

APPLICANT'S REPORT

October 30, 2020

*Special Use Permit Request
415 N 35th Street, Richmond, Virginia
Map Reference Numbers: E-000-1116/011*

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| Submitted to: | City of Richmond Department of Planning and Development Review Land Use Administration 900 East Broad Street, Suite 511 Richmond, Virginia 23219 |
| Submitted by: | Mark Baker Baker Development Resources 1519 Summit Ave., Suite 102 Richmond, VA 23230 |

Introduction

We represent the contract purchaser of 415 N 35th Street (the "Property"), who is requesting a special use permit (the "SUP") for the Property. The SUP would authorize the construction of two (2) single-family attached dwellings on the Property. The SUP is required to waive the lot area requirements required by the R-8 Urban Residential District for two single-family attached dwellings.

Existing Conditions

SITE DESCRIPTION AND EXISTING LAND USE

The Property is located on the east side of N 35th Street between E Marshall and E Clay Streets. The Property is referenced by the City Assessor as tax parcel E-000-1116/011. The Property is 46.92 feet in width and 90.00 feet in depth, contains approximately 4,222.8 square feet of lot area and is currently vacant.



The other properties in the immediate area to the north, east and west are occupied by a mixture of primarily one and two-family dwellings. There are several multi-family dwellings in the vicinity as well including a four-unit multi-family dwelling located to the West fronting on West Marshall Street and a 23-unit multi-family dwelling complex at the southeast corner of 35th and Glenwood. Immediately to the south lies a large, vacant parcel of land.

EXISTING ZONING

The Property, and those immediately to the east, north, and west, are currently zoned R-8 Urban Residential which generally permits single-family, single-family attached, and two-family dwellings subject to certain feature requirements. The vacant land to the south of the Property is zoned R-63 Multi-family Urban Residential. Properties to the west and south lie within the boundaries of the Chimborazo Park City Old and Historic District. Properties further to the west of the Property, at the intersection of Chimborazo Boulevard and E Marshall Street, are zoned R-63 and UB Urban Business.

MASTER PLAN DESIGNATION

The Master Plan recommends Single-Family (Medium Density) for the Property for which the “primary uses are single-family and two-family dwellings, both detached and attached, at densities of 8 to 20 units per acre. Includes residential support uses such as schools, places of worship, neighborhood parks and recreation facilities, and limited public and semi-public uses.”

The Master Plan includes other written policy guidance that is applicable to the proposal, including:

- The desire for new and better-quality housing that is targeted to home owners
- The desire for increased opportunities for residential development
- The recognition that the vast majority of opportunities for new development are located in the context of existing neighborhoods
- The recognition of the difficulty that an older/aging housing stock represents in the market where new convenience/easy maintenance is desired.

The draft Richmond 300 plan, recommends “Neighborhood Mixed-Use” for the Property. The proposed use, single-family dwellings, is a primary use within that designation. That said, this designation also supports two-family and multifamily uses as well as retail, office, personal service, cultural, institutional, and civic uses on a case-by-case basis. Furthermore, within the Inclusive Housing chapter, Objective 14.5 is met by this proposal, which is to encourage more housing types throughout the City and to add density within ¼ mile of public transportation routes.

Proposal

PURPOSE OF REQUEST

This SUP would permit the construction of two (2) single-family attached dwellings on the Property. The proposed development is consistent in character with other development in the vicinity. Based on the historic lot pattern, many lots in the vicinity are nonconforming with regard to lot area, lot width or unit width for attached dwellings. This request would meet all of the zoning requirements with the exception of lot area for single-family attached dwellings. The R-8 zoning district requires not less than 2,200 square feet of lot area for each single-family attached

dwelling. The Property contains approximately 4,222.8 square feet of lot area requiring a SUP to waive the approximately 178 square feet of additional lot area needed for the two dwellings. In all other regards, the proposal meets the zoning requirements applicable to the Property including the provision of off-street parking, which will be provided to the rear via access from the public alley. Interestingly, while the Property falls just shy of the land area necessary for two-attached dwelling units, the Property is of sufficient area to permit the development of a side-by-side two-family dwelling having the same physical characteristics of the proposed attached single-family dwellings. As a result, this request is more about the ability to sell each unit individually as an attached dwelling unit than it is about authorizing the development of two dwelling units on the Property, which could be built by right.

