



## CITY OF RICHMOND

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

**Ord. No. 2022-147:** To authorize the special use of the property known as 2516 East Leigh Street for the purpose of (i) an age-restricted multifamily dwelling containing up to 62 dwelling units and an accessory parking area and (ii) up to nine single-family attached dwellings, upon certain terms and conditions, and to repeal Ord. No. 95-151-153, adopted Jun. 26, 1995.

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**To:** City Planning Commission  
**From:** Land Use Administration  
**Date:** June 6, 2022

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#### **PETITIONER**

Mark Kronenthal, Esq., Roth Jackson

#### **LOCATION**

2516 East Leigh Street

#### **PURPOSE**

To authorize the special use of the property known as 2516 East Leigh Street for the purpose of (i) an age-restricted multifamily dwelling containing up to 62 dwelling units and an accessory parking area and (ii) up to nine single-family attached dwellings, upon certain terms and conditions, and to repeal Ord. No. 95-151-153, adopted Jun. 26, 1995.

#### **SUMMARY & RECOMMENDATION**

The applicant is requesting to authorize the special use of the property known as 2516 East Leigh Street for the purpose of constructing nine single family attached dwellings on newly created parcels and retain the existing age-restricted multifamily use on the remaining parcel. Ord. No. 95-151-153, which allowed the current building to be used for 63 multifamily dwelling units for the “elderly and handicapped”, is requested to be repealed; the age-restricted multifamily use will be incorporated into the new ordinance. The property is located in an R-63 Single Family Residential District. Lot area and parking requirements are not met for neither the multi-family use nor the proposed single-family attached dwellings. Therefore, a special use permit is necessary to authorize subdivision of the property and construction of the nine single family attached dwellings.

Staff finds that the proposal is consistent with the Richmond 300 land use designation of “Community Mixed-Use.” The existing multifamily use is a primary use and proposed single-family attached dwellings are a secondary use. The form of the development helps engage and enliven the street with rear-loaded garages on seven of the nine proposed townhouses and raised front porches on all of the units.

Alleys are being provided for garage access and trash pickup for the seven townhomes that will front on M Street. The two units that front on North 26<sup>th</sup> Street will have enclosed courtyard spaces, where supercans can be stored on non-trash pickup days. The alleys will either become public rights-of-way or will be private fee-simple lots with permanent access easements. While the alleys have been preliminarily approved by the Department of Public Works, full review of the improvements will be reviewed during the subdivision process.

The infill housing helps support the “Jefferson, Marshall & 25<sup>th</sup>” neighborhood node, which is envisioned as being strengthened by new development on vacant parcels, increased connectivity, and re-imagined institutional and park uses.

The applicant intends to the two for-sale townhome units that front on North 26<sup>th</sup> Street affordable for prospective homeowners whose household income is less than the regional median income. Specific sale prices for both the affordable and market-rate townhome units have not yet been determined.

The applicant has modified the plans in working with the Church Hill Association and neighboring residents in order to preserve outdoor amenity space for the residents of the multifamily housing.

The Commission of Architectural Review (CAR) has issued a Certificate of Appropriateness for the proposed single-family attached dwellings.

Staff finds that the proposal would not pose an undue burden on the availability of on-street parking in the area, due to the provision of on-site parking and availability of transit in the area.

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 Amendment ordinance.

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## **FINDINGS OF FACT**

### **Site Description**

The subject property consists of a single parcel of land that has a lot area of approximately 54,000 square feet (1.2 acres) and is improved with a two-story senior apartment building that was originally constructed as a school. The property is located in the Church Hill neighborhood, and is bound by East Leigh Street to the south, North 26<sup>th</sup> Street to the east, M Street to the north, and single-family dwellings are located to the west that front onto North 25<sup>th</sup> Street.

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

The proposed Special Use Permit amendment would authorize the construction of nine single-family attached units on newly created fee simple lots.

