



## CITY OF RICHMOND

### Department of Planning & Development Review *Staff Report*

**Ord. No. 2022-262:** To amend and reordain Ord. No. 95-152-151, adopted Jun. 26, 1995, as amended by Ord. No. 97-222-236, adopted Jul. 28, 1997, and Ord. No. 98-335-99-20, adopted Jan. 25, 1999, which authorized a special use of the property known as 815 North 35<sup>th</sup> Street to increase the number of permitted dwelling units and to reduce the required common area for the existing multifamily dwelling for the elderly, to further increase the number of multifamily dwelling units, to permit single-family attached dwelling units and single-family detached dwelling units, and to incorporate the property known as 823 North 36<sup>th</sup> Street, upon certain terms and conditions. (7<sup>th</sup> District)

---

**To:** City Planning Commission  
**From:** Land Use Administration  
**Date:** April 3, 2023

---

#### **PETITIONER**

Bacon Housing LP, H. Louis Salomonsky, Manager General Partner

#### **LOCATION**

815 North 35<sup>th</sup> Street

#### **PURPOSE**

To amend and reordain Ord. No. 95-152-151, adopted Jun. 26, 1995, as amended by Ord. No. 97-222-236, adopted Jul. 28, 1997, and Ord. No. 98-335-99-20, adopted Jan. 25, 1999, which authorized a special use of the property known as 815 North 35<sup>th</sup> Street to increase the number of permitted dwelling units and to reduce the required common area for the existing multifamily dwelling for the elderly, to further increase the number of multifamily dwelling units, to permit single-family attached dwelling units and single-family detached dwelling units, and to incorporate the property known as 823 North 36<sup>th</sup> Street, upon certain terms and conditions.

#### **SUMMARY & RECOMMENDATION**

The subject property is located in the R-5 Single-family Residential zoning district. Multi-family dwellings are not permitted uses in this district. The previous amended special use permit, adopted in 1998, authorized up to 58 dwelling units for the elderly as part of a plan to preserve most of the former school building. The proposed amendment would authorize an increase from 58 to 128 age-restricted multi-family dwelling units, two single-family detached dwellings and seven single-family attached dwellings.

Staff finds that the proposed development would be consistent with the recommendations of the Richmond 300 master plan. The recommended land use is Neighborhood Mixed-Use wherein multifamily dwellings are secondary uses and single-family dwellings are primary uses.

Staff further finds that the proposed multifamily addition would be historically appropriate and follows guidelines of the Virginia Department of Historic Resources. The proposed single-family attached dwellings would be located internal to the block and the single-family detached dwellings would generally follow the historic pattern of development in the area.

Staff finds that the proposal provides opportunities for increasing the City's stock of affordable housing as recommended by the Plan's Objective 14.3 "Create 10,000 new affordable housing units for low- and very low-income households over the next 10 years".

Staff finds that the proposed age-restricted dwelling units would increase opportunities to "assist households that desire to age in place in their neighborhoods" as stated in Objective 14.9 of the Master Plan.

Staff finds the proposed special use would not pose an undue burden on the availability of on-street parking in the area due to the provision of on-site parking and availability of transit.

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 amendment would not be detrimental to the general welfare of the community involved and would not create congestion in the streets in the area involved.

After further discussions with the community and staff, the applicant has modified the plans to reconfigure the layout of the site and reduce the number of single-family dwellings. Therefore, staff recommends approval of the Special Use Permit Amendment, with the following amendments to the proposed ordinance:

- Replace the current site plan with the site plan dated March 29, 2023
- Reduce number of single-family detached dwellings from three to two
- Reduce number of single-family attached dwellings from eight to seven
- Reduce number of onsite parking spaces from 76 to 71

---

## FINDINGS OF FACT

### Site Description

The subject property is located at the southwest corner of 35<sup>th</sup> and O Streets, and contains approximately 3.05 acres of land. The public school use of the existing building located on the property was discontinued in 1988.

### Proposed Use of the Property

Affordable multi-family housing for seniors, single-family detached and single-family attached dwellings.

### Master Plan

The City's Richmond 300 Master Plan designates the property for Neighborhood Mixed-Use which consists of 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**

In 1995, the City selected a proposal from a private developer to revive the plan to convert the building for multi-family purposes. In June 1995, a special use permit was granted authorizing the conversion of the original portion of the building into 34 dwelling units for the elderly or handicapped. The special use permit also authorized the demolition of the circa 1960 addition to the original school building and the construction of a new building to house 60 additional dwelling units for the elderly or handicapped. At that time, the proposed 94 unit redevelopment was not financially viable, as proposed, and a decision was made to retain the 1960 addition. An amendment authorizing this change was adopted on July 28, 1997. This amendment authorized 58 dwelling units.

On January 25, 1999, the special use was further amended in order to authorize the addition of one more dwelling unit, for a total of 58 dwelling units. The current proposed amendment would add 70 multifamily dwelling units, as well as two single-family detached dwellings and seven single-family attached dwellings.

In the city's zoning ordinance, Sec. 30-710.1. (*Number of spaces required for particular uses*) specifies that parking for multi-family housing reserved for seniors shall be provided at a ratio of one space per two dwellings, or 65 parking spaces. The site plan indicates the provision of 57 parking spaces. A request for the reduction of required parking is part of this amendment request.

Staff recommends the approval of the requested special use permit with the following modifications of previous conditions (see attached ordinance for complete list of conditions):

- An increase from 58 to 128 age-restricted multi-family dwelling units.
- Authorization for two single-family detached dwellings and seven single-family attached dwellings. No vinyl siding shall be permitted.
- An increase from not less than 16 to not less than 71 onsite parking spaces shall be provided.
- Additional landscaping shall be provided on site.

**Surrounding Area**

Properties in the area generally contain predominantly residential land uses (single-, two, and multi-family). Open space and institutional uses are also present in the vicinity.

**Affordability**

The current age-restricted affordable dwelling units will be renovated and maintained as affordable; the proposed age-restricted multifamily dwelling units will be affordable.

**Neighborhood Participation**

Staff notified area residents and property owners and the Church Hill Central Civic Association. Letters of concern have been received and revisions have been made to the plans by the applicant based on community and staff feedback.

**Staff Contact:** David Watson, Senior Planner, PDR, Land Use Administration, 804-646-1036