



## CITY OF RICHMOND

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

**Ord. No. 2020-270:** To authorize the special use of the properties known as 509 Libbie Avenue and 511 Libbie Avenue for the purpose of up to 14 single-family attached dwellings, upon certain terms and conditions.

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**To:** City Planning Commission  
**From:** Land Use Administration  
**Date:** February 1, 2021

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#### **PETITIONER**

Lory Markham – Markham Planning

#### **LOCATION**

509 Libbie Avenue and 511 Libbie Avenue

#### **PURPOSE**

To authorize the special use of the properties known as 509 Libbie Avenue and 511 Libbie Avenue for the purpose of up to 14 single-family attached dwellings, upon certain terms and conditions.

#### **SUMMARY & RECOMMENDATION**

The applicant is requesting a special use permit to authorize 14 single-family attached dwellings, which use is not currently allowed by the underlying R-4 Single-Family Residential District.

Staff finds that the proposed single-family attached development is generally consistent with the recommendations of the Richmond 300 Master Plan and would contribute to the continued development of the Westhampton neighborhood node.

Staff finds the proposed development would provide additional housing units to support the commercial uses found within area and would increase potential ridership for high-frequency transit in the area, which is envisioned by the Master Plan for the Westhampton Node, specifically along Patterson Avenue with a transit stop at Patterson Avenue and Libbie.

Staff finds the site will be landscaped and buffered with fencing/walls and will adhere to a side yard setback of 12', which is double the setback currently required by the underlying zoning. Each dwelling will be provided with on-site parking and the buildings are designed, through architectural features and balconies on the top floor, to lessen the effect of the massing of the building.

Staff finds the proposed development, specifically its design and architectural elements, addresses several of the strategies within Objective 4.1 including the following: "Allow and encourage a variety of architectural styles", "Require adequate distribution of windows and architectural features in order to create visual interest", and "Increase building permeability by

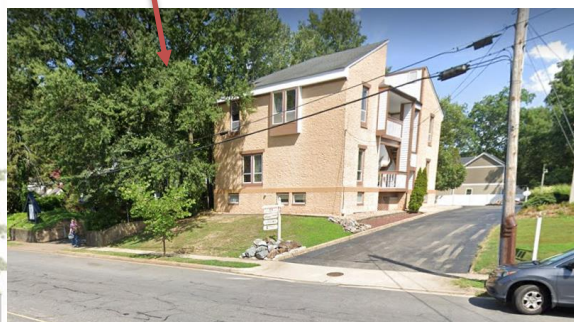
requiring new buildings to have functioning entrances from the sidewalk and restricting blank walls at ground level”. This also supports the Primary Next Step for the Westhampton Node pertaining to implementing design standards to create a high-quality and well-designed neighborhood Node that is consistent with the village-feel of the area.

A primary next step for the Westhampton Node is to rezone the area to allow for residential uses by-right in the Community Mixed-use area and retain a maximum height of three stories. Staff finds that if this rezoning had already taken place and established a three story height maximum prior to the submittal of this special use permit application, the proposed development would still need a special use permit, and would be considered against the Richmond 300 Master Plan as it is currently being considered.

Staff finds that development has the appearance from the street as having a height of 3 ½ stories (i.e. a three story building with an English basement). Moreover, the overall height of the development is consistent with the height of established buildings along Libbie Avenue, as shown below.



**B**  
**1** Libbie Avenue Longitudinal Section (looking east)  
This is a section in Sketchup using the contours layer from City GIS data and Pictometry to measure each existing building height



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.

## **FINDINGS OF FACT**

### **Site Description**

The two subject properties together consist of a total of approximately 30,000 SF or approximately .7 acres of land improved with residential dwellings. The properties are located in the Westhampton neighborhood, on Libbie Avenue between Guthrie Avenue and York Road.

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

Single-family attached dwellings

### **Master Plan**

The City's Richmond 300 Master Plan designates these parcels as Community Mixed Use. This land use category is described as a cluster of medium-density, walkable commercial and residential uses that provide neighborhood services to nearby residential communities and sometimes feature regional attractions.

Development Style: The building size, density, and zoning districts for these areas may vary significantly depending on historical densities and neighborhood characteristics. Future development should generally complement existing context. Uses may be mixed horizontally in several buildings on a block or vertically within the same building. Developments continue or introduce a gridded street pattern to increase connectivity.

Ground Floor: Ground floor uses engage with, and enliven, the street. Monolithic walls are discouraged, while windows, doors, storefronts, and other features that allow transparency and interaction between building and street are encouraged.

Mobility: Pedestrian, bicycle, and transit access are prioritized and accommodated. Bike parking is provided. Driveway entrances are required to be off alleys whenever possible; new driveways are prohibited on priority and principal streets. Parking areas are located within the structure and to the rear of buildings and require screening; shared parking requirements are encouraged.

Intensity: Buildings generally ranging from two to six stories, based on street widths and depending on the historic context and stepping down in height adjacent to residential areas, as

necessary. New buildings that are taller than historical buildings should step back from the build to line after matching the height of the predominant cornice line of the block.

Primary Uses: Retail/office/ personal service, multi-family residential, cultural, and open space.

Secondary Uses: Single-family houses, institutional, and government.

Community mixed-use areas have commercial and residential buildings built to the sidewalk and parking located at the curbside or at the rear of the building.

