INTRODUCED: June 2, 2025

AN ORDINANCE No. 2025-129

To authorize the special use of the property known as 1426 North 30th Street for the purpose of up to two two-family detached dwelling units and 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: JUN 23 2025 AT 6 P.M.

WHEREAS, the owner of the property known as 1426 North 30th 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 dwelling units and two accessory dwelling units, which use, among other things, is not currently allowed by sections 30-412.2, concerning permitted accessory uses and structures, 30-412.4, concerning lot area and width, density and unit width, and 30-412.5, concerning yards, 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 1426 North 30th Street and identified as Tax Parcel No. E000-0717/001 in the 2025 records of the City Assessor, being more particularly shown on a survey entitled "Map Showing the Improvements on No. 1426 N. 30th Street in the City of Richmond, VA.," prepared by Virginia Surveys, and dated April 28, 2023, 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 dwelling units and two accessory dwelling units, hereinafter referred to as "the Special Use," substantially as shown on the plans entitled "Sketch Showing the Proposed Improvements on No. 1426 N. 30th Street in the City of Richmond, VA.," prepared by Virginia Surveys, dated July 12, 2024, and last revised October 21, 2024, "1426 N 30th ST.," prepared by River Mill Development, and dated June 14, 2024, and , "1426 N 30th ST. ADU," prepared by River Mill Development, and dated June 14, 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 two two-family detached dwelling units and two accessory dwelling units, substantially as shown on the Plans.

(b) The height of the Special Use shall not exceed two 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.

§ 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.

The Owner shall make improvements within the right-of-way, including the (e) installation of curb and gutter, three street trees, and a sidewalk along U Street, substantially as shown on the Plans, which improvements may be completed in one or more phases as approved by the Director of Public Works. All improvements and work within the public right-of-way shall be (i) completed in accordance with the requirements of the Director of Public Works, (ii) considered completed only upon written confirmation by the Director of Public Works or the designee thereof that such improvements and work are in accordance with such requirements, (iii) transferred to the City, following the written confirmation by the Director of Public Works or the designee thereof, pursuant to a transfer of interest document approved as to form by the City Attorney and accepted by the Chief Administrative Officer or the designee thereof on behalf of the City. The Chief Administrative Officer or the designee thereof, for and on behalf of the City, is hereby authorized to accept, in the manner for which this subsection provides, all improvements and work required by and meeting the requirements of this subsection. The final certificate of occupancy shall not be issued for the Property until all requirements of this subsection are fully satisfied.

(f) 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.

City of Richmond Intracity Correspondence

O&R TransmittalDATE:April 15, 2025TO:The Honorable Members of City CouncilTHROUGH: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 OfficerTHROUGH:Sharon L. Ebert, DCAO for Planning & Economic ReviewFROM:Kevin J. Vonck, Director of Planning & Development ReviewRE:To authorize the special use of the property known as 1426 North 30th Street for
the purpose of two two-family detached dwelling units and two accessory dwell-
ing units, upon certain terms and conditions.

ORD. OR RES. No.

PURPOSE: The applicant is requesting a Special Use Permit to authorize the construction of two two-family detached dwelling units and two accessory dwelling units in the rear of the parcels.

BACKGROUND: The property is located in the Church Hill North neighborhood, on the corner of North 30th Street and U Street, in an R-6 Single-Family Attached zoning district. The future land use designation is Neighborhood Mixed-Use, which is defined 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

Page 2 of 2

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... Primary Uses: Single-family houses, accessory dwelling units, duplexes, small multi-family buildings (typically 3-10 units), and open space. Secondary Uses: Large multifamily buildings (10+units), retail/office/personal service, institutional, cultural, and government."

The surrounding area is mainly R-6 and R-5, primarily single-family detached dwellings.

COMMUNITY ENGAGEMENT: The Church Hill Central Civic Association was notified. Additional community notification will take place after staff introduction.

STRATEGIC INITIATIVES AND OTHER GOVERNMENTAL: Richmond 300 Master Plan

FISCAL IMPACT: \$400 application fee.

DESIRED EFFECTIVE DATE: Upon adoption

REQUESTED INTRODUCTION DATE: May 27, 2025

CITY COUNCIL PUBLIC HEARING DATE: June 23, 2025

REQUESTED AGENDA: Consent

RECOMMENDED COUNCIL COMMITTEE: Planning Commission, June 17, 2025

AFFECTED AGENCIES: Office of Chief Administrative Officer

Law Department (for review of draft ordinance)

RELATIONSHIP TO EXISTING ORD. OR RES.: None

ATTACHMENTS: Draft Ordinance, Application Form, Applicant's Report, Plans, Survey, STAFF:

Madison Wilson, Planner, Land Use Administration (Room 511) 646-5734

Application for SPECIAL USE PERMI	т
Department of Planning and Development Revie	w
Land Use Administration Divisio	bn
900 E. Broad Street, Room 5	511
Richmond, Virginia 232	19
(804) 646-630)4
http://www.richmondgov.com	n/
Richmond, Virginia 232 (804) 646-630	19

