



Application for **SPECIAL USE PERMIT**

Department of Planning and Development Review
Land Use Administration Division
900 E. Broad Street, Room 511
Richmond, Virginia 23219
(804) 646-6304
<http://www.richmondgov.com/>

Application is hereby submitted for: (check one)

- special use permit, new**
- special use permit, plan amendment**
- special use permit, text only amendment**

Project Name/Location

Property Address: 5315 and 5323 Warwick & 5300 Rear Hull Street Date: October 23, 2020
 Tax Map #: C-7-176-37, 33 and 72 Fee: \$ 2400.00
 Total area of affected site in acres: 7.116

(See **page 6** for fee schedule, please make check payable to the "City of Richmond")

Zoning

Current Zoning: R-4 and R-48

Existing Use: Vacant Land

Proposed Use

(Please include a detailed description of the proposed use in the required applicant's report)

65 attached single-family townhome dwellings on separate lots

Existing Use: Vacant Land

Is this property subject to any previous land use cases?

Yes

No

If Yes, please list the Ordinance Number: 1973-166-173, 1978-094-91, 1979-091-88 and 1980-120-97

Applicant/Contact Person: R. Robert Benaicha

Company: Hirschler

Mailing Address: P. O. Box 500

City: Richmond State: VA Zip Code: 23218

Telephone: (804771951) Fax: (804644095)

Email: rbenacha@hirschlerlaw.com

Property Owner: New Warwick Townhomes 3 LLC

If Business Entity, name and title of authorized signee: Junior Burr, Manager

(The person or persons executing or attesting the execution of this Application on behalf of the Company certifies that he or she has or have been duly authorized and empowered to so execute or attest.)

Mailing Address: 204 Rivers Bend Blvd., Suite A

City: Chester State: VA Zip Code: 23836

Telephone: (804530210) Fax: ()

Email: info@cbury.net

Property Owner Signature: Gerald Burr Jr.

The names, addresses, telephone numbers and signatures of all owners of the property are required. Please attach additional sheets as needed. If a legal representative signs for a property owner, please attach an executed power of attorney. **Faxed or photocopied signatures will not be accepted.**

NOTE: Please attach the required plans, checklist, and a check for the application fee (see Filing Procedures for special use permits)



Susan S. Smith
Paralegal
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ssmith@hirschlerlaw.com

Hirschler Fleischer | hirschlerlaw.com
2100 East Cary Street | Richmond, VA 23223
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October 28, 2020

BY EMAIL AND UPS : DCDLanduseadmin@richmondgov.com

Department of Planning and Development Review
Land Use Administration Division, Room 511
City Hall
900 East Broad Street
Richmond, VA 23219
804.646.6304

RE: Special Use Permit for 5315 and 5323 Warwick Road and 5300 Rear Hull Street Road
Map Reference Nos: C007-0176-037, C007-0176-033 and C007-0176-0072
City of Richmond, Virginia (the "Property").

Dear Sir or Madam:

We represent the owner of the Property referenced above. In connection with the development of the property, the owner would like to apply for a special use permit to develop sixty five (65) attached single – family townhouse dwellings on separate lots.

To that end, please find enclosed the following application items:

1. Application form;
2. Application fee in the amount of \$2,400.00;
3. Applicant's report;
4. Hard copies of the plans and survey.

Electronic versions of the same have been emailed to the address above.

If you have any questions or need anything further, please let me know.

Sincerely,

Susan S. Smith
Paralegal

/sss
Enclosures

cc: R. Robert Benaicha, Esq. (via email)
Brian K. Jackson, Esq. (via email)
Junior Burr (via email)
Lee Manheim (via email)

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Special Use Permit Applicant's Report

5315 and 5323 Warwick Road, Richmond, VA 23235
5300 Rear Hull Street Road, Richmond, VA 23234
Tax Map Nos. C007-0176/037, C007-0176/033 and C007-0176/072

INTRODUCTION

The applicant, New Warwick Townhomes 3, LLC (the "Applicant"), is the owner of approximately 7.116 acres of land located at 5315 and 5323 Warwick Road and 5300 Rear Hull Street Road (the "Property"). The Property is in South Richmond just west of the intersection of Warwick Road and Hull Street Road, in the City's 9th Council District.

