



## CITY OF RICHMOND

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

**Ord. No. 2022-097:** To conditionally rezone the properties known as 3329 Hopkins Road and 3425 Hopkins Road from the R-4 Single-Family Residential District to the R-6 Single-Family Attached Residential District, upon certain proffered conditions.

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**To:** City Planning Commission  
**From:** Land Use Administration  
**Date:** April 4, 2022

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#### **PETITIONER**

Jeffrey Geiger - Hirschler, Attorneys at Law

#### **LOCATION**

3329 Hopkins Road and 3425 Hopkins Road

#### **PURPOSE**

To conditionally rezone the properties known as 3329 Hopkins Road and 3425 Hopkins Road from the R-4 Single-Family Residential District to the R-6 Single-Family Attached Residential District, upon certain proffered conditions.

#### **SUMMARY & RECOMMENDATION**

The proposal is to rezone the subject properties to the R-6 Single-Family Attached Residential District, which allows, among other requirements, additional permitted principal uses than the current R-5 Single-Family Residential District, specifically single-family attached dwellings. The proposed rezoning would accommodate a combination of single-family attached and detached dwellings, not to exceed a total of 140 units.

Staff finds that the proposal would be consistent with the recommendations of the City's Richmond 300 Master Plan pertaining to the Neighborhood Mixed-Use land use designation, as well as the residential housing patterns prevalent in the vicinity.

Staff also finds that the proffered plans attached to the ordinance align with the Richmond 300 Plan's goals for creating "Great Streets". The property fronts Warwick Avenue which is a Major Residential Street to the north, and Hopkins Road to the west. The proffered plans have included design elements that recognize the characteristics of Major Residential Streets such as orienting houses to face Warwick Avenue and Hopkins Road, sidewalks throughout the neighborhood, and including alleys and dwellings that are provided with vehicular access to the rear, connectivity among streets enhancing walkability and "eyes on the street".

Staff further finds that the application and proffers submitted are an indication of the applicant recognizing the importance of the Richmond 300 Plan objectives, particularly those related to the site design, housing type and the alignment with the Neighborhood Mixed-Use category. Within the context of vacant sites that are set within what is currently automobile oriented land uses, staff

recognizes this rezoning application as an important example, and bridge, toward achieving the Richmond 300 vision for walkable communities in the area.

The applicant has provided updated proffers that includes a condition that was agreed upon with the community to restrict vehicular access to the development from Ferapont Drive to emergency access only.

Therefore, staff recommends approval of the conditional rezoning request with an amendment to incorporate the updated proffers, dated March 31, 2022.

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## **FINDINGS OF FACT**

### **Site Description**

The properties together consist of approximately 22 acres of land. The property is located in the Walmsley Neighborhood at the southeast corner of the intersection of Warwick Road and Hopkins Road.

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

The proposed rezoning would accommodate a combination of single-family attached and detached dwellings, not to exceed a total of 140 units.

### **Master Plan**

The City's Richmond 300 Master Plan designates a future land use for the subject property as Neighborhood Mixed-Use. Such areas are intended to include "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. (p. 56)

This properties are located adjacent to a designated “Great Street” under the typology of “Major Residential Street” which is characterized by the following:

- Carry high volumes of vehicles, as well as pedestrians and bicycles, through residential neighborhoods
- Prioritize for creating sidewalks and crosswalks
- Install street trees as a buffer between sidewalk and street
- Ideal locations for transit routes and transit stops
- Ensure low street speed by utilizing traffic calming measures (p. 72)

### **Zoning and Ordinance Conditions**

The current zoning for this property is R-4 Single-Family Residential District. The proposal is to rezone the properties to the R-6 Single-Family Attached Residential District. If rezoned, the property would be bound by the proffered conditions attached to the ordinance, as amended, as well as the requirements of the R-6 District:

Sec. 30-412.1. - Permitted principal uses.

The following uses of buildings and premises shall be permitted in the R-6 district:

- (1) Any principal use permitted in the R-1 district as set forth in Section 30-402.1;
- (2) Single-family attached dwellings and uses and structures customarily incidental to attached dwelling developments, provided that:
  - a. Appropriate agreements and covenants approved by the City Attorney provide for the perpetuation and maintenance of all areas to be held in common ownership by property owners within such developments;
  - b. Architectural variations shall be provided among units within any series of more than four units;
  - c. A plan of development shall be required as set forth in Article X of this chapter for any development with three or more newly constructed single-family attached dwellings;
- (3) Two-family detached dwellings;
- (4) Two-family attached dwellings lawfully existing prior to the effective date of the ordinance from which this section is derived.

Sec. 30-412.2. - Permitted accessory uses and structures.

