



CITY OF RICHMOND

Department of Planning & Development Review *Staff Report*

Ord. No. 2018-022: To amend Ord. No. 2002-17-48, adopted Feb. 11, 2002, which authorized the special use of the properties known as 8 and 10 East Main Street for conversion and use of the ground floor levels of the existing buildings for dwelling purposes, together with off-street parking, to also permit such properties to be used for short-term rental, upon certain terms and conditions.

To: City Planning Commission
From: Land Use Administration
Date: February 20, 2018

PETITIONER

Daniel Wassum

LOCATION

8 & 10 East Main Street

PURPOSE

To amend Ord. No. 2002-17-48, adopted Feb. 11, 2002, which authorized the special use of the properties known as 8 and 10 East Main Street for conversion and use of the ground floor levels of the existing buildings for dwelling purposes, together with off-street parking, to also permit such properties to be used for short-term rental, upon certain terms and conditions.

SUMMARY & RECOMMENDATION

The subject property consists of a 6,447 SF or .15 acre parcel of land improved with a three (3) story, 7,182 SF multi-family building with 6 dwelling units (constructed, per tax assessment records, in 1910) and a detached garage. The property is located in the Monroe Ward neighborhood within the Downtown Planning District and the Zero Blocks East and West Franklin Street City Old & Historic District.

The applicant is proposing to use the existing multi-family dwelling and a proposed second floor of the existing garage for up to seven rooms or groups of rooms for short-term rental, up to seven multifamily dwelling units, or a combination thereof. Short-term rental use is not a permitted use, per the City's zoning ordinance. An amendment to the existing special use permit is therefore required.

Staff finds the proposed use would be consistent with the mix of uses supported by the Pulse Corridor Plan and with the vision of the Arts District Station Area reference in the Pulse Corridor Plan.

Staff further finds that, with the provision of on-site parking and bicycle parking and the availability of mass transit (including the Pulse Bus Rapid Transit route currently under construction), the proposed use would not pose an undue burden on the availability of on-street parking in the area.

Staff further finds that the proposed short-term rental use is analogous to a tourist home use, though not all of the proposed short-term rental units would be accessed from within the building, which is a feature of tourist homes by definition of the zoning ordinance. Tourist homes are a permitted use in the underlying zoning district of the subject property.

Staff further 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 amendment request, with the following amendments:

1. Modify the plan sheet dates referenced in the ordinance to reflect the dates shown on the plan sheets.

2. Modify Condition 3(h) to read: "That signage pertaining to the special use shall comply with the signage standards for permitted uses of the R-73 Multifamily Residential District as set forth in section 30-507(2) of the Code of the City of Richmond (2015), as amended. **Signage pertaining to the special use shall also meet the requirements of the Commission of Architectural Review.**"

3. Modify Condition 3(i) to read: No unit used for short-term rental shall be rented to more than two adult persons per ~~room~~**bedroom** at any given time.

FINDINGS OF FACT

Site Description

The subject property consists of a 6,447 SF or .15 acre parcel of land improved with a three (3) story, 7,182 SF multi-family building with 6 dwelling units (constructed, per tax assessment records, in 1910) and a detached garage. The property is located in the Monroe Ward neighborhood within the Downtown Planning District and the Zero Blocks East and West Franklin Street City Old & Historic District.

Proposed Use of the Property

The applicant is proposing to use the existing multi-family dwelling and a proposed second floor of the existing garage for up to seven rooms or groups of rooms for short-term rental, up to seven multifamily dwelling units, or a combination thereof.

Pulse Corridor Plan

The City of Richmond's Pulse Corridor Plan designates a future land use for this property as Downtown Mixed-Use, which features high-density development with office buildings, apartments, and a mix of complementary uses, including regional destinations (p. 30).

Specifically for Monroe Ward, the plan states, “The future land use for Monroe Ward builds on the incredibly dynamic and diverse existing building stock, creating a truly eclectic urban neighborhood” (p. 84).

The property is within the Arts District Station Area of the Pulse Corridor Plan. The vision for this Station Area is as follows: Historic buildings are preserved and complemented by denser development on vacant lots that generates more activity through a greater concentration of residents, shoppers, workers, and tourists who are attracted to the residential options, retail and restaurant destinations, jobs, and cultural attractions, including galleries, parks, museums, theaters, and other such destinations throughout Jackson Ward, Monroe Ward, and along W. Broad Street (p. 84).

Zoning and Ordinance Conditions

The current zoning designation for this property is B-3 General Business and the Zero Blocks East and West Franklin Street City Old & Historic District.

The property is also subject to an existing special use permit allowing conversion and use of the ground floor level of the existing building for dwelling purposes.

The proposed amended special use permit ordinance would retain existing conditions and impose additional conditions. A selection of the conditions is as follows:

3(c) That the special use of the property shall be up to seven multifamily dwelling units, up to seven rooms or groups of rooms to be used for short-term rental, as section 15.2-983(A) of the Code of Virginia (1950), as amended, defines the term “short-term rental,”* or a combination thereof. Up to six of such rooms or groups of rooms shall be located in the existing multifamily dwelling and one of such rooms or groups of rooms shall be located in the proposed second floor of an existing garage, substantially as shown on the plans attached to this amendatory ordinance.

(d) That the owner shall maintain access to the alley for use by tenants of the property. Such access may be provided off-site by recorded lease or easement. If access is provided off-site, the owner shall record a copy of the executed lease or easement prior to the issuance of the building permit;

(e) That no fewer than three (3) parking spaces shall be provided on the property, substantially as shown on the attached plans, and shall be paved with an all-weather dust free surface, and be delineated on the pavement surface;

(f) That 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;

(g) That storm or surface water shall not be allowed to accumulate on the land and that adequate facilities for the drainage of storm or surface water from the land and building shall be provided and maintained at all times by the owner at its cost and expense so as not to adversely affect or damage adjacent property or public streets and the use thereof; and

(h) That signage pertaining to the special use shall comply with the signage standards for permitted uses of the R-73 Multifamily Residential District as set forth in section 30-507(2) of the Code of the City of Richmond (2015), as amended.

(i) No unit used for short-term rental shall be rented to more than two adult persons per room at any given time.

(j) All building materials and elevations shall be substantially as shown on the plans attached to this amendatory ordinance, unless otherwise approved by the Commission of Architectural Review prior to the issuance of a building permit for the property.

(k) The Owner shall ensure that the Zoning Administrator is furnished with contact information for the operator of the special use, as section 15.2-983(A) of the Code of Virginia (1950), as amended, defines the term "operator."*

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

(m) No fewer than five long-term bicycle parking spaces shall be provided for the special use.

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*Pursuant to section 15.2-983(A) of the Code of Virginia (1950), as amended:

"Operator" means the proprietor of any dwelling, lodging, or sleeping accommodations offered as a short-term rental, whether in the capacity of owner, lessee, sublessee, mortgagee in possession, licensee, or any other possessory capacity.

"Short-term rental" means the provision of a room or space that is suitable or intended for occupancy for dwelling, sleeping, or lodging purposes, for a period of fewer than 30 consecutive days, in exchange for a charge for the occupancy.

Surrounding Area

Properties to the south and west of the subject property are located in the same B-3 General Business District. Properties to the north are located in the RO-3 Residential-Office District. Properties to the east are located in the B-4 Central Business District.

A mix of residential (multifamily with some single- and two-family), office, mixed-use, commercial, and government land uses are present in the vicinity.

Neighborhood Participation

The Downtown Neighborhood Association was notified of the application. Staff has received a letter of opposition from Cyane Crump of the Historic Richmond Foundation.

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