

# APPLICANT'S REPORT

*February 19, 2021*

*Revised: November 29, 2021*

*Special Use Permit Request*

*2117 Fairfax Avenue, Richmond, Virginia*

*Map Reference Number: S000-0458/019*

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Submitted to:

**City of Richmond**

Department of Planning and Development Review

Land Use Administration

900 East Broad Street, Suite 511

Richmond, Virginia 23219

Submitted by:

**Baker Development Resources**

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## Introduction

The property owner is requesting a special use permit (the "SUP") for 2117 Fairfax Avenue (the "Property"). The SUP would authorize the construction of one (1) two-family detached dwelling and one (1) single-family detached dwelling along with the renovation of the existing two-family detached dwelling located on the Property.

## Existing Conditions

### SITE DESCRIPTION AND EXISTING LAND USE

The Property is located on the north side of Fairfax Avenue between East 22<sup>nd</sup> Street and East 21<sup>st</sup> Street. The Property consists of one parcel, which is referenced by the City Assessor as tax parcel S000-0458/019. The Property is exceptionally large for the immediate vicinity and is improved by a two-family dwelling. The Property consists of three 33-foot wide lots from the original Mason Park Subdivision, which predates the 1942 annexation of the surrounding area, including the Property, by the City of Richmond. The Property is 99 feet wide, 143 feet deep and contains approximately 14,157 square feet of lot area. The Property is relatively flat and is afforded access in the rear by means of an east-west alley.



There are a mix of one and two-family dwellings in the block, with two two-family dwellings located directly across Fairfax Avenue. This is consistent with the existing development in the immediate vicinity which is predominantly single-family dwellings with two-family dwellings interspersed. To the south of the Property is a church. To the southwest lies, within two blocks, the Richmond Highway corridor, which is currently improved by various commercial, institutional, industrial, and multifamily uses.

## **EXISTING ZONING**

The Property is zoned R-5 Single-Family Residential, which does not permit the proposed two-family detached dwelling use. The surrounding properties are also zoned R-5. The nearby properties along Richmond Highway are a combination of B-6 Mixed-Use Business, B-3 General Business, and M-1 Light Industrial.

## **MASTER PLAN DESIGNATION**

The Richmond 300 Plan (the "Master Plan"), which was approved by Richmond City Council at their December 14<sup>th</sup> meeting, suggests "Residential" for the Property. The Master Plan suggests this future land use designation allow for a variety of housing types that are consistent with the scale, density, and design of what exists in the vicinity. This designation also encourages that developments reinforce a gridded street pattern to increase connectivity. (p. 54).

In addition to the Property-specific guidance offered by the Vision and Core Concepts chapter, there are a number of other goals elsewhere within the Master Plan that support this request, including:

- Page 109 (Equitable Transportation Chapter), Objective 6.1 to "Increase the number of residents and jobs at Nodes and along enhanced transit corridors in a land development pattern that prioritizes multi-modal transportation options." Richmond Highway is shown as being an enhanced transit corridor and is within close proximity to the Property (Figure 28, p. 119).
  - b. Develop housing at all income levels in and near Nodes and along major corridors (see strategies Goal 14).
- Page 136 (Diverse Economy Chapter), Objective 11.1 to "Increase the areas of appropriately zoned land near various transportation modes and housing to retain, create, and attract employers."
  - d. Encourage the development of a variety of quality housing types to house employees across the economic spectrum (see Goal 14).
- Page 150 (Inclusive Housing Chapter), Objective 14.1 to "Increase city-wide awareness of the importance of integrating housing at all income levels into every residential neighborhood so every household has housing choice throughout the city."
- Page 152 (Inclusive Housing Chapter) (see map on p. 153), Objective 14.4 to "Increase the number of mixed-income communities along enhanced transit corridors."
- Page 152 (Inclusive Housing Chapter) (see map on p. 153), Objective 14.5 to "Encourage more housing types throughout the city and greater density along

- enhanced transit corridors and at Nodes (shown in Figure 38 [p.153]) by amending the Zoning Ordinance.”
- e) Allow the development of middle housing (2- to 4- unit buildings) by-right within 1/2 mile of high-frequency transit stops.
  - Page 155 (Inclusive Housing Chapter), Objective 14.8 to “Develop inclusionary and equitable housing options for our gentrifying neighborhoods to prevent involuntary displacement.”
  - Page 159 (Thriving Environment Chapter) Objective 15.1 to “Reduce air pollution related to transportation.”
    - a. Increase the number of Richmonders living in a development pattern that encourages density and reduces dependency on single-occupancy vehicles (see Goal 1, Goal 8, Goal 14).

## Proposal

### PROJECT SUMMARY

The proposed development includes the construction of one (1) two-family detached dwelling on the vacant western portion of the Property and the construction of one (1) single-family detached dwelling on the vacant eastern portion of the Property as well as the renovation of the existing two-family detached dwelling.

### PURPOSE OF REQUEST

While the Property is a single legal lot of record from a zoning perspective, it includes three original subdivision lots that are each 33 feet wide. For that reason, the Property is exceptionally large for the area, in many cases three times the size of other lots. The existing building was constructed on the Property on the center subdivision lot, retaining a vacant original subdivision lot on either side. The Property owner would now like to construct a two-family detached dwelling on the vacant subdivision lot to the west of the existing dwelling and a single-family detached dwelling on the vacant subdivision lot to the east and renovate the existing two-family dwelling. While this request is consistent with the historic development pattern in the vicinity, the R-5 district does not permit the proposed two-family use and some of the underlying feature requirements are not met for the single-family dwelling and therefore, a SUP is required.

