



## CITY OF RICHMOND

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

**Ord. No. 2023-346:** To authorize the special use of the properties known as 901 North 36th Street and 909 North 36th Street for the purpose of up to ten single-family attached dwellings, upon certain terms and conditions.

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**To:** City Planning Commission  
**From:** Land Use Administration  
**Date:** January 16, 2024

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#### **PETITIONER**

Mark Baker - Baker Development Resources

#### **LOCATION**

901 North 36th and 909 North 36th Street

#### **PURPOSE**

The applicant is requesting a Special Use Permit to authorize ten, single-family attached dwellings within an R-5 Single-Family Residential District. Single-family attached dwellings are not a permitted use within the R-5 District. A Special Use Permit is, therefore, required.

#### **RECOMMENDATION**

Staff finds that the proposed density aligns with the Master Plan recommendations for Neighborhood Mixed-Use land uses and is similar in density to many of the existing properties in the neighborhood, which are generally single-family dwellings on similarly sized lots.

Staff also finds that the proposal is consistent with Objective 4.1 to "Create and preserve high-quality, distinctive, and well-designed neighborhoods and nodes throughout the City" (Richmond 300, p. 100). The scale and orientation of the new Victorian units align well with the existing neighborhood typology.

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 request, including updated plans submitted on January 12, 2024, which show the following design changes:

- Four pairs of attached units and two detached units
- Adding two additional parking spaces at the rear
- making the 1-2 garage optional to address the impact of the proposed density.
- Adding a small transom window to the side bedroom wall.
- Adding a note to the elevations that windows on the front and side facades will match in color
- Adding a note to the elevations that the foundation height will be a minimum of 2 ft.
- Pushing the front yard setbacks to 20 ft.
- Adding small trees to the front yard of some units
- Additional windows on the dwelling proposed at 911 N 36th Street.

## **FINDINGS OF FACT**

### **Site Description**

The property is located in the Chimborazo neighborhood on North 36<sup>th</sup> Street, between O & P Streets. The combined properties total 27,402 square feet (.62 acre) in area. The parcel at 909 North 36<sup>th</sup> Street is vacant, while the parcel at 901 North 36<sup>th</sup> Street is improved with a 3,290 square foot, two-family dwelling, which was constructed in 1925.

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

Ten Single-Family Attached dwellings. The proposed density of the parcel is 10 units upon 0.62 acres, or 16 units per acre.

### **Master Plan**

The City's Richmond 300 Master Plan designates a future land use for the subject property as Neighborhood Mixed-Use, which is defined 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.

#### **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. 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)

## **Zoning and Ordinance Conditions**

The current zoning for this property is R-5 Single-Family Residential. The proposed use is not permitted within the R-5 District.

The special use permit would impose conditions on the property, including:

- The Special Use of the Property shall be as up to ten single-family attached dwellings, substantially as shown on the Plans. No more than two dwellings shall be attached in a series.
- No fewer than ten off-street parking spaces shall be provided for the Special Use, substantially as shown on the Plans.
- The height of the Special Use shall not exceed two stories, substantially as shown on the Plans.
- All building materials, elevations, and site improvements shall be substantially as shown on the Plans.
- All mechanical equipment serving the Property shall be located or screened so as not to be visible from any public right-of-way.
- Facilities for the collection of refuse shall be provided in accordance with the requirements of the Director of Public Works. Such facilities shall be located or screened so as not to be visible from adjacent properties and public streets.
- The Owner shall make improvements within the right-of-way, including the installation of a new sidewalk, three street trees along O Street, and one street tree along North 36th Street, substantially as shown on the Plans, which improvements may be completed in one or more phases as approved by the Director of Public Works.

## **Affordability**

Median Family Income Richmond region = \$109,400 per year.\*

Affordability threshold = 30% of household income towards housing costs.

= \$32,820 per year

= \$2,735 per month

Est. price provided by Applicant: \$550,000

Est. monthly payment = \$2,927\*\* = 107% of Median Family Income Richmond Region

*\*(U.S. Department of Housing and Urban Development, 2023)*

*\*\* (Virginia Housing, assuming 7% interest, 20% down payment, 30-year term)*

## **Surrounding Area**

All adjacent and nearby properties are located within the same R-5 district. The area is primarily single-family residential, with some two-family residential and institutional uses present in the vicinity.

## **Neighborhood Participation**

Staff notified the Church Hill Central Civic Association of the proposed Special Use Permit. To this date, staff has received both letters of support and opposition for this application from nearby residents. All public comment that has been received will be attached to the agenda file.

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