



CITY OF RICHMOND

Department of Planning & Development Review *Staff Report*

Ord. No. 2021-083: To authorize the special use of the property known as 109 North Plum Street for the purpose of no more than one dwelling unit within an accessory building to an existing single-family dwelling, upon certain terms and conditions.

To: City Planning Commission
From: Land Use Administration
Date: April 19, 2021

PETITIONER

Bryan & Julia Carr

LOCATION

109 North Plum Street

PURPOSE

To authorize the special use of the property known as 109 North Plum Street for the purpose of no more than one dwelling unit within an accessory building to an existing single-family dwelling, upon certain terms and conditions.

SUMMARY & RECOMMENDATION

The applicant is requesting a Special Use Permit to authorize construction of a 2-story detached garage with an accessory dwelling unit, within an R-6 Single-Family Attached Residential District. Accessory dwelling units are not allowed in newly-constructed buildings in the R-6 District. A Special Use Permit is therefore required.

Staff finds that the proposal would be consistent with the recommendations of the City's Richmond 300 Master Plan, including the designated primary uses within the Neighborhood Mixed-Use category, which includes accessory dwelling units.

Staff further finds that the proposal would not pose an undue burden on the availability of on-street parking in the area, due to the fact that the proposed accessory dwelling unit will include an additional off-street parking space for this property.

Staff further finds that the proposed use would be consistent with the historic pattern of development in the area.

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 property is located in the Fan neighborhood on North Plum Street between Grove and Floyd Avenues. The property is currently improved with a 1,848 sq. ft. single-family dwelling situated on a 3,187 sq. ft. (.073 acre) parcel of land.

Proposed Use of the Property

The applicant is requesting a Special Use Permit for the purpose of an accessory dwelling unit within an R-6 Single-Family Attached Residential Zoning District.

Master Plan

The City's Richmond 300 Master Plan designates a future land use for the subject property as Neighborhood Mixed Use which is described 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. 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. 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. 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 include Single-family houses, accessory dwelling units, duplexes, small multi-family buildings (typically 3-10 units), and open space.

Secondary uses include large multifamily buildings (10+units), retail/office/personal service, institutional, cultural, and government.

Zoning and Ordinance Conditions

The current zoning for this property is R-6 Single-Family Attached Residential Zoning District. The City's Zoning Administration reviewed the application and provided the following comments:

Zoning and Use:

The subject property is located in the R-6 (Single-family Attached Residential) zoning district, which does not permit accessory dwelling use. The proposal is to construct of a two-story accessory building at the rear of the property, consisting of a first floor garage with a second floor dwelling unit.

Zoning Issue: Dwelling use in a newly constructed accessory building is not allowed by right in the R-6 single-family attached residential district.

Sec. 30-412.2. Permitted accessory uses and structures.

Accessory uses and structures, including the following, which are customarily incidental and clearly subordinate to permitted principal uses shall be permitted in the R-6 single-family attached residential district (see article VI, division 9, of this chapter):

“One dwelling unit located in an accessory building, containing two or more stories, which is existing at the effective date of the ordinance from which this subsection is derived and which is located on the same lot as a single-family dwelling, provided that:

Zoning Issue: Dwelling use is not allowed by right in a newly constructed accessory building.

a. The single-family dwelling shall not contain any accessory lodging units;

b. The lot shall meet the lot area requirement for a two-family dwelling;

Zoning Issue: 6,000 square feet required, 3187 proposed.)

Sec. 30-412.5. Yards.

Single-family and two-family attached dwellings and buildings accessory thereto. Yards for single-family and two-family attached dwellings and buildings accessory thereto shall be as follows:

b. Side yard. There shall be side yards of not less than three feet in width except where buildings are attached.

Zoning Issue: Plans submitted show no side yard setback adjacent to the alley.

c. Rear yard. There shall be a rear yard with a depth of not less than five feet.

Zoning Issue: Plans submitted show no rear yard setback.

Height:

The maximum height for accessory buildings is twenty feet (20'); the proposed accessory building is listed as twenty five feet (25') in height, per plans submitted. However, the ordinance defines building height as: Building, height of, means the vertical distance from mean grade level to the highest point of a flat roof; to the deck line or highest point of the coping of a mansard roof; or to the mean height level between the eaves and the ridge of a gable, hip, shed or gambrel roof.” The applicant should re-measure the height following the aforementioned definition to confirm building height.

Zoning Issue: height exceeds requirement for accessory building.

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

3(a) The Special Use of the Property shall be as no more than one dwelling unit within an accessory building to an existing single-family dwelling, substantially as shown on the Plans.

(b) Two off-street parking spaces shall be provided on the Property, substantially as shown on the Plans.

(c) All mechanical equipment 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 shown on the Plans.

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

(f) The accessory building shall not be used for short-term rental purposes.

(g) The accessory building shall not be rented out to the general public.

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.

Surrounding Area

All adjacent properties are located within the same R-6 Residential District as the subject property. A mix of single-, two-, and multi-family residential, and some commercial land uses are present in the vicinity.

Neighborhood Participation

Staff notified area residents, property owners, and the Fan District Association of the proposed Special Use Permit. Staff has not received any letters of support or opposition for this application.

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