



## CITY OF RICHMOND

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

**Ord. No. 2022-161:** To authorize the special use of the property known as 909 North 29th Street for the purpose of five 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:** July 18, 2022

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#### **PETITIONER**

Mark Baker – Baker Development Resources

#### **LOCATION**

909 North 29th Street

#### **PURPOSE**

To authorize the special use of the property known as 909 North 29th Street for the purpose of five single-family attached dwellings, with off-street parking, upon certain terms and conditions.

#### **SUMMARY & RECOMMENDATION**

The proposal is to construct five single-family attached dwellings, with off-street parking, within an R-6 Single Family Attached Residential Zoning District. Such a use is a permitted use in this district, however, the proposed development would not meet certain feature requirements, including lot area, lot width, front yards, lot coverage, building height, and off street parking requirements. A Special Use Permit is therefore required.

Staff finds that the proposal would be consistent with the recommendations of the City's Master Plan pertaining to the development style and features within the Neighborhood Mixed-Use land use category including the primary uses and building height.

Staff finds that the proposal would not pose an undue burden on the availability of on-street parking in the area due to the addition of off-street parking provided on-site.

Staff finds that the proposed use would be consistent with the historic pattern of development 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 the Special Use Permit request.

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## **FINDINGS OF FACT**

### **Site Description**

909 North 29th Street is currently improved with a 1,432 sq. ft. residential building, constructed in 1985, situated on an 8,983 sq. ft. (.20 acre) parcel of land. The property is located in the Church Hill North neighborhood, between O and P Streets.

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

The applicant is proposing a Special Use Permit which would authorize five single-family attached dwellings with off-street parking.

### **Master Plan**

The City's Richmond 300 Master Plan designates a future land use for the subject property as Neighborhood Mixed Use which are 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.

The density of the proposed development, overall, is approximately 25 units per acre.

## **Zoning and Ordinance Conditions**

The current zoning for the subject parcel is R-6 Single Family Attached Residential District. The following sections of within the City's current zoning ordinance are not met by the application.

Section 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, provided that such area may be reduced when an area equivalent to such reduction is provided in common ownership elsewhere on the development site and is accessible to residents of the lots so reduced in area and is available for their use. Each lot reduced to less than 2,200 square feet in area shall be provided with a private yard adjoining the dwelling unit and containing not less than 500 square feet of usable open space.  
*The proposed lots range from 1,202 to 1,967 sq. ft. in area.*

Section 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.

*The proposed front yards are to be 9 feet in depth.*

Section 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 proposed lot coverages range from approximately 40 to 65 percent.*

Section 30-412.8. Height:

No building or structure in the R-6 single-family attached residential district shall exceed 35 feet in height.

*The proposed building heights are 37'-6".*

Section 30-710.1(2) Number of spaces required for particular uses.

Number of spaces required for single-family attached – 1 per dwelling unit.

*A total of four (4) off-street parking spaces are proposed.*

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

(a) The Special Use of the Property shall be as five single-family attached dwellings, with off-street parking, substantially as shown on the Plans.

(b) No fewer than four off-street parking spaces shall be provided on the Property, substantially as shown on the Plans.

(c) All building materials, elevations, and site improvements shall be substantially as shown on the Plans.

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

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

(f) Prior to the issuance of a certificate of occupancy for any one of the single-family detached dwellings, the establishment of five residential lots, substantially as shown on the Plans, shall be

accomplished by obtaining the necessary approvals from the City and recording the appropriate plats and deeds among the land records of the Clerk of the Circuit Court of the City of Richmond.

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.

(e) The Owner shall make improvements within the right-of-way, including the installation of four street trees, substantially as shown on the Plans, which improvements may be completed in one or more phases as approved by the Director of Public Works.

### **Surrounding Area**

Surrounding and nearby properties are primarily zoned R-6 Single-Family Attached Residential. However, the block directly to the north of the property is a combination of R-63 Multi-family and M-1 Light-industrial. A mix of single-, and multi-family residential, and small, neighborhood scaled commercial and institutional uses are also present in the vicinity.

### **Affordability**

The median household income for the Richmond region is currently \$67,703. The affordability threshold is 30% of household income which equates to \$20,311 or \$1,693 per month or less to avoid a housing cost burden.\* Based upon the median household income for the Richmond region and the estimated price of units provided by the applicant, the units are projected to be affordable to households making approximately 85% of the Area Median Income (AMI), affordability measure.\*\* These units are considered affordable.

*\*(U.S. Census Bureau, 2018 American Community Survey 1-Year Estimates)*

*\*\* (Based upon VHDA fixed-rate, 30-year mortgage, with 20% down and 4% interest)*

### **Neighborhood Participation**

Staff notified area residents, property owners, and the Church Hill Central Civic Association, of the proposed Special Use Permit. An adjacent property owner expressed concerns with this proposal at the June 21, 2022 Planning Commission meeting. The applicant has since met with the property owner to discuss the project. Staff has not received any indications of support or opposition for this application.

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