



## CITY OF RICHMOND

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

**Ord. No. 2016-235:** To rezone the property known as 2400 East Franklin Street from the M-1 Light Industrial District to the R-6 Single-Family Attached Residential District.

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**To:** City Planning Commission  
**From:** Land Use Administration  
**Date:** October 3, 2016

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#### **PETITIONER**

Mr. David Kapella

#### **LOCATION**

2400 East Franklin Street

#### **PURPOSE**

Rezoning of 2400 East Franklin Street to allow for the construction of a single-family detached dwelling fronting on North 24<sup>th</sup> Street.

#### **SUMMARY & RECOMMENDATION**

The subject property is located on the north side of Franklin Street between North 24<sup>th</sup> Street and North 25<sup>th</sup> Street. The site currently consists of a vacant vegetated lot of approximately 0.4 acres.

The applicant proposes to construct a single-family dwelling on the subject property. Residential uses are not permitted in the existing M-1 Light Industrial District. The subject property is also subject to a special use permit that authorized the conversion of the existing building on the adjacent property to residential use and required an amendment for any further development of the property. The applicant has requested an amendment for his property to be removed from the existing special use permit along with the requested rezoning to the R-6 Single-Family Residential zoning district in order to construct a single-family dwelling in accordance with the R-6 requirements and the Commission of Architecture Review design approval.

Staff finds that the proposed rezoning request from the M-1 Light Industrial zoning district to the R-6 Single-Family Residential zoning district would be in conformance with the Master Plan's Single-Family (Medium Density) land use recommendation for the subject property. Therefore, staff recommends approval of the rezoning request.

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#### **FINDINGS OF FACT**

##### **Site Description**

The subject property is located on the north side of Franklin Street between North 24<sup>th</sup> Street and North 25<sup>th</sup> Street. The site currently consists of a vacant vegetated lot of approximately 0.4 acres.

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

The applicant proposes to construct a single-family dwelling on the subject property at the top of the hill fronting onto North 24<sup>th</sup> Street.

### **Master Plan**

The Master Plan recommends Single-Family (medium-density) for the subject property. Primary uses in this category are single-family and two-family dwelling units, both detached and attached, at densities of 8 to 20 units per acre (p. 133). The plan also states that, "Residential infill development should be similar in density, architectural character, and use to what currently existing in the surrounding area and should enhance the character and quality of the neighborhoods." (p. 166)

### **Zoning & Ordinance Conditions**

Originally, applicant's lot was part of the adjacent lot, in total consisting of approximately 42,400 square feet, with a warehouse located on the site. The first Special Use Permit (SUP), Ordinance No. 97-287-289, adopted on October 13, 1997, authorized converting and expanding the warehouse on the lot to allow for 43 dwelling units and 43 parking spaces. The first amended SUP, Ordinance No. 98-246-275, adopted on September 14, 1998, reduced the number of dwelling units and parking spaces to 16, without requiring expansion of the building. The second amended SUP, Ordinance No. 2007-115-85, separated the original lot into two lots, with parcel one containing the building and parcel two, the applicant's lot, consisting of a vacant lot. Also under that SUP, the 16 apartment units in the building on parcel one were converted to condominiums. After that SUP amendment, parcel one was given a Tax Parcel Number of E000-0340/031, and parcel two, the applicant's lot, retained the original Tax Parcel Number of E000-0340/121. That SUP amendment, however, in Section 3(m) provided that any further development of the property, without specifying parcel one or parcel two, would require an amendment of the SUP.

A proposed ordinance would rezone the property from M-1 Light Industrial to R-6 Single-Family Residential, which would allow the construction of a single-family dwelling. As the current SUP does not allow development of the property without amendment, a separate ordinance is proposed to remove the property from the SUP.

The R-6 Single-Family Residential zoning district permits single-family detached dwellings on lots not less than 5,000 square feet in area with a width of not less than 50 feet. A front yard with a depth of not less than 15 feet would be required as well as side and rear yards with depths of not less than 5 feet. One off-street parking space would be required for the dwelling, which could be provided from the alley to the north of the property.

The property is also located in the Saint John's District City Old and Historic District and is subject to review by the Commission of Architectural Review (CAR). The CAR conceptually reviewed the applicant's proposed single-family dwelling at their April 26, 2016 meeting.

**Surrounding Area**

The properties to the north, west, and east are zoned R-6 Single-Family Residential. The property to the east, across North 25th Street is improved with townhomes that are also subject to a Special Use Permit. The property to the west, across unimproved North 24th Street, is part of the Bellevue Elementary School property. The properties to the north are occupied by single and two family dwellings. The property to the south, across East Franklin Street, is located in the B-5 Central Business District and is improved with the Pohlig Box Factory apartments. All of the surrounding properties are also located in the St. John's Old and Historic District.

**Neighborhood Participation**

Staff notified Councilwoman Cynthia Newbille and the Church Hill Association regarding the request. Staff has received no letters of support or opposition at this time for the proposal.

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