INTRODUCED: January 27, 2025

AN ORDINANCE No. 2025-023

To authorize the special use of the property known as 3310 Q Street for the purpose of up to two two-family detached dwellings with two accessory dwelling units, upon certain terms and conditions.

Patron – Mayor Avula (By Request)

Approved as to form and legality by the City Attorney

PUBLIC HEARING: FEB 24 2025 AT 6 P.M.

WHEREAS, the owner of the property known as 3310 Q Street, which is situated in a R-6 Single-Family Attached Residential District, desires to use such property for the purpose of up to two two-family detached dwellings with two accessory dwelling units, which use, among other things, is not currently allowed by sections 30-412.2, concerning permitted accessory uses and structures, and 30-412.4, concerning lot area and width, density, and unit width, of the Code of the City of Richmond (2020), as amended; and

WHEREAS in accordance with section 17.11 of the Charter of the City of Richmond (2020), as amended, it has been made to appear that, if granted subject to the terms and conditions set forth in this ordinance, the special use granted by this ordinance will not be detrimental to the

AYES:	NOES:	ABSTAIN:
ADOPTED:	REJECTED:	STRICKEN:

safety, health, morals and general welfare of the community involved, will not tend to create congestion in streets, roads, alleys and other public ways and places in the area involved, will not create hazards from fire, panic or other dangers, will not tend to overcrowding of land and cause an undue concentration of population, will not adversely affect or interfere with public or private schools, parks, playgrounds, water supplies, sewage disposal, transportation or other public requirements, conveniences and improvements, and will not interfere with adequate light and air; and

WHEREAS, (i) the City Planning Commission has conducted a public hearing to investigate the circumstances and conditions upon which the Council is empowered to authorize such use, (ii) the City Planning Commission has reported to the Council the results of such public hearing and investigation and its recommendations with respect thereto, and (iii) the Council has conducted a public hearing on this ordinance at which the person in interest and all other persons have had an opportunity to be heard;

NOW, THEREFORE,

THE CITY OF RICHMOND HEREBY ORDAINS:

§ 1. **Finding.** Pursuant to section 30-1050.1 of the Code of the City of Richmond (2020), as amended, the Council hereby finds that the special use set forth in and subject to the terms and conditions of this ordinance will not (i) be detrimental to the safety, health, morals and general welfare of the community involved, (ii) tend to create congestion in streets, roads, alleys and other public ways and places in the area involved, (iii) create hazards from fire, panic or other dangers, (iv) tend to overcrowding of land and cause an undue concentration of population, (v) adversely affect or interfere with public or private schools, parks, playgrounds, water supplies, sewage disposal, transportation or other public requirements, conveniences and improvements, or

(vi) interfere with adequate light and air.

§ 2. Grant of Special Use Permit.

- (a) Subject to the terms and conditions set forth in this ordinance, the property known as 3310 Q Street and identified as Tax Parcel No. E000-0877/014 in the 2025 records of the City Assessor, being more particularly shown on a survey entitled "Map Showing the Division of No. 3310-3312 Q Street in the City of Richmond, VA.," prepared by Virginia Surveys, dated December 28, 2023, and last revised July 12, 2024, a copy of which is attached to and made a part of this ordinance, hereinafter referred to as "the Property," is hereby permitted to be used for the purpose of up to two two-family detached dwellings with two accessory dwelling units, hereinafter referred to as "the Special Use," substantially as shown on the plans entitled "Map Showing the Division of No. 3310-3312 Q Street in the City of Richmond, VA.," prepared by Virginia Surveys, dated December 28, 2023 and last revised July 12, 2024, "3310 & 3312 Q St.," prepared by River Mill Development, and dated June 24, 2024, and "3310 & 3312 Q St. ADU," prepared by River Mill Development, and dated June 24, 2024, hereinafter referred to, collectively, as "the Plans," copies of which are attached to and made a part of this ordinance.
- (b) The adoption of this ordinance shall constitute the issuance of a special use permit for the Property. The special use permit shall inure to the benefit of the owner or owners of the fee simple title to the Property as of the date on which this ordinance is adopted and their successors in fee simple title, all of which are hereinafter referred to as "the Owner." The conditions contained in this ordinance shall be binding on the Owner.
- § 3. **Special Terms and Conditions.** This special use permit is conditioned on the following special terms and conditions:
 - (a) The Special Use of the Property shall be as up to two two-family detached

dwellings with two accessory dwelling units, substantially as shown on the Plans.

- (b) The height of the Special Use shall not exceed three stories, substantially as shown on the Plans.
- (c) All building materials, elevations, and site improvements, including landscaping, 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) Prior to the issuance of a building permit for the Special Use, the establishment of up to two residential lots, substantially as shown on the Plans, shall be accomplished by obtaining the necessary approvals from the City and recording the appropriate plats and deeds among the land records of the Clerk of the Circuit Court of the City of Richmond.
- § 4. **Supplemental Terms and Conditions.** This special use permit is conditioned on the following supplemental terms and conditions:
- (a) All required final grading and drainage plans, together with all easements made necessary by such plans, must be approved by the Director of Public Utilities prior to the issuance of the building permit.
- (b) Storm or surface water shall not be allowed to accumulate on the land. The Owner, at its sole cost and expense, shall provide and maintain at all times adequate facilities for the drainage of storm or surface water from the Property so as not to adversely affect or damage any other property or public streets and the use thereof.
- (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.

- (d) Any encroachments existing, proposed on the Plans or contemplated in the future shall require separate authorization and shall be subject to the applicable provisions of the Code of the City of Richmond (2020), as amended, and all future amendments to such laws.
- (e) In all other respects, the use of the Property shall be in accordance with the applicable underlying zoning regulations.
- § 5. **General Terms and Conditions.** This special use permit is conditioned on the following general terms and conditions:
- (a) No permit implementing this special use permit shall be approved until satisfactory evidence has been presented to the Zoning Administrator that any delinquent real estate taxes applicable to the Property have been paid.
- (b) The Owner shall be bound by, shall observe and shall comply with all other laws, ordinances, rules and regulations applicable to the Property, except as otherwise expressly provided in this ordinance.
- (c) Words and phrases used in this ordinance shall be interpreted to have the meanings ascribed to them by section 30-1220 of the Code of the City of Richmond (2020), as amended, unless the context clearly indicates that a different meaning is intended.
- (d) Notwithstanding any other provision of law, this special use permit is being approved due, in part, to the mitigating effects of each and every condition attached hereto; consequently, if any portion of this ordinance is determined to be invalid for any reason by a final, non-appealable order of any Virginia or federal court of competent jurisdiction, the invalidity shall cause the entire ordinance to be void and of no further effect from the effective date of such order.
 - (e) The privileges granted by this ordinance may be revoked pursuant to the provisions

of sections 30-1050.7 through 30-1050.11 of the Code of the City of Richmond (2020), as

amended, and all future amendments to such laws. Failure to comply with the terms and conditions

of this ordinance shall constitute a violation of section 30-1080 of the Code of the City of

Richmond (2020), as amended, and all future amendments to such law, or any other applicable

laws or regulations.

(f)

When the privileges granted by this ordinance terminate and the special use permit

granted hereby becomes null and void, whether as a result of the Owner relinquishing this special

use permit in a writing addressed to the Director of Planning and Development Review or

otherwise, use of the Property shall be governed thereafter by the zoning regulations prescribed

for the district in which the Property is then situated.

