



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)

- [X] special use permit, new
[ ] special use permit, plan amendment
[ ] special use permit, text only amendment

Project Name/Location

Property Address: 1027 and 1041 N. Lombardy St., 1480 and 1500 W. Moore St. Date: \_\_\_\_\_

Tax Map #: Various Fee: \$4,200 (already paid and processed)

Total area of affected site in acres: 3.895

1027 & 1041 N. Lombardy Tax Map #'s: N0000676001, N0000676002, N0000676003, N0000676004, N0000676005, N0000676006, N0000676007, N0000676008
1480 & 1500 W. Moore Tax Map #'s: N0000677014, N0000677016

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

Zoning

Current Zoning: M-1 Light Industrial, R-6 Single Family Attached

Existing Use: two-family detached dwellings, vacant warehouse, vacant land

Proposed Use

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

Ninety (90) multifamily dwellings configured as forty-five (45) attached two-family dwellings.

Existing Use: two-family detached dwellings, vacant warehouse, vacant land

Is this property subject to any previous land use cases?

Yes

No

[X]

[ ]

If Yes, please list the Ordinance Number: 2008-294-2009-35 (SUP)

Applicant/Contact Person: Mark J. Kronenthal, Esq.

Company: Roth Jacoson Gibbons Condlin, PLC

Mailing Address: 1519 Summit Avenue, Suite 102

City: Richmond

State: VA

Zip Code: 23230

Telephone: (804) 441-8603

Fax: \_\_\_\_\_

Email: mkronenthal@rothjackson.com

Property Owner: Please refer to the attached powers of attorney agreements (POAs)

If Business Entity, name and title of authorized signee: Mark J. Kronenthal by Power of Attorney

(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: \_\_\_\_\_

City: \_\_\_\_\_ State: \_\_\_\_\_ Zip Code: \_\_\_\_\_

Telephone: \_\_\_\_\_ Fax: \_\_\_\_\_

Email: \_\_\_\_\_

Property Owner Signature: Mark J. Kronenthal

Digitally signed by Mark J. Kronenthal DN: cn=Mark J. Kronenthal, o=Roth Jackson Gibbons Condlin, PLC, ou, email=mkronenthal@rothjackson.com, c=US Date: 2008.09.09 09:45:44 -0400

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)

April 30, 2020

Mr. Matthew Ebinger  
Planning and Development Review  
900 East Broad Street, Room 511  
Richmond, VA 23219

Mark Kronenthal  
Richmond Office  
(804)441-8603  
[MKronenthal@rothjackson.com](mailto:MKronenthal@rothjackson.com)

**Re: Special Use Permit Request: Tax Map No's N0000676008, N0000676001, N0000676002, N0000676003, N0000676004, N0000676005, N0000676006, N0000676007**

**UPDATED APPLICANT'S REPORT PURSUANT TO REQUEST OF LAND USE  
ADMINISTRATION RE: ONGOING REVIEW OF SUP-064895-2019**

Dear Mr. Ebinger:

This letter shall serve as the applicant's report accompanying a special use permit to authorize ninety (90) dwelling units at 1027 N. Lombardy Street, 1041 N. Lombardy Street, 1480 W. Moore Street, and 1500 W. Moore Street (the "Property"). My firm represents the contract purchaser of the Property. A previous SUP (Ordinance No. 2008-294-2009-035) permitted a portion of the Property to be used for the purpose of forty-six (46) condominium dwelling units configured as twenty-three (23) two-family detached dwellings. However, that development proposal was never fully realized and the previous owner constructed only four (4) two-family detached dwellings. This request (the "SUP") would authorize a new proposal for the development of condominium dwelling units configured as two-family attached dwellings on the Property at a similar density that was previously approved for a portion of the Property.