Application i	s 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: 1426 N 30th St	reet	Date: 7-16-20224
Parcel I.D. #: E0000717001	Fee: \$300	
Total area of affected site in a	acres: 0.149	
(See <i>page 6</i> for fee schedule, please	make check payable to the "City of Richmond")	
Zoning		
Current Zoning: R-6		
Richmond 300 Land Use De	signation; Neighborhood Mixed-Use	
Proposed Use		
	n of the proposed use in the required applicant's report)	
	family detached dwellings and two accessory dwelling un	its
Existing Use: Single-family detached	1	
Is this property subject to an		

Y	е	S
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L		

If Yes, please list the Ordinance Number:

Applicant/Contact Person: Will Gillette

No

•

Company: Baker Development Resources		
Mailing Address: 530 East Main Street, Suite 730		
City; Richmond	State: VA	Zip Code: 23219
Telephone: (864) 377-9140	Fax: (
Email: will@bakerdevelopmentresources.com		

Property Owner: EVOLVE RENTALS LLC

If Business Entity, name and title of authorized signee:

(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: 3420 PUMP RD #169

City: RICHMOND	State: VA	Zip Code: 23233
Telephone: _()	Fax: _()
Email:		

Property Owner Signature: David V Klassen

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)



CITY OF RICHMOND, VA Department of Planning and Development Review Land Use Administration Division 900 East Broad Street, City Hall - Room 511, Richmond, Virginia 23219

AUTHORIZATION FROM PROPERTY OWNER

TO BE COMPLETED BY THE APPLICANT Applicant must complete <u>ALL</u> items			
HOME/SITE ADDRESS: 530 E Main Street	APARTMENT NO/SUITE Suite 730		
APPLICANT'S NAME: Will Gillette	EMAIL ADDRESS:		
BUSINESS NAME (IF APPLICABLE): Baker Developr			
SUBJECT PROPERTY OR PROPERTIES: 1426 N 30th			
APPLICATION REQUESTED			
□ Plan of Development (New or Amendment)			
☐ Wireless Plan of Development (New or Amendment)			
Special Use Permit (New or Amendment)			
Rezoning or Conditional Rezoning			
Certificate of Appropriateness (Conceptual, Administrative Approval, Final)			
Community Unit Plan (Final, Preliminary, and/or Amendment)			
Subdivision (Preliminary or Final Plat Correction or Extension)			

TO BE COMPLETED BY THE AUTHORIZED OWNER Owner must complete <u>ALL</u> items		
Signing this affidavit acknowledges that you, as the owner or lessee of the property, authorize the above applicant to submit the above selected application/s on your behalf.		
PROPERTY OWNER: EVOLVE RENTALS LLC		
PROPERTY OWNER ADDRESS: 3420 PUMP RD #169, RICHMOND, VA 23223		
PROPERTY OWNER EMAIL ADDRESS: DVK5FOYAHOD. Com		
PROPERTY OWNER PHONE NUMBER:		
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.		

APPLICANT'S REPORT

July 11th, 2024

Special Use Permit Request 1426 N 30th Street, Richmond, Virginia Map Reference Number: E000-0717/001

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 1426 N 30th 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 at the southwest corner of the intersection of U and N 30th Streets and is referenced by the City Assessor with a tax parcel number of E000-0717/001. It is approximately 50 feet in width and 130 feet in depth containing roughly 6,507 square feet of lot area. The Property is currently occupied with a single-story ranch dwelling. Access is provided at the rear by means of a north-south alley.



The properties in the vicinity are primarily developed with single and two-family attached and detached dwellings ranging from one to two stories in height and of a range of forms.

EXISTING ZONING

The Property and the surrounding properties to the south and west are zoned R-6 Single-Family Attached Residential, which permits the proposed two-family 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. To the north of the subject Property, across U street, and the next block to the east along N 31st Street lies a R-5 Residential zoning 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."
 - 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."
 - 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 highquality, 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 twofamily 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 25 feet in width and contain approximately 3,253 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 (of the 9 other lots in the block face, three are 25' in width and two are 19' in width), 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, 56 feet in depth, two stories in height, and include approximately 2,444 square feet of finished floor area. Each unit would consist of two bedrooms and two bathrooms with modern and efficient floor plans designed to be meet the needs of the market. 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.