§ 6. **Implementation.** The Commissioner of Buildings is authorized to issue a building

permit substantially in accordance with the Plans for the Special Use subject to the terms and

conditions set forth in this ordinance. An application for the building permit shall be made within

1,096 calendar days following the date on which this ordinance becomes effective. If either the

application for the building permit is not made within the time period stated in the previous

sentence or the building permit terminates under any provision of the Virginia Statewide Building

Code, this ordinance and the special use permit granted hereby shall terminate and become null

and void.

§ 7. **Effective Date.** This ordinance shall be in force and effect upon adoption.

APPROVED AS TO FORM:

CITY ATTORNEY'S OFFICE

6





City of Richmond

900 East Broad Street 2nd Floor of City Hall Richmond, VA 23219 www.rva.gov

Master

File Number: Admin-2024-1300

File ID:	Admin-2024-1300	Туре:	Request for Ordinance or Resolution	Status:	Regular Agenda
Version:	2	Reference:	lı	n Control:	City Clerk
Department:			File	Created:	10/08/2024

Subject: Final Action:

Title:

Internal Notes:

Agenda Date: 01/27/2025

Patron(s): Enactment Date:

Attachments: Admin-2024-1300_Supporting Documents, Enactment Number:

Admin-2024-1300 - AATF

Contact: Introduction Date:

Drafter: David.Watson@rva.gov Effective Date:

Related Files:

Approval History

Version	Seq#	Action Date	Approver	Action	Due Date	
2	1	12/18/2024	Matthew Ebinger	Approve	12/20/2024	
2	3	12/18/2024	Kevin Vonck	Approve	12/25/2024	
2	5	12/19/2024	Sharon Ebert	Approve	12/20/2024	
2	7	1/15/2025	Jeff Gray	Approve	12/23/2024	
2	8	1/15/2025	Lincoln Saunders	Delegated		
Notes:	Delegated	: Out Of Office				
2	9	1/16/2025	Sabrina Joy-Hogg	Approve	1/17/2025	
2	10	1/16/2025	Mayor Stoney	Approve	1/20/2025	
Notes:	Approved:	Out of Office				
2	11	1/21/2025	Mayor Avula	Approve	1/23/2025	

History of Legislative File

Ver-	Acting Body:	Date:	Action:	Sent To:	Due Date:	Return	Result:
sion:						Date:	

Text of Legislative File Admin-2024-1300

City of Richmond

Intracity Correspondence

O&R Transmittal

DATE: January 21, 2025

TO: The Honorable Members of City Council

THROUGH: The Honorable Dr. Danny Avula, Mayor (By request)

(This in no way reflects a recommendation on behalf of the Mayor)

THROUGH: Sabrina Joy-Hogg, Interim Chief Administrative Officer

THROUGH: Sharon L. Ebert, DCAO for Planning & Economic Development

FROM: Kevin J. Vonck, Director of Planning & Development Review

RE: To authorize the special use of the property known as 3310 Q Street for the purpose of

up to two two-family detached dwellings with two accessory dwelling units, upon

certain terms and conditions.

ORD. OR RES. No.

PURPOSE: The authorization of the special use of the property known as 3310 Q Street will permit the division of the subject property into two parcels. Each parcel will be improved with a 2½ story two family detached dwelling separated by a party wall built over the property line, and a 1½ story accessory dwelling unit in the rear. As the proposal cannot satisfy lot feature requirements, and that accessory dwelling units are only permitted uses on residentially zoned properties with a single-family detached dwelling, a special use permit is requested.

BACKGROUND: The property is midblock on the northern side of Q Street between North 33rd Street and North 34th Street. The parcel is 57 feet wide and 131 feet in depth for a total of 7,501 square feet. In the R-6 Single-Family Attached Residential District, where the subject property is

located, two-family detached dwellings are permitted uses on properties no less than 50 feet wide and containing no less than 6,000 square feet of area. The proposed lot configurations do not meet these lot feature requirements.

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." Single-family attached dwellings are designated as primary uses.

COMMUNITY ENGAGEMENT: The property is located within the Church Hill Central Civic Association area which has been notified of this proposal. Notices shall be mailed to surrounding property owners and a sign shall be placed on the properties after introduction.

STRATEGIC INITATIVES AND OTHER GOVERNMENTAL: Richmond 300 Master Plan

FISCAL IMPACT: The Department of Planning and Development Review does not anticipate any impact to the City's budget for this or future fiscal years.

DESIRED EFFECTIVE DATE: Upon adoption

REQUESTED INTRODUCTION DATE: January 27, 2025

CITY COUNCIL PUBLIC HEARING DATE: February 24, 2025

REQUESTED AGENDA: Consent

RECOMMENDED COUNCIL COMMITTEE: Planning Commission February 18, 2025

AFFECTED AGENCIES: Law Department (for review of draft ordinance)

RELATIONSHIP TO EXISTING ORD. OR RES.: None

ATTACHMENTS: Application Documents

STAFF: David Watson, Planner, Land Use Administration (Room 511) 646-1036



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: 3310 Q Street	Date <u>:</u>
Property Address: 3310 Q Street Tax Map #: E0000877014 Fee: \$300	
Total area of affected site in acres: 0.172	
(See page 6 for fee schedule, please make check payable to t	the "City of Richmond")
ZonIng	
Current Zoning: R-6 Residential	
Existing Use: Two (2) Single-family attached dwellings	
Proposed Use	
(Please include a detailed description of the proposed use in Construction of two abutting two-family detached dwellings with acc	
Existing Use: Two (2) Single-family attached dwellings	
Is this property subject to any previous land use	C35052
Ves No	
If Yes, please list the Ordinance Nu	umber:
Applicant/Contact Person: Will Gillette / Mark Baker	
Company: Baker Development Resources	
Mailing Address: 530 E Main Street, Suite 730	
City: Richmond	State: VA Zip Code: 23219
Telephone: _(804)874-6275	Fax: _()
Email: markbaker@bakerdevelopmentresources.com	
Property Owner: LOST LLC	
If Business Entity, name and title of authorized sign	gnee: Troy Kingsbury
(The person or persons executing or attesting the execution of she has or have been duly authorized and empowered to so of	of this Application on behalf of the Company certifies that he or execute or attest.)
Mailing Address: 8005 THOM RD	
City: Richmond	State: VA Zip Code: 23229
Telephone: _()	Fax: _()
Email:	
Branarty Owner Signature H	
Property Owner Signature:	

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)

APPLICANT'S REPORT

July 11th, 2024

Special Use Permit Request 3310 Q Street, Richmond, Virginia Map Reference Number: E000-0877/014

Submitted to: City of Richmond

Department of Planning and Development Review

Land Use Administration 900 East Broad Street, Suite 511 Richmond, Virginia 23219

Submitted by: Mark Baker

Baker Development Resources 530 East Main Street, Suite 730

Richmond, VA 23219

Introduction

The applicant is requesting a special use permit (the "SUP") for the property known as 3310 Q Street (the "Property"). The SUP would authorize the division of the Property and construction of two abutting two-family detached dwellings, each with an accessory dwelling unit (the "ADU") in the rear. While the two-family and ADU uses are permitted by the underlying R-6 Single Family Attached Residential zoning district, some of the applicable feature requirements cannot be met, and therefore, the SUP is required.

