



# CITY OF RICHMOND

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

**Ord. No. 2022-050:** To authorize the special use of the property known as 5 North Colonial Avenue for the purpose of a multifamily dwelling containing up to three dwelling units, upon certain terms and conditions.

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**To:** City Planning Commission  
**From:** Land Use Administration  
**Date:** March 21, 2022

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### **PETITIONER**

Georgia & Mark Kukoski, represented by Johannas Design Group

### **LOCATION**

5 North Colonial Avenue

### **PURPOSE**

To authorize the special use of the property known as 5 North Colonial Avenue for the purpose of a multifamily dwelling containing up to three dwelling units, upon certain terms and conditions.

### **SUMMARY & RECOMMENDATION**

The subject property is located in the R-6 Single-Family Attached Residential zoning district. Multi-family dwellings are not permitted uses in this district. Furthermore, parking is generally required at a ratio of one off-street parking space per dwelling unit. The proposed development provides two off-street parking spaces. Therefore a special use permit is being requested.

The subject property is located within the Museum District neighborhood. This area has historically been developed with small multi-family buildings along with one- and two-family dwellings. There are four multi-family dwellings along Colonial Avenue within three blocks of the subject property, including one on the same block at 4 North Colonial Ave (3 stories; 6 units) and one directly abutting to the south of the subject property at 3 North Colonial Ave (3 stories; 6 units).

Staff finds that the proposed multi-family dwelling is generally consistent with the historic pattern of development in the area and the recommendations of the Richmond 300 master plan. The property has a land use designation of Neighborhood Mixed Use. Small multi-family dwellings are a primary use recommended in this category, and the density of the proposed project (36 units per acre) is within the range of densities of the existing multi-family dwellings on the block (21-88 units per acre). The proposed development would contribute to the vitality of the Carytown node and would be redevelopment of a one-story building as referenced in the vision for the node.

Staff finds that the proposed development is consistent with the historic massing, form, height, and setbacks of multi-family dwellings in the area, and vehicular access to the garage will be provided from the alley to the rear of the property, as opposed to the front of the building. The proposed development has been reviewed by staff to confirm adherence to the West of the Boulevard Overlay District guidelines, which cannot be waived by the proposed special use permit.

Staff finds that the proposed development supports Objective 15.1a of the Master Plan which states “Increase the number of Richmonders living in a development pattern that encourages density and reduces dependency on single-occupancy vehicles,” and Objective 14.5 which calls for efforts to encourage more housing types throughout the city and greater density along enhanced transit corridors and at Nodes.” Section “e” states that Richmond should “allow the development of middle housing (2-4 unit buildings) by-right within a half-mile of high frequency transit stops. The applicant notes in their application narrative that the #5 bus, which is a high frequency circulator, stops on West Main Street, half a block from the property. Additional bus routes in the immediate vicinity are the #78 and the #20 bus. Staff finds that the proposed three unit multi-family dwelling will help bring additional density to support future rapid transit in the area.

Staff finds that the proposed development would not pose an undue burden on the availability of on-street parking in the area due to the provision of on-site parking spaces and proximity to transit. Currently, the property contains a two-family dwelling with no on-site parking.

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.

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## **FINDINGS OF FACT**

### **Site Description**

The subject property is located midblock on the eastern side of North Colonial Avenue between Ellwood Avenue and Floyd Avenue. Public alleys run along the northern and eastern property lines. The subject property is 36 feet wide with a depth of 100 feet for a total area of 3,627 square feet. The subject property is improved with a two-story 2,496 square foot two-family (converted) dwelling with no off-street parking provided. The proposal calls for the demolition of this structure. The Assessor’s office deems the condition of the structure as normal for age, though it appears to be in need of repair.

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

The proposed Special Use Permit would allow the construction of a three unit multi-family dwelling. Two of the dwelling units will be 865 square feet each, and one will be 2,681 square feet. Two off-street parking spaces will be provided in a garage.

### **Master Plan**

The City’s Richmond 300 Master Plan designates the property as Neighborhood Mixed Use. This land use category is described 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.

**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.

**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 multi-family buildings (10+units), retail/office/personal service, institutional, cultural, and government.

The property is also located within the Carytown Regional/National Node. Such nodes are defined by the Master Plan as centers with significant cultural, entertainment, government, and business destinations as well as shopping, housing, and unique place-based attractions.

Specifically for the Carytown node, the Master Plan provides the following vision: The Carytown Node is a lively mixed-use neighborhood that is home to Richmond's premier shopping destination. The establishments in Carytown include an eclectic mix of local and national retail, dining, entertainment, and service uses anchored by the historic Byrd Theater to the east and multiple grocery stores to the west. The retail corridor is surrounded by diverse residential neighborhoods which include a variety of housing stock. In 2037, Carytown will continue to be a successful, walkable, mixed-use destination. Additional residential units at a range of affordability levels can be developed through compatible infill development and developing 2 to 3 stories of residential above existing commercial structures. New development should be compatible with the existing historic structures, and efforts should be made to preserve the existing historic fabric. Though Carytown currently is a walkable Node, the movement of people not cars should be further prioritized by limiting vehicular access to Cary Street, whether permanently or temporarily, while

accommodating other modes of transportation. Pedestrian amenities including street trees and larger sidewalks should be included on Cary Street and into the surrounding residential communities. Opportunities to create new open space and improve existing spaces including the Grayland Tot Lot should be realized.

The growth potential for the node is: Medium – New development is limited to existing parking lots and the redeveloping of single- and two-story structures into taller structures.

### **Zoning and Ordinance Conditions**

In response to the SUP request for the 5 Colonial Avenue, Zoning Administration offers the following comments: *Zoning and Use: The subject property is zoned R-6 Single-Family Attached Residential district. This proposal is to permit the construction of a three-unit building with two parking spaces for the owners' unit. Multifamily dwellings are not a permitted principal use in the R-6 District. R-6 Feature Requirements: Lot area, lot width, lot coverage, height, and yard requirements are only applicable to permitted principal and accessory uses. Parking: A multifamily dwelling with one main building on a lot of record should provide one off street space per dwelling unit. Two parking spaces are proposed in the first floor garage for the owners' unit.*

If adopted, the Special Use Permit would impose conditions on the property, including:

- (a) The Special Use of the Property shall be as a multifamily dwelling containing up to three dwelling units, substantially as shown on the Plans.
- (b) No fewer than two off-street parking spaces within a garage shall be provided on the Property.
- (c) The height of the Special Use shall not exceed three stories, substantially as shown on the Plans.
- (d) All building materials and elevations shall be substantially as shown on the Plans, subject to the applicable regulations of the West of the Boulevard Design Overlay District, pursuant to sections 30-940 through 30-940.9 of the Code of the City of Richmond (2020), as amended.
- (e) All mechanical equipment serving the Property shall be located or screened so as not to be visible from any public right-of-way.

### **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.\* Based upon the median household income for the Richmond region, and the estimated pricing provided by the

applicant, the fee simple units are projected to be affordable to households earning the Area Median Income (AMI)\*\*

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

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

### **Surrounding Area**

The subject property and all adjacent properties are in the same R-6 Single-family Attached Residential District as the subject property. The adjacent property to the south contains a six unit multi-family building. The properties across North Colonial Avenue to the west contain single-family, two-family, and multi-family dwellings. Properties located across the alley to the north contain single-, two-family, and multi-family dwellings.

### **Neighborhood Participation**

Staff notified area residents and property owners, as well as the Museum District Association and the Fan Area Business Alliance. Staff has received two letters of opposition from area residents and a letter of no opposition from the Museum District Association.

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