



CITY OF RICHMOND

Department of Planning & Development Review *Staff Report*

Ord. No. 2022-335: To authorize the special use of the property known as 1223 West Leigh Street for the purpose of a multifamily dwelling containing up to three dwelling units, upon certain terms and conditions.

To: City Planning Commission
From: Land Use Administration
Date: December 5, 2022

PETITIONER

Doug Dunlap – Black Pearl Optimum

LOCATION

1223 West Leigh Street

PURPOSE

To authorize the special use of the property known as 1223 West Leigh Street for the purpose of a multifamily dwelling containing up to three dwelling units, upon certain terms and conditions.

SUMMARY & RECOMMENDATION

The applicant is requesting a Special Use Permit to authorize a multi-family use within an existing building by converting first floor commercial space to a dwelling unit, with two dwelling units on the second floor. Multi-family buildings are not a permitted principal use within the R-8 Urban Residential District. 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 varied housing types within the Neighborhood Mixed-Use land use category including the building size and recommended primary uses.

Staff finds that the proposal would not pose an undue burden on the availability of on-street parking in the area due to its proximity to nearby services and transit, which are both within walking distance. The property is in walking distance to a major grocery store, convenience shopping, restaurants, the VCU campus, and to the VCU/VUU Pulse, Bus Rapid Transit Station. The demand for private vehicles will continue to decline with an increase in overall density in the neighborhood and student population.

Staff also finds that the proposed use aligns with the Richmond 300 Master Plan street typology of Major Mixed-Use Street. This portion of Leigh Street envisions a pattern of development that would be supported by incorporating additional, multi-family housing.

Staff finds that the proposal provides opportunities for increasing the City's stock of affordable housing as recommended by the Plan's Objective 14.3 "Create 10,000 new affordable housing units for low- and very low-income households over the next 10 years". As the dwelling unit proposed is projected to be affordable to households that are below 80% of the Area Median Income, this application helps to achieve this objective.

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.

FINDINGS OF FACT

Site Description

The property is located in the Carver neighborhood on Leigh Street between Norton and North Harrison Streets. The property is currently a 2,550 sq. ft. (.06 acre) parcel of land. The building is currently a two-story mixed-use building with two apartment units above street level commercial. The Special Use Permit would allow for a total of three units.

Proposed Use of the Property

The proposed use of the property is a multi-family building.

Master Plan

The City's Richmond 300 Master Plan designates the subject property for Neighborhood Mixed Use which is viewed as "...highly-walkable urban neighborhoods that are predominantly residential with a small, but critical, percentage of parcels providing retail, office, personal service, and institutional uses."

Development Style: 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.

Ground Floor: 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.

Mobility: 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. (p. 56)

The property is along a designated Major Mixed-Use Street. This designation envisions future development with the following characteristics:

- Carry high volumes of vehicles, pedestrians, and bicycles, through commercial and mixed-use areas
- Prioritize use and density-scaled sidewalks and crosswalks
- Require form elements, such as buildings to the street with parking in the rear, as well as building windows and entrances on the street
- Incorporate streetscape features, such as trees, benches, and trash receptacles
- Ideal locations for transit routes and transit stops
- Prioritize the curbside for walking, bicycling, transit, and short-term parking access and loading for local shops and restaurants

The density of the proposed development is approximately 50 units per acre.

Zoning and Ordinance Conditions

The current zoning for this property is R-8 Urban Residential District. The following zoning regulations are not being met by the proposal, warranting special use permit approval.

PERMITTED PRINCIPAL USES

Sec. 30-413.11.

The proposed multi-family use is not permitted within the R-8 District.

Additional conditions will be imposed by the amended ordinance, including:

3(a) The Special Use of the Property shall be a three unit multi-family building, substantially as shown on the Plans.

(b) No off-street parking shall be required for the Special Use.

(c) The height of the Special Use shall not exceed two stories.

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

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 public right-of-way, including two new street trees on Norton Street and West Leigh Street, substantially as shown on the Plans.

Surrounding Area

Surrounding properties are located in the same R-8 district as the property in question. Single- and Two-family residential is the dominant land-use in the vicinity, with some multi-family and commercial uses present. Properties to the north are zoned primarily R-7.

Affordability

The median household income for the Richmond region is currently \$71,223 per year.* The affordability threshold is 30% of household income towards housing costs, which equates to \$21,367 per year, or \$1,781 per month, or less, to avoid a housing cost burden. Based upon the median household income for the Richmond region, and the estimated pricing provided by the applicant, the proposed rental units are projected to be affordable to households making between 50% to 100% of the Area Median Income (AMI) affordability threshold** At least one unit is projected to be affordable to more than half of the Richmond region's households.

**(U.S. Census Bureau, 2020 American Community Survey 1-Year Estimates)*

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

Neighborhood Participation

The City notified area property owners, residents, and the Carver Area Civic Improvement League about this application. Staff has not received any letters of support or opposition from the Association or nearby residents.

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