



## CITY OF RICHMOND

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

**Ord. No. 2020-106:** To authorize the special use of the property known as 1701 North 21st Street for the purpose of two single-family attached dwellings, upon certain terms and conditions.

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**To:** City Planning Commission  
**From:** Land Use Administration  
**Date:** May 18, 2020

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#### **PETITIONER**

Julia MacNelly – Maggie Walker Community Land trust

#### **LOCATION**

1701 North 21st Street

#### **PURPOSE**

To authorize the special use of the property known as 1701 North 21st Street for the purpose of two single-family attached dwellings, upon certain terms and conditions.

#### **SUMMARY & RECOMMENDATION**

The subject property consists of a 7,029 SF or .16 acre parcel of land, improved with a single-family detached dwelling constructed, per tax assessment records, in 1963. The property is located in the Peter Paul neighborhood in the City of Richmond's East Planning District.

The applicant is proposing to construct two single-family attached dwellings with off-street parking. As part of the proposal, the property would be split to form two lots. Neither of the resulting lots will meet lot area or lot width requirements of the underlying R-5 District, nor is a single-family attached dwelling permitted by right in the underlying R-5 District. A special use permit is therefore required.

Staff finds that the proposed infill project will help to further continue the efforts of stabilizing the neighborhood while providing a continuation of the historic pattern of housing in the neighborhood.

Staff finds the proposal would not pose an undue burden on the availability of on-street parking in the area.

Staff also finds that the proposed scope of the project is consistent with the City's overall goals for providing new, affordable housing choices that are in close proximity to additional amenities. This property is within walking distance from the recently developed mixed-use commercial node at the intersection of North 25<sup>th</sup> Street and Fairmount Avenue.

Staff further 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.

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## **FINDINGS OF FACT**

### **Site Description**

The subject property consists of a 7,029 SF or .16 acre parcel of land, improved with a single-family detached dwelling constructed, per tax assessment records, in 1963. The property is located in the Peter Paul neighborhood in the City of Richmond's East Planning District, at the corner of 21<sup>st</sup> Street and W Street.

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

The applicant intends to create two individual lots and construct two single-family attached dwellings served by one on-site parking space per dwelling unit. The proposed density of the project is approximately 12 units per acre.

### **Master Plan**

The City's current Land Use Plan designates a land use category for the subject property as Single-Family Low Density. Primary uses are "...single-family detached dwellings at densities up to seven units per acre. Includes residential support uses such as schools, places of worship, neighborhood parks and recreation facilities, and limited public and semi-public uses. Typical zoning classifications that may accommodate this land use category: R-1, R-2, R-3, R-4, and R-5." (City of Richmond Master Plan)

The Plan also states "Richmond neighborhoods will be recognized as safe, attractive and desirable places to live, work and raise families, while providing a variety of housing choices and homeownership opportunities." (p. 96).

The Plan encourages "...infill housing that is compatible in design with existing housing...and ...the development of a range of housing types, styles and prices."(p.100) Specifically for the East Planning District, the Master Plan states that "infill development of like density and use is appropriate" and "the predominant land uses in the District are residential in nature, and these uses should be preserved" (p. 166).

Also, "a continued need exists to stabilize older low-income residential neighborhoods throughout the District." (p. 163).

### **Zoning and Ordinance Conditions**

The current Zoning District for the property is R-5 Single-Family Residential. Review of the proposal by the City's Zoning Administration yielded the following comments:

The Assessor's record describes the property as being 56.69 feet wide and 124 feet deep, resulting in a lot area of 7029.56. The proposal is to split the subject lot to form two lots, with a lot area of 3472 square feet and lot width of 28' feet for new lot A and a lot area of 3557.6 square feet with a lot width of 28.69 feet for new lot B, and improve the lots with a single-family attached dwelling. The R-5 Single-Family Residential zoning district requires a minimum lot area of 6000 square feet and a minimum lot width of 50 feet. Neither of the resulting lots will meet lot area or lot width requirements of the district, nor is a single-family attached dwelling permitted by right in the R-5 district.

Sec. 30-410.1. Permitted principal uses in the R-5 Single-Family Residential District.

