

**Town of Richmond
Development Review Board
Staff Report
May 7, 2020**

Kathleen & Robert Landry/ Court Street Associates- Application 2020-033 for Conditional Use Review for a change in use from an Inn to commercial use for professional offices at 191 East Main St, Parcel ID EM0191, in the Residential /Commercial (R/C) Zoning District.

SUBMITTALS:

- A. Site Plan & Conditional Use Application, dated 4/3/2020
- B. Narrative, undated
- C. Richmond Victorian Inn, Plans (marked with proposed uses), 2 pages, undated
- D. Richmond Victorian Inn, Site Plan, undated
- E. Residential Property Card, updated 4/18/2019
- F. Water & Wastewater Allocation, dated 5/5/2020
- G. Email communication between ZA and Yana Walder, April 6-May 6, 2020

PROCEDURAL INFORMATION:

As per the Notice Requirements, a Notice for Public Hearing appeared in the Burlington Free Press on April 28, 2019 and was posted at 3 locations in Town and on the municipal website. The Referral Notice was sent to the Applicant and a copy of the Notice was sent to all adjoining landowners on April 24, 2020.

DESCRIPTION OF PROJECT:

1. The Applicant is seeking approval to change the use from a Bed & Breakfast to rentable small office spaces for business or professional use. There are no exterior changes proposed and there will be no outside storage. (Submittals A & B)
2. The Applicant is requesting a waiver from the requirement that a registered surveyor, professional planner, engineer, architect, or landscape planner.
Staff Discussion- the DRB may wish to require one be submitted prior to approval since there are multiple issues outlined below.
3. Per Section 3.3.2, only one principal use, with its accessory structures, may be approved on any one lot. Unless a Planned Unit Development, Section 5.12.1, is applied for, only business use or professional use is allowed, not both uses.
4. According to Section 7.1 of the Richmond Zoning Regulations (RZR's), Office- Business is defined as a building where the management affairs of a business, commercial or industrial organization or firm are conducted. Office- Professional is defined as a building that offers services of practitioners of the recognized professions (for example- doctor, dentist, chiropractor, architect, lawyer, engineer, accountant, real estate broker or veterinarian).
5. Staff communicated with the Applicant to confirm the use that is being requested is Professional Office. (Submittal G)
6. The existing seven (7) bedrooms and kitchen will be converted to office space. (Submittals B & C)
7. The Residential/ Commercial Zoning District allows for Professional Office with Conditional Use Review.
8. Per Section 5.6.4 of the RZR's conditional uses are not subject to separate site plan review under Section 5.5, however, all conditional uses shall also meet site plan review standards and conditions as set forth under Section 5.5.3 prior to the issuance of conditional use approval.

9. According to the Property Card, Submittal E, for EM0191 the parcel is 0.75 acres and the house has 3070 finished square feet and was built in 1854.
10. Section 6.1.2c) requires 3.5 parking spaces per 1,000 square feet of gross floor area. Therefore 11 parking spots are required.
11. The existing number of parking spaces is 11. (Submittal D)
12. The existing driveway is unpaved. Section 6.1.6 requires that all parking area be hard-surfaced. The DRB may waive this requirement if the Applicant demonstrates that all the remaining standards of 6.1.6 are met.
Staff Discussion- this includes drainage, handicapped parking, setbacks, screening... Staff has discussed the need for handicapped parking with the Applicant and the DRB should clarify where the handicapped parking space will be.
13. The change of use from a residential/bed & breakfast to commercial use requires, per Section 6.2.1b), that the driveway be a 20' minimum width. The existing entrance is 9.5 feet (Submittal D & G).
Staff Discussion- similar to other changes of use approved by the DRB in 1999 for the Animal Hospital next door to EM0191 or more recently the subdivision at MK0530, a non-conforming driveway can remain until a change of use is proposed, then the driveway should be upgraded to meet current regulations for width and grade. This may be difficult at EM0191.
14. East Main Street, a.k.a. Route 2, is a State road and the standards for a change in access are approved by VTrans and not the Town.
15. Applicant has not provided any documentation of a permit or exemption for the change from VTrans.
16. Generally, interior renovations do not require a Zoning Permit per the definition of Land Development in the Richmond Zoning Regulations (RZR). The change in use to a Professional Office would require a zoning permit once Conditional Use Approval is obtained from the DRB.
17. The Applicant received a Town Water and Wastewater Service letter for the change in use. (Submittal F)
Staff Discussion- the letter mistakenly states that there will be 8 therapist offices and one 1-bedroom apartment. The use is only for 8 professional offices.
18. The Applicant has discussed with the Agency of Natural Resources the need to provide an exemption letter from an engineer that certifies that the water and sewer system would accommodate the proposed use, but has not started the process of receiving the letter. (Submittal G)
19. The application is subject to review under the following sections of the Richmond Zoning Regulations:
 - a. Section 3.3 Residential/Commercial Zoning District
 - b. Section 5.5 Site Plan Review
 - c. Section 5.6 Conditional Use Review
 - d. Section 6.1 Parking and Loading
 - e. Section 6.2 Driveway Requirements

Staff Recommendation: I think that this application should be continued to June 10, 2020 DRB meeting so a professionally prepared site plan that would show how the applicant will meet the regulations and so a VTrans approved access could be obtained.