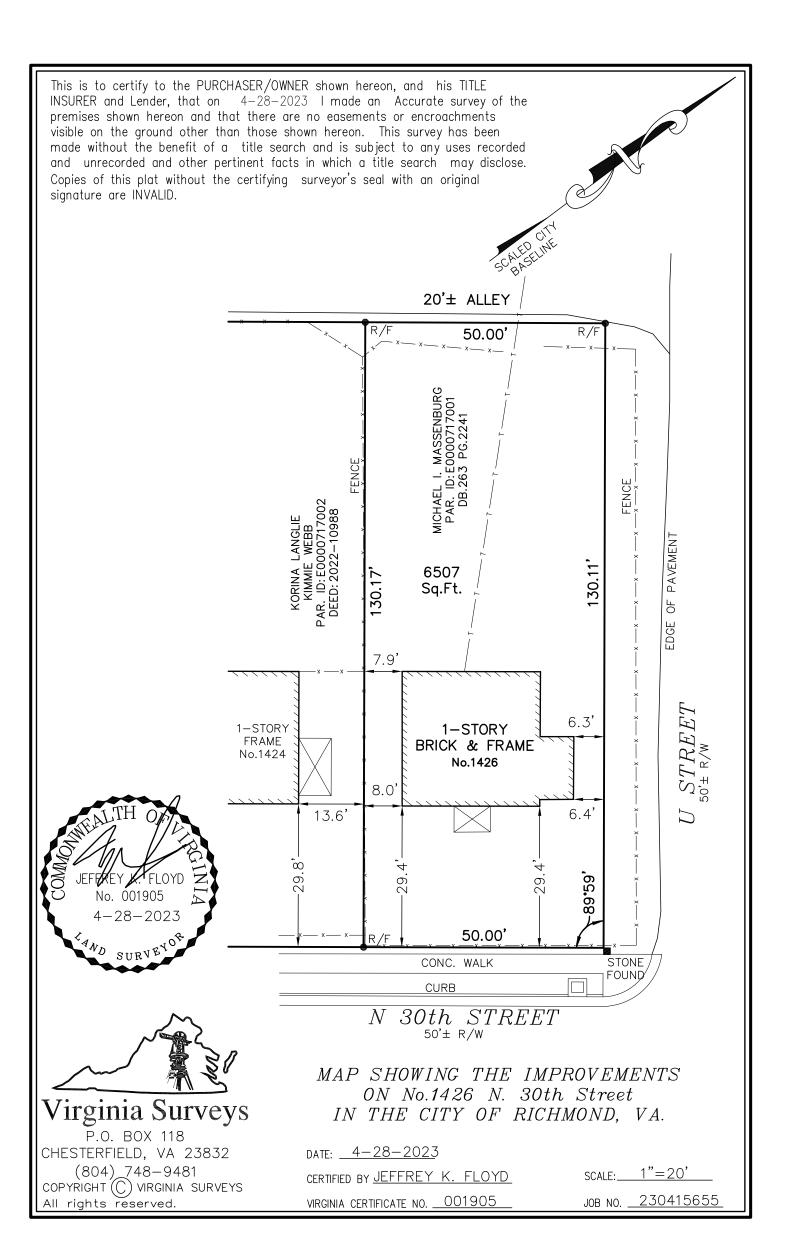
The proposed SUP would not adversely affect the above referenced City services.

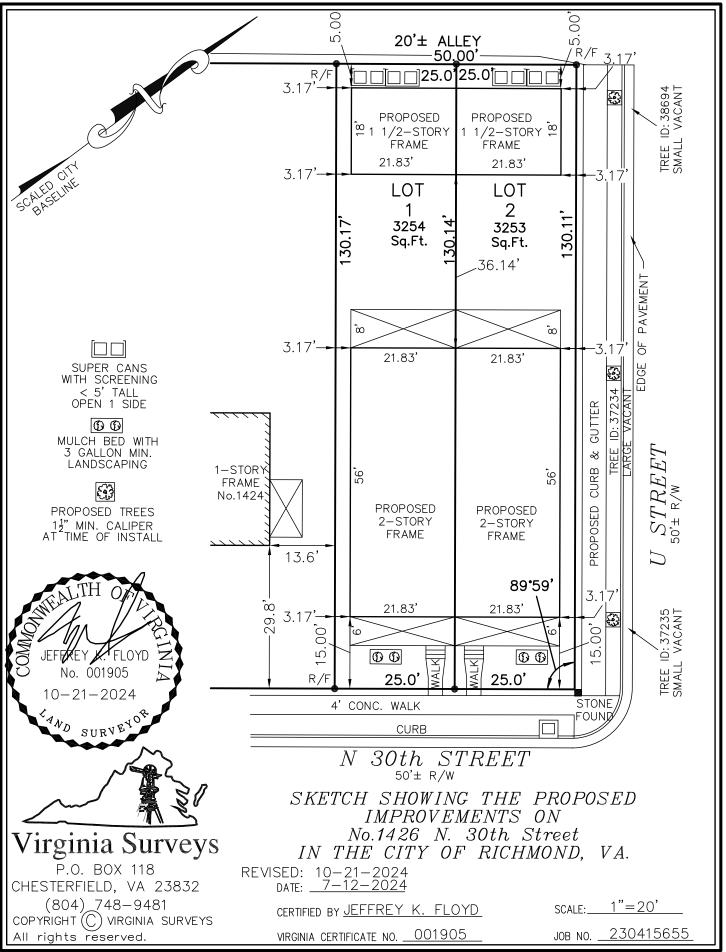
• Interfere with adequate light and air.

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.