Existing Conditions

SITE DESCRIPTION AND EXISTING LAND USE

The Property is located on the northern line of Q Street, mid-block, between N 33rd and N 34th Streets. It is referenced by the City Assessor with a tax parcel number of E000-0877/014 and is approximately 57 feet in width and 131 feet in depth containing roughly 7,501 square feet of lot area. The Property is currently occupied with a CMU-block, two-family detached dwelling constructed in 1957. Access is provided at the rear by means of an east-west alley.



The properties in the vicinity are primarily developed with single and two-family attached and detached dwellings though multi-family dwellings and mixed-use buildings can also be found nearby.

EXISTING ZONING

The Property and the surrounding properties to the west are zoned R-6 Single-Family Attached Residential, which permits the proposed single-family detached dwelling use. Parcels in the area

differ in size and frontage with many parcels in the vicinity unable to conform to the underlying R-6 lot width and area requirements. Immediately to the east of the subject Property, in the same block, lies a R-5 Residential zoning district. To the south, at the intersection of Oakwood Avenue and P Street are 8 parcels zoned as B-1 Neighborhood Business District.

MASTER PLAN DESIGNATION

The Richmond 300 Master Plan (the "Master Plan") suggests "Neighborhood Mixed-Use" for the Property. The Master Plan describes this land use designation 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." Recommended development styles are described as featuring "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. Single-family, two-family, and small multi-family buildings are contemplated as the primary uses in these areas."

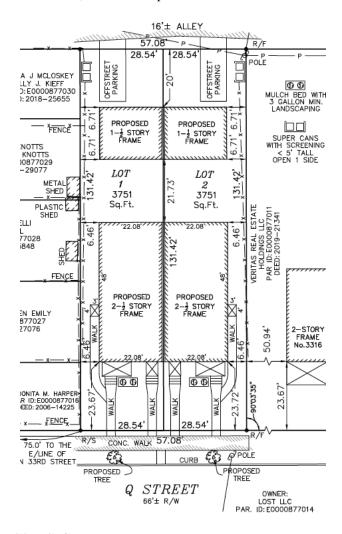
In addition to the Property-specific guidance offered by the Vision and Core Concepts chapter, there are a number of other goals elsewhere within the Master Plan that support this request.

- Page 109 (Equitable Transportation Chapter), Objective 6.1 to "Increase the number of residents and jobs at Nodes and along enhanced transit corridors in a land development pattern that prioritizes multi-modal transportation options."
 - b. Develop housing at all income levels in and near Nodes and along major corridors (see strategies Goal 14).
- Page 136 (Diverse Economy Chapter), Objective 11.1 to "Increase the areas of appropriately zoned land near various transportation modes and housing to retain, create, and attract employers."
 - o d. Encourage the development of a variety of quality housing types to house employees across the economic spectrum (see Goal 14).
- Page 150 (Inclusive Housing Chapter), Objective 14.1 to "Increase city-wide awareness of the importance of integrating housing at all income levels into every residential neighborhood so every household has housing choice throughout the city."
- Page 152 (Inclusive Housing Chapter) (see map on p. 153), Objective 14.5 to "Encourage more housing types throughout the city and greater density along enhanced transit corridors and at Nodes (shown in Figure 38 [p.153]) by amending the Zoning Ordinance."
- Page 159 (Thriving Environment Chapter) Objective 15.1 to "Reduce air pollution related to transportation."
 - o a. Increase the number of Richmonders living in a development pattern that encourages density and reduces dependency on single-occupancy vehicles (see Goal 1, Goal 8, Goal 14).
- Page 86 (High-Quality Places Chapter), Objective 1.4, to "maintain and improve primarily residential areas by increasing their linkages to...corridors...and maintaining high-quality design standards."
- Page 100 (High Quality Places Chapter), Objective 4.1, to "create and preserve high-quality, distinctive, and well-designed neighborhoods and nodes throughout the City," as the request introduces thoughtfully designed new construction in a manner not otherwise assured by-right.

Proposal

PURPOSE OF REQUEST

The SUP would permit the division of the Property into two lots and the construction of a two-family detached dwelling and ADU on each parcel. The dwellings would be abutting and appear as attached dwellings from the street. The new lots would each be 28.54 feet in width and contain approximately 3,751 square feet of lot area. While this lot width and area is consistent with the historic development pattern of the block and the existing parcels within the neighborhood, the proposed lot widths do not permit the proposed dwellings to meet the R-6 District lot area and width requirements and therefore, a SUP is required.



PROJECT DETAILS/DESIGN

The two proposed two-family dwellings would each be approximately 22 feet in width, 48 feet in depth, three stories in height and include approximately 2,594 square feet of finished floor area. The first floor would contain a two-bedroom, two-bathroom unit while the second and third floors would contain a three-bedroom, three-bathroom unit. The proposed floor plans are modern and efficient, and designed to be meet the needs of the market with a range of housing options. The proposed ADUs would be two stories in height and attached along the property line. Each would

be a one bedroom, one- and one-half bathroom unit with a first-floor kitchen and living area and loft bedroom on the second floor. All dwellings would be clad in cementitious lap siding to ensure quality and durability and off-street parking would be provided at the rear of the Property, accessible from the alley.

Findings of Fact

The following are factors indicated in Section 17.11 of the Charter and Section 30-1050.1 of the Zoning Ordinance relative to the approval of special use permits by City Council. The proposed special use permit will not:

• Be detrimental to the safety, health, morals and general welfare of the community involved.

The proposed SUP for high-quality infill construction will not impact the safety, health, morals and general welfare of the nearby neighborhoods.

• Tend to create congestion in streets, roads, alleys and other public ways and places in the area involved.

The proposed SUP will not result in significant traffic impacts to nearby residential neighborhoods. The negligible traffic generation and off-street parking spaces for the dwellings will create no congestion on streets, roads, alleys or any other public right of way.

• Create hazards from fire, panic or other dangers.

The property will be developed in a manner consistent with the requirements of the building code and in accordance with the requirements of Fire and Emergency Services. The City's codes applicable to this development are designed to eliminate such hazards.

• Tend to overcrowding of land and cause an undue concentration of population.

The proposed SUP will not tend to over crowd the land or create an undue concentration of population.

 Adversely affect or interfere with public or private schools, parks, playgrounds, water supplies, sewage disposal, transportation or other public requirements, conveniences, and improvements.