**The Property:**

1027 and 1041 N. Lombardy

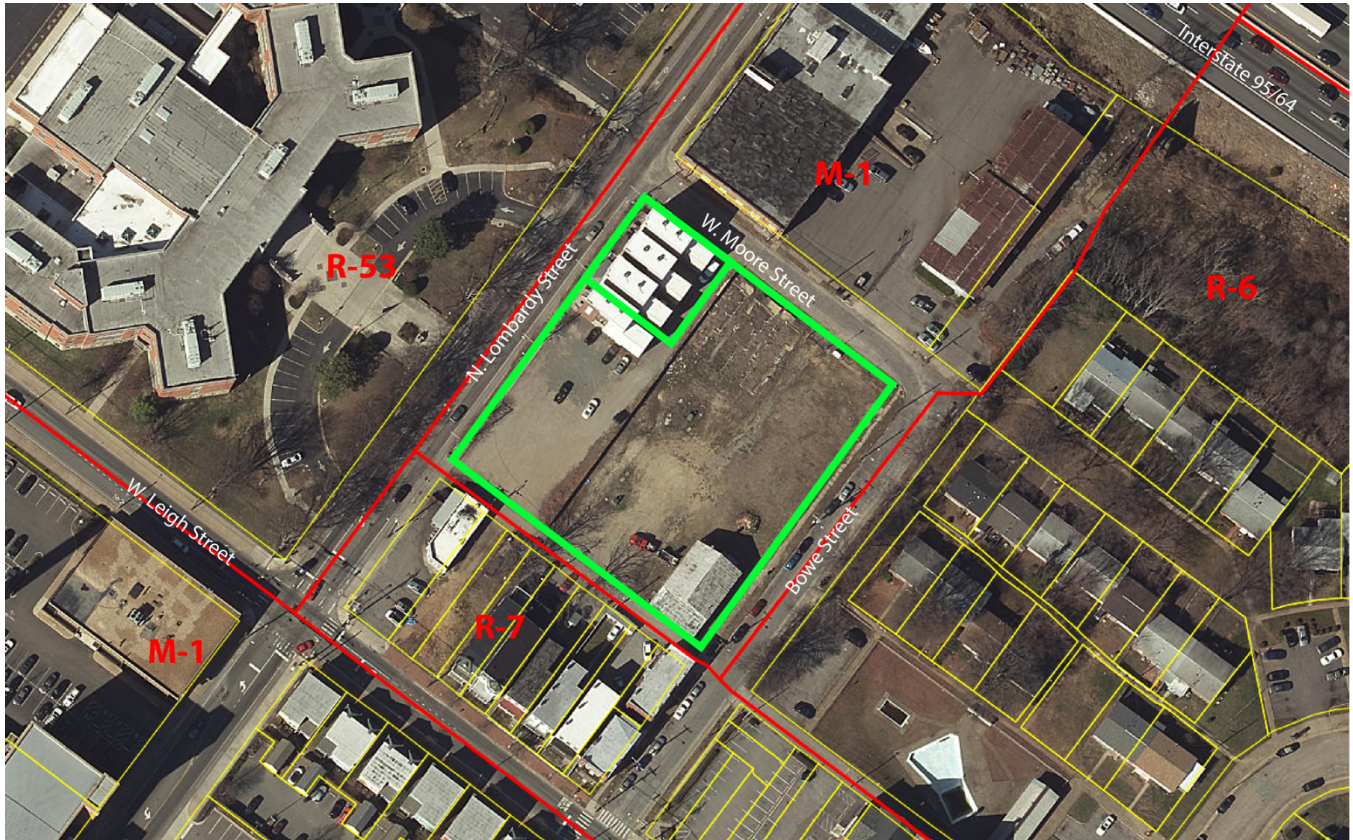
This portion of the Property consists of two (2) separate parcels. One parcel, known as 1027 N. Lombardy (N0000676008), is owned by Sylvia Place Properties LLC. The other parcel, known as 1041 N. Lombardy (N0000676001, N0000676002, N0000676003, N0000676004, N0000676005, N0000676006, and N0000676007), owned by Sylvia Place Condominium Unit Owners Association (N0000676001) and Sylvia Place Properties LLC (N0000676002, N0000676003, N0000676004, N0000676005, N0000676006, and N0000676007), respectively. As mentioned, a previous owner constructed only four (4) of the twenty-three two-family dwellings approved by the SUP. As a result, the majority of the Property remains largely unimproved and is occupied by a gravel surface parking area. Three (3) two-family dwellings currently exist on the parcel known as 1041 N Lombardy Street, while the other two-family dwelling exists on the parcel known as 1027 N Lombardy. For greater detail, please refer to the survey titled "Plat Showing Two Parcels of Land Lying on the East Line of North Lombardy Street," dated July 17<sup>th</sup>, 2017 and performed by Koontz Bryant Johnson Williams attached as Exhibit A.

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*1027 and 1041 N. Lombardy Street (Figure 1)*