Accessory uses and structures, including the following, which are customarily incidental and clearly subordinate to permitted principal uses shall be permitted in the R-6 Single-Family Attached Residential District (see Article VI, Division 9 of this chapter):

- (1) Any accessory use or structure permitted in the R-1 district as set forth in Section 30-402.2.

(2) One dwelling unit located in an accessory building, containing two or more stories, which is existing at the effective date of the ordinance from which this subsection is derived and which is located on the same lot as a single-family dwelling, provided that:

- a. The single-family dwelling shall not contain any accessory lodging units;
- b. There shall be no enlargement of the accessory building, except for ingress or egress improvements required by the Virginia Uniform Statewide Building Code;
- c. The lot shall meet the lot area requirement for a two-family dwelling;
- d. One off-street parking space shall be provided for the additional dwelling unit; and
- e. Access to the accessory building shall be provided in accordance with requirements of the Department of Public Works and Department of Fire and Emergency Services.

(3) Short-term rental located within an accessory building permitted by subsection (2) of this section.

Sec. 30-412.4. - Lot area and width; density; unit width.

Lot area and width regulations in the R-6 Single-Family Attached Residential District shall be as follows:

(1) *Single-family detached dwellings*. Single-family detached dwellings shall be located on lots of not less than 5,000 square feet in area with a width of not less than 50 feet (see Article VI, Division 3 of this chapter).

(2) *Single-family attached dwellings*. Density, lot area and unit width for single-family attached dwellings shall be as follows:

a. *Density*. The average density within a development site shall not exceed ten dwelling units per acre (see the definition of the term "dwelling, multifamily" in Section 30-1220).

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.

c. *Unit width*. No individual attached dwelling unit shall be less than 16 feet in width, provided that the average width of all units attached within a series shall be not less than 20 feet.

(3) *Two-family attached and detached dwellings*. Two-family attached and detached dwellings shall be located on lots of not less than 6,000 square feet in area with a width of not less than 50 feet (see Article VI, Division 3 of this chapter).

Sec. 30-412.5. - Yards.

Yard regulations in the R-6 Single-Family Attached Residential District shall be as follows:

(1) *Uses other than attached dwellings*. Yards for uses other than attached dwellings shall be as follows:

a. *Front yard*. There shall be a front yard with a depth of not less than 15 feet (see Article VI, Division 4 of this chapter).

b. *Side yards*. There shall be side yards of not less than five feet in width (see Article VI, Division 4 of this chapter).

c. *Rear yard*. There shall be a rear yard with a depth of not less than five feet (see Article VI, Division 4 of this chapter and Section 30-680.1).

(2) *Single-family and two-family attached dwellings and buildings accessory thereto*. Yards for single-family and two-family attached dwellings and buildings accessory thereto shall be as follows:

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 (see Article VI, Division 4 of this chapter).

b. *Side yard.* There shall be side yards of not less than three feet in width except where buildings are attached. There shall be a side yard of not less than ten feet in width at each end of a series of attached units (see Section 30-620.1(d) and Article VI, Division 4 of this chapter).

c. *Rear yard.* There shall be a rear yard with a depth of not less than five feet (see Article VI, Division 4 of this chapter and Section 30-680.1).

Sec. 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.

Sec. 30-412.7. - Driveways from streets.

No driveway intersecting a street shall be permitted on a lot devoted to dwelling use when alley access is available to serve such lot. In the case of a corner lot, no such driveway shall be permitted intersecting a street which constitutes the principal street frontage of a lot when other street frontage or alley access is available to serve the lot. Permitted driveways within front yards of single-family and two-family dwellings shall not exceed nine feet in width.

Sec. 30-412.8. - Height.

No building or structure in the R-6 Single-Family Attached Residential District shall exceed 35 feet in height (see Article VI, Division 6 of this chapter and Section 30-680.1).

### **Housing Affordability**

The applicant has provided initial estimates for the development: Townhomes to start in the mid-200s to almost 300s and the single-family detached homes to start in low 300s.

### **Surrounding Area**

Properties to the east and south are located within the R-4 Single-Family Residential District, properties to the west are located in the R-3 Single-Family Residential District, and properties to the north are located in the R-43 Multi-Family Residential District. Single-family land use predominates the area, with some multifamily and institutional land uses present as well.

### **Neighborhood Participation**

Staff notified area residents, property owners, and the Deerbourne Civic Association of the proposed rezoning. Staff has received a notice of support from Councilwoman Reva Trammell's office and emails indicating no opposition from area residents.

**Staff Contact:** Jonathan Brown, Senior Planner, Land Use Administration, 804-646-5734