



CITY OF RICHMOND

Department of Planning & Development Review *Staff Report*

Ord. No. 2022-339: To authorize the special use of the property known as 2109 Newbourne Street for the purpose of up to three two-family detached dwellings, upon certain terms and conditions.

To: City Planning Commission
From: Land Use Administration
Date: December 5, 2022

PETITIONER

William Gillette, Baker Development Resources

LOCATION

2109 Newbourne Street

PURPOSE

To authorize the special use of the property known as 2109 Newbourne Street for the purpose of up to three two-family detached dwellings, upon certain terms and conditions.

SUMMARY & RECOMMENDATION

The applicant is requesting a Special Use Permit which would allow for the subdivision of the existing property into three new parcels, each with a two family dwelling configured as two story, front and rear units within an R 5 Residential (Single Family) zoning district. The proposed use does not meet the requirements within the R 5 District for permitted principal uses, lot area and lot width, and front and side yards. A special use permit is therefore required.

Staff finds that the proposal is generally consistent with the recommendations of the City's Master Plan pertaining to housing types within Neighborhood Mixed Use land use category including the recommendation for "duplex" dwellings as a primary use and the suggested Development Style that states "These areas feature a variety of building types that are close to one another..."

Staff finds that the proposal would be generally consistent with the historic pattern of development in the area in setback and lot coverage.

Staff finds that the proposed development would not pose an undue burden on the availability of on-street parking in the area. Two parking spaces (one for each unit) will be provided to the rear of the proposed structures.

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.

FINDINGS OF FACT

Site Description

The property is located in the Fairfield neighborhood on Newbourne Street, between North 23rd and North 21st Streets. The property is currently an unimproved 12,600 sq. ft. (0.289 acre) parcel of land.

Proposed Use of the Property

The application requests to construct three (3) two-family dwellings on three newly created lots. The proposed use does not meet the requirements within the R 5 District for permitted principal uses, lot area and lot width, front and side yards. The proposal includes lot sizes of roughly 4,200 square feet, lot widths of 30 feet, front setback of roughly 22 feet, and side setback of roughly 4.75 feet. The R-5 District does not list two-family dwellings as a permitted use, requires a minimum lot size of 6,000 square feet, a minimum lot width of 50 feet, a front yard of not less than 25 feet, and a side yard of not less than 5 feet. A Special Use Permit is therefore required.

Master Plan

The property is designated for Neighborhood Mixed Use land use. Such areas are described 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 (see Street Typologies Map). 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.

Zoning and Ordinance Conditions

Zoning Administration reviewed this request and recommended approval with the following comments:

“Zoning and Use: The subject property is zoned R-5 Single-Family Residential district. This proposal is to permit the construction of three two-family detached dwellings, configured as two story, front and rear units. Two-family detached dwellings are not a permitted principal use in the R-5 District, thus City Council approval via the Special Use Permit process is required.

Feature Requirements: Lot area, lot width, lot coverage, height, and yard requirements are only applicable to permitted principal and accessory uses.

Parking: One (1) off-street parking space is required per dwelling unit in the R-5 District. The proposed plans show two (2) gravel parking spaces for each lot off the existing alley.

Subdivision: The existing tax parcel consists of three (3) existing subdivision lots. Lots 36, 37, and 38 of Square 23 of the Woodville Subdivision. No subdivision is required to divide the existing parcel.

Please note that the applicant will be required to construct what is shown on the submitted plans specifically items visible from the exterior of the building included but not limited to foundations, window types, exterior materials, plantings etc.”

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

- (a) The Special Use of the Property shall be as up to three two-family detached dwellings, substantially as shown on the Plans.
- (b) No less than one parking space per dwelling shall be provided on the Property, located to the rear of the dwellings and accessed through the alley.
- (c) The height of the Special Use shall not exceed two stories, substantially as shown on the Plans.
- (d) All building materials, elevations, and site improvements, including landscaping and walkways, shall be substantially as shown on the Plans. Different building material colors will be used for each dwelling.

(e) All mechanical equipment, including heating, ventilation, and air conditioning units, serving the Property shall be located or screened so as not to be visible from any public right-of-way.

Surrounding Area

Properties to the north are zoned the same R-5 as the subject property. Properties to the south, east, and west are zoned R-53. The surrounding uses to the west largely contain single family residential uses and surrounding uses to the east largely contain multifamily dwellings.

The Applicant has submitted two applications separate from the subject application that requests approval to construct seven further dwellings very similar to those proposed in this Application on this same block of Newbourne Street. The proposed dwellings would be located at 2100, 2102, 2104, 2110, 2112, 2112 ½, and 2114 Newbourne Street. These applications are still under review but should be considered with acknowledgement of larger block due to their proximity and similarity. Staff is working with the Applicant to provide differentiated architecture with the other two applications to enhance the end result of this block.

Neighborhood Participation

Staff notified area residents and property owners, as well as the Unity Civic League Civic Association. Staff has not received any public comment.

Staff Contact: Ray Roakes, Planner, Land Use Administration, 804-646-5467