



CITY OF RICHMOND

Department of Planning & Development Review *Staff Report*

Ord. No. 2021 - 183: To authorize the special use of the property known as 412 West Franklin Street for the purpose of a multifamily dwelling and a dwelling unit within an accessory building, upon certain terms and conditions.

To: City Planning Commission
From: Land Use Administration
Date: July 6, 2021

PETITIONER

Elizabeth Drucker-Basch

LOCATION

412 West Franklin Street

PURPOSE

To authorize the special use of the property known as 412 West Franklin Street for the purpose of a multifamily dwelling and a dwelling unit within an accessory building, upon certain terms and conditions.

SUMMARY & RECOMMENDATION

The applicant is requesting a Special Use Permit to authorize a three unit multifamily dwelling and an accessory dwelling unit within an RO-3 Residential Office District. The proposed use does not meet certain feature requirements within the RO-3 zone including minimum side yard set-back requirements. A Special Use Permit is therefore required.

Staff finds that the proposal would be consistent with the recommendations of the Richmond 300 Master Plan pertaining to Downtown Mixed-Use areas and Priority Growth Nodes which aims for a critical mass of residents near Virginia Commonwealth University.

Staff finds that the proposed use is consistent with the Richmond 300 Master Plan pertaining to Objective 14.5(c) which aims to update the zoning ordinance to allow for accessory dwelling units in all residential zones. (p. 152)

Staff further finds that the proposed use will not pose and undue burden to the availability of on-street parking 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 Monroe Ward neighborhood on West Franklin Street between North Henry and North Monroe Streets. The property is a 4,387 sq. ft. (.10 acre) parcel of land.

Proposed Use of the Property

The applicant is requesting a Special Use Permit to authorize a three unit multifamily dwelling and an accessory dwelling unit.

Master Plan

The City's Richmond 300 Master Plan designates a future land use for the subject property as Downtown Mixed Use which is defined as the "Central business district of the Richmond region features high density development with office buildings, residential buildings, and a mix of complementary uses, including regional destinations in a highly walkable urban environment." Higher density pedestrian and transit-oriented development encouraged on vacant or underutilized sites. Historic buildings are adapted for new uses. Future development should be urban in form and may be of larger scale than existing context. Plazas and setbacks create an engaging street life. Many buildings are vertically mixed-use. New developments continue or introduce a gridded street pattern to increase connectivity. 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. Active commercial ground floor uses required on street-oriented commercial frontages. Pedestrian, bicycle, and transit access are prioritized and accommodated. Bike parking is provided. Driveway entrances are required to be of alleys whenever possible; new driveways are prohibited on priority and principal street frontages. Surface parking is prohibited as a principal use. Parking requirements are substantially less in these areas than other areas of the City and are largely eliminated. Buildings typically a minimum height of five stories.

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

Secondary Uses: Not applicable (p. 66)

The property is located within two of the Plan's designated Nodes. The Regional/National Nodes are centers "with significant cultural, entertainment, government, and business destinations as well as shopping, housing, and unique place-based attractions." The property is also within the City's Monroe Ward Priority Growth Node which envisions the area as being "transformed from the detached parking garage of the Downtown Core into a significant residential and office mixed-use district between two of the region's greatest concentrations of activity—the VCU Monroe Park Campus and the Downtown Core. Historic buildings are preserved and complemented by denser development on vacant lots that generate activity. There is a critical mass of residents, shoppers, workers, and tourists who are attracted to the residential options, retail and restaurant destinations, jobs, and cultural attractions in Jackson Ward, the Arts District, and the Downtown Core. New pocket parks provide outdoor greenspace for Monroe Ward's residents, workers, and visitors, and are connected to other Downtown districts via greenways, bike lanes, and transit."

(p. 28) The property is located on a Major Mixed-Use Street within the Plan's Great Streets typology. Properties along Major Mixed-Use Streets are intended to:

- Carry high volumes of vehicles, pedestrians, and bicycles, through commercial and mixed-use areas
- Prioritize use and density-scaled sidewalks and crosswalks
- Require form elements, such as buildings to the street with parking in the rear, as well as building windows and entrances on the street
- Incorporate streetscape features, such as trees, benches, and trash receptacles
- Ideal locations for transit routes and transit stops
- Prioritize the curbside for walking, bicycling, transit, and short-term parking access and loading for local shops and restaurants

Zoning and Ordinance Conditions

The current zoning for the subject parcel is RO-3 Residential-Office District. Per the Zoning Ordinance, the intent of the RO-3 District is "...to encourage a high-quality, walkable urban neighborhood with a variety of office and residential uses. Commercial uses located within the district shall be clearly incidental to other primary uses, though welcoming to the general public. The district is intended to promote pedestrian traffic and reduce the effect of vehicular traffic by prohibiting surface parking lots as a permitted principal use, screening accessory parking lots and parking decks, and reducing driveways across sidewalks. Required front and side yard setbacks create spaces between buildings that soften the streetscape and provide space for landscaping and usable open space. The district regulations are also intended to enhance public safety and encourage an active urban environment by providing windows in building façades along street frontages."

In response to the SUP request, Zoning Administration offers the following comments.

This SUP is being requested to reconfigure the floor plan of existing multi-family housing in order to increase the number of apartments while also decreasing the net number of bedrooms and build a two story, two car garage at the rear of the property with a dwelling unit on the second floor. Relief is being sought for side yard setbacks that will not be met. The property is located in the RO-3 Residential-Office District. The dwelling, is currently designated as a multi-family unit.

Yards.

Yard regulations in the RO-3 residential-office district shall be as follows:

- (2) Side and rear yards - not less than 15 feet in depth.
(*Zoning Issue: Applicant is proposing 3' Setback for the side yard.*)

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

(a) The Special Use of the Property shall be as a multifamily dwelling and a dwelling unit within an accessory building, substantially as shown on the Plans. The multifamily dwelling shall contain no more than three dwelling units and the accessory building shall contain no more than one dwelling unit.

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

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

(d) No fewer than two off-street parking spaces shall be provided on the Property, substantially as shown on the Plans. Two additional off-street parking spaces may be provided for the Property within a radius of 750 feet.

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

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

A mix of office, commercial, public open space, mixed use, and multi-family residential land uses are present in the vicinity.

Neighborhood Participation

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

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