



CITY OF RICHMOND

Department of Planning & Development Review *Staff Report*

Ord. No. 2020-023: To authorize the special use of the property known as 821 North 25th Street for the purpose of a multifamily dwelling containing up to three live/work units, upon certain terms and conditions.

To: City Planning Commission
From: Land Use Administration
Date: February 3, 2020

PETITIONER

Deworth Restoration Associates, LLC

LOCATION

821 N. 25th Street

PURPOSE

To authorize the special use of the property known as 821 N. 25th Street to allow the construction of a multi-family structure containing three live-work spaces in the R-63 Multi-Family Urban Residential District.

SUMMARY & RECOMMENDATION

The proposed multi-family structure will be built on a parcel that does not meet the minimum lot size, and exceeds the maximum lot coverage area and side yard setback, as required in the R-63 Multi-Family Urban Residential District. Therefore, a special use permit is required.

Staff finds that the proposed development would be generally consistent with the recommendations of the Master Plan and intent of the underlying R-63 District, and would contribute to the continued revitalization of the area.

Staff finds that the proposed development 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.

FINDINGS OF FACT

Site Description

The subject property is a .057 acre (2,470 square feet) vacant parcel located on the corner of N. 25th and O Streets, in the Church Hill North neighborhood of the East Planning District. The parcel is 19 feet wide and 130 feet in depth and has alley access in the rear.

Proposed Use of the Property

The applicant proposes to develop the property with a two-story multifamily dwelling containing up to three live/work units with living space on the second floor. Two on-site parking spaces would be provided.

Master Plan

The City of Richmond's Master Plan designates a future land use category for the subject property as Mixed Use Residential. Primary uses include single-family, two-family, and multi-family dwellings, live/work units and neighborhood serving commercial uses developed in a traditional urban form. These commercial uses are limited in location, type and scale and are intended to provide for the convenience of urban neighborhood residents within walking distance, to respect the primary residential character of the neighborhood and to avoid traffic, parking, noise and other impacts that typically result from uses that draw patrons from outside the neighborhood. Typical zoning classification that may accommodate this land use category: R-63 and R-8. No residential density is specified for this land use category.

The Plan also states "Richmond neighborhoods will be recognized as safe, attractive and desirable places to live, work and raise families, while providing a variety of housing choices and homeownership opportunities." (p. 96).

Zoning and Ordinance Conditions

The property is located in the R-63 Urban Residential District. The intent of the R-63 district is to encourage development of medium density neighborhoods comprised of a mix of residential uses and to promote a pedestrian oriented urban environment that is primarily residential in character, but that includes limited nonresidential uses that serve many of the day-to-day convenience needs of neighborhood residents and provide opportunities for residents to live and work within the neighborhood. The district is intended to be applied within or in close proximity to areas of the City that reflect an urban scale of development and afford convenient access to major employment centers and community facilities, and to encompass undeveloped or underdeveloped properties comprising areas large enough and with sufficient residential density to enable establishment of a cohesive neighborhood.

Live/work units are a permitted use in the R-63 Urban Residential District and are defined by the Zoning Ordinance as a dwelling unit within which an occupation, profession, business or enterprise is conducted in conjunction with the living space of the owner or operator of such occupation, profession, business or enterprise, and which constitutes a principal use and does not otherwise meet the definition of home occupation. A home occupation is defined as any occupation, profession, business or enterprise which is incidental and secondary to the principal use of the premises as a dwelling unit.

The R-63 District specifies a minimum lot size of 4,000 square feet and the subject property contains 2,470 square feet. The project as proposed does also does not meet side yard setbacks nor is the minimum useable open space of 30 percent met. A special use permit is therefore required to provide relief from these requirements.

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

3(a) The Special Use of the Property shall be as a multifamily dwelling containing up to three live-work spaces, substantially as shown on the Plans.

(b)The live/work units must comply with Section 419 of the 2019 edition of the Virginia Construction Code.

(c) Restrooms in the work portion of the live-work spaces must be accessible in compliance with Sections 419.7 and 1109.2 of the 2015 edition of the Virginia Construction Code.

(d) The height of the Special Use shall not exceed the height as shown on the Plans.

(e) No less than two off-street parking spaces shall be provided on the Property, substantially as shown on the Plans.

(f) All elevations shall be substantially as shown on the Plans.

(g) All mechanical equipment serving the Property shall be located or screened so as not to be visible from any public right-of-way.

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.

(e) The Owner shall make improvements within the right-of-way, including the installation of a new sidewalk or the repair of the existing sidewalk along O Street, and resetting of the granite curb along North 25th Street, which improvements may be completed in one or more phases as approved by the Director of Public Works.

Surrounding Area

The subject property, as well as all the adjacent properties to the south, east and west are located in the R-63 Multi-Family Urban Residential District. Across O Street to the north is a dialysis clinic on property located in the UB Urban Business (PE3 Parking Exempt) District.

Neighborhood Participation

Staff has received a letter of no opposition from the Church Hill Central Civic Association.

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