The proposed lot width and area are compatible with other lots in the vicinity, which are all characteristically smaller urban lots. In the subject block, a majority of the lots are developed with dwellings that do not comply with the current R-5 requirements. These dwellings were typically built with minimal side-yard setbacks, and are substandard where the 50 feet of lot width and 6,000 square feet of lot area required for single-family detached dwellings are concerned. Based on this historic lot pattern, the majority of lots in the vicinity are nonconforming with regard to lot area, lot width and yards. Where existing two-family dwellings are concerned, they are nonconforming with respect to use and located on similarly sized lots.

In exchange for the SUP, the intent of this request is to ensure a high-quality infill development that is consistent with the objectives of the Master Plan. The overall project would be appropriately efficient and would be compatible with the existing development in the vicinity. The quality

assurances conditioned through the SUP would guarantee a higher quality development than what might otherwise be developed by right in the vicinity.

## PROJECT DETAILS

The proposed two-family and single-family dwellings would each be two stories in height and are consistent with historic development pattern found throughout the neighborhood. From the street, the new two-family dwelling would read as a single-family dwelling and would therefore be consistent with other residential buildings in the vicinity in terms of scale and character.

The two-family dwelling would contain approximately 2,304 square feet of floor area, with each dwelling unit within the building containing approximately 1,150 square feet. Each dwelling unit would consist of two bedrooms and two bathrooms. The floor plans are spacious and modern with open living areas and kitchens.

The new single-family detached dwelling would contain 1,866 square feet of finished floor area and consist of three bedrooms and two-and-one-half bathrooms. The dwelling has been designed to appeal to the current homebuyer with an open living room and kitchen and a primary bedroom with en suite bath and walk-in closet.

The new buildings would be clad in cementitious lap siding in order to ensure quality and durability. The buildings would utilize compatible architectural details as well as full-width front porches in order to ensure consistency in appearance with many other dwellings in the vicinity. Full width upper and lower covered rear porches are proposed for the two-family dwelling in order to provide ample usable outdoor area. Six parking spaces are proposed for the total of five dwelling units, which would be accessed by the public alley to the rear of the Property.

## Findings of Fact

The following are factors included in Section 17.11 of the Charter and Section 30-1050.1 of the Zoning Ordinance relative to the approval of special use permits by City Council. The proposed special use permit will not:

- ***Be detrimental to the safety, health, morals and general welfare of the community involved.***

The proposed special use permit for high-quality infill construction will not impact the safety, health, morals and general welfare of the nearby neighborhoods.

- ***Tend to create congestion in streets, roads, alleys and other public ways and places in the area involved.***

The proposed special use permit will not result in significant traffic impacts to nearby residential neighborhoods. The negligible traffic generation and six off-street parking spaces for the five dwelling units will create no congestion on streets, roads, alleys or any other public right of way. Furthermore, the Property is within walking distance to the Richmond Highway corridor, which offers fifteen-minute frequency bus service (the "3")

routes) that connect the Property to Manchester, VCU, downtown, and Highland Park—with multiple transfer opportunities with other routes along the way.

- ***Create hazards from fire, panic or other dangers.***

The Property will be developed in a manner consistent with the requirements of the building code and in accordance with the requirements of Fire and Emergency Services. The City's codes applicable to this development are designed to eliminate such hazards.

- ***Tend to overcrowding of land and cause an undue concentration of population.***

The proposed special use permit will not tend to over crowd the land or create an undue concentration of population.

- ***Adversely affect or interfere with public or private schools, parks, playgrounds, water supplies, sewage disposal, transportation or other public requirements, conveniences and improvements.***

The special use permit would not adversely affect the above referenced City services.

- ***Interfere with adequate light and air.***

The light and air available to the subject and adjacent properties will not be affected. The proposed dwellings are of compatible massing and spacing to the existing dwellings throughout the neighborhood. As a result, this request will not interfere with the provision of adequate light and air to the adjacent buildings.

## Summary

In summary we are enthusiastically seeking approval for the construction of the proposed two-family and single-family detached dwellings and the renovation of the existing two-family detached dwelling. The buildings have been thoughtfully designed in order to provide appropriate, high quality infill development. The request offers compatibility with the City's Master Plan in terms of use. The request would contribute to the ongoing revitalization of the neighborhood, upgrading the Property while maintaining a desirable variation in housing style and density in the vicinity and providing for continued economic diversity in housing options within the neighborhood.

The proposed development would provide for respectful infill development that is consistent with the objectives of the Master Plan. The proposed design is historically appropriate and would contribute to the vibrancy of the block with street-oriented full width front porches. An appropriate urban form coupled with the provision of accessory parking to the rear of the Property would give the Property the much-desired traditional neighborhood design which is appropriate for this area of the City. The provision of off-street parking spaces exceeds zoning requirements would help mitigate any impact on parking related to the development. Finally, the quality assurances conditioned through the SUP would guarantee a higher quality development than what might otherwise be developed by right in the vicinity.