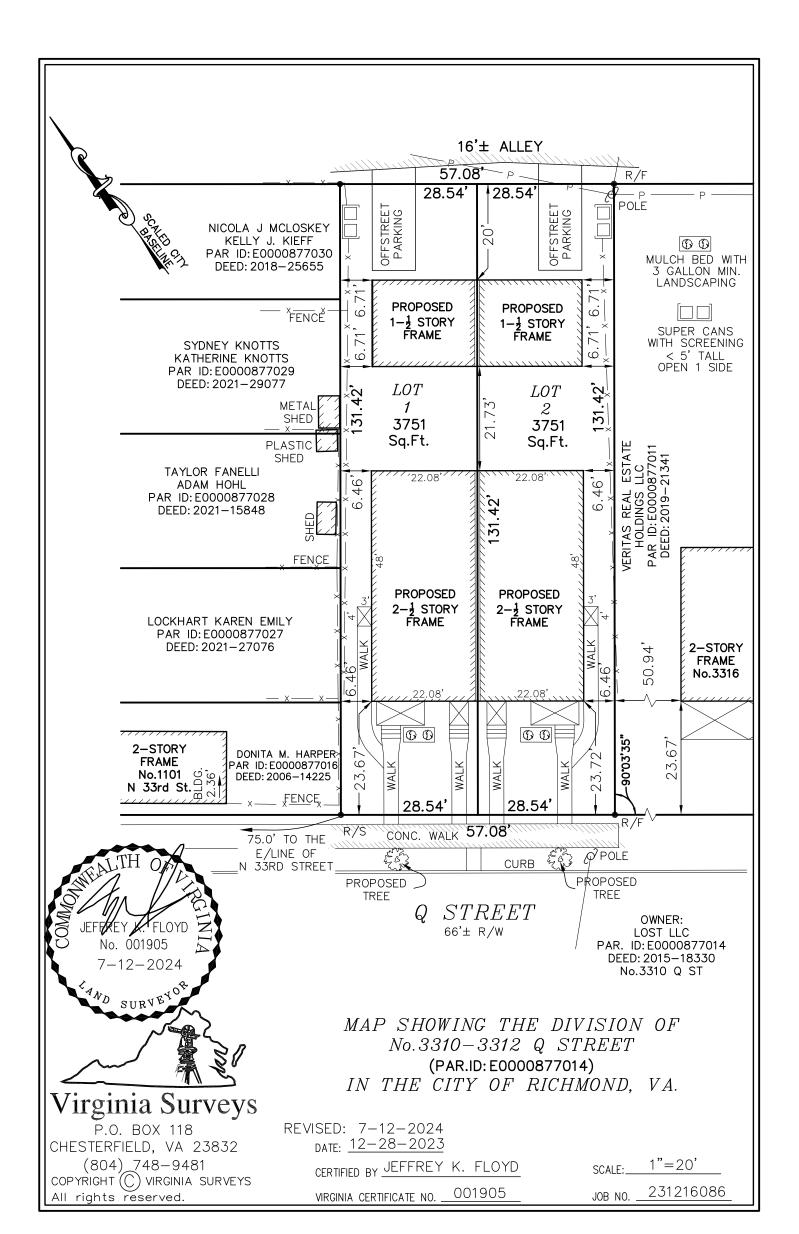
The proposed SUP would not adversely affect the above referenced City services.

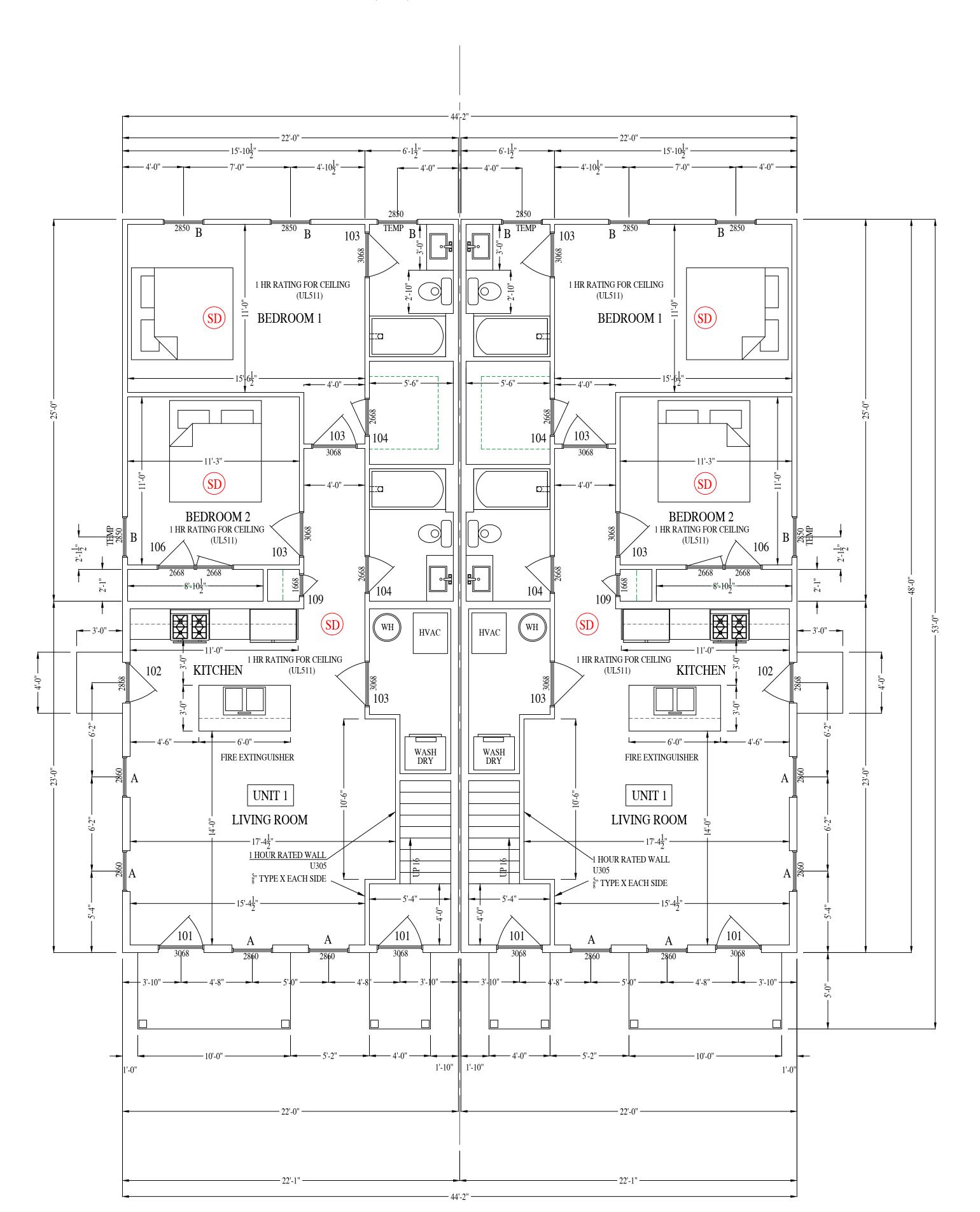
• Interfere with adequate light and air.

The light and air available to the subject and adjacent properties will not be affected. The proposed buildings are of compatible massing and spacing to the existing in the vicinity and normal side yard setbacks would be met. As a result, this request will not interfere with the provision of adequate light and air to the adjacent buildings.

Summary

In summary we are enthusiastically seeking approval for the construction of two two-family dwellings and two ADUs on the Property. The SUP represents an ideal, small-scale urban development for this location that would replace aging housing with new, modern dwellings which meet the needs of today's market. These dwellings provide updated housing opportunities for the neighborhood and are consistent with the goals of the Richmond 300 Master Plan. In exchange for the SUP, the quality assurances conditioned therein would guarantee the construction of three quality residences consistent with Master Plan guidance.