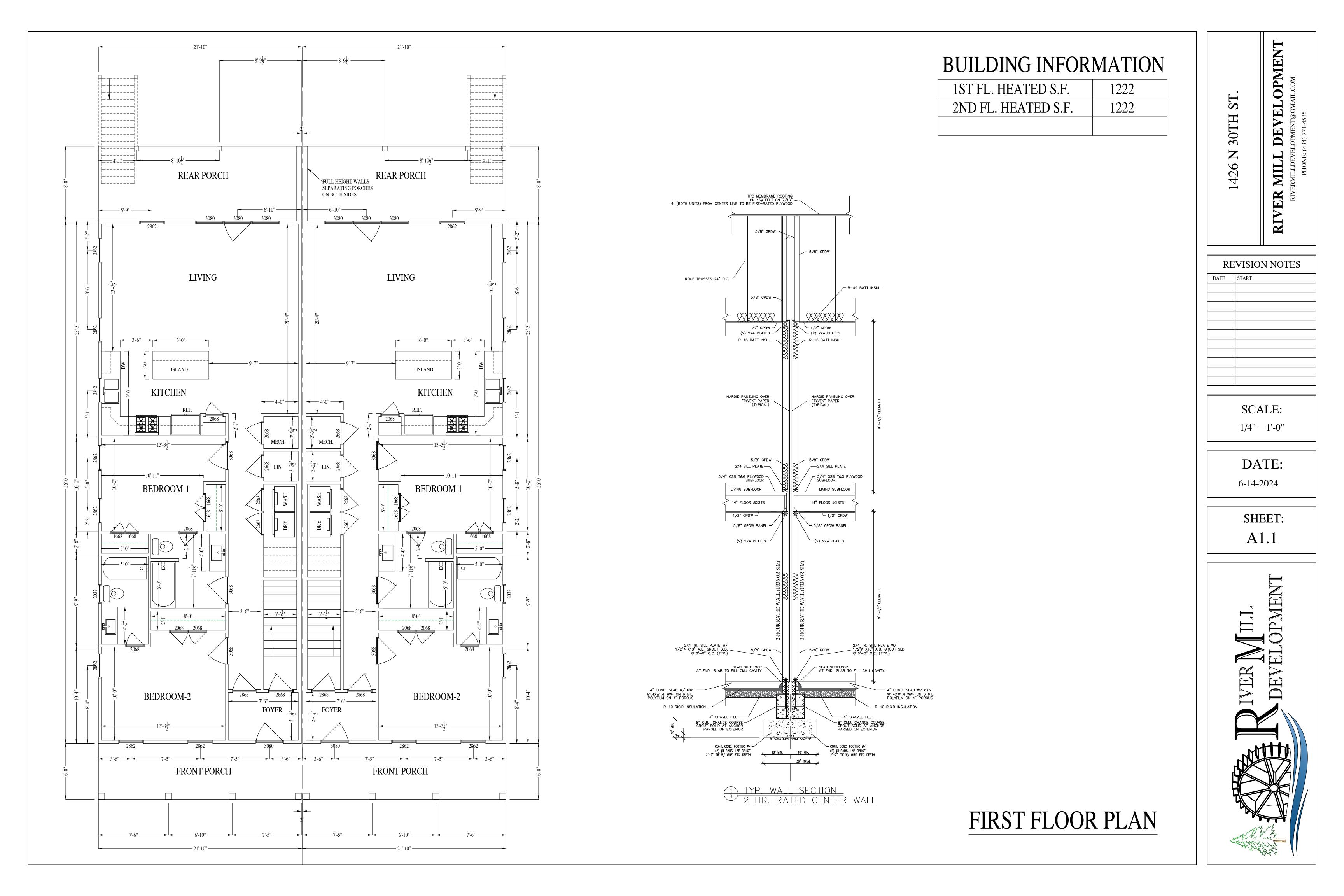
Summary

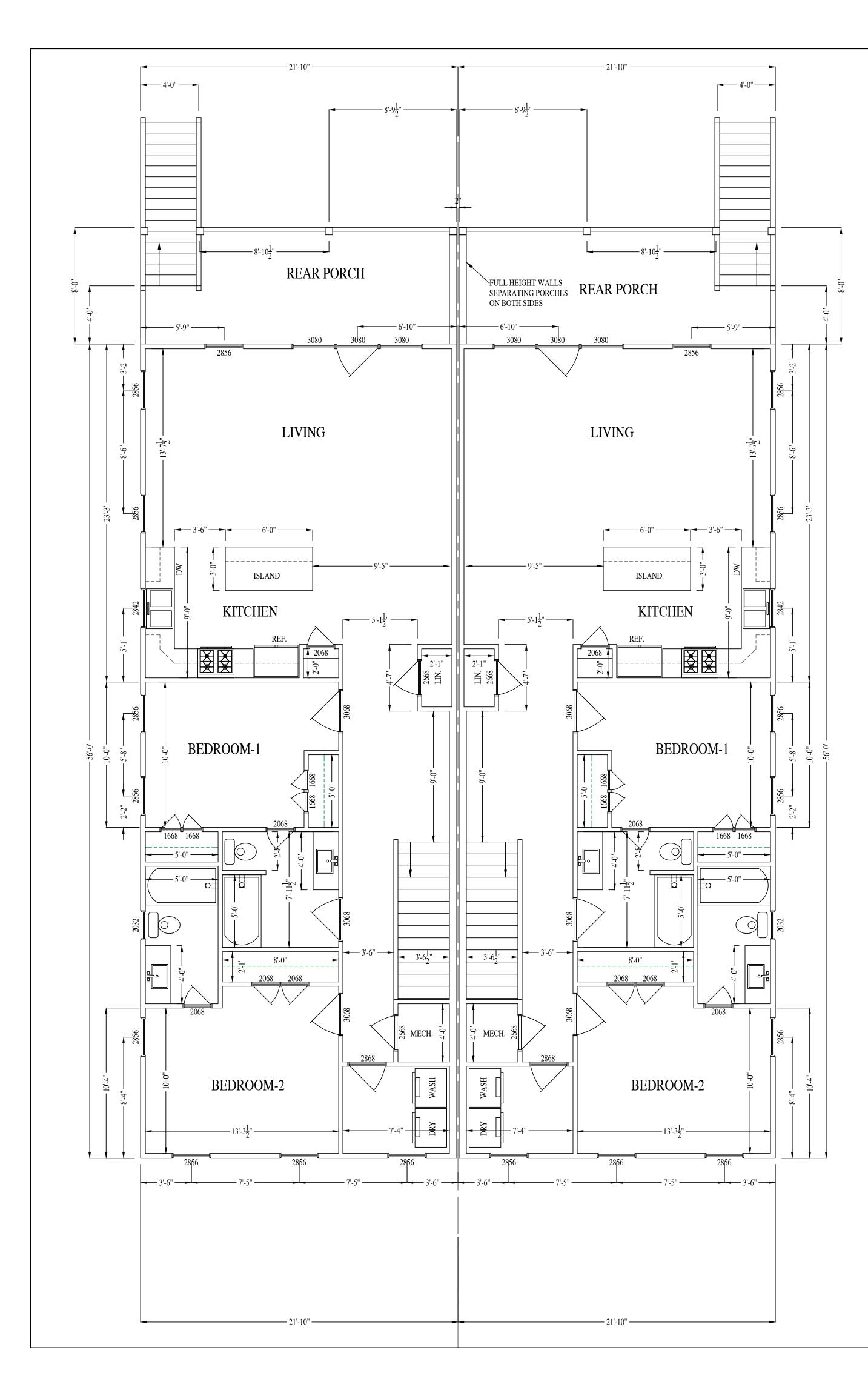
In summary we are enthusiastically seeking approval for the construction of two two-family dwellings and two ADUs on the Property. The SUP represents an ideal, small-scale urban development for this location that would replace aging housing with new, modern dwellings which meet the needs of today's market. 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 high-quality residences consistent with Master Plan guidance.