1480 and 1500 W. Moore Street

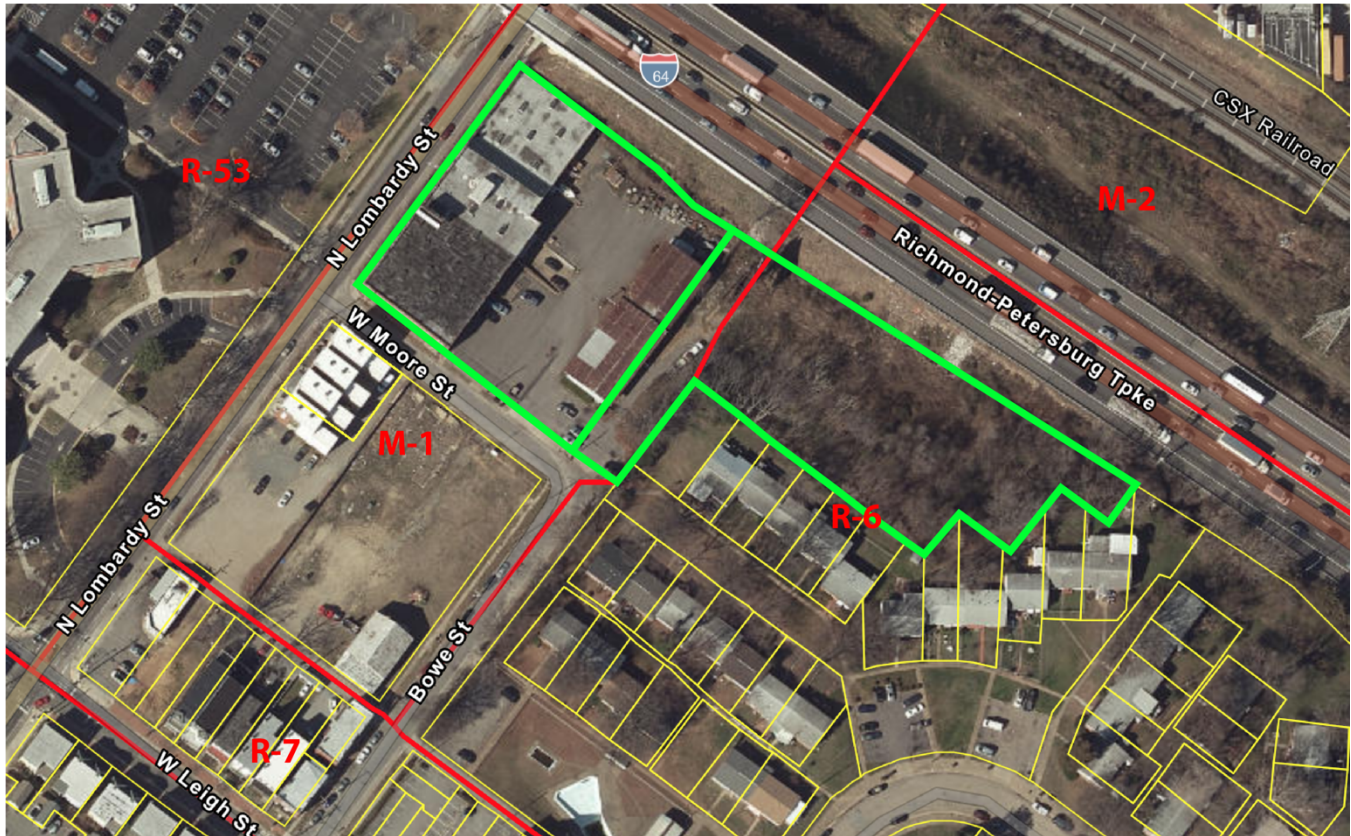
This portion of the Property consists of two (2) separate tax parcels, 1480 Moore Street ( N0000677016), and 1500 Moore Street (N0000677014). The former parcel is unimproved and consists of two lots containing a total of 1.24 acres of lot area, while the latter parcel is improved by a 36,925 square-foot vacant storage warehouse and consists of 1.03 acres of lot area. The Property is owned by Fifteen Hundred West Moore Street LLC. For greater detail, please refer to the survey titled “ALTA/NSPS Land Title Survey Showing Three Parcels of Land Lying on the North Line of West Moore Street”, August 23, 2019 and prepared by Koontz Bryant Johnson Williams, which is attached to this application as Exhibit B.

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1480 and 1500 W. Moore Street (Figure 2)

**Land Use Context:**

The Property is generally located on the east side of N. Lombardy Street between West Leigh Street and Interstate 95/64. The properties immediately to the south are developed with single-family attached, single-family detached, commercial, and multi-family uses, with the exception of two vacant parcels. To the West across N. Lombardy Street from the Property lies the Maggie L. Walker Governor’s School. The Hartshorn Community is to the East across Bowe Street, a residential development of single-family attached and single-family detached uses. The greater area features a mix of uses, such as single-family detached, single-family attached, two-family, multi-family, mixed-use, retail/commercial, industrial, and institutional uses.

