



## CITY OF RICHMOND

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

**Ord. No. 2022-232:** To authorize the special use of the properties known as 3301 Park Avenue and 3303 Park Avenue for the purpose of four single-family attached dwellings, with off-street parking, upon certain terms and conditions.

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**To:** City Planning Commission  
**From:** Land Use Administration  
**Date:** September 6, 2022

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#### **PETITIONER**

Keith Stanley – Sekiv Solutions

#### **LOCATION**

3301 and 3303 Park Avenue

#### **PURPOSE**

To authorize the special use of the properties known as 3301 Park Avenue and 3303 Park Avenue for the purpose of four single-family attached dwellings, with off-street parking, upon certain terms and conditions.

#### **SUMMARY & RECOMMENDATION**

The proposal is to construct four single-family attached dwellings, with off-street parking. This use, among other things, does not meet the requirements of sections 30-412.4(2)a, 30-412.4(2)b, 30-412.5(2)a, 30-412.5(2)b, 30-412.5(2)c, 30-412.6, 30-412.7, and 30-412.8 regarding density, lot area, front yards, side yards, rear yards, lot coverage, driveways, and height, respectively, of the Code of the City of Richmond (2020), as amended. A Special Use Permit is therefore required.

Staff finds that the proposed single-family attached infill units are generally consistent with the Richmond 300 Master Plan Neighborhood Mixed-Use category including the recommended street orientation, setbacks, front porch locations, door openings, new driveway and parking locations, building height, and primary uses. While the proposed development consists of single-family attached dwellings, it exhibits the form and massing of small multifamily dwellings found throughout the Museum District. The proposed massing allows for an appropriate framing of building types, bookending the 3300 block of Park Avenue while maintaining residential density comparable to existing residential densities in the area.

The Zoning Ordinance states the intent of design overlay districts is to protect developed areas of the City characterized by uniqueness of established neighborhood character, architectural coherence and harmony, or vulnerability to deterioration. This is accomplished through controlling the patterns of architectural design and development in residential and commercial neighborhoods, which may include new construction, alterations, and demolitions...Each design overlay district shall have its own specific design guidelines which are developed by the neighborhood organization requesting design overlay district designation. The design guidelines shall further the specific purposes of design overlay district designation as set forth in the

neighborhood organization's written report as required in Section 30-940.4(b). [However], nothing in the design guidelines is intended to usurp the rights that property owners have under this chapter. Where the design guidelines are more restrictive than this chapter, the design guidelines are considered to be recommendations only.

More specifically, the West of the Boulevard Design Overlay District Design Guidelines state: One of Richmond's most significant collections of early 20th century architecture, the district features compact clusters of brick rowhouses, detached townhouses, apartment buildings, small commercial structures, three churches, a synagogue, and five schools...Each block within the District has the unique qualities of scale, uniform setback, building proportion, and the uninterrupted rhythm of the streetscape. The combination of these blocks into a single neighborhood creates the distinct urban fabric of the West of the Boulevard Historic District.

The purpose of these guidelines is to prevent new residential construction which is incompatible with the prevailing architectural characteristics found within the District. The following guidelines are in addition to all prevailing laws and are in no way to be construed to supersede existing building codes or zoning ordinances... Buildings within the District vary greatly. These guidelines attempt to distinguish the most prominent aspect found of each feature. For each guideline, there may be an existing exception. The goal of the guidelines is to define the characteristics based on the majority of buildings. It is important to allow a range within each characteristic for new construction allowing for the individuality of each new building.

Staff finds that the proposed development meets the applicable regulations of the West of the Boulevard Design Overlay District and fulfills the intent of maintaining established neighborhood character, architectural coherence and harmony.

Staff finds that the proposed use would not pose an undue burden on the availability of on-street parking in the area due to the provision of 8 on-site parking spaces and proximity to mass 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 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 currently zoned R-6 Single-Family Attached Residential District and located in the Museum District at the corner of Park Avenue and Tilden Street. The property consists of two contiguous parcels that are a total of 6,969 sq. ft., or .16 acres, improved with a 1,770 sq. ft. vacant, 2-story dwelling constructed, per tax assessment records, in 1917.

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

The applicant is proposing to demolish the existing dwelling and build four new single-family attached dwellings with on-site parking.

## **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 property is also located in the West of the Boulevard Design Overlay District.

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

30-412.4(2)a, Density. The average density within a development site shall not exceed ten dwelling units per acre.

*The density of the proposed is 24 units per acre.*

30-412.4(2)b, Lot area. Single-family attached dwellings shall be located on lots of not less than 2,200 square feet in area...

*The proposed lot sizes are approximately 1,440 to 1,500 square feet.*

30-412.5(2)a, Front yard. There shall be a front yard with a depth of not less than 15 feet adjacent to public streets, private streets, parking areas and common spaces.  
*Two units have front yards equally approximately 2 feet 1 inch between buildings and front yard public right-of-way.*

30-412.5(2)b, Side yard. There shall be side yards of not less than three feet in width except where buildings are attached. There shall be a side yard of not less than ten feet in width at each end of a series of attached units.  
*One of the end units has a zero foot sideyard.*

30-412.5(2)c, Rear yard. There shall be a rear yard with a depth of not less than five feet  
*Rear yards range from zero to three feet in width.*

30-412.6, Lot coverage. Lot coverage in the R-6 single-family attached residential district shall not exceed 55 percent of the area of the lot.  
*The lot coverages range from 63 to 81 percent.*

30-412.7, Driveways from streets. No driveway intersecting a street shall be permitted on a lot devoted to dwelling use when alley access is available to serve such lot.  
*Private driveway is included to access rear garages.*

30-412.8, Height. No building or structure in the R-6 single-family attached residential district shall exceed 35 feet in height.  
*Certain roof features appear to exceed the height requirement.*

If approved, the special use permit would impose development conditions on the property, including:

- 3(a) The Special Use of the Property shall be as four single-family attached dwellings, with off-street parking, substantially as shown on the Plans.
  - (b) No fewer than eight on-site parking spaces shall be provided for the Special Use, substantially as shown on the Plans.
  - (c) The height of the Special Use shall not exceed three stories, substantially as shown on the Plans.
  - (d) All building materials, elevations, and site improvements, shall be substantially as shown on the Plans, subject to the applicable regulations of the West of the Boulevard Design Overlay District, pursuant to sections 30-940 through 30-940.9 of the Code of the City of Richmond (2020), as amended. Vinyl siding shall not be permitted.
- 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, substantially as shown on the Plans.
- (e) The Owner shall make improvements within the public right-of-way, including new street trees along Tilden Street and Park Avenue substantially as shown on the Plans.

**Surrounding Area**

All surrounding parcels are located within the R-6 Single-Family Attached Residential District and West of the Boulevard Design Overlay District. A mix of single-, two-, and multi-family residential, commercial, mixed-use, and institutional land uses are present in the area. The property is in close proximity to Albert Hill Middle School.

**Neighborhood Participation**

Staff notified area residents, property owners, and the Museum District Association of the proposed Special Use Permit. Staff has received a letters of opposition from residents as well as a letter of opposition from the Museum District Association.

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