In exchange for the SUP, the intent of this request is to ensure the construction of two (2) high-quality for-sale dwellings. The proposal would not authorize any additional density as a two-family dwelling could be built by right. The proposal is consistent with the historic development pattern in the greater area. The proposal is also consistent with the recommendations of the Master Plan and the draft Richmond 300 plan in terms of both use and density. By permitting the proposed development, the SUP would allow for the sale of the proposed high-quality single-family attached dwellings as home ownership opportunities, while addressing additional objectives found in current planning guidance.

PROJECT DETAILS

The proposed for-sale, single-family attached dwellings would be two stories in height and of an urban row house design. The two dwellings would each be 20' in width and contain approximately 2,240 square feet of finished floor area. Each unit would include three bedrooms and 2 ½ bathrooms. The dwellings' floor plans are modern with open living areas, and include master bedrooms complete with en-suite master bathrooms and walk-in closets. Full length front porches are proposed for each dwelling. The dwellings would be constructed of high-quality building materials including cementitious lap siding as the primary cladding material.

Findings of Fact

The following are factors included in Section 17.11 of the Charter and Section 30-1050.1 of the Zoning Ordinance relative to the approval of special use permits by City Council. The proposed special use permit will not:

- ***Be detrimental to the safety, health, morals and general welfare of the community involved.***

The proposed SUP will not impact the safety, health, morals and general welfare of the nearby neighborhoods. The proposed site improvements and density are consistent with other development in the vicinity. This request would not increase the permitted density as a two-family dwelling would be permitted as a matter of right. This request would allow for development of the Property in a manner that is both of quality as well as consistent with the neighborhood. The redevelopment of this underutilized Property in conjunction with the high quality/benefits provided by the SUP will provide positive impacts in terms of health, welfare, etc.

- ***Tend to create congestion in streets, roads, alleys and other public ways and places in the area involved.***

The proposed SUP will not result in significant traffic impacts to nearby residential neighborhoods. The traffic generation for two dwelling units would equal to that of the two-family dwelling, which could be built by right. In addition, proposed parking meets that required by zoning. As such, the SUP will not create congestion on streets, roads, alleys or any other public right of way.

- ***Create hazards from fire, panic or other dangers.***

The Property will be developed in a manner consistent with the requirements of the building code and in accordance with the requirements of Fire and Emergency Services. The City's codes applicable to this development are designed to eliminate such hazards.

- ***Tend to overcrowding of land and cause an undue concentration of population.***

The proposed SUP will not tend to over crowd the land or create an undue concentration of population. The request is reflective of the historic lot pattern and uses found in the neighborhood, and is no more intense than the density found in the immediate vicinity. The density is equal to that which could be established by right with the permitted two-family dwelling use.

- ***Adversely affect or interfere with public or private schools, parks, playgrounds, water supplies, sewage disposal, transportation or other public requirements, conveniences and improvements.***

The SUP would not adversely affect the above referenced City services. To the contrary, the proposal would provide positive fiscal (tax) benefits that would enhance the City's ability to provide these services to the proposed development.

- ***Interfere with adequate light and air.***

The light and air available to the subject and adjacent properties will not be affected. New construction would be consistent with the preexisting buildings and provide setbacks that are consistent with character of the immediate neighbors and the surrounding area.

Summary

In summary, the applicant is enthusiastically seeking approval for the construction of two (2) single-family attached dwellings on the Property. This proposal represents an ideal, small-scale urban infill development for this location. This request would not authorize any greater density than that which could be established by right through the development of a two-family dwelling. The SUP is consistent with current planning guidance applicable to the neighborhood and the City at large. In exchange, the quality assurances conditioned through the SUP would guarantee the construction of new, for sale single-family attached dwellings that are of a higher quality than what might otherwise be developed by-right. The proposed development would contribute to the

vibrancy of the block through the provision of a traditional neighborhood design that is consistent with the historic development pattern of the surrounding neighborhood.