall exceed one square foot in area, be illuminated, or be located on the eastern or southern sides of the structure. Up to three of the signs may be located on the doors on the western side of the structure but shall not be located on the western side wall of the structure or garage doors. One of the signs may be located on the northern wall of the structure.

- Outdoor lighting shall be located, directed or shielded so as not to shine directly on adjoining properties or to create a traffic hazard by means of glare or similarity to or confusion with traffic signals, warning lights or lighting on emergency vehicles.
- All mechanical equipment serving the Property shall be located or screened so as not to be visible from any public right-of-way.
- Facilities for the collection of refuse shall be provided in accordance with the requirements of the Director of Public Works. Such facilities shall be located or screened so as not to be visible from adjacent properties and public streets.

Surrounding Area

The subject property and all adjacent properties are located within the same R-6 Single-Family Attached Residential District that encompasses much of the area.

Neighborhood Participation

Notice was sent to the Fan District Association and Councilman Charles R. Samuels. A letter of no opposition was submitted by the Board of the Fan District Association. A petition of support was submitted with the application.

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