### **Master Plan**

The City's Richmond 300 Master Plan designates the property as Community Mixed-Use. This land use category is described as a “cluster of medium-density, walkable commercial and residential uses that provide neighborhood service to nearby residential communities and sometimes feature regional attractions.”

**Development Style:** The building size, density, and zoning districts for these areas may vary significantly depending on historical densities and neighborhood characteristics. Future development should generally complement the existing context. Uses may be mixed horizontally in several buildings on a block or vertically within the same building. Developments continue or introduce a gridded street pattern to increase connectivity.

**Ground Floor:** Ground floor uses engage with, and enliven, the street. Monolithic walls are discouraged, while windows, doors, storefronts, and other features that allow transparency and interaction between building and street are encouraged.

**Mobility:** Bicycle, pedestrian, 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:** Buildings heights are generally two to four stories. Buildings taller than four stories may be found along major streets.

**Primary Uses:** Retail/office/personal service, multi-family residential, cultural, and open space.

**Secondary Uses:** Single family houses, institutional, and government.

The property is also located within the “Jefferson, Marshall & 25th” neighborhood node. This area is envisioned as being strengthened by new development on vacant parcels, increased connectivity, and re imaged institutional and park uses. New development should be in keeping with the existing character of the area.

### **Zoning and Ordinance Conditions**

The subject property falls within the R-63 Multi-Family Urban District. While the proposed uses are permitted and the parking requirement will be met, the building’s height exceeds the limit of 35’ and the front yard (setback) along both street frontages are not met.

If adopted the ordinance would impose the following conditions on the property:

- (a) The Special Use of the Property shall be as (i) an age-restricted multifamily dwelling containing up to 62 dwelling units and an accessory parking area, and (ii) up to nine single-family attached dwelling units, substantially as shown on the plan.
- (b) The lots identified as Lot 3, Lot 4, Lot 5, Lot 6, Lot 7, Lot 8 and Lot 9 on the Plans shall each be provided with at least one off-street parking space. The lots identified as Lot 1 and Lot 2 on the Plans shall not be required to provide off-street parking.
- (c) The multifamily use shall be provided with a minimum of 17 off-street parking spaces, substantially as shown on the Plans
- (d) All mechanical equipment serving the Property shall be located or screened so as not to be visible from any public right-of-way.

- (e) All building materials, elevations, and site improvements shall be substantially as shown on the Plans, subject to the issuance of a Certificate of Appropriateness by the Commission of Architectural Review.
- (f) A brick trash enclosure shall be provided as shown on the Plans, subject to the issuance of a Certificate of Appropriateness by the Commission of Architectural Review.
- (g) The minimum age for residents living in the multifamily use shall be 62 years of age.
- (h) Signs on the Property shall be limited to a maximum of two signs, with an aggregate sign area not exceeding 12 square feet, subject to the issuance of a Certificate of Appropriateness by the Commission of Architectural Review. Any freestanding sign shall not be located within five feet of the street line and shall not be greater than eight feet in height. Such sign or signs may be illuminated, provided that the source of illumination is not visible from adjoining properties or public streets. The existing "Bowler School" sign on the building may remain in addition to the signs herein permitted.
- (i) Prior to the issuance of any certificate of occupancy for the Special Use, the establishment of up to ten 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.

### **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 intends to sell the seven of the new dwellings at market rate and two at an affordable level that has yet to be determined.

*\*(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**

Single family uses are located to the west and east of the subject property. A mix of religious, single family, and multifamily uses are located to the south, and a government building is located to the north. Properties to the south and east are also located within the R-63 Multifamily Urban Residential District. Properties to the north are located within the RO2-PE2 Residential Office Parking Exempt District and properties to the west are located in both the R-63 District and the UB-PE4 Urban Business Parking Exempt District.

### **Neighborhood Participation**

Staff notified area residents and property owners, as well as the Church Hill Association of RVA, of the application. A letter of support has been received from the Church Hill Association of RVA.

**Staff Contact:** Alyson Oliver, Planner, Land Use Administration, 804-646-6304