



CITY OF RICHMOND

Department of Planning & Development Review *Staff Report*

Ord. No. 2020-230: To authorize the special use of the property known as 3411 Kensington Avenue for the purpose of an existing multifamily dwelling and a new two-family detached dwelling, upon certain terms and conditions.

To: City Planning Commission
From: Land Use Administration
Date: November 2, 2020

PETITIONER

Wright Investments 3 LLC

LOCATION

3411 Kensington Avenue

PURPOSE

To authorize the special use of the property known as 3411 Kensington Avenue for the purpose of an existing multifamily dwelling and a new two-family detached dwelling, upon certain terms and conditions.

SUMMARY & RECOMMENDATION

The property is located in the R-6 Single Family Attached Residential zoning district and contains a four unit multi-family residence. The applicant wishes to construct a duplex containing a pair of 2,200 two-story units resulting in a total of six dwelling units on the property. The current four unit multi-family residence is a legally nonconforming use. The expansion of a nonconforming use requires the approval of a special use permit.

Staff finds the proposed two-family detached dwelling to be an appropriate additional use of the property. It would be consistent with the mix of residential uses in the area and recommendations of the Master Plan. The resulting density of the property would be within the range of densities present on parcels on the block.

Staff further finds that the proposal would not pose an undue burden on the availability of on-street parking in the area due to the off-street parking provided as a part of this application as well as availability of on-street parking and 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 this special use permit request.

FINDINGS OF FACT

Site Description

The subject property consists of a 9,708 SF parcel of land improved with a 3,520 square foot structure that contains four dwelling units. It is located in the Museum District within the City's Near West Planning District. The structure is located midblock between North Nansemond Street and Roseneath Road on Kensington Avenue. The property has alley access to the rear.

Proposed Use of Property

The proposed special use permit will authorize the construction of a two-family detached dwelling to the rear of the property, in addition to the existing four dwelling unit structure fronting Kensington Avenue. Parking for four vehicles on-site will be retained.

Master Plan

The City of Richmond's Master Plan designates the subject property for Single-Family Medium Density land uses. The primary uses are single-family and two-family dwellings, both detached and attached, at densities of 8 to 20 units per acre. The density of the parcel if developed as proposed would be approximately 27 units per acre. (p.133).

The Plan also states "Richmond neighborhoods will be recognized as safe, attractive and desirable places to live, work and raise families, while providing a variety of housing choices and homeownership opportunities." (p. 96).

The final version of the City of Richmond's Richmond 300 Master Plan designates the property for Neighborhood Mixed-Use land use. Such areas are described 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.

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 Use [are] Single-family houses, accessory dwelling units, duplexes, small multi-family buildings (typically 3-10 units), and open space. Secondary Uses [are] large multifamily buildings (10+units), retail/office/personal service, institutional, cultural, and government" (pg. 56).

Zoning and Ordinance Conditions

The subject property is zoned R-6 Single-Family Attached Residential district and is currently improved with a nonconforming four unit multi-family dwelling. This proposal is to construct a new two-family detached dwelling in the rear of the property while retaining the existing multi-family dwelling for a total of six dwelling units on the property.

Zoning Administration provided the following additional comments:

R-5 FEATURE REQUIREMENTS:

Lot area, width, yard, and lot coverage requirements are specific in the R-6 district for single-family and two-family residential development and other permitted uses and are not applicable for this Special Use Permit request.

Building height – not to exceed fifty-five feet (35'). No accessory building shall exceed twenty feet (20') in height. Approximately 26' is proposed. The dwelling is two (2) stories.

PARKING: Four (4) spaces are shown on the submitted plans. The zoning ordinance requires a 90° parking space be 8.5' wide; 10' wide spaces are shown. The site plan shows the width of the lot to be 54'. The possibility to provide six (6) 8.5' wide spaces exists. One space per dwelling unit should be provided on site in order to prevent congestion in the streets not only now but in the future as the city continues to trend towards increased density.

The special use permit would impose conditions on the property, including:

- (a) The Special Use of the Property shall be as an existing multifamily dwelling and a new two-family detached dwelling, substantially as shown on the Plans, subject to any applicable requirements of Chapter 30, Article IX, Division 5 of the Code of the City of Richmond (2015), as amended, pertaining to the West of the Boulevard Design Overlay District.
- (b) The height of the Special Use shall be no greater than the existing structure, substantially as shown on the Plans.
- (c) All building materials and elevations shall be substantially as shown on the Plans.
- (d) All mechanical equipment serving the Property shall be located or screened so as not to be visible from any public right-of-way.
- (e) Four off-street parking spaces shall be provided on the Property.
- (f) Prior to the issuance of any final certificate of occupancy for the Special Use, the primary alley access to the Property shall be named in accordance with sections 8-7 through 8-10 of the Code of the City of Richmond (2015), as amended.
- (g) No permit implementing the Special Use shall be issued until written evidence that the Director of Public Works, the Chief of Police, and the Chief of Fire and Emergency Services have confirmed that the alley access to the Property for all-weather travel by public and emergency vehicles is appropriate in accordance with all applicable laws and regulations has been submitted to the Zoning Administrator.

Surrounding Area

The properties surrounding the subject property to the west, south, and east are also located within the R-6 Single-Family Attached Residential zoning district. Properties to the north are

located in the R-48 District. Properties in the area generally contain two-family and multi-family dwellings, with some single-family and commercial uses present in the area. The multi-family uses range in density from 19 units/acre at 3421 Kensington Avenue to 51 units/acre at 3415 Kensington Avenue. Park property is located across Kensington Avenue from the subject property.

Affordability

The anticipated rent for each unit is \$2,400 per month. This is above what is deemed affordable based on a two-person household earning the area median income. According to the American Affordability Survey, a monthly payment up to \$1,942 is considered affordable.

Neighborhood Participation

Staff notified the Fan Area Business Alliance, the Museum District Association, and area residents and property owners. A letter of support been received from an owner of adjacent property.

Staff Contact

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