**Zoning Context:**

The Property is predominately zoned M-1 Light Industrial, with a portion of the 1480 Moore Street parcel falling within the R-6 Single-Family Attached zoning district (Figure 2, above). The M-1 zoning district prohibits residential uses while allowing a broad range of intense commercial and industrial uses that would be incompatible with the Pulse Corridor Plan recommendation for the area and nearby residential uses and residential zoning classifications. The R-6 zoning district, while residential in nature, does not allow for the construction of two-family attached or multifamily dwellings. Properties to the East are zoned R-6, while properties further to the South are zoned R-7 Single- and Two-Family Urban Residential. To the West, the Governor’s School lies within an R-53 Multi-Family Residential district. The properties to the North are zoned M-1 or M-2.

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### **Pulse Corridor Plan Designation:**

The Pulse Corridor Plan recommends Neighborhood Mixed-Use (“NMU”) for the Property. This land use category is described in the Pulse Corridor Plan as follows: “Neighborhood Mixed-use areas are cohesive districts that provide a mix of uses, but with a larger amount of residential uses than other mixed-use districts. They are an urban, walkable environment with limited neighborhood-oriented uses incorporated along key commercial corridors and at corner sites.” (*Pulse Corridor Plan, p. XII*)

The recommended density for this land use designation is described as being two (2) to eight (8) stories, depending on the neighborhood. This proposal provides for a residential use consistent with this Pulse Corridor Plan land use recommendation while eliminating the potential for incompatible development which would be permitted as a matter of right under the current M-1 zoning regulations. The proposal would also support a number of transit-oriented design principles contained in the Pulse Corridor Plan. This would include, but not be limited to, creating a denser, more compact development pattern to add housing and create a more walkable and vibrant corridor and increasing access and ridership for the local transit network.

### **Purpose of Request:**

The request would authorize the development of the aggregate Property with ninety (90) dwelling units as shown on the plans titled “SYLVIA PLACE Preliminary Layout Concept 2,” prepared by Koontz Bryant Johnson Williams and dated March 18, 2020, which are attached to this revised application. While this request is consistent with the Pulse Corridor Plan, the current M-1 Light Industrial zoning classification does not permit the proposed residential use. The previous SUP authorized a similar density of units on the portion of the Property but requires substantial conformance with a development configuration that differs from the proposed. As a result, in order to authorize the entirety of this new proposal, a new special use permit is needed.

The ninety (90) dwelling units would be configured as forty-five (45) two-family attached dwellings. The buildings would be attached in series in order to give the appearance of large urban row homes. The buildings would each be four (4) stories in height. Each building would include two condominium dwelling units arranged in a “2 over 2” configuration, with the two units being stacked and each unit having two (2) stories of living space. Each dwelling unit would have its own parking space located within a garage. The upper dwelling units would have optional rooftop patio access. The dwelling units would contain three (3) bedrooms (however, bottom units will have the option of converting one bedroom to a family room) and two and one-half (2 ½) bathrooms. The dwellings would feature open living spaces and master bedrooms complete with *en suite* master bathrooms and large walk-in closets. Each unit would include a rear-facing balcony.

### **Findings of Fact:**

The following are factors included 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 will not impact the safety, health, morals and general welfare of the community involved. The development of this underutilized property as proposed, in conjunction with the high quality/benefits provided by the SUP, will provide positive impacts in terms of health, welfare, etc.

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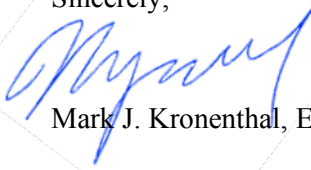
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- **Tend to create congestion in streets, roads, alleys and other public ways and places in the area involved.**  
The SUP will not result in significant traffic impacts to nearby residential neighborhoods. The anticipated traffic generation will easily be handled by the existing road network. Off-street parking is proposed, and the overall provision of parking exceeds the typical zoning requirements, which will alleviate any potential impacts due to additional parking demand. As such, the SUP will not create 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 overcrowd the land or create an undue concentration of population. The request is consistent with the guidance offered by the Pulse Corridor Plan, and is therefore representative of the community's goals with regard to density along the Pulse corridor.
- **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. To the contrary, the proposal would provide positive fiscal (tax) benefits that would enhance the City's ability to provide these services to the proposed development.
- **Interfere with adequate light and air.**  
The light and air available to the subject and adjacent properties will not be adversely affected.

**Summary:**

This request represents an ideal urban infill development for this location. The request offers a development alternative that is consistent with the Pulse Corridor Plan land use recommendation and addresses a number of transit-oriented design principles contained in the plan. At the same time, the request would eliminate the potential for the development of incompatible land uses by right under the existing M-1 and R-6 zoning regulations. Finally, the quality assurances conditioned through the SUP would guarantee the construction of a higher quality development than might be developed by right.

Thank you for your time and consideration of this request. Please do not hesitate to contact me if you have any further questions about this request.

Sincerely,  
  
Mark J. Kronenthal, Esq.

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