



## CITY OF RICHMOND

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

**Ord. No. 2022-330:** To authorize the special use of the properties known as 1503 North 35th Street, 1505 North 35th Street, and 1507 North 35th Street for the purpose of up to three two-family detached dwellings, upon certain terms and conditions, and to repeal Ord. No. 1996-48-49, adopted Apr. 9, 1996.

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**To:** City Planning Commission  
**From:** Land Use Administration  
**Date:** December 5, 2022

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#### **PETITIONER**

Will Gillette, Baker Development Resources

#### **LOCATION**

1503, 1505, 1507 North 35<sup>th</sup> Street

#### **PURPOSE**

To authorize the special use of the properties known as 1503 North 35th Street, 1505 North 35th Street, and 1507 North 35th Street for the purpose of up to three two-family detached dwellings, upon certain terms and conditions, and to repeal Ord. No. 1996-48-49, adopted Apr. 9, 1996.

#### **SUMMARY & RECOMMENDATION**

The subject property is located in the R-5 Residential (Single-Family) zoning district. While the two-family dwellings are found throughout the neighborhood, the construction of two-family dwellings is not permitted by the underlying R-5 Single-Family Residential zoning district, and therefore, a SUP is required.

Staff finds that the proposal is generally consistent with the recommendations of the City's Master Plan pertaining to housing types within Neighborhood Mixed Use land use category including the recommendation for "duplex" dwellings as a primary use and the suggested Development Style that states "These areas feature a variety of building types that are close to one another..."

Staff finds that the proposed development would not pose an undue burden on the availability of on-street parking in the area. Two parking spaces (one for each dwelling unit) will be provided to the rear of the structures with access off of the alley.

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 in the Oakwood neighborhood at 1503, 1505, 1507 North 35th Street, between Briel and Boxley Streets. The three (3) existing parcels of land comprise a total of 8,361 square feet (0.191 acres) and contain two (2) vacant parcels and one (1) existing structure that will be demolished.

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

The proposed Special Use Permit would authorize the construction of three (3) two-family detached dwellings—one structure per lot. The proposed lots are roughly 2960 square feet in size, 22 feet in width, with proposed front setbacks of roughly 11 feet and side setbacks of roughly 3 feet. The R-5 zone requires a minimum lot size of 6,000 square feet, minimum lot width of 50 feet, minimum front setback of 25 feet, and minimum side setback of 5 feet.

### **Master Plan**

The City's Richmond 300 Master Plan suggests "Neighborhood Mixed-Use" for the subject property which consists of 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. Single-family, two-family, and small multi-family buildings are contemplated as the primary uses in these areas.

**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.

**Ground Floor:** 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.

**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 (see Street Typologies Map). 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.

### **Zoning and Ordinance Conditions**

Zoning Administration reviewed this request and recommended approval with the following comments: *"The subject properties are located within an R-5 (Single-Family Residential) zoning district, which permits single-family detached dwellings as a permitted principal use. A two-family detached dwelling is not a permitted principal use/ SUP required."*

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

- (a) The Special Use of the Property shall be as up to three two-family detached dwellings, substantially as shown on the Plans.
- (b) No fewer than two off-street parking spaces shall be required for each dwelling of the Special Use.
- (c) The height of the Special Use shall not exceed two stories, substantially as shown on the Plans.
- (d) All building materials, elevations, and site improvements, including landscaping, shall be substantially as shown on the Plans. Different siding color shall be used for each dwelling.
- (e) All mechanical equipment serving the Property shall be located or screened so as not to be visible from any public right-of-way.

### **Surrounding Area**

All properties immediately surrounding the subject property are located within the same R-5 Residential (Single-Family) District as the subject property and largely contain residential uses. To the southeast along Briel Street are the Villas of Oakwood condominiums which are zoned R-53 (Multifamily Residential). Parcels in the area differ in size and frontage with a large number of parcels in the vicinity unable to conform to the underlying R-5 use and feature requirements.

### **Neighborhood Participation**

Staff notified area residents and property owners, as well as the Church Hill Central Civic Association. Staff has received one letter of support from an adjacent neighbor.

**Staff Contact:** Ray Roakes, Associate Planner, Land Use Administration, 804-646-5467