Objective 4.1 of Richmond 300 states: Create and preserve high-quality, distinctive, and well-designed neighborhoods and Nodes throughout the city.

Objective 14.5 of Richmond 300 states: Encourage more housing types throughout the city and greater density along enhanced transit corridors and at Nodes by amending the Zoning Ordinance.

The properties are also located within the Westhampton neighborhood node, which is described as the Node that stretches from Libbie and Grove to Libbie and Patterson provides retail and services to nearby residents and attracts visitors from across the region to its businesses. Over time, a few underdeveloped parcels redevelop in a matter that complements and enhances the existing village-scale. The Community Mixed-Use future land use designation permits the creation of additional residential units and business, while also ensuring that new buildings are an appropriate scale the existing commercial buildings and promote walkability by placing vehicular access to the rear of the building.

Primary Next Steps for the node are:

- Rezone the area to allow for residential uses by-right in the Community Mixed-use area and retain a maximum height of three stories (see Goal 1 and Goal 14).
- Implement design standards to create a high-quality and well-designed neighborhood Node that is consistent with the village-feel of the area, and explore the creation of signature public art (see Goal 4 and Goal 17).
- Improve pedestrian and bike infrastructure to/from this Node (see Goal 4 and Goal 8).
- Implement high-frequency transit along Patterson Avenue with a transit stop at Patterson Avenue and Libbie (see Goal 8).

### **Zoning and Ordinance Conditions**

The current zoning for the parcels is R-4, Single-Family Residential. Zoning Administration reviewed the project and provided the following comments:

**ZONING AND USE:** The subject properties are located within the R-4 (Single-Family Residential) zoning district. The proposed single-family attached dwelling use is not a permitted principal use in the R-4 district (Sec. 30-408.1).

**LOT AREA AND WIDTH:** Single-family dwellings in the R-4 district require lots of not less than 7,500 SF and lot width of 60 feet. The proposed lot areas and lot widths do not meet the minimum requirements of the R-4 zoning district. (Sec. 30-408.4). Under normal zoning only two (2) lots would be permitted.

**YARDS:**

**Front Yards:** There shall be front yards of not less than 25'. The front yard requirement is not met on the proposed lots (Sec. 30-408.5(1)).

**Side Yards:** There shall be side yards of not less than 6' in width. The side yard requirement is not met where units are proposed to be attached (Sec. 30-408.5(2)).

**LOT COVERAGE:** Maximum lot coverage shall not exceed 30 percent of the area of the lot. Lot coverage is not met at approximately 56 percent. (Sec. 30-408.6).

**HEIGHT:** Maximum height is 35' (measured from the mean grade of the building site on each new lot). The proposed height of the townhouses (45' 10") exceeds the maximum height permitted (Sec. 30-408.7)

**STREET FRONTAGE FOR ATTACHED DWELINGS:** Individual lots within an attached dwelling development may front on private streets or common courts where the development site considered in its entirety has frontage on a public street and when the means of access to each lot is approved by the Director of public works, the chief of police and the chief of fire and emergency services and when appropriate easements, agreements or covenants approved as to form by the city attorney provide for permanent public access and continued maintenance.

Lots two through thirteen will not have public street frontage, only frontage on the common area which provides access to the off-street parking. The required easements, agreements or covenants will be required during the subdivision process unless specifically waived by SUP (Sec. 30-610.2).

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If approved, the special use permit will impose conditions on the property, including:

3(a) (a) The Special Use of the Property shall be as up to 14 single-family attached dwellings, substantially as shown on the Plans.

(b) No fewer than 30 on-site parking spaces shall be provided on the Property within garages.

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

(d) The height of the Special Use shall not exceed the height on the Plans. For purposes of this ordinance, height means the vertical distance from the finished floor elevations of the ground floor (i) to the highest point of a flat roof, (ii) to the deck line or highest point of the coping of a mansard roof, or (iii) to the mean height level between the eaves and the ridge of a gable, hip, shed, or gambrel roof.

(e) All building materials, elevations, and site improvements, including landscaping, shall be substantially as shown on the Plans. At the Owner's request, the Director of Planning and Development Review may approve building materials, elevations, or site improvements that are not shown on the Plans but that are otherwise consistent with this ordinance and the Code of the City of Richmond (2015), as amended.

(f) Signs pertaining to the Special Use shall comply with the zoning regulations prescribed for the district in which the Property is then situated.

(g) Building setbacks on the Property shall be as shown on the Plans.

(h) Prior to the issuance of any certificate of occupancy for the Special Use, the establishment of up to 14 residential lots, substantially as shown on the Plans, shall be accomplished by obtaining subdivision approval from the City 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.

### **Affordability**

No pricing information was provided. However, the applicant has notified the Land Use Administration staff that all units will be market-rate.

### **Surrounding Area**

All surrounding properties are located in the same R-4 District as the subject property. Parcels within the RO-1 Residential Office District are located farther to the south.

A mix of office, commercial, and multifamily residential land uses are present south and west of the subject property, along the Libbie Avenue corridor.

Single-family land uses are present north of the subject property along Libbie Avenue, before transitioning to a mix of office and commercial land uses at the intersection of Libbie and Patterson Avenues.

### **Neighborhood Participation**

Staff notified area residents, property owners, and civic associations of the proposal. Staff has received letters of support, a letter of opposition from an adjacent property owner, and a letter of concern from the Westhampton Citizen's Association.

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