



CITY OF RICHMOND

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

Ord. No. 2021-322: To authorize the special use of the properties known as 1012 West 49th Street and 1015 Herbert Street for the purpose of up to three single-family detached dwellings, upon certain terms and conditions.

To: City Planning Commission
From: Land Use Administration
Date: December 6, 2021

PETITIONER

Bill Sweeney

LOCATION

1012 West 49th Street and 1015 Herbert Street

PURPOSE

To authorize the special use of the properties known as 1012 West 49th Street and 1015 Herbert Street for the purpose of up to three single-family detached dwellings, upon certain terms and conditions.

SUMMARY & RECOMMENDATION

The proposal is to authorize construction of two single-family detached dwellings, and one garage for an existing dwelling, within an R-5 Single-Family Residential zoning district. The proposed uses, among other things, are not permitted under sections 30-410.4 and 30-410.5(1), regarding minimum lot areas and front yards, of the Code of the City of Richmond (2020), as amended. A Special Use Permit is therefore required.

Staff finds that the proposal would be consistent with the recommendations of the City's Richmond 300 Master Plan pertaining to the Residential Land Use Category. The density, site design, height, and massing all align well with the aforementioned Master Plan category, including the recommended Primary Uses of "Single family houses, accessory dwelling units, and open space." (p. 54)

Staff further finds that the proposed addition of two dwelling units would not pose an undue burden on the availability of on-street parking in the area due to the planned inclusion of four off-street parking spaces for future residents.

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 Forest View neighborhood on 1012 West 49th Street and 1015 Herbert Street. The properties, together, are a combined 15,680 sq. ft. (.228 acre) parcel of land.

Proposed Use of the Property

The application calls for the construction of two single-family detached dwellings, and one garage for an existing dwelling, within an R-5 Single-Family Residential zoning district.

Master Plan

The City's Richmond 300 Master Plan designates a future land use for the subject property as Residential which is defined as neighborhoods "...consisting primarily of single-family houses on large- or medium-sized lots more homogeneous in nature." The development style includes houses on medium-sized and large-sized lots in a largely auto-dependent environment. Homes are setback from the street. Future developments continue and/or introduce a gridded street pattern to increase connectivity. Future single-family housing, accessory dwelling units, duplexes, and small multi-family residential buildings are built to a scale and design that is consistent with existing buildings. Bicycle and pedestrian access are prioritized and accommodated. Low residential density means that it is not possible to provide frequent transit within these areas; however, frequent transit may be found at the edges of these areas within more intense future land use designations. Many homes have driveways and/or garages, which are located off an alley behind the home if an alley is present.

Intensity: Buildings are generally one to three stories. Lot sizes generally range up to 5,000 to 20,000+ sq. ft. Residential density of 2 to 10 housing units per acre.

Primary Uses: Single-family houses, accessory dwelling units, and open space.

Secondary Uses: Duplexes and small multi-family buildings (typically 3-10 units), institutional, and cultural. Secondary uses may be found along major streets (p. 54)

The properties are located within the Westover Hills Neighborhood Node. Nodes are "...local crossroads typically within or next to larger residential areas that offers goods and services to nearby residents, employees, and visitors." (p. 24)

Zoning and Ordinance Conditions

The proposal is to split an existing lot and construct a single-family detached dwelling on each of the newly created lots. The property is located in the R-5 (Single-Family Residential District) and has an area of approximately 9,321.2 square feet (0.214 acres). Please be advised that the following conditions of the proposed single-family detached dwellings do not comply with the current zoning regulations:

Sec. 30-410.4. Lot Area and width: Single-family dwellings in the R-5 Single-Family Residential District shall be located on lots of not less than 6,000 square feet in area.

The proposed spit would create lot areas of approximately 4,800 sq. ft. and 4,522.2 sq. ft.

Sec. 30-410.5. Yards: In the R-5 zoning district, there shall be a front yard with a depth of not less than 25 feet.

Front yard setbacks of 25 feet are required along both street frontages for the proposed Herbert Street dwelling. A front yard setback of approximately 20 feet is proposed along Herbert Street and 5 feet is proposed along Clarence Street. The lot split creates a front yard requirement along Clarence Street for the existing dwelling at 1012 W 49th Street. The existing setback of 10.64 feet along Clarence Street is less than the underlying zoning district requirement of 25 feet. A front yard setback of 25 feet is required for the Clarence Street dwelling and 15 feet is proposed.

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

3(a) The Special Use of the Property shall be as up to three single-family detached dwellings, substantially as shown on the Plans.

(b) All building elevations and site improvements shall be substantially as shown on the Plans. Vinyl siding shall not be used as a building material.

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

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

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

(f) Prior to the issuance of any certificate of occupancy for the Special Use, the division of the property located at 1015 Herbert Street into two 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. to the Property for all-weather travel by public and emergency vehicles is appropriate in accordance with applicable laws and regulations

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 new entrances to Clarence Street and Herbert Street, a new sidewalk on Clarence Street, with concrete to match the existing sidewalk, and a street tree on West 49th Street, substantially as shown on the Plans. All improvements and work within the public right-of-way shall be (i) completed in accordance with the requirements of the Director of Public Works.

Surrounding Area

The majority of the properties in the vicinity are located within the same R-5 Single Family Residential Zone with some B-2 Community Business properties directly to the north of the property. The majority of properties in the direct vicinity are single-family detached dwellings.

Affordability

The median household income for the Richmond region is currently \$68,529 per year. The affordability threshold is 30% of household income towards housing costs, which equates to \$20,559 per year, or \$1,713 per month, or less, to avoid a housing cost burden.* The applicant has informed staff that the units will be fee simple and market rate.

**(U.S. Census Bureau, 2019 American Community Survey 5-Year Estimates)*

Neighborhood Participation

Staff notified area residents, property owners, and the Forest View Neighborhood Association of the proposed Special Use Permit. As of this date, the Forest View Neighborhood Association has not submitted any correspondence to staff regarding the application.

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