



## CITY OF RICHMOND

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

**Ord. No. 2016-035:** To authorize the special use of the property known as 3410 Cutshaw Avenue for the purpose of single-family attached and two-family attached dwellings, upon certain terms and conditions and to repeal Ord. No. 79-118-111, adopted July 23, 1979.

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**To:** City Planning Commission  
**From:** Land Use Administration  
**Date:** March 7, 2016

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#### **PETITIONER**

Andy Scudder - Johannas Design Group

#### **LOCATION**

3410 Cutshaw Avenue

#### **PURPOSE**

To authorize the special use of the property known as 3410 Cutshaw Avenue for the purpose of single-family attached and two-family attached dwellings, upon certain terms and conditions and to repeal Ord. No. 79-118-111, adopted July 23, 1979.

#### **SUMMARY & RECOMMENDATION**

The subject property consists of a 0.34 acre (14,810 SF) parcel improved with an office use and surface parking area. The building containing the office use was originally constructed as two separate dwelling units that were subsequently combined through an addition. The office use and expansion were authorized by special use permits (Ord. Nos. 76-208-184 and 79-118-111).

The proposed use of the property is single-family attached and two-family attached dwellings, containing a total of up to 11 dwelling units, served by no fewer than one on-site parking space per dwelling unit. The two-family dwellings on Lots 7 through 9 may be constructed as single-family dwellings with residential accessory structures customary to such uses.

The subject property lies within the R-48 Multi-Family Residential District, which allows the proposed land use, however, the proposed lot dimensions would not meet R-48 standards. A special use permit is therefore required.

Staff finds that the proposed use is supported by the underlying zoning of the property and the land use recommendation of the Master Plan. Though the density of the development would exceed the density recommended by the Master Plan, it would fall within the range of residential densities present in the neighborhood and each dwelling will be provided with useable open space.

Staff further finds that the proposed use should not cause an undue burden on the existing supply of on-street parking due to the ratio of one parking space per dwelling unit achieved on the site. Moreover, the on-site parking spaces will be adequately screened from public view.

Staff further finds that with the conditions of the ordinance, the safeguards contained within the City Charter, relative to the granting of special use permits, are met. Staff therefore recommends approval of the proposed special use permit.

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## **FINDINGS OF FACT**

### **Site Description**

The subject property consists of a 0.34 acre (14,810 SF) parcel improved with an office use and surface parking area. The building containing the office use was originally constructed as two separate dwelling units that were subsequently combined through an addition. The office use and expansion were authorized by special use permits (Ord. Nos. 76-208-184 and 79-118-111). The property is located in the northeast quadrant of the intersection of North Thompson Street and Cutshaw Avenue, in the Museum District neighborhood of the Near West planning district.

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

The proposed use of the property is single-family attached and two-family attached dwellings, containing a total of up to 11 dwelling units, served by no fewer than one on-site parking space per dwelling unit. The two-family dwellings on Lots 7 through 9 may be constructed as single-family dwellings with residential accessory structures customary to such uses.

### **Master Plan**

The City of Richmond's Master Plan recommends Single family (Medium Density) land uses for the property. The Master Plan defines the primary uses for this category as single-family and two-family detached and attached dwellings at densities of 8 to 20 units per acre, and includes residential support uses such as schools, places of worship, and neighborhood parks, among others (p. 133). The Master Plan also states "infill development of like density, scale, and use is appropriate" (p. 230) as a guiding land use principle for the Near West planning district. The density of the proposed development is approximately 32 units per acre. The density of existing residential uses in the vicinity ranges from 21 to 75 units per acre.

### **Zoning & Ordinance Conditions**

The subject property lies within the R-48 Multi-Family Residential District and, as stated above, has a history of special use permits pertaining to office use of the subject property.

The special use permit includes the following conditions:

The proposed use of the property is single-family attached and two-family attached dwellings, containing a total of up to 11 dwelling units, served by no fewer than one on-site parking space per dwelling unit. The two-family dwellings on Lots 7 through 9 may be constructed as single-family dwellings with residential accessory structures customary to such uses.

Signage shall meet the signage requirements for the R-48 District.

All building materials, material colors, and site improvements shall be substantially as shown on the Plans and site lighting will not adversely affect adjacent properties or rights-of-way.

Parking spaces, refuse receptacles, and mechanical units shall be properly screened and landscaping and street trees shall be provided.

Prior to the issuance of any certificate of occupancy for the Special Use, the establishment of up to eight residential lots and one lot in common, substantially as shown on the Plans, shall be accomplished by obtaining subdivision approval from the City and by recording appropriate plats among the land records of the Clerk of the Circuit Court of the City of Richmond.

Appropriate agreements and covenants that provide for the perpetuation and maintenance of all areas to be held in common ownership by unit owners within the Property, approved by the City Attorney, must be executed prior to the issuance of any certificate of occupancy for the Special Use

The Owner shall grant an access easement to all unit owners so that all units have access to the parking area

#### **Surrounding Area**

Properties to the east of the subject property are located within the same R-48 district. Properties to the south are also located in the R-48 district, in addition to the West of the Boulevard Overlay District. Properties to the north and west are located within the RO-2 - Residential Office Zoning District.

#### **Neighborhood Participation**

A letter of no opposition was received from the Museum District Association.

**Staff Contact:** Matthew J. Ebinger, (804) 646-6308