



CITY OF RICHMOND

Department of Planning & Development Review *Staff Report*

Ord. No. 2019-121: To authorize the special use of the property known as 20 North Belmont Avenue for the purpose of up to two dwelling units as well as the principal and accessory uses permitted in the B-1 Neighborhood Business District, upon certain terms and conditions.

To: City Planning Commission
From: Land Use Administration
Date: May 20, 2019

PETITIONER

Michael Yavorsky

LOCATION

20 North Belmont Avenue

PURPOSE

To authorize the special use of the property known as 20 North Belmont Avenue for the purpose of up to two dwelling units as well as the principal and accessory uses permitted in the B-1 Neighborhood Business District, upon certain terms and conditions.

SUMMARY & RECOMMENDATION

The applicant is seeking authorization for a mixed-use building containing certain B-1 Neighborhood Business District uses on the first floor and up to two dwelling units on the second floor. The property is located in an R-6 Single Family Attached Residential Zoning District which does not permit the proposed mix of uses. A special use permit is therefore required. Limitations would be placed on the use of the first floor of the building by the special use permit, including limitations on the types of uses and hours of operation.

Staff finds that the proposed special use would authorize a mix of uses consistent with the historic use of the property and the mix of uses found along the North Belmont corridor.

Staff finds that the property could be considered an extension of the Neighborhood Commercial area designated by the Master Plan across North Belmont Avenue from the subject property and that the proposed uses would be consistent with such a land use designation.

Staff finds that the proposed special use would not pose an undue burden on the availability of on-street parking in the area.

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 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 request, with the following amendment to condition 3(b) of the ordinance, which would further facilitate shared parking on the subject property with other uses along the North Belmont Avenue corridor:

(b) No fewer than eight off-street parking spaces located within a radius of 500 feet of a principal entrance to the building on the Property shall be provided for the Special Use. One of these parking spaces must be available for the Special Use 24 hours each day. The remaining seven of these parking spaces must be available for the Special Use at least between the hours of 12:00 a.m. and 5:00 p.m. ~~[each day]~~Monday through Saturday.

FINDINGS OF FACT

Site Description

The subject property consists of a 3,542 SF (.08 acre) parcel of land currently improved with a two-story building built, per tax assessment records, in 1927. The building has been used for commercial and office purposes. The building is located in the Museum District neighborhood of the Near West planning district within the cluster of commercial uses on North Belmont Avenue between Ellwood Avenue and Floyd Avenue.

Proposed Use of the Property

The applicant is requesting a Special Use Permit to allow for up to two dwelling units on the second floor of the building and certain principal and accessory uses permitted in the B-1 Neighborhood Business District on the first floor of the building, such as art galleries, grocery/specialty food stores (with hours of operation specified below), retail stores and shops, restaurants/café (with hours of operation specified below), and offices. Conditions regarding hours of operation have been included in the Special Use Permit ordinance in order to coordinate shared parking on the subject property with other uses along the North Belmont Avenue corridor.

Master Plan

The City of Richmond's current Master Plan designates a future land use category for the subject property as Single Family Residential at Medium densities. Primary uses for this category "...are single-family and two-family dwellings, both detached and attached, at densities of 8 to 20 units per acre. Includes residential support uses such as schools, places of worship, neighborhood parks and recreation facilities, and limited public and semi-public uses. Typical zoning classifications that may accommodate this land use category: R-5A, R-6 and R-7. (City of Richmond Master Plan, 133)

The proposed second floor dwelling units would yield a residential density of approximately 25 units per acre.

Commercial uses across North Belmont Avenue from the subject property are located on property with a Neighborhood Commercial land use designation. "Primary uses include office, personal service and retail uses, intended to provide the daily convenience shopping and service needs of adjacent neighborhood residents. Such uses are typically small scale and low intensity, have limited hours of operation, involve a high percentage of walk-in trade and minimal vehicular traffic, and are especially compatible with adjacent low to medium density residential uses. Typical zoning classifications that may accommodate this land use category: B-1 and UB (p. 134).

Zoning and Ordinance Conditions

The property is currently located in the R-6 Single Family Attached Residential zoning district, which would not allow the mix of uses proposed by the Special Use Permit.

If approved, the Special Use Permit would impose development conditions on the property, including:

3(a) The Special Use of the Property shall be as up to two dwelling units on the second floor of the building and principal and accessory uses permitted in the B-1 Neighborhood Business District on the first floor of the building, subject to the following limitations:

- (1) Those uses listed in sections 30-434.1(1), 30-434.1(4) through 30-434.1(6), and 30-434.1(15) of the Code of the City of Richmond (2015), as amended, shall not be permitted on the Property.
- (2) Notwithstanding any provision of section 30-434.1(7) of the Code of the City of Richmond (2015), as amended, to the contrary, no dwelling units shall be permitted on the first floor of the building on the Property.
- (3) Notwithstanding any provision of section 30-434.1(8) of the Code of the City of Richmond, (2015), as amended, to the contrary, if the first floor of the building on the Property contains a grocery store, convenience store, or specialty food and beverage store, including bakeries where products are sold principally at retail on the premises, such store shall not be operated between the hours of 11:00 p.m. and 6:00 a.m.
- (4) Notwithstanding any provision of section 30-434.1(16) of the Code of the City of Richmond (2015), as amended, to the contrary, if the first floor of the building on the Property contains a restaurant, tearoom, café, delicatessen, ice cream parlor or similar food and beverage service establishment, including catering businesses in conjunction therewith, such establishment shall not be operated between the hours of 5:00 p.m. and 6:00 a.m.

(b) No fewer than eight off-street parking spaces located within a radius of 500 feet of a principal entrance to the building on the Property shall be provided for the Special Use. One of these parking spaces must be available for the Special Use 24 hours each day. The remaining seven of these parking spaces must be available for the Special Use at least between the hours of 12:00 a.m. and 5:00 p.m. ~~each day~~ Monday through Saturday.

(c) Parking for no fewer than two bicycles shall be provided on the Property.

(d) Signs pertaining to the Special Use shall be limited to those signs permitted in all districts pursuant to section 30-505 of the Code of the City of Richmond (2015), as amended, and in the B-1 Neighborhood Business District pursuant to section 30-513 of the Code of the City of Richmond (2015), as amended.

4(c) 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

Properties to the north, west, and south of the subject property are within the same R-6 Single-Family Attached Residential District as the subject property. Property to the east, across Belmont Avenue, are located in the R-6 District and R-48 Multi-Family Residential District. The properties are a part of the City's West of the Boulevard Design Overlay District.

Residential land use predominates to the north and west of the subject property. A mix of residential and commercial land uses are present to the east and south of the subject property, along North Belmont Avenue and Ellwood Avenue.

Neighborhood Participation

Staff has not received any letters of support, or opposition, for this application.

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