BUILDING INFORMATION

1ST FL. HEATED S.F.	1056
2ND FL. HEATED S.F.	1056
3RD FL. HEATED S.F.	482





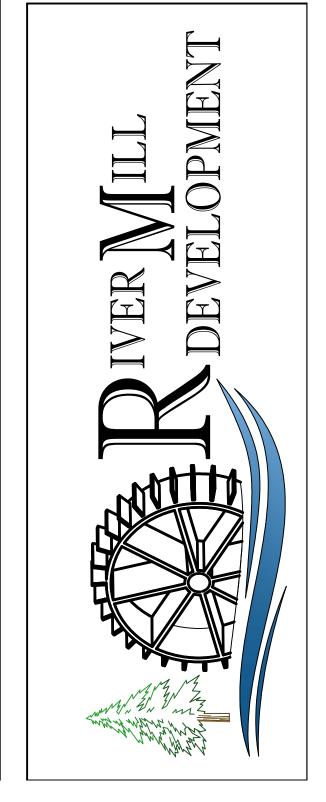
3312

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SCALE: 1/4'' = 1'-0''

DATE: 6-24-2024

SHEET: A1.1



FIRST FLOOR PLAN

1056 S.F.



ST. \bigcirc 3312

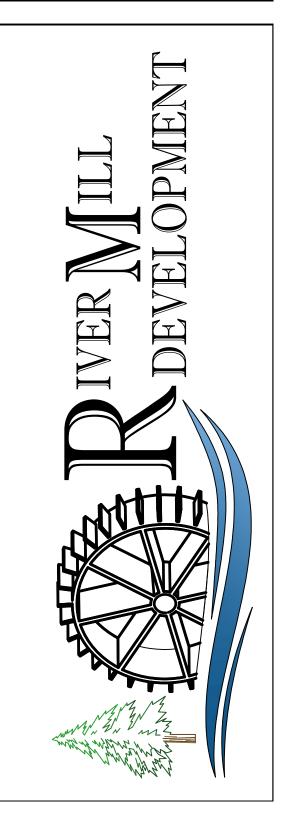
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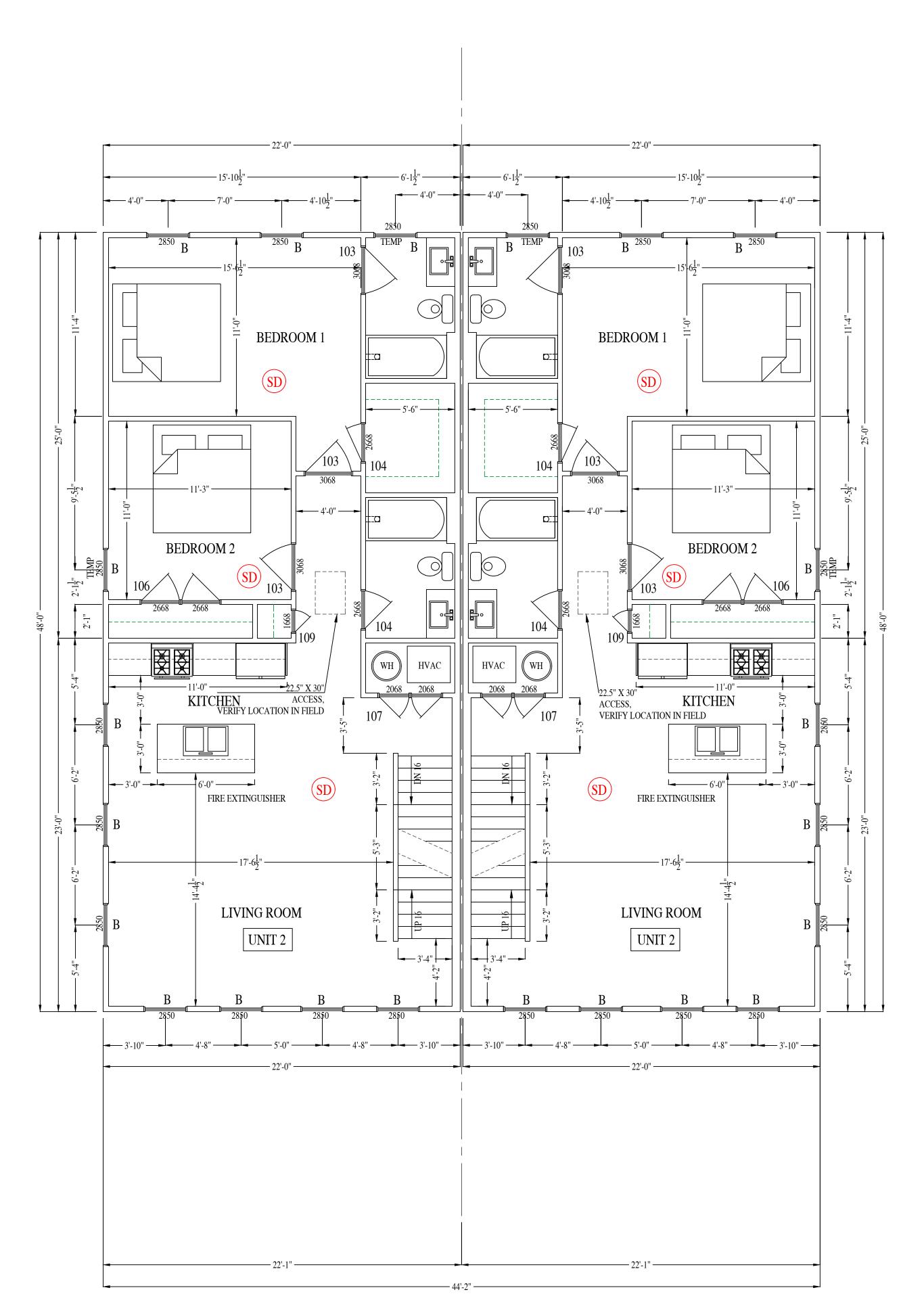
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6-24-2024

SHEET: A1.2





SECOND FLOOR PLAN

NOTE: DOOR & WINDOW GLAZING SHALL HAVE A MAX U-FACTOR OF 0.32



1ST FL. HEATED S.F.	1056
2ND FL. HEATED S.F.	1056
3RD FL. HEATED S.F.	482





REVISION NOTES			
DATE	START		

SCALE: 1/4'' = 1'-0''

