



CITY OF RICHMOND

Department of Planning & Development Review *Staff Report*

Ord. No. 2024-057: To authorize the special use of the property known as 2202 North 28th Street for the purpose of up to two single-family attached dwellings, upon certain terms and conditions. (7th District)

To: City Planning Commission
From: Land Use Administration
Date: March 19, 2024

PETITIONER

Baker Development Resources

LOCATION

2202 North 28th Street

PURPOSE

The applicant is requesting a Special Use Permit to authorize two single-family attached dwellings, which use, among other things, is not currently allowed by section 30-410-1, concerning permitted principal uses, section 30-410.5, concerning yards, and section 30-410.6, concerning lot coverage, of the Code of the City of Richmond (2020), as amended. A Special Use Permit is, therefore, required.

RECOMMENDATION

Staff finds the proposal would be consistent with the recommendations of the City's Master Plan pertaining to the Neighborhood Mixed-Use future land use designation. Neighborhood Mixed-Use supports primary uses that include single-family houses and duplexes, as well as building heights of generally two to four stories.

The proposed dwellings are in close walking distance to GRTC bus route 12, which connects to the Downtown Transfer Station and Church Hill. Staff finds that this proposal contributes to Objective 6.1 to "Increase the number of residents and jobs at Nodes and along enhanced transit corridors in a land development pattern that prioritizes multi-modal transportation options." (Richmond 300, p. 109).

Staff further finds that the proposal is consistent with Objective 4.1 to "Create and preserve high-quality, distinctive, and well-designed neighborhoods and nodes throughout the city" (Richmond 300, p. 100).

Staff finds that, with the ordinance conditions, the safeguards contained within the City Charter, relative to the granting of Special Use Permits, are met by the proposal. Staff finds that the proposed use would not be detrimental to the general welfare of the community involved, would not create congestion in the streets in the area involved, and would not create hazards, overcrowding of land, or interfere with public requirements and adequate light and air.

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

FINDINGS OF FACT

Site Description and Surrounding Area

The property is in the Creighton neighborhood situated on a block bounded by Fairfield Avenue, N 27th Street, Selden Street, Kane Street, and N 28th Street. The property is currently a vacant 5,060 sq. ft. (0.116 acre) parcel. The current zoning for the property is located in an R-5 Single-family Residential District which is adjacent to R-53 Multifamily Residential zoning districts in the vicinity. The site is located nearby Fairmount Avenue, a major mixed-use street. The immediate vicinity primarily contains single-family dwelling uses and is nearby other uses including multifamily residential, and institutional. The density of the proposed application is two dwelling units upon 0.11 acres or approximately 17.21 units per acre.

Proposed Use of the Property

Two single-family attached dwellings

Master Plan

The Richmond 300 Master Plan designates this property as Neighborhood Mixed-Use, which is defined as, "Existing or new highly walkable urban neighborhoods that are predominantly residential with a small, but critical, percentage of parcels providing retail, office, personal service, and institutional uses."

"Development Style: These areas feature a variety of building types that are close to one another and create a unified street wall. The building size, density, and zoning districts for these areas vary depending on historical densities and neighborhood characteristics. Future development should generally complement existing context. Setbacks, plazas, and parks create a sense of place and community gathering areas. New developments on larger parcels continue or introduce a gridded street pattern to increase connectivity within the neighborhood and to adjacent neighborhoods. In historic neighborhoods, small-scale commercial uses exist today or should be allowed to reestablish. In new neighborhoods, small scale commercial buildings should be introduced.

Ground Floor: Regardless of use, buildings should engage the street with features such as street-oriented façades with windows and door openings along street frontages. Appropriate setbacks, open space, front porches, elevated ground floors, and other features that provide a sense of privacy should be provided for residential uses.

Mobility: Pedestrian, bicycle, and transit access are prioritized and accommodated. Bike parking is provided. New driveways are prohibited on Priority and Principal Street frontages. Vehicular access to parcels should use alleys wherever possible. Parking areas should be located to the rear of street-facing buildings.

Intensity: Building heights are generally two to four stories. Buildings taller than four stories may be found along major streets. Parcels are generally between 1,500 and 5,000 sq. ft.

Primary Uses: Single-family houses, accessory dwelling units, duplexes, small multi-family buildings (typically 3-10 units), and open space.

Secondary Uses: Large multifamily buildings (10+units), retail/office/personal service, institutional, cultural, and government." (Richmond 300, p. 56).

Zoning

The property is zoned R-5 Single Family Residential District. The reviewing zoning planner has determined the Special Use Permit is required to waive the following use and feature requirements:

- The applicant proposes two single-family attached dwellings. Attached dwellings are not permitted in the R-5 Single-family Residential District.
- A minimum of 25' front yard setbacks are required along 28th Street and Selden St. A minimum of 8.5' setback is proposed along Selden.
- A 5' side yard setback required. A minimum of 3.2' is proposed.
- The maximum Lot Coverage is 35%. This proposal includes a lot coverage of 37% for 2202 28th Street.

Ordinance Conditions

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

- The Special Use of the Property shall be as up to two single-family attached dwellings, substantially as shown on the Plans.
- No off-street parking shall be required for the Special Use.
- The height of the Special Use shall not exceed two stories, substantially as shown on the Plans. (Sheet A2.1)
- All building elevations and site improvements, including landscaping, shall be substantially as shown on the Plans.
- All mechanical equipment, including, but not limited to, transformers, serving the Property shall be located or screened so as not to be visible from any public right-of-way.
- Prior to the issuance of a building permit for the Special Use, the establishment of up to two residential lots, substantially as shown on the Plans, shall be accomplished by obtaining the necessary approvals from the City and recording the appropriate plats and deeds among the land records of the Clerk of the Circuit Court of the City of Richmond. (Site Plan)
- 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.
- The Owner shall make improvements within the right-of-way, including the installation of one street tree along N. 28th Street, substantially as shown on the Plans

Neighborhood Participation

Staff notified area residents and property owners. Staff has received one public comment letter from an immediate abutter regarding this request, which is included in the agenda file.

Reviewing Planner

James Dealaman, AICP, Planner Associate, Land Use Administration

Staff Contact

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