



CITY OF RICHMOND

Department of Planning & Development Review *Staff Report*

Ord. No. 2024-051: To authorize the special use of the property known as 2904 Noble Avenue for the purpose of a single-family detached dwelling with a driveway within the front yard, upon certain terms and conditions. (3rd District)

To: City Planning Commission
From: Land Use Administration
Date: March 5, 2024

PETITIONER

Cameron and Victoria Vanzura, Property Owners

LOCATION

2904 Noble Avenue

PURPOSE

The applicant is requesting a Special Use Permit to allow for a driveway accessing the street when the property is accessible by an alley, within the R-5 Single Family Residential zoning district. Driveways are not permitted by the City Code to access the street when adequate alley access is available.

RECOMMENDATION

Both PDR Staff and DPW Staff **do not** recommend approval of this request.

Staff finds that the proposal is not consistent with the historic development pattern of the neighborhood. The majority of the neighborhood's residential uses do not have a front driveway.

Staff finds that the proposal is not consistent with the Richmond 300 Master Plan. The Future Land Use of the subject property is designated as *Residential*. The Residential land use designation notes that "Many homes have driveways and/or garages, which are located off an alley behind the home if an alley is present" (p. 54). Furthermore, Richmond 300 Objective 4.4 states "Increase Richmond's walkability along all streets" (p. 104). Objective 8.1(c) states "Reduce the creation of driveways and car access curb cuts, especially if there is alley access to the parcel..." (p. 115).

Staff finds that the proposal will impact the availability of on-street parking by removing the on-street area that is directly impacted by the request curb cut, as well as approximately ten feet on each side of the curb cut to allow for proper sight lines, as required by City Code.

Staff finds that the addition of a driveway in this area will also decrease safety. The Department of Public Works Right-of-Way Division states "Driveways provide conflict points between motorists and pedestrians that should be avoided where alternate options exist, such as rear, alley loaded parking." The existing street is very narrow and visibility for drivers exiting the driveway will likely be limited.

Staff finds that the requirements of the City Charter, relative to the granting of Special Use Permits, are not met. Specifically, Staff finds that the proposed use would be detrimental to

pedestrian safety, congestion in the streets, and the provision of public good in the form of street parking.

Therefore, Planning and Development Review staff and Public Works staff recommend denial of the Special Use Permit.

FINDINGS OF FAC

Site Description

The property is located in the Northern Barton Heights neighborhood at 2904 Noble Avenue, between Dupont Circle and West Brookland Park Boulevard. The property is currently a 6,771 square foot (0.155 acre) parcel of land that is currently occupied by an existing single-family dwelling.

Proposed Use of the Property

The applicant is requesting a Special Use Permit to allow for driveway accessing the street when access to an alley is provided, which is not permitted by City Code. A Special Use Permit is therefore required.

Master Plan

The City's Richmond 300 Master Plan designates a future land use for the subject property as Residential, which is defined as, "Neighborhood consisting primarily of single-family houses on large- or medium-sized lots more homogeneous in nature." (Richmond 300, p. 54, 2020).

Development Style: Houses on medium-sized and large-sized lots in a largely auto-dependent environment. Homes are setback from the street. Future developments continue and/or introduce a gridded street pattern to increase connectivity. Future single-family housing, accessory dwelling units, duplexes, and small multi-family residential buildings are built to a scale and design that is consistent with existing buildings.

Ground Floor: Not applicable.

Mobility: Bicycle and pedestrian access are prioritized and accommodated. Low residential density means that it is not possible to provide frequent transit within these areas; however, frequent transit may be found at the edges of these areas within more intense future land use designations. Many homes have driveways and/or garages, which are located off an alley behind the home if an alley is present.

Intensity: Buildings are generally one to three stories. Lot sizes generally range up to 5,000 to 20,000+ sq. ft. Residential density of 2 to 10 housing units per acre.

Primary Uses: Single-family houses, accessory dwelling units, and open space.

Secondary Uses: Duplexes and small multi-family buildings (typically 3-10 units), institutional, and cultural. Secondary uses may be found along major streets.

Zoning

Zoning Administration reviewed this request and provided the following comments:

The property is within the R-5 (Single-Family Residential) District. The proposal does not change the existing single-family detached dwelling use, which is allowed in this district.

Sec. 30-410.8: *Driveways are not permitted intersecting streets when an alley is available. Additionally, permitted driveways within the front yard shall not exceed 9' in width. The proposed driveway connection is ~9.5'.*

Department of Public Works Right-of-Way

The Department of Public Works reviewed this request and provided the following comments:

- 1. The DPW Driveway Policy, dating back to 1957, states that driveways will not be allowed for properties served by a public alley to which the property has access. The previous owner of this lot constructed the extensive concrete surface on this lot and tried to connect illegally to the street. The new property owners were made aware of the background for this prior to purchasing the home. The application includes an overhead picture showing nearby lots that have driveways. Here is the explanation for those: 2909 - this driveway has existed for a very long time, likely predating the Driveway Policy. This house very new and this driveway served the large lot there. When the lot was split the legally existing apron was used to provide access. 2904 - this driveway was installed illegally, however it was not caught until a new owner had resided here for a year or more and the decision was made NOT to penalize the new owner for the actions of the builder. 2902 - This lot had an existing curb cut and rudimentary driveway that predated the Driveway Policy. 2903 - The driveway at this location also likely predates the Driveway Policy, however at this location, the lot does NOT have access to an alley; it backs up to another residential lot. For that reason, it would have been and still would be eligible for driveway consideration.*
- 2. Noble Ave is very narrow, being a one-way street with parking on both sides. As such, turning into driveways from the street becomes more difficult.*
- 3. As the lots are not overly wide on this street, the addition of driveways removes the option for on-street parking; City code states that parking is not permitted within 10' of either side of a driveway or alley entrance. The impact of continuing to add driveways to this or any street can become significant.*
- 4. The sidewalk here is elevated from the street. To be able to drive the car into and out of this driveway would require lowering the sidewalk across a large portion of this frontage to remove the steepness of the potential apron. This will have a telegraphic affect in both directions from the location of the driveway.*
- 5. Driveways provide conflict points between motorists and pedestrians that should be avoided where alternate options exist, such as rear, alley loaded parking.*
- 6. The fact will remain that the installation of an apron here will require modifying the sidewalk to lower it to properly tie into the street. This is not appropriate as it negatively impacts the continuity of the walking surface.*

Ordinance Conditions

While Staff recommends denial, if adopted, the Special Use Permit would impose conditions on the property, including:

- The Special Use of the Property shall be as a single-family detached dwelling with a driveway within the front yard, substantially as shown on the Plans.
- All site improvements shall be substantially as shown on the Plans.
- The street tree planted in accordance with section 4(e) of this ordinance shall be planted between the street and public sidewalk, substantially as shown on the Plans. The

species of such tree shall be selected from the City-approved street tree list and approved by the City Arborist and shall only be planted after all construction work related to the Special Use is completed.

Surrounding Area

The current zoning for this property is R-5 Single-Family Residential. Adjacent properties are generally zoned the same R-5 zone. The surrounding land uses primarily include residential. Chamberlayne Avenue is located roughly 2 blocks to the west.

Neighborhood Participation

Staff notified area residents and property owners, as well as the Battery Park Civic Association.

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