



## CITY OF RICHMOND

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

**Ord. No. 2022-214:** To authorize the special use of the property known as 309 West Hooper Street for the purpose of a single-family detached dwelling, upon certain terms and conditions.

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**To:** City Planning Commission  
**From:** Land Use Administration  
**Date:** August 15, 2022

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#### **PETITIONER**

Andrew Peter McVeigh III, Property Owner

#### **LOCATION**

309 West Hooper Street

#### **PURPOSE**

To authorize the special use of the property known as 309 West Hooper Street for the purpose of a single-family detached dwelling, upon certain terms and conditions.

#### **SUMMARY & RECOMMENDATION**

The applicant is requesting a Special Use Permit which would allow for the construction of a single family detached dwelling within an R 5 Residential (Single Family) zone on an existing lot with an overall size smaller than 6,000 square feet, lot width of less than 50 feet, front yard less than 25 feet, side yard less than 5 feet, and lot coverage greater than 35 percent; whereas, dwelling units within the R-5 Residential zone are required to meet such requirements. A Special Use Permit is therefore requested.

Staff finds that the proposal would be consistent with the recommendations of the City's Master Plan that Residential future land use designations ensure that "new dwellings are built to a scale and design that is consistent with existing buildings." The proposed dwelling has a similar footprint as garages in the neighborhood that would be positioned in a similar fashion as the proposed dwelling - on an alley toward the rear of an existing house. The proposed dwelling is also of a similar footprint as a previously existing commercial building located on site.

The Master Plan Big Move to "Expand Housing Opportunities" is also met. As housing is provided on suboptimal lots, a diverse set of housing typologies are created, which leads to inclusion of many different price points within the residential market. Many different price points within the residential market encourages a diversity of residents within neighborhoods, which is a stated goal of the Big Move.

Staff further finds that the proposal would not pose an undue burden on the availability of on-street parking in the area with the inclusion of onsite parking for the dwelling.

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.

Staff finds that the adjacent property known as 2720 Fendall Avenue is served by a water line that crosses the southern portion of the subject property, and that use of a portion of the subject property for vehicular access and trash collection from the alley is needed for 2720 Fendall Avenue.

Therefore staff recommends approval of the Special Use Permit request with the following amendment to Condition 3(d), as recommended by the City Attorney's Office:

Access to the alley for the adjacent property at 2720 Fendall Avenue shall be provided across the Property, substantially as shown on the Plans. The Special Use and any structures appurtenant thereto shall not be located within 10 feet of the southern line of the Property, such area being labelled "Access to Alley Provided to Adjacent Property Owner", substantially as shown on the Plans.

## **FINDINGS OF FACT**

### **Site Description**

The property is located in the Northern Barton Heights neighborhood at 309 West Hooper Street, between Griffin and Fendall Avenue. The property is currently a 1,446 sq. ft. (.033 acre) parcel of land that contains the foundations of a previous structure.

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

The proposed use of the property is a single-family detached dwelling.

### **Master Plan**

The City's Richmond 300 Master Plan designates a future land use for the subject property as Residential. This designation is defined as a "Neighborhood consisting primarily of single-family houses on large- or medium-sized lots more homogeneous in nature."

Development Style: 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.

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.

### **Zoning and Ordinance Conditions**

The current zoning for this property is R-5 Single-Family Residential district.

The Zoning Department offered the following analysis:

R-5 district. Property was split illegally in or around 1958. Lot area and width not met. ADDITIONAL Zoning requirements for the R-5 district 25' FRONT YARD SETBACK REQUIRED. SIDE YARD SETBACK OF 3' REQUIRED. REAR YARD SETBACK OF 5' REQUIRED. LOT COVERAGE 35% MAX REQUIRED. BUILDING HEIGHT 35' MAX. 1 PARKING SPACE REQUIRED.

The following zoning regulations are not being met by the proposal, warranting special use permit approval.

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 with a width of not less than 50 feet.

*The proposed lot is approximately 1,446 sq. ft. and 30 feet wide.*

Sec. 30-410.5. - Yards.

Yard regulations in the R-5 Single-Family Residential District shall be as follows:

(1)Front yard. There shall be a front yard with a depth of not less than 25 feet (see Article VI, Division 4 of this chapter).

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

(3)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).

*The proposed dwelling is 3 feet from the front property line, approximately 3 feet from both side property lines, and 10 feet from the rear property line.*

Sec. 30-410.6. - Lot coverage.

Maximum lot coverage in the R-5 Single-Family Residential District shall not exceed 35 percent of the area of the lot.

*The proposed dwelling occupies roughly 58 percent of the property.*

Development conditions will be imposed by the amended ordinance, including:

- (a) The Special Use of the Property shall be a single-family detached dwelling, substantially as shown on the Plans.
- (b) One off-street parking space shall be provided for the Special Use, substantially as shown on the Plans.
- (c) All building materials, elevations, and site improvements, shall be substantially as shown on the Plans.
- (d) Access to the alley for the adjacent property at 2720 Fendall Avenue shall be provided across the Property, substantially as shown on the Plans.

### **Surrounding Area**

Surrounding properties are located in the same R-5 District as the subject property. Residential and institutional land uses are present in the immediate vicinity. A public park and the West Brookland Park Boulevard Commercial Corridor are located roughly three blocks from the subject property.

### **Affordability**

The median household income for the Richmond region is currently \$71,223 per year. The affordability threshold is 30% of household income towards housing costs, which equates to \$21,367 per year, or \$1,781 per month, or less, to avoid a housing cost burden.\*

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

### **Neighborhood Participation**

The City notified area residents and property owners along with the Battery Park Civic Association about this application.

The applicant spoke to the immediately surrounding neighbors during the design of the proposed dwelling. A summary of comments received by the Applicant is included in the record.

The neighbor immediately to the east of the subject property, at 2720 Fendall Avenue, expressed concerns over the project. Staff has worked with the applicant to provide architecture that minimizes views from the subject property into the rear yard of 2720 Fendall Avenue as well as providing an attractive façade facing the neighboring dwelling. Staff has also worked with the

applicant and adjacent property owner to ensure that development of the subject property does not prevent the adjacent property from having access to the alley.

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