Applicant plans to use the Property to develop sixty-five (65) attached single-family townhouse dwellings on separate lots (the "Project"). The Applicant's vision for the Subject Property and the area known as "New Warwick Place," is a small residential development that will provide both young families and retirees in the South Richmond community with much-needed new, easy to maintain single-family homes at attainable prices. In addition, this development would preserve approximately 1 acre of land as wooded open space for both Project residents and neighbors to enjoy. Applicant is an affiliate of the developer of the very similar and highly successful Townhomes at Warwick Place development (see Ord. Nos. 2016-296 and 2008-170-188), and the Project's architecture and design would be virtually identical to that development. That project was rezoned with a Special Use Permit substantially similar to this SUP Application.

PROPOSED USE AND SPECIAL USE PERMIT REQUEST

The Property is partially zoned R-4 Single-Family Residential District, and partially zoned R-48 Multifamily Residential District. Single-family dwellings are permitted by-right in both the R-4 District and the R-48 District. Applicant is requesting a Special Use Permit ("SUP") to allow the development of sixty-five (65) single-family dwellings on the Property as depicted in the attached drawing titled "Townhomes at Warwick Place III Preliminary Plan", dated October 7, 2020 and prepared by Timmons Group (the "Preliminary Plan"). Based on the Property's total size of 7.116 acres, this would result in a density of 9.13 dwelling units per acre.

As shown on the Preliminary Plan and on the Project's elevations and floor plans attached hereto and entitled "Townhomes at Warwick Place III SUP Set", dated October 6, 2020, and prepared by Walter Parks Architects (the "Architectural Plans"), the Project's lots would each be no less than 1,500 square feet in area and not less than 20 feet wide.

As shown in the Architectural Plans, each dwelling will be no less than 20 feet wide and will contain a minimum of 1,350 square feet of floor area. No dwelling will exceed 35 feet in height. As shown in the Preliminary Plan, no more than four dwellings will be attached in a series.

Of the Project's 65 residences, approximately 25 will have private driveways. All driveways will be paved with an all-weather, dust-free surface.

EXISTING PROPERTY AND SURROUNDING AREA

The Property is located in the Swanson neighborhood of South Richmond near the intersection of Warwick and Hull Street Roads. The area has experienced sluggish growth of late, with the most recent large addition to the neighborhood being the 1998 construction of the Walgreens Pharmacy at the corner of Warwick and Hull. The Property is convenient to big regional employers like Philip Morris, Dupont and the McGuire VA Hospital, which will support commercial development in the area

The Property comprises three parcels:

The first (5315 Warwick Road) is a narrow parcel extending south from Warwick Road. This parcel would be used for the Project's access drive. South of the first parcel lies the second parcel (5323 Warwick Road), on which most of the dwellings to be developed pursuant to the SUP would lie. It's southeast border abuts the western edge of the Meadow Creek Apartments on Hull Street Road. The first two parcels are both zoned R-4. The third parcel (5300 Rear Hull Street Road) extends east of the second parcel and its southern boundary abuts the northern edge of the Meadow Creek Apartments. This parcel is zoned R-48.

THE MASTER PLAN/ RICHMOND 300 PLAN

The Property is located in the Midlothian Planning District. The City of Richmond's Master Plan designates the Property's future use as "Single-Family (Low-Density)", a designation which carries a suggested density of up to 7 dwelling units per acre.

The Richmond 300 plan indicates much greater density for the Property and the surrounding area. The Richmond 300 plan designates the intersection of Hull Street Road and Warwick Road as a "Neighborhood Node" with "medium" growth potential. The Richmond 300 plan calls for this area to provide in the future "housing options at various affordability levels" through "encouraging the construction of new housing units". In line with this goal, the Richmond 300 plan indicates a designated future use of "Corridor Mixed-Use" for parcels in the immediate vicinity of the Hull/Warwick intersection. A portion of the Property bears this future use designation; the remainder is designated as "Residential". The "Corridor Mixed-Use" designation calls for densities of 2 to 8 stories, with mixed-use being a primary use and single-family attached dwellings, like the Project, being a secondary use. In addition, the Richmond 300 plan calls for developing open space in the area.

