



## CITY OF RICHMOND

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

**Ord. No. 2021-275:** To authorize the special use of the property known as 1301 North 32nd Street for the purpose of a mixed-use building containing up to two dwelling units and commercial space, upon certain terms and conditions.

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**To:** City Planning Commission  
**From:** Land Use Administration  
**Date:** October 18, 2021

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#### **PETITIONER**

Mark Baker – Baker Development Resources

#### **LOCATION**

1301 North 32<sup>nd</sup> Street

#### **PURPOSE**

To authorize the special use of the property known as 1301 North 32nd Street for the purpose of a mixed-use building containing up to two dwelling units and commercial space, upon certain terms and conditions.

#### **SUMMARY & RECOMMENDATION**

The proposal is to authorize a mixed use building including residential and commercial uses within an R-6 Single-Family Attached Residential District. The proposed use is not permitted in this district. A Special Use Permit is therefore required.

Staff finds that the proposal would re-establish corner commercial use on the property and would be consistent with the recommendations of the City's Richmond 300 Master Plan pertaining to the Neighborhood Mixed-Use Category. The massing, site design, height, unit count, and complementary nature of its architecture, all align well with the aforementioned Master Plan category.

Staff further finds that the proposed addition of two dwelling units would not pose an undue burden on the availability of on-street parking in the area due to the addition of two off-street parking spaces included for the dwelling units, as well as on street parking near the site.

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.

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## **FINDINGS OF FACT**

### **Site Description**

The property is located in the Church Hill North neighborhood on North 32nd Street, between S and T Streets. The property is currently a recently unimproved 3267.55 sq. ft. (.075 acre) parcel of land.

### **Proposed Use of the Property**

The applicant is requesting a Special Use Permit to authorize a two story, mixed use building with off street parking, within an R-6 Single-Family Attached Residential District.

### **Master Plan**

The City's Richmond 300 Master Plan designates a future land use for the subject property as Neighborhood Mixed Use which is defined 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." 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. 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. 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. 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**

The current zoning for this property is R-6 Single-Family Attached Residential.

The City of Richmond Zoning Administration has reviewed plans. The application does not meet the following zoning requirements:

Sec. 30-412.1 Permitted Principal Uses.

*The proposed mixed-use building with commercial uses is not permitted in the R-6 zoning district. The applicant is proposing the commercial uses to be consistent with the uses permitted on corner lots in the R-63 zoning district or the option of a live/work unit. The grocery/convenience store use is not proposed as a part of this request.*

Sec. 30-412.5. Yards.

a. Front yard: There shall be a front yard with a depth of not less than 15 feet (or as determined by existing adjacent buildings within 100'). *The proposed building has a front yard of less than 15' and is closer to the front property line along N 32nd Street than the adjacent existing building at 1303-1305 N 32nd Street.*

b. Side yards: There shall be a side yard of not less than five feet (5') along the property line adjoining 1303-1305 N 32nd Street for uses other than single-family detached or two-family dwellings. *A side yard setback of less than five feet is proposed along this property line.*

Sec. 30-710.1. Off Street Parking:

*Depending on the use, the proposed floor area of approximately 993 square feet could require between three and ten off-street parking spaces. Two off-street parking space are required for the proposed two dwelling units on the property. Five to twelve off-street parking spaces are required for all proposed uses and two are provided on the property from alley access. No parking is required for permitted commercial uses on corner lots of less than 1,500 square feet in the R-63 zoning district; however, this property is in the R-6 zoning district so the aforementioned parking waiver does not apply.*

This special use permit is conditioned on the following special terms and conditions:

(a) The Special Use of the Property shall be as a mixed-use building containing up to two dwelling units and commercial space, substantially as shown on the Plans. The non-residential portion of the first floor of the building shall be permitted to contain medical or dental offices and principal uses permitted on corner lots in the R-63 Multifamily Urban Residential District, pursuant to section 30-419.3 of the Code of the City of Richmond (2020), as amended, with the exception that grocery stores and convenience stores shall not be permitted. The first floor of the building may also be used as a live/work unit.

(b) No fewer than two off-street parking spaces shall be provided for the Special Use, substantially as shown on the Plans.

(c) All building materials, elevations, and site improvements, including landscaping, shall be substantially as shown on the Plans.

(d) Bicycle parking for no less than two visitor bicycles shall be provided.

(e) Signs for the Special Use shall be limited to (i) signs described in sections 30-507.1(2) and 30-507.1(3) of the Code of the City of Richmond (2020), as amended, and (ii) signs permitted in all districts, pursuant to section 30-505 of the Code of the City of Richmond (2020), as amended.

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 and two new street trees along S Street and a new bicycle rack along North 32nd Street, substantially as shown on the Plans, which improvements may be completed in one or more phases as approved by the Director of Public Works.

## **Surrounding Area**

All adjacent properties are located within the same R-6 Residential District. The surrounding existing land uses include primarily residential with some commercial and institutional uses.

**Affordability**

The Area Median Household Income (AMI) for the Richmond region is currently \$68,529 per year. The affordability threshold is 30% of household income towards housing costs, which equates to \$20,559 per year, or \$1,713 per month, or less, to avoid a housing cost burden.\* Based upon the median household income for the Richmond region, the affordability threshold, and the estimated rents provided by the applicant, the proposed rental units are projected to be affordable to households making approximately 84% of the regional AMI.

*\*(U.S. Census Bureau, 2019 American Community Survey 5-Year Estimates)*

**Neighborhood Participation**

Staff notified area residents, property owners, and the Church Hill Central Civic Association of the proposed Special Use Permit. To this date, staff has received two letters of support for this application.

**Staff Contact:** Jonathan Brown, Senior Planner, Land Use Administration, 804-646-5734