

March 12, 2021

BY ELECTRONIC DELIVERY

Mr. Matthew Ebinger
City of Richmond DPDR
Land Use Administration Division, Room 511
City Hall, 900 East Broad Street
Richmond, Virginia 23219

Mark J. Kronenthal
Richmond Office
(804) 441-8603 (direct)
mkronenthal@rothjackson.com

Re: Community Unit Plan Preliminary Plan Amendment and Final Plan: 3417 Stony Point Road (C0010757056)

Dear Mr. Ebinger:

This letter shall serve as the applicant's report for the Community Unit Plan Preliminary Plan Amendment (the "CUP Amendment") and Final Plan for 3417 Stony Point Road (the "Property") in order to authorize the construction of an accessory dwelling unit. The CUP Amendment would modify the development standards applicable to Map Section A-1 of the Stony Point Community Unit Plan (Ordinance No. 2015-23-40; the "CUP"), adopted December 15, 1975 and most recently amended on January 26, 2015, for the purposes of permitting an accessory dwelling for the Property. The Final Plan would authorize the specific details related to the construction of the accessory dwelling unit on the Property.

The Property lies on the south side of Stony Point Road between Evansway Lane and Laurus Court and is referenced by the City Assessor as tax parcel C001-0757/056. The Property is 127 feet in width and includes 20,432 square feet of lot area. The Property is improved with a two-story single-family detached dwelling containing 3,162 square feet of floor area, which was built in 2020.

The Property and several other adjacent properties to the west south and east lie within the CUP, Map Section A-1. The CUP was last amended in 2015 in order to permit the subdivision of one of three original lots in Map Section A-1 into four lots, including the subject Property. This resulted in a total of six lots within Map section A-1. The feature requirements outlined in the CUP for these lots require that single-family detached dwellings "shall conform to the requirements of the R-1 Single-Family Residential District as set forth in Chapter 114 of the City Code, provided that maximum density, the general configuration of lots, and the 50-foot buffer..." shall be as contemplated by the plat attached to that request. Four of the lots are improved with single-family dwellings; the remaining two are vacant. Immediately to the west, lie properties that are zoned R-2 Single-Family Residential – a small ten lot subdivision that is surrounded by land within the CUP. To the south, beyond the CUP lies the Fernleigh

RICHMOND

1519 Summit Avenue, Suite 102, Richmond, VA 23230
P: 804-441-8440 F: 804-441-8438

TYSONS CORNER

8200 Greensboro Drive, Suite 820, McLean, VA 22102
P: 703-485-3535 F: 703-485-3525

neighborhood which is zoned R-2 and consists of single-family dwellings. Across Stony Point Road to the north are properties that are zoned R-2 and are utilized as a private school and public park land. Further to the northeast lies a development including multifamily condominium dwelling units within the southern tract of the CUP.

The recently approved Richmond 300 plan (the “Master Plan”) recommends “Residential” for the Property and other properties located within Map Section A-1. This designation envisions single-family dwellings along with accessory dwelling units as primary uses. The Master Plan further recommends that accessory dwelling units “are built to a scale and design that is consistent with existing buildings.” In addition to the site-specific recommendation for the Property there is additional text guidance in support of the request, including Goal 14: Housing, which includes in Objective 14.9 the recommendation to “Amend the Zoning Ordinance to allow accessory dwelling units in all residential zones to allow for in-law apartments.”

The CUP Amendment would permit the construction of an accessory dwelling unit on the Property. This would include the amendment of the CUP text to permit one dwelling unit located in an accessory building as an accessory use to a single-family dwelling. The height of the accessory building would be limited to two stories. In all other regards the Property would continue to be subject to the requirements of the R-1 Single-Family Residential District as outlined for Map Section A-1 in the CUP.

The Final Plan would authorize the specific details related to the construction of the accessory dwelling unit on the Property. The accessory dwelling unit would be located on the second floor of a two-story accessory garage building. The accessory building would be 36 feet by 28 feet in dimension with a height of just under 25 feet. The building was designed with the second-floor area built into the roof line and utilizing shed dormers in order to minimize the overall massing of the building. This design also provides for compatibility with the primary single-family detached dwelling which shares a similar roof form, architectural details and siding materials. The building would be clad in lap siding with a masonry foundation clad in brick. The accessory dwelling unit would consist of an open living/flex space with a small kitchen, a full bath, and an office/bedroom space.

At over 20,000 square feet in area, the Property is large by City standards. The accessory building would be sited in manner that would minimize its visibility. The building would be located behind the main building and centrally on the lot with side yards of 22.1 and 25 feet which are substantially larger than the required 10 feet. The accessory building would be setback over 50 feet from the rear property line. The CUP requires a 50-foot buffer in this area which includes extensive tree cover and would remain undisturbed. Access to the accessory building would be provided from a drive from Stony Point Road.

The following are factors included in Section 30-456.4 of the Zoning Ordinance relative to the approval of Community Unit Plan preliminary plans. The proposed Amendment will:

- *Adequately safeguard the health, safety and welfare of the occupants of the adjoining and surrounding property;*



RICHMOND

1519 Summit Avenue, Suite 102, Richmond, VA 23230
P: 804-441-8440 F: 804-441-8438

TYSONS CORNER

8200 Greensboro Drive, Suite 820, McLean, VA 22102
P: 703-485-3535 F: 703-485-3525

- The CUP Amendment will not impact the safety, health, morals and general welfare of the nearby neighborhoods. The request is consistent with the Master Plan recommendation which is intended to safeguard these items.
- ***Not unreasonably impair an adequate supply of light and air to adjacent property;***
 - The light and air available to the subject and adjacent properties will not be affected. The proposed accessory dwelling unit would be located within an accessory structure that, but for the dwelling, would be permitted by right substantially as proposed. Side yard setbacks exceed the district minimum by a factor of two and a 50-foot buffer, unique to single-family residential development, is provided at the rear of the Property. As a result, this request will not interfere with the provision of adequate light and air to the adjacent buildings.
- ***Not unreasonably increase congestion in streets;***
 - The CUP Amendment will not result in significant traffic impacts to nearby residential neighborhoods. The negligible traffic generation of one accessory dwelling unit will create no congestion on streets, roads, alleys or any other public right of way.
- ***Not unreasonably increase public danger from fire or otherwise unreasonably affect public safety;***
 - 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.
- ***Not diminish or impair the established values of property in surrounding areas;***
 - The CUP Amendment would include high-quality construction that is designed to complement the main dwelling on the Property. This investment will increase property value and will not diminish or impair the established values of properties in surrounding areas.

In summary, we are enthusiastically seeking approval of the CUP Amendment and Final Plan. Approval of this request would permit the construction of the proposed accessory building as a high-quality improvement which would address the owners' desire to improve the functionality and livability of the Property. The building has been thoughtfully designed in order to be in keeping with the architectural character of the existing dwelling on the property. The scale and location of the building, along with its relationship to the existing dwelling on the Property, is consistent with the development pattern that is typical in single-family residential neighborhoods. The request offers compatibility with the Master Plan's property-specific land use guidance as well as its broader goals for encouraging more diverse housing types throughout the city.

Thank you for your time and consideration of this request, please let me know if you have any questions.

Sincerely,



Mark J. Kronenthal

Enclosures

cc:

The Honorable Kristen Larson, Councilperson



RICHMOND

1519 Summit Avenue, Suite 102, Richmond, VA 23230

P: 804-441-8440 F: 804-441-8438

TYSONS CORNER

8200 Greensboro Drive, Suite 820, McLean, VA 22102

P: 703-485-3535 F: 703-485-3525