PROPOSED USE

The Property's R-4 and R-48 zoning permits single-family dwelling uses by-right. The development of the Project as described herein is compatible with the surrounding area and an appropriate use for the site. The proposed density of just over 9 dwelling units per acre is in line with the Property's "Residential" and "Corridor Mixed-Use" future use designations in the Richmond 300 plan, which prescribes densities of between 2 and 10 dwelling units per acre. The Project wraps around the neighboring Meadow Creek Apartments multifamily development, and

would serve as a natural transition from more traditional single-family housing to the west to both Meadow Creek and the additional higher-density Corridor Mixed-Use projects to come in the future along Hull Street Road to the east. The Project's single-family attached format is in line with the Richmond 300 plan for the area. The Project would provide dozens of new, high-quality houses at attainable market prices, together with integrated open space in line with the Richmond 300 plan. The Project directly addresses and is consistent with the Richmond 300 plan goals.

Utilities are available onsite. Stormwater will be controlled by on-site stormwater management, which may consist of pervious pavement, underground detention or a small pond, as noted on the Preliminary Plan, or equally permitted device.

The Project is projected to generate approximately 500-600 additional vehicle trips per day, an amount that should be easily absorbed by the surrounding road network. Even this amount of additional traffic will be further alleviated by the Property's close proximity to two GRTC transit routes at the Hull/Warwick intersection.

SUITABILITY OF REZONING and FINDINGS OF FACT

The following are factors listed in Section 30-1050.1 of the Zoning Ordinance to be considered with the review of special use permit applications.

The proposed SUP will:

- *NOT be detrimental to the safety, health, morals, and general welfare of the community.*

The proposed development will provide the opportunity for needed housing stock, provide the community with conveniently-located, attainable starter or retirement homes and preserve open space. These residences will enhance the community's safety, health, morals and general welfare.

- *NOT tend to create congestion in streets, roads, alleys, and other public ways and places in the area.*

The addition of 65 new residences should have a negligible impact on traffic in the area and conveniently-located GRTC transit routes will mitigate any additional burden.

- *NOT create hazards from fire, panic or other dangers.*

The Project will be constructed in accordance with applicable building and fire safety codes and energy conservation requirements.

- *NOT tend to overcrowding of land and cause an undue concentration of population.*

The Project's proposed density is well within the limits proposed in the Richmond 300 plan for the Property's "Residential" and "Corridor Mixed-Use" future land use designations.

- *NOT adversely affect or interfere with public or private schools, parks, playgrounds, water supplies, sewage disposal, transportation or other public requirements, conveniences and improvements.*

The above referenced City services will not be adversely affected by the construction of the Project. Utilities and infrastructure are in place and adequate for the proposed use. The proposed reuse of the Property will enhance the area without affecting existing public facilities. Additionally, the development is likely to attract residents of diverse backgrounds and age groups so as not to adversely impact area schools, parks, playgrounds, water supplies, sewage and storm water systems, transportation or other governmental service.

- *NOT interfere with adequate light and air.*

The proposed development area is in a location with ample air, light and space components. The light and air available to the Property and adjacent properties will not change if the SUP is granted.

COMMUNITY SUPPORT FOR REZONING

The Applicant has provided the SUP application materials to the Greater Woodstock Area Civic Association and to Councilman Michael Jones. After following up with the association and community members, the Applicant expects to provide letters of support for the Special Use Permit.

CONCLUSION

Future development on the Property will increase revenue to the City of Richmond in the form of an expanded real estate tax base, construction revenue, bringing jobs to the area, as well as bringing more consumers to the area. It will be a highly visible symbol of revitalization in South Richmond contributing to the area's future transformation and thereby further the City's aspirations for this neighborhood.