



CITY OF RICHMOND

Department of Planning & Development Review *Staff Report*

Ord. No. 2020-207: To authorize the special use of the property known as 1513 Rear Grove Avenue for the purpose of a single-family detached dwelling, upon certain terms and conditions.

To: City Planning Commission
From: Land Use Administration
Date: October 5, 2020

PETITIONER

Ronald Nixon, represented by Johannas Design Group

LOCATION

1513 Rear Grove Avenue

PURPOSE

To authorize the special use of the property known as 1513 Rear Grove Avenue for the purpose of a single-family detached dwelling, upon certain terms and conditions.

SUMMARY & RECOMMENDATION

The subject property consists of a 2,592 SF parcel of land and contains a 2,160 square foot garage/carriage house that was built in 1910. It is located in the Fan Neighborhood within the City's Near West Planning District. The structure is located midblock between N. Lombardy Street and N. Plum Street and is accessible by means of an alley that extends between these two streets.

The proposal will convert an existing garage/carriage house structure into a two-story single-family detached dwelling. The subject property is accessible only from the alley and single-family dwellings are required to have frontage on an improved public street. In addition, the proposed single-family dwelling does not meet the R-6 Single-family attached zoning district's feature requirements for lot area and width. Therefore a special use permit is required.

Staff finds the proposal to be generally consistent with the recommendations of the Master Plan and historic pattern of development in the area.

Staff further finds that the proposed development would redevelop an underutilized parcel. The addition of residential use would also make the alleys less prone to vandalism by providing additional "eyes on the alleys".

Staff further finds that the proposal would not pose an undue burden on the availability of on-street parking in the area.

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, with the following amendment:

-Short-term rental use of the Property shall not be permitted.

FINDINGS OF FACT

Site Description

The subject property consists of a 2,592 SF parcel of land and contains a 2,160 square foot garage/carriage house that was built in 1910. It is located in the Fan Neighborhood within the City's Near West Planning District. The structure is located midblock between N. Lombardy Street and N. Plum Street and is accessible by means of an alley that extends between these two streets.

Proposed Use of Property

The proposed special use permit will allow the conversion of an existing garage/carriage house to a single-family dwelling that shall be accessed by an alley adjacent to the property. One off-street parking space shall be provided for the property.

Master Plan

The City of Richmond's Master Plan designates the subject property for Single-Family (Medium Density) uses. Primary uses in this category are "single-family detached dwellings at densities between 8 and 20 units per acre. Includes residential support uses such as schools, places of worship, neighborhood parks and recreation facilities, and limited public and semi-public uses. Typical zoning classifications that may accommodate this land use category: R-5A, R-6 and R-7. The density of the parcel if developed as proposed would be approximately 17 units per acre.

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).

Specifically for The Fan neighborhood, the Master Plan states "The Fan is a neighborhood which exists much as it has since the early 1900's. It is identified on the Land Use Plan map as appropriate for the continuation of a wide range of urban residential uses (with varying housing styles and residential densities) and commercial uses to serve the area. While the Land Use Plan map does not provide specific details regarding the exact location of each type and density of residential and commercial uses, it is intended to reflect the importance of maintaining such a mix in this urban residential neighborhood" (p. 233).

Zoning and Ordinance Conditions

Single-family dwellings are a permitted use in the R-6 Single-Family Attached residential district provided the property meets certain lot feature requirements. Zoning Administration notes that the subject property conflicts with the zoning ordinance requirements in the following areas:

*PUBLIC STREET FRONTAGE AND ACCESS EASEMENTS: Section 30-610.1 of the zoning ordinance requires every building erected and every use established shall be located on a lot having frontage on an improved public street or access thereto by means of a recorded permanent easement. The proposed single-family dwelling does not have public street frontage and is only accessible through a public alley
One parking space is required.*

LOT AREA & WIDTH: Single-family detached dwellings shall be located on lots of not less than 5,000 square feet in area with a width of not less than 50 feet. The subject property has a lot area of 2,592 square feet and lot width of forty-eight feet (48'). The conversion from a garage to a single-family detached dwelling does not meet the lot area and lot width requirements.

LOT COVERAGE: Lot coverage in the R-6 zoning district shall not exceed 55 percent of the area of the lot. The proposed lot coverage for the property is 83.3%.

EXPANSION OF A NONCONFORMING FEATURE: No yard setbacks shall be required for accessory structures having frontage only on an improved public alley. The conversion to a single-family dwelling will require yard setbacks. The eastern elevation of the building has a nonconforming setback of approximately 3.03 feet. The proposed renovation involves vertical expansion of a portion of the eastern elevation. Per Section 30-810.1 of the zoning ordinance, vertical expansion of that part of a building which is nonconforming with regard to a yard or open space requirement shall be considered an increase in the extent of the nonconforming feature and shall not be permitted.

The proposed single-family dwelling meets the height limit (35 feet) for the zoning district. One off-street parking space is required and one parking space is provided for the single-family dwelling.

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

- (a) The Special Use of the Property shall be as a single-family detached dwelling, substantially as shown on the Plans.
- (b) The height of the Special Use shall not exceed the height 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) One off-street parking space shall be provided on the Property substantially as shown on the Plans.
- (f) The Property shall be limited to one Fan District neighborhood parking permit and one guest parking pass
- (g) The fence enclosure on the western side of the Property shall be substantially as shown on the Plans

(h) Prior to the issuance of any final certificate of occupancy for the Special Use, the Owner shall submit a request, in accordance with section 8-10 of the Code of the City of Richmond (2015), as amended, to name the primary alley access to the Property and that such naming is deemed acceptable to the Council pursuant to sections 8-7 through 8-10 of the Code of the City of Richmond (2015), as amended.

(i) 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 applicable laws and regulations has been submitted to the Zoning Administrator.

Surrounding Area

The adjacent properties surrounding the subject property are located within the same R-6 Single-Family Attached Residential zoning district. Within the area of the subject property, those properties with improvements are a mix of single-family, two-family, and multi-family residential uses, with some mixed-use and commercial land uses present as well.

Neighborhood Participation

Staff notified the Fan Area Business Alliance, the Fan District Association, as well as area residents and property owners. A response from the Fan District Association noted "Take no position on this proposal."

Staff Contact

David Watson AICP, Senior Planner, Land Use Administration, 804-646-1036