



CITY OF RICHMOND

Department of Planning & Development Review *Staff Report*

Ord. No. 2019-014: To authorize the special use of the property known as 2919 Griffin Avenue for the purpose of authorizing a single-family detached dwelling, upon certain terms and conditions.

To: City Planning Commission
From: Land Use Administration
Date: February 4, 2019

PETITIONER

David Mickens

LOCATION

2919 Griffin Avenue

PURPOSE

To authorize the special use of the property known as 2919 Griffin Avenue for the purpose of authorizing a single-family detached dwelling, upon certain terms and conditions.

SUMMARY & RECOMMENDATION

This .241 acre parcel contains a single-family dwelling and was purchased by the petitioner in July of 1990. At this time, the property was located in the R-6 Single-Family Attached Residential District. On October 12, 2015 City Council approved Ord. 2015-200-196 which changed the zoning to UB-PE7 Urban Business District Parking Exempt-7 Overlay.

When the zoning district was changed, the single-family dwelling on the property became a legally nonconforming use in the UB-PE7 District. The owner wishes to sell his property. However, the nonconforming status has created a hardship in that lenders will not underwrite a residential mortgage for a home located in a district where such a use is not allowed.

Adjacent properties to the south and east contain single-family dwellings. Mixed-use commercial uses abut to the north and west.

Staff finds that the Master Plan acknowledges residential use as appropriate within residential structures in the area of the subject property.

Staff finds that the special use permit would allow continued residential use of the property, but could be rescinded should the property owner choose to develop the property according to the underlying UB zoning of the property.

Staff 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 community and would not create congestion in the streets in the area involved.

Therefore, staff recommends approval of the Special Use Permit request.

Site Description

The subject property consists of a 10,500 SF (.241 acre) parcel of land containing a two-story structure within the UB-PE7 District. It is located in the North Barton Heights Neighborhood within the City's North Planning District near the intersection of Griffin Avenue and W. Brookland Park Boulevard.

Proposed Use

Single-family residential use

Master Plan

The City of Richmond's Master Plan designates the subject property as community commercial. Primary uses include office, retail, personal service and other commercial and service uses, intended to provide the shopping and service needs of residents of nearby neighborhoods or a section of the city. Typical zoning classifications that may accommodate this land use category are B-2 and UB.

Specifically for the North District, the Master Plan states notes that "along the western edge of the commercial area, between Griffin and Montrose Avenues, converting existing commercial uses located in single-family structures back to single-family uses would be appropriate. (See page 258, Richmond Master Plan.)

Zoning and Ordinance Conditions

The property is located in the UB-PE7 zoning district. The intent of this district is "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." (Zoning Ordinance)

The special use permit ordinance will impose conditions on the property, including:

- (a) The Special Use of the Property shall be as a single-family detached dwelling and those uses allowed by sections 30-412.1 through 30-412.8 of the Code of the City of Richmond (2015), as amended, substantially as shown on the Survey.
- (b) All mechanical equipment serving the Property shall be located or screened so as not to be visible from any public right-of-way.

Surrounding Area

The properties located to the east, across Griffin Avenue contain single-family dwellings on properties in the UB-PE7 and R-6 Single-Family Attached Residential zoning districts. Adjacent to the south are single-family dwellings in the R-6 Single-Family Attached Residential zoning district. Adjacent to the east is a mixed-use structure on property in the UB-PE7 zoning district.

Neighborhood Participation

No letters of support or opposition have been received from the community or neighboring property owners for this application.

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