DATE: 6-24-2024

> SHEET: A1.3

THIRD FLOOR PLAN

BUILDING INFORMATION

1ST FL. HEATED S.F.	393
2ND FL. HEATED S.F.	393

3310 & 3312 Q ST. ADU

3510 & 3512 Q S1. AI

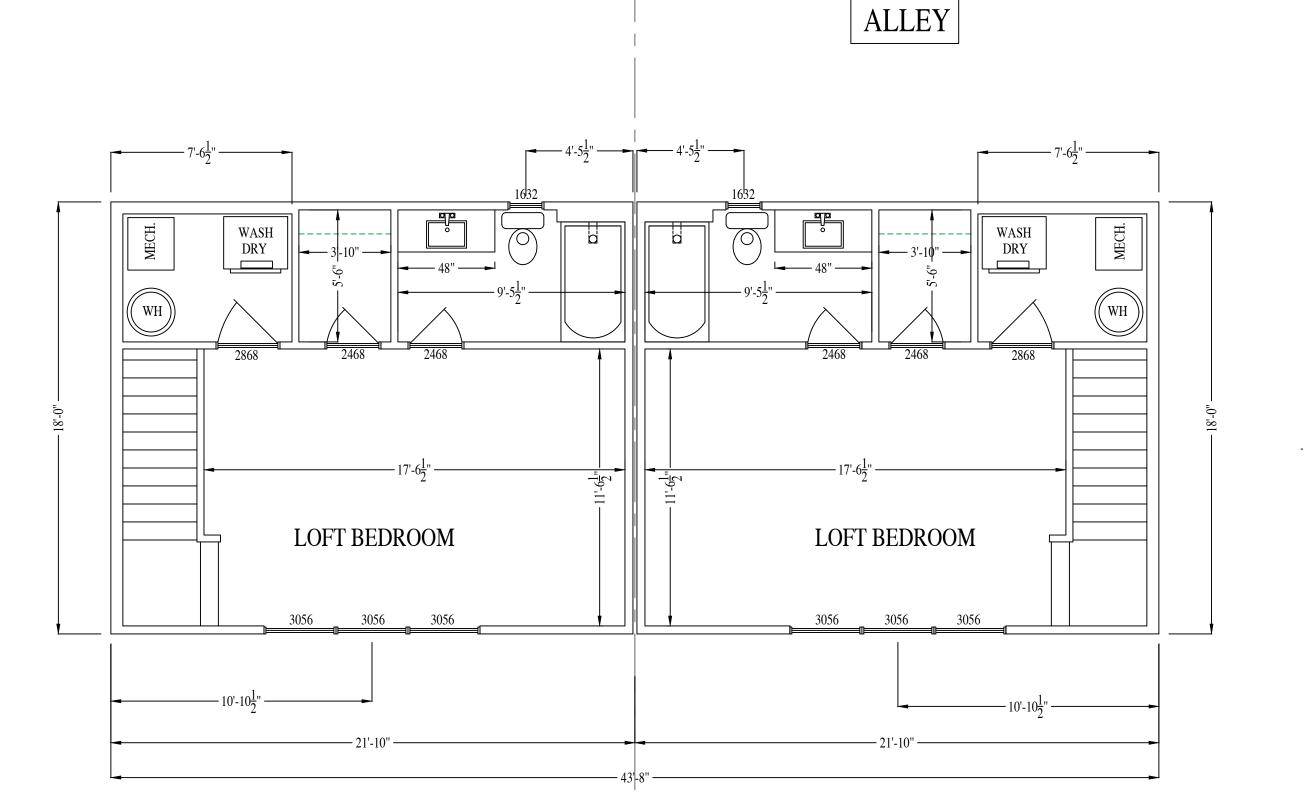
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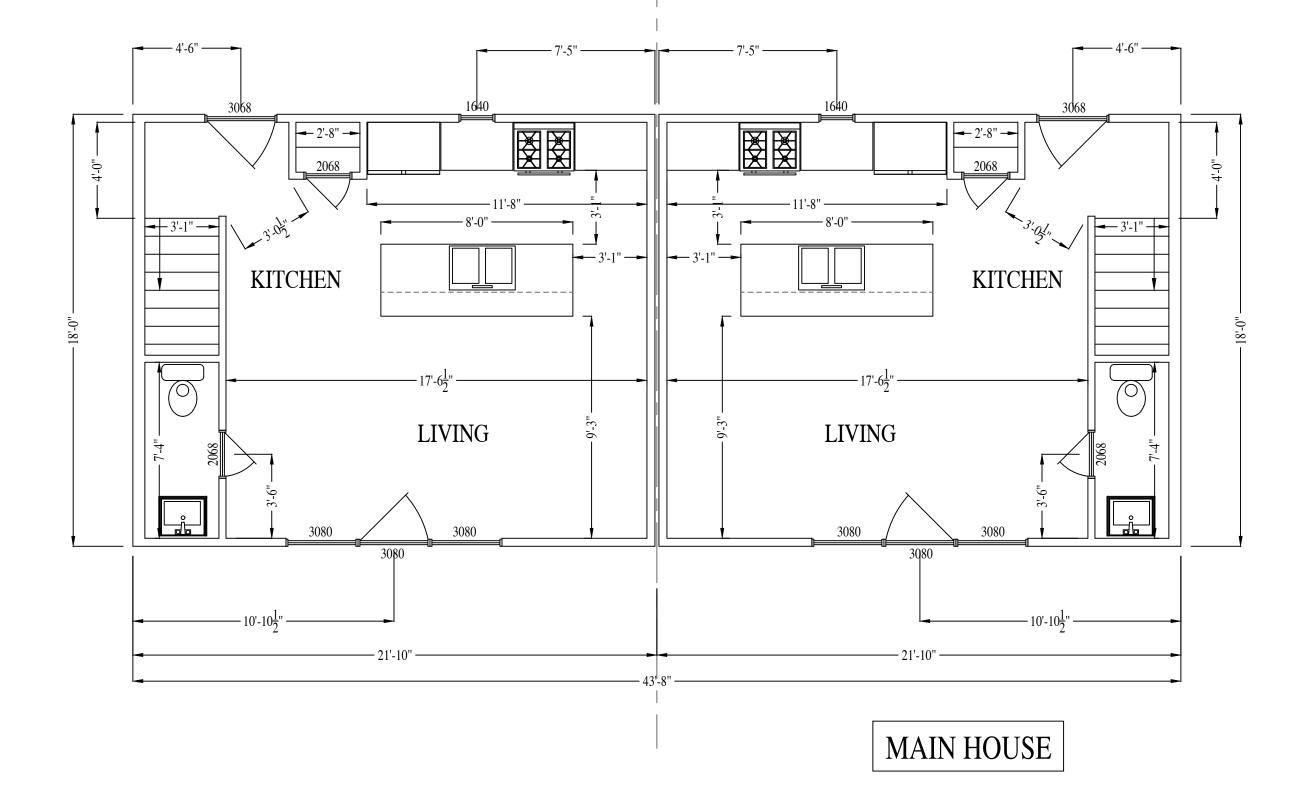
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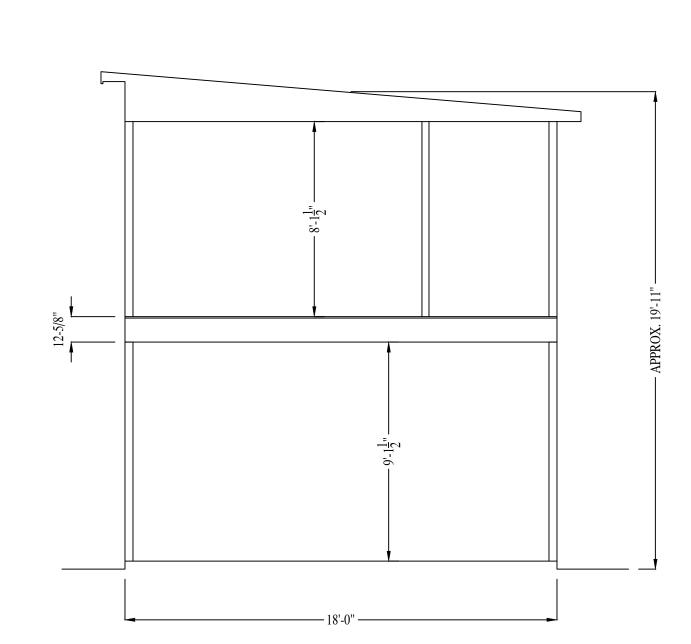
TOEVELOPMENT



SECOND FLOOR PLAN



FIRST FLOOR PLAN





FRONT ELEVATION



RIGHT ELEVATION

3310 & 3312 Q ST.