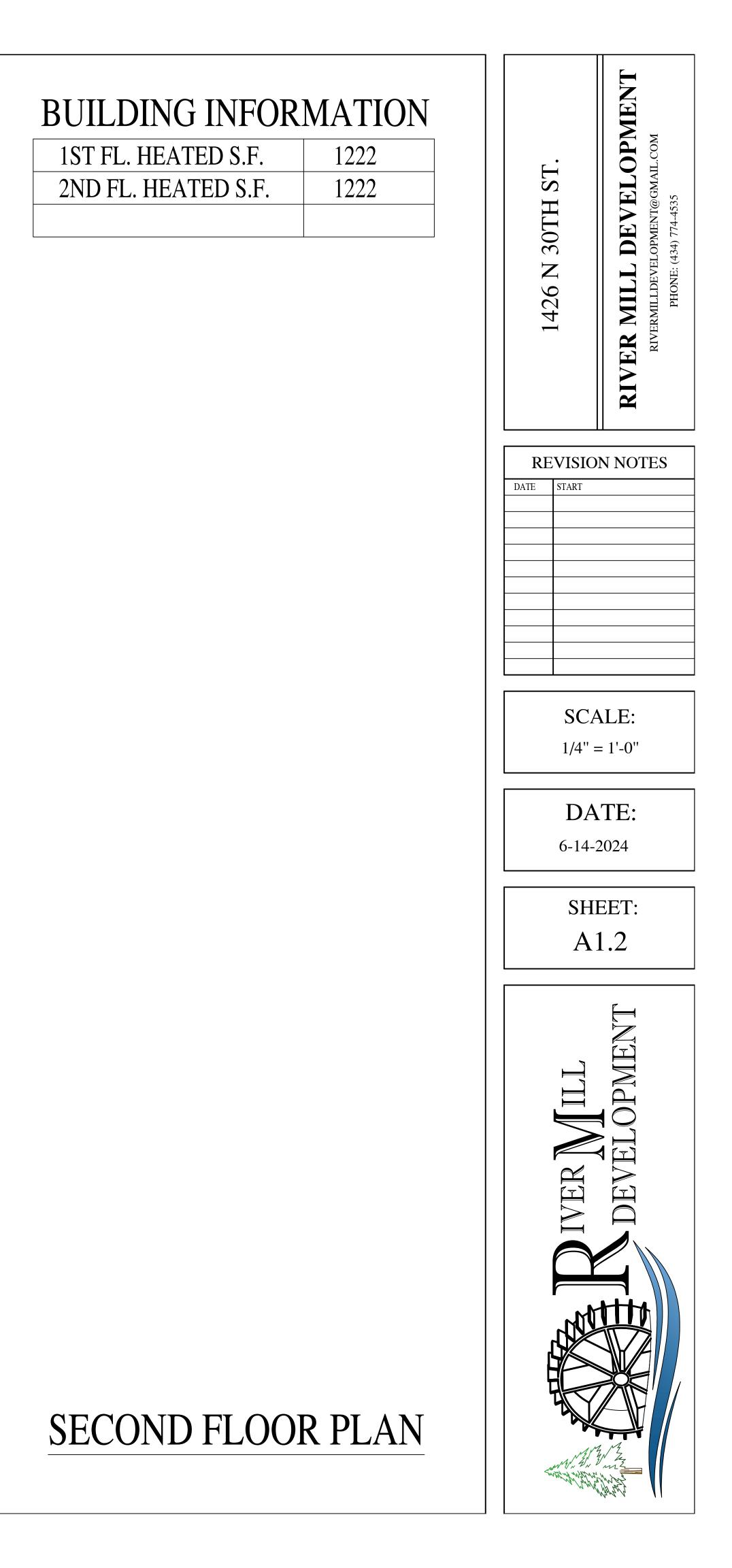


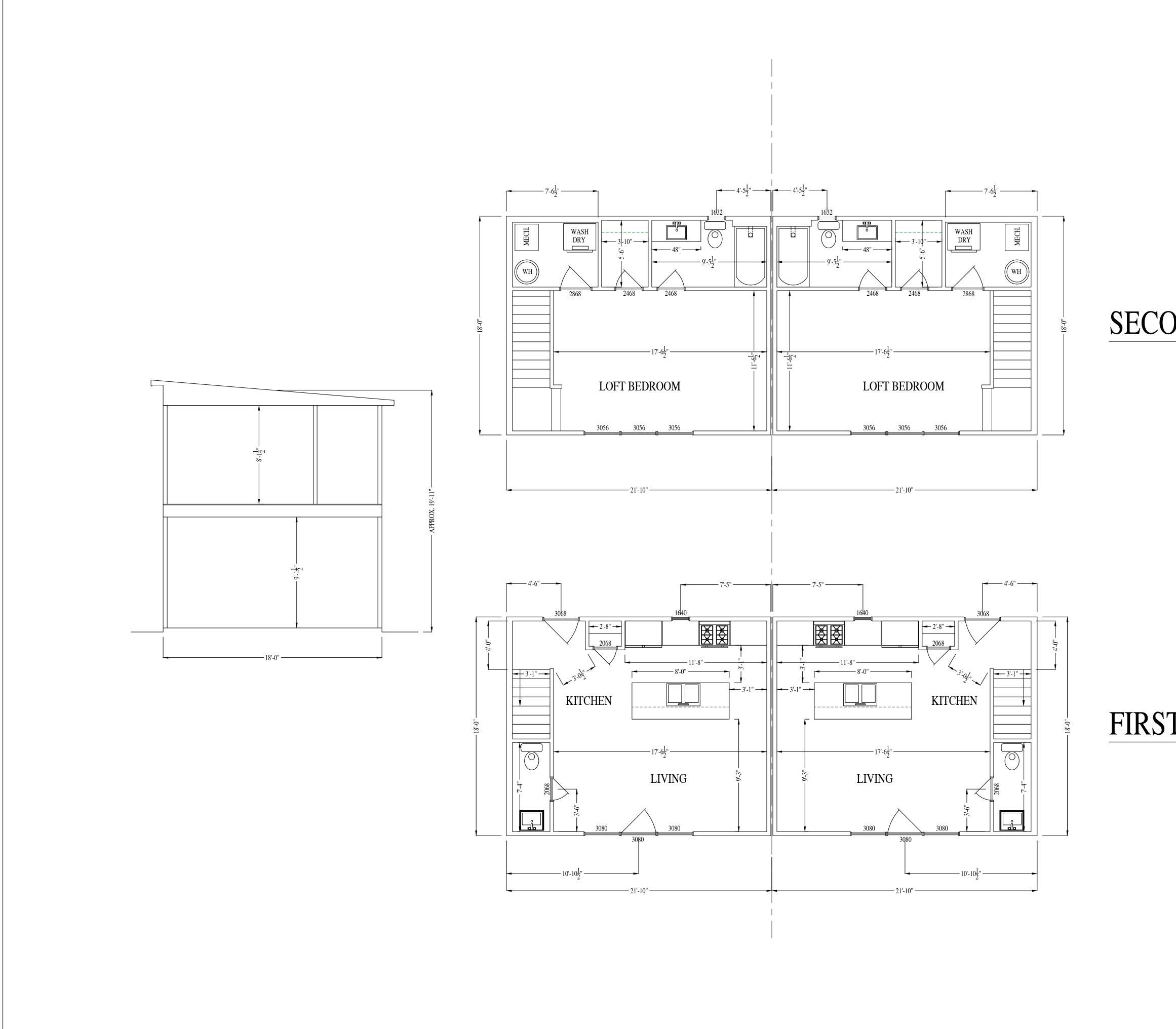


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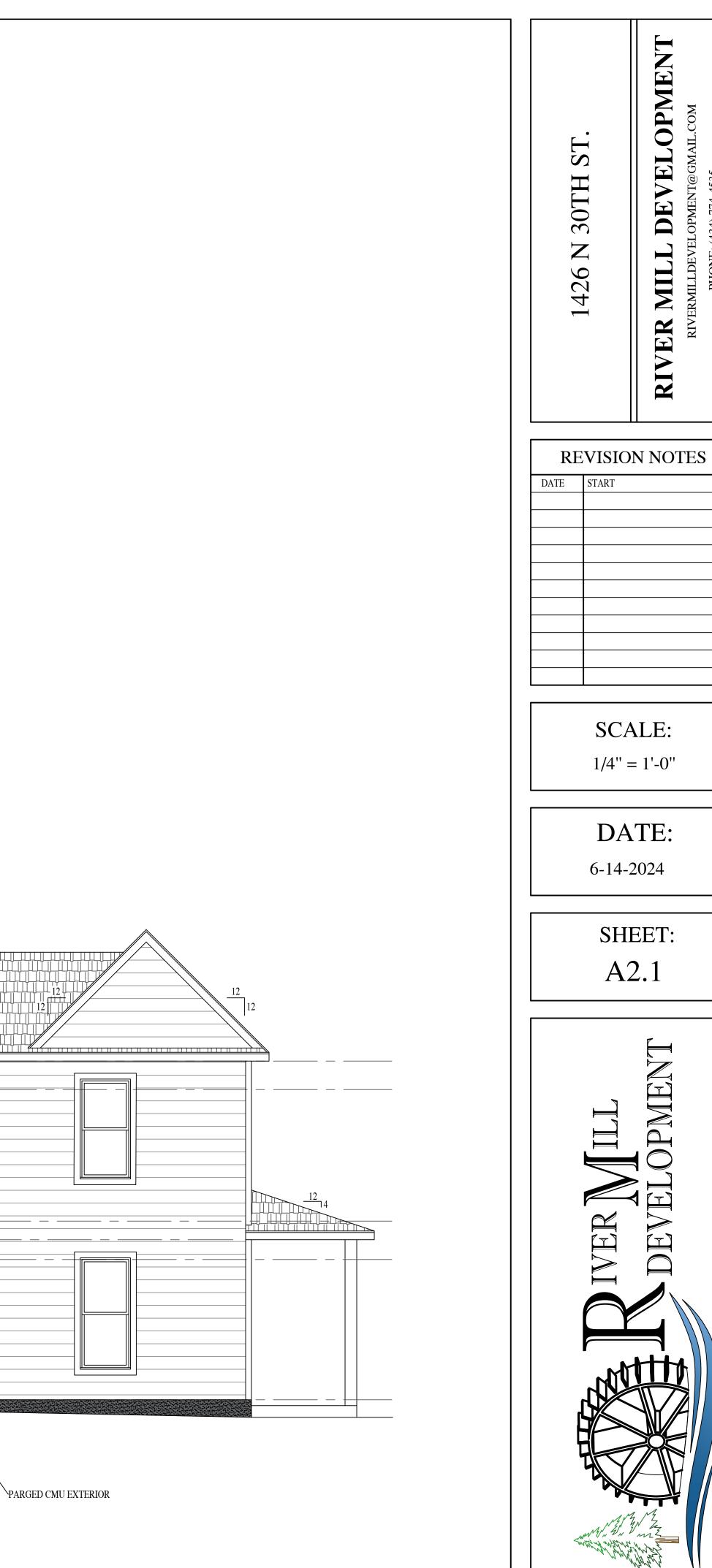
MILL DEVELOPMENT RMILLDEVELOPMENT@GMAIL.COM **BUILDING INFORMATION** ADU 1ST FL. HEATED S.F. 393 2ND FL. HEATED S.F. 393 ST. MENT@G 30TH (4) RMILLDE 1426 N VER RI **REVISION NOTES** DATE START SECOND FLOOR PLAN SCALE: 1/4'' = 1'-0''DATE: 6-14-2024 SHEET: A1.3 PMEN FIRST FLOOR PLAN \bigcirc $\langle \mathbf{T} \rangle$ VER DE



