



CITY OF RICHMOND

Department of Planning & Development Review *Staff Report*

Ord. No. 2022-293: To authorize the special use of the property known as 1308 North 38th Street for the purpose of two single-family detached dwellings, upon certain terms and conditions. (7th District)

To: City Planning Commission
From: Land Use Administration
Date: November 7, 2022

PETITIONER

Neil Nordheim

LOCATION

1308 North 38th Street

PURPOSE

To authorize the special use of the property known as 1308 North 38th Street for the purpose of two single-family detached dwellings, upon certain terms and conditions. (7th District)

SUMMARY & RECOMMENDATION

The subject property is located in the R-5 Residential (Single-Family) zoning district. Single-family detached dwellings are permitted uses in this district. However, not all of requirements of the zoning district can be met. The required lot size minimum is 6,000 square feet, where the lot split will only provide 3,600 square feet for the two newly subdivided lots. The required minimum lot width for single-family detached dwelling is 50 feet, where the proposed lot split will create two lots 30 feet in width. The minimum required front yard is 25 feet, where only 12.60 feet is provided for the proposed single-family dwelling.

Staff finds that the proposal would be generally consistent with the historic pattern of development in the area and with the recommendations of the City's Master Plan pertaining to housing types within the Neighborhood Mixed-Use land use category including the recommendation for single-family dwellings as a primary use.

Staff finds that the proposed development would not pose an undue burden on the availability of on-street parking in the area. A parking space will be provided to the rear of the proposed house with access off of the alley.

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 subject property is located in the Oakwood neighborhood on North 28th Street, east of Canepa Street. The existing parcel contains one single-family detached dwelling and is currently 7,200 square feet. The proposed lot subdivision will create two new parcels of 3,600 square feet. The existing parcel measures 60 feet in width and 120 feet in depth. The two new parcels will measure 30ft in width (with the same depth).

Proposed Use of the Property

The proposed Special Use Permit would authorize the development of the property into two lots that do not meet the lot size, lot width, and front yard requirements of the R-5 Residential (Single-Family) zoning district. A single-family dwelling will be built on the newly created parcel. Off street parking will be provided to the rear of the proposed dwelling with access from the alley. The front setback of the proposed dwelling will match the existing house and will be similar to others in the vicinity. The proposed lot size will also be similar to other properties in the vicinity.

Master Plan

The City's Richmond 300 Master Plan designates the property for Neighborhood Mixed-Use which consists 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 multi-family 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: “*R-5 district. Parcels post-split will not meet the lot area and width, therefore SUP is required.*”

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

The Special Use of the Property shall be as two single-family detached dwellings, substantially as shown on the Plans.

No less than one parking space per dwelling shall be provided on the Property, located to the rear of the dwellings and accessed by the alley.

All building materials, elevations, and site improvements shall be substantially as shown on the Plans.

Prior to the issuance of any building permits for the Special Use, the division of the Property into 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.

The Owner shall make improvements within the right-of-way, including the installation of one street tree along North 38th Street.

Surrounding Area

All properties surrounding the subject property are located within the same R-5 Residential (Single-Family) District as the subject property and largely contain residential uses.

Neighborhood Participation

Staff notified area residents and property owners, as well as the Church Hill Central Civic Association. Staff has received one letter of support from an adjacent neighbor.

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