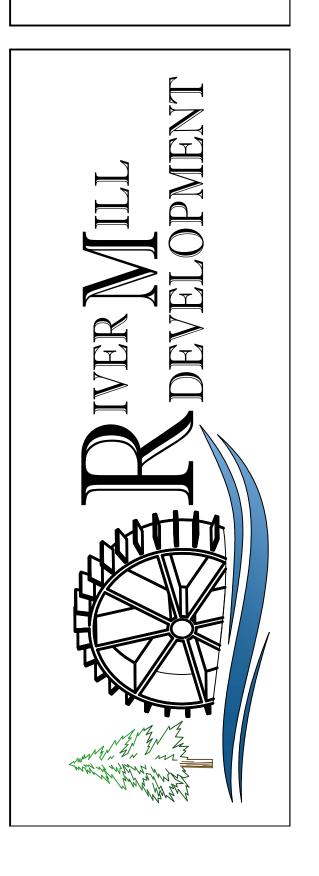
RIVER MILL DEVELOPMENT
RIVERMILLDEVELOPMENT@GMAIL.COM
PHONE: (434) 774-4535

RE	EVISION NOTES
DATE	START

SCALE: 1/4" = 1'-0"

DATE: 6-24-2024

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LEFT ELEVATION



REAR ELEVATION

10 & 3312 Q ST.

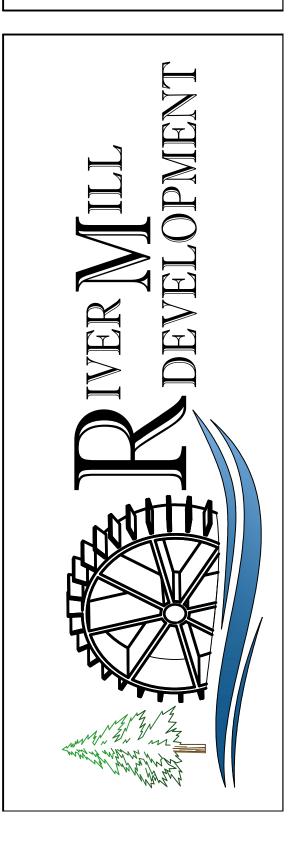
KIVER MILL DE RIVERMILLDEVELOPMENT PHONE: (434) 774-4