FRONT ELEVATION



LEFT ELEVATION



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

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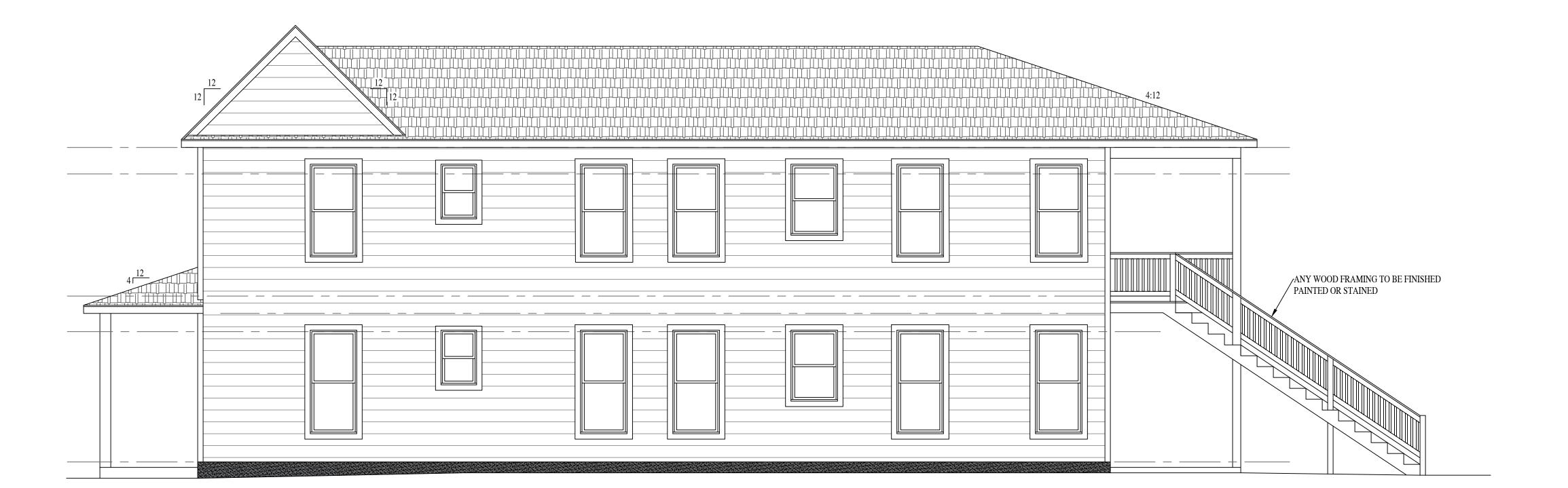
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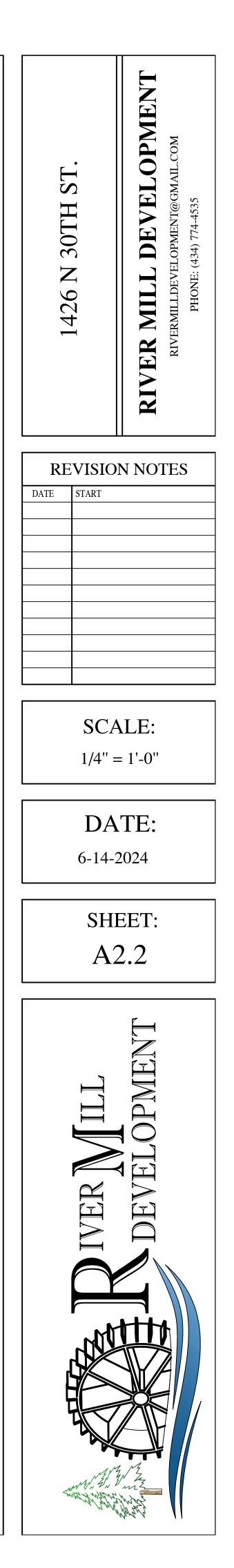
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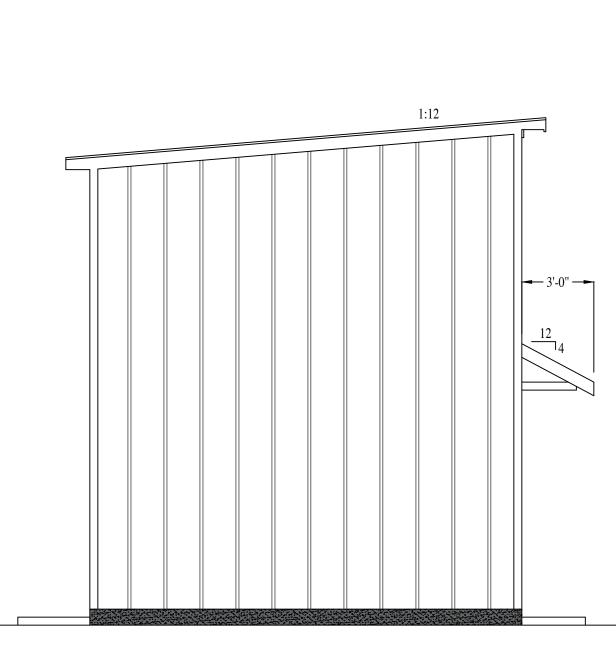
RIGHT ELEVATION



REAR ELEVATION







LEFT ELEVATION

