



CITY OF RICHMOND

Department of Planning & Development Review *Staff Report*

Ord. No. 2021-215: To amend Ord. No. 2020-023, adopted February 10, 2020, which authorized the special use of the property known as 821 North 25th Street for the purpose of a multifamily dwelling containing up to three live/work units, to modify the conditions for the live/work units, upon certain terms and conditions.

To: City Planning Commission
From: Land Use Administration
Date: September 7, 2021

PETITIONER

Deworth Restoration Associates, LLC

LOCATION

821 N. 25th Street

PURPOSE

To amend Ord. No. 2020-023, adopted February 10, 2020, which authorized the special use of the property known as 821 North 25th Street for the purpose of a multifamily dwelling containing up to three live/work units, to modify the conditions for the live/work units, upon certain terms and conditions. ..

SUMMARY & RECOMMENDATION

The subject property is .057 acres (2,470 square feet) is vacant and located on the corner of N. 25th and O Streets, in the Church Hill North neighborhood.

The 2015 Virginia Construction Code, Section 419.1.1 Limitations states that *not more than five nonresidential workers or employees are allowed to occupy the nonresidential area at any one time*. The City of Richmond Zoning Ordinance limits occupancy to one employee. The applicant wishes to amend the ordinance authorizing the special use of the property to allow occupancy in conformance with the 2015 Virginia Construction Code. Therefore a special use permit is required.

Staff finds that the proposed amendment is generally consistent with the Richmond 300 Master Plan designation of Community Mixed-Use, which encourages retail, office, and personal service uses. The amendment would also be consistent with and intent of the underlying R-63 District.

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 amendment request.

FINDINGS OF FACT

Site Description

The subject property is .057 acres (2,470 square feet) is vacant and located on the corner of N. 25th and O Streets, in the Church Hill North neighborhood. The parcel is 19 feet wide and 130 feet in depth and has alley access in the rear.

Proposed Use of Property

The applicant proposes to develop the property with a two-story live-work buildings. The structures will contain three live-work units that will be consistent with the historic character of past live-work spaces that were once located in this area. The ground floors contain commercial space and the upstairs are residential. Such arrangements are permitted uses in the R-63 Multi-Family Urban Residential District. Live-work units are a permitted principal use in R-63 zoning districts and are regulated by the 2015 Virginia Construction Code in Section 419.

MASTER PLAN

The proposed project conforms to the recommendations of the Richmond 300 Master Plan which designates the subject property for Community Mixed-Uses.

Development Style: The building size, density, and zoning districts for these areas may vary significantly depending on historical densities and neighborhood characteristics. Future development should generally complement existing context. Uses may be mixed horizontally in several buildings on a block or vertically within the same building. Developments continue or introduce a gridded street pattern to increase connectivity.

Ground Floor: Ground floor uses engage with, and enliven, the street. Monolithic walls are discouraged, while windows, doors, storefronts, and other features that allow transparency and interaction between building and street are encouraged.

Mobility: Pedestrian, bicycle, and transit access are prioritized and accommodated. Bike parking is provided. Driveway entrances are required to be of alleys whenever possible; new driveways are prohibited on priority and principal streets. Parking areas are located within the structure and to the rear of buildings and require screening; shared parking requirements are encouraged

Intensity: Buildings generally ranging from two to six stories, based on street widths and depending on the historic context and stepping down in height adjacent to residential areas, as necessary. New buildings that are taller than historical buildings should step back from the build to line after matching the height of the predominant cornice line of the block

Primary Uses: Retail/office/personal service, multi-family residential, cultural, and open space.

Secondary Uses: Single-family houses, institutional, and government..

ZONING AND ORDINANCE CONDITIONS

Live/work units are a permitted use in the R-63 Urban Residential District. The intent of the R-63 district is to encourage development of medium density neighborhoods comprised of a mix of residential uses and to promote a pedestrian oriented urban environment that is primarily

residential in character, but that includes limited nonresidential uses that serve many of the day-to-day convenience needs of neighborhood residents and provide opportunities for residents to live and work within the neighborhood. The district is intended to be applied within or in close proximity to areas of the City that reflect an urban scale of development and afford convenient access to major employment centers and community facilities, and to encompass undeveloped or underdeveloped properties comprising areas large enough and with sufficient residential density to enable establishment of a cohesive neighborhood.

However the zoning district specifies a minimum lot size of 4,000 square feet and the subject property contains 2,470 square feet. The project as proposed does also does not meet side yard setbacks nor is the minimum useable open space of 30 percent met. Ordinance 2020-023 authorized a special use permit to provide relief from these requirements. The proposed amendment will increase the number of employees allowed in each unit to five, which is consistent with the building code.

Zoning Administration reviewed the proposed amendment without comment.

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

(a) The Special Use of the Property shall be as a multifamily dwelling containing up to three ~~[live-work spaces]~~ live/work units, substantially as shown on the Plans. The first floor of the live/work units may also be used for 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.

(b) The live/work units must comply with Section 419 of the ~~[2019 edition of the]~~ 2018 Virginia Construction Code and any amendments thereto.

(c) Restrooms in the work portion of the ~~[live-work spaces]~~ live/work units must be accessible in compliance with Sections 419.7 and 1109.2 of the 2015 edition of the Virginia Construction Code.

(d) The height of the Special Use shall not exceed the height as shown on the Plans.

(e) No less than two off-street parking spaces shall be provided on the Property, substantially as shown on the Plans.

(f) All elevations shall be substantially as shown on the Plans.

(g) All mechanical equipment serving the Property shall be located or screened so as not to be visible from any public right-of-way.

(h) Not more than five persons who do not reside in each live/work unit shall be employed at any one time in the conduct of the non-dwelling activity within each of the live/work units. The occupancy of each live/work unit shall not exceed 15 persons per unit engaged in the conduct of the non-dwelling activity of the live/work unit.

Surrounding Area

The subject property, as well as all the adjacent properties to the south, east and west are located

in the R-63 Multi-Family Urban Residential District. Across O Street to the north is a dialysis clinic on property located in the UB Urban Business (PE3 Parking Exempt) District.

Neighborhood Participation

Staff notified the Church Hill Central Civic Association, as well as area property owners. No comments regarding this proposed amendment have been received.

Staff Contact

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