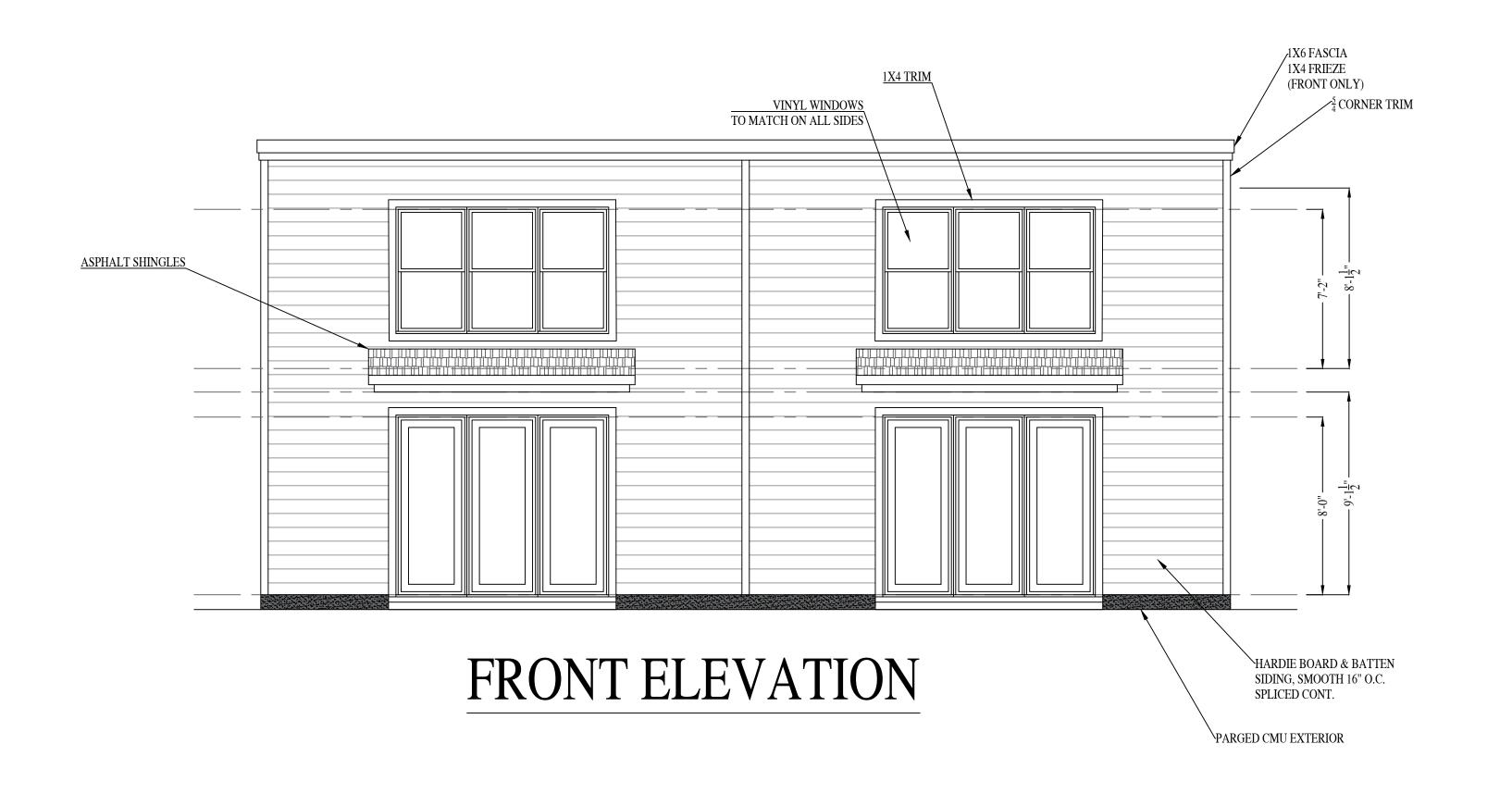
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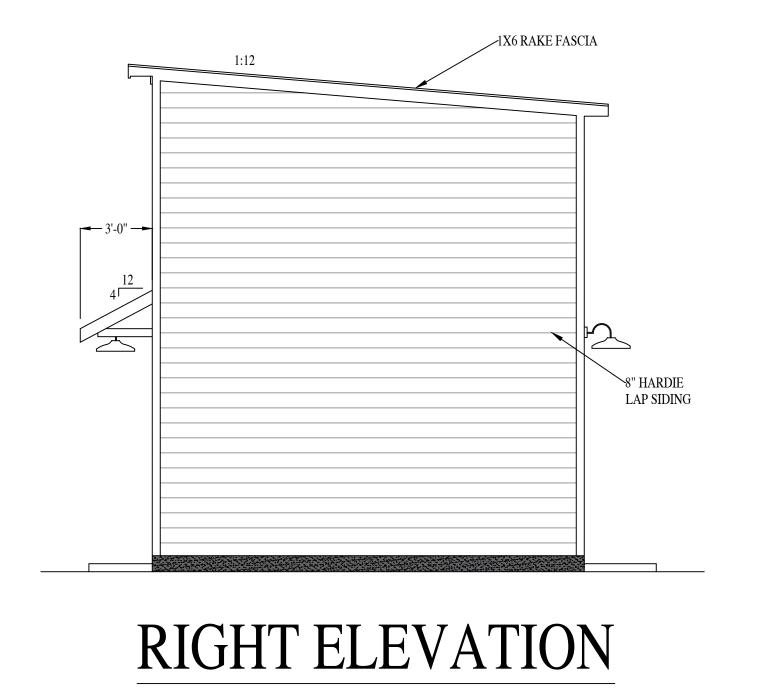
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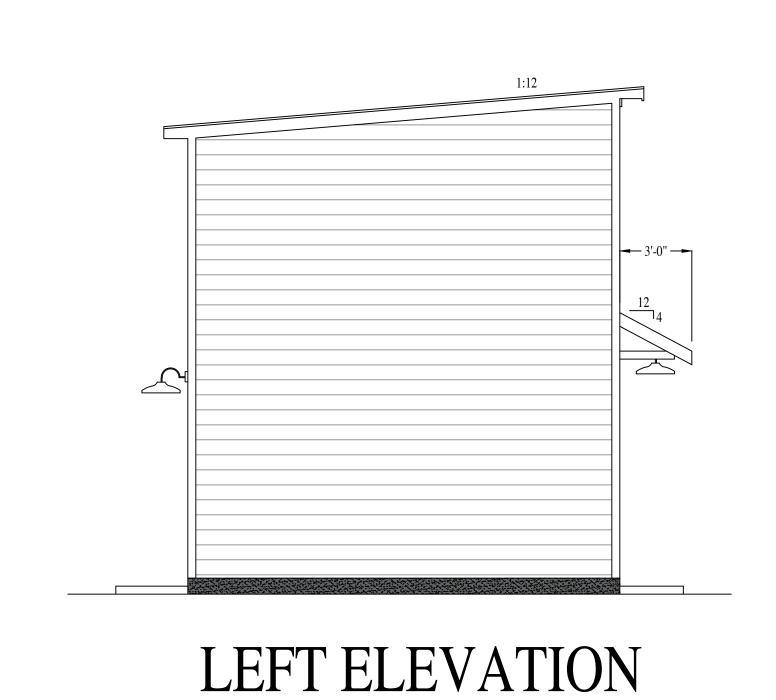
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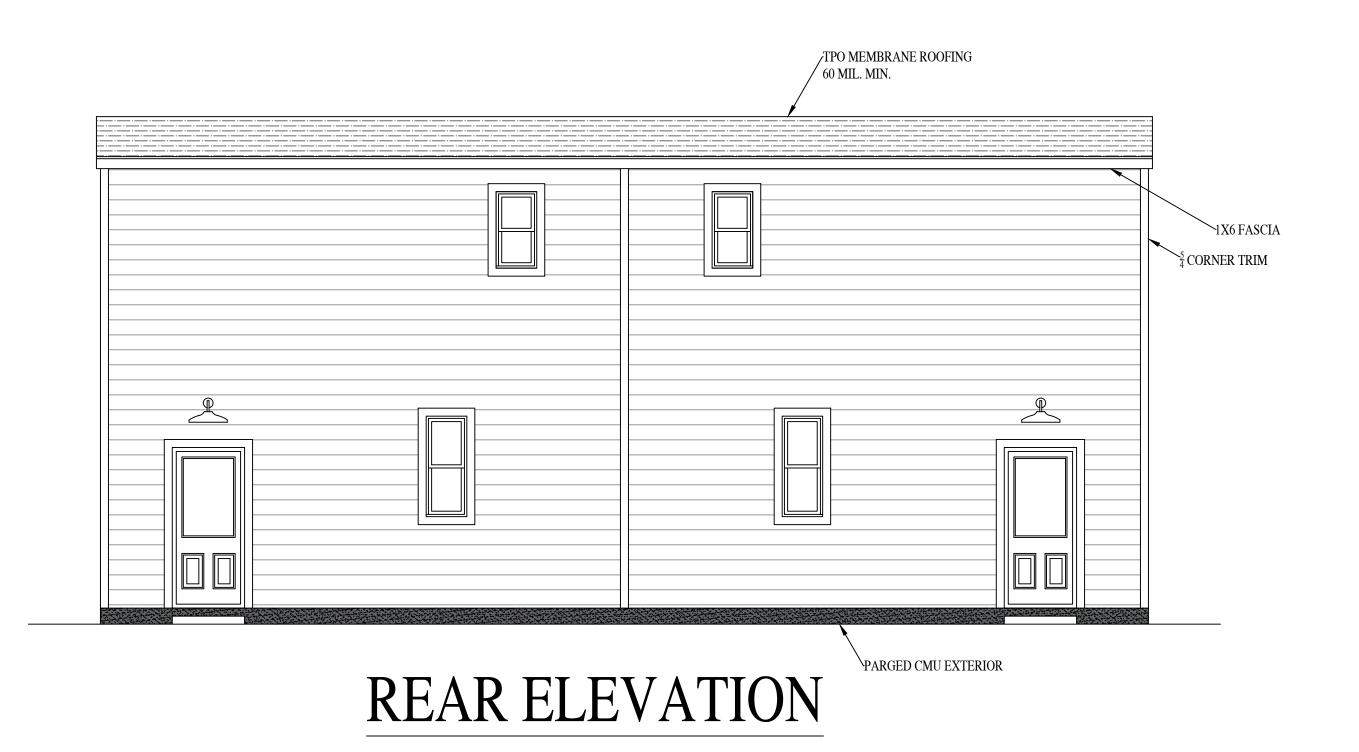
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3312 Q ST. ADU

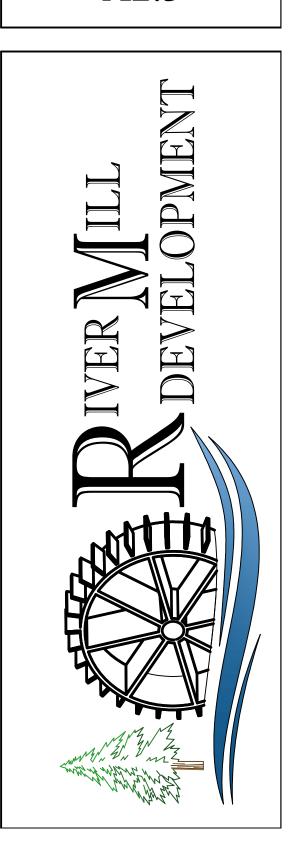
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DATE: 6-24-2024

SHEET: A2.3





City of Richmond Department of Planning & Development Review

Special Use Permit

LOCATION: 3310 Q Street

APPLICANT: Lost LLC represented by Baker Development Resources

COUNCIL DISTRICT: 7

PROPOSAL: To authorize the special use of the properties known as 3310 Q Street for the purpose of subdivision and the construction of a two-family detached dwelling with an accessory dwelling unit on each parcel, upon certain terms and conditions.

For questions, please contact David Watson at 804-646-1036 or David Watson@rva.gov