Any principal use permitted in the R-1 district as set forth in section 30-402.1 shall be permitted in the R-5 single-family residential district. Zoning Issue: Sec. 30-402.1 restricts dwelling use to single-family detached dwellings; single-family attached dwellings are not allowed by right in the R-5 district, thus the SUP request.

Sec. 30-419.6. Yards:

Yard regulations in the R-5 Single-Family Residential zoning district is as follows:

(1) Front yard. There shall be a front yard with a depth of not less than 25 feet (or as determined by the front yard setbacks of adjacent properties within 100'). No Zoning Issue anticipated.

(2) Side yards. There shall be side yards of not less than five feet in width. Zoning Issue: None is proposed along the shared party wall of the single-family attached dwelling, which is not allowed by right in the R-5 district, thus the SUP request.

(3) Rear yard. There shall be a rear yard of not less than five feet in depth. No Zoning Issue, per plans submitted.

Sec. 30-410.7. Height

No building or structure in the R-5 single-family residential district shall exceed 35 feet (35') in height. No Zoning Issue anticipated.

Sec. 30-419.8. Lot coverage:

In the R-5 Single-Family Residential zoning district, lot coverage for shall not exceed 35 percent of the area of the lot. No Zoning Issue per plans submitted.

Sec. 30.710.1. Number of parking spaces required:

Single family dwelling use requires 1 space per dwelling unit. No Zoning Issue. Off-street parking is being provided for each dwelling.

Zoning Statement: The neighboring properties within the block consists of a variety of lot widths. However the adjacent lots within 100' of the subject property are approximately 20' in width; the average lot area of those properties is 2461.70. Improvements to the adjacent properties were made in 1910.

After careful examination of the facts of this request, it is the opinion on Zoning Administration that the proposed split will not be detrimental to the community, nor will it create overcrowding or congestion. The resulting lots will be consistent with the existing lot patterns of the adjacent properties. There is a precedent of another single-family attached dwelling located at 1709 N. 21st Street. The applicant is intending that the house designs will be in a style complementary of the surrounding housing stock. Thus, from a zoning perspective, Zoning Administration is of the opinion that moving forward with this split and the subsequent building of a new single-family attached dwelling as described, would not adversely affect the surrounding properties in the neighborhood.

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The ordinance will impose development conditions on the property, including:

3(a) The Special Use of the Property shall be as a two newly-constructed single-family attached dwellings, substantially as shown on the Plans.

(b) The height of the Special Use shall not exceed the height as shown on the Plans.

(c) All building materials and elevations shall be substantially as shown on the Plans.

(d) All mechanical equipment serving the Property shall be located or screened so as not to be visible from any public right-of-way.

(e) No fewer than two off-street parking spaces shall be provided on the Property, substantially as shown on the Plans.

(f) Prior to the issuance of any certificate of occupancy for the Special Use, the establishment of two residential lots, substantially as shown on the Plans, shall be accomplished by obtaining approval from the City of the division of the existing lot into two lots and by recording the appropriate plats among the land records of the Clerk of the Circuit Court of the City of Richmond.

4(c) 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.

(e) The Owner shall make improvements within the public right-of-way, including the installation of sidewalk along W Street and four street trees within the public right-of-way substantially as shown on the Plans, which improvements may be completed in one or more phases as approved by the Director of Public Works.

### **Surrounding Area**

The property is a part of a larger R-5 District. A combination of R-6 (Single-Family Attached) and R-53 (Multi-Family Residential) zones are in near proximity to the south and north respectively. A mix of single-family and two-family residential, vacant, and public/open space land uses are present in the vicinity.

### **Affordability**

Based upon the most recent Census Bureau estimates for the median household income of the Richmond Metropolitan region, the proposed is projected to be affordable to households making below the Area Median Income (AMI). (U.S. Census Bureau, 2018 American Community Survey, 1-Year Estimates)

### **Neighborhood Participation**

Staff notified area property owners, residents, and the Unity Civic League of this application. Staff has received a letter of support from Urban Hope.

**Staff Contact:** Jonathan Brown, Senior Planner, Land Use Administration, 804.646.5734