



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: _____ Date: _____

Tax Map #: _____ Fee: _____

Total area of affected site in acres: _____

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

Zoning

Current Zoning: _____

Existing Use: _____

Proposed Use

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

Existing Use: _____

Is this property subject to any previous land use cases?

Yes

No

☐☐

If Yes, please list the Ordinance Number: _____

Applicant/Contact Person: _____

Company: _____

Mailing Address: _____

City: _____ State: _____ Zip Code: _____

Telephone: _(_____) _____ Fax: _(_____) _____

Email: _____

Property Owner: _____

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: _____

City: _____ State: _____ Zip Code: _____

Telephone: _(_____) _____ Fax: _(_____) _____

Email: _____

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

March 1st 2023

*Special Use Permit Request
1420 Spotsylvania Street, Richmond, Virginia
Map Reference Number: E000-0606/001*

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

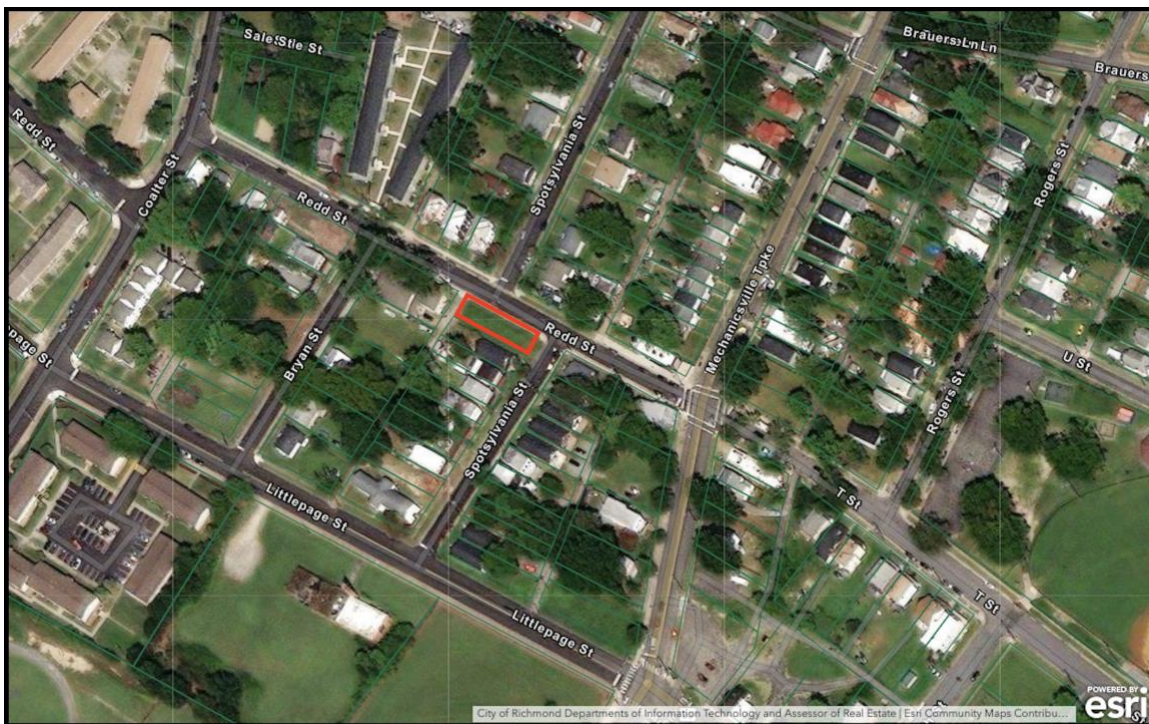
Introduction

The applicant is requesting a special use permit (the “SUP”) for the property known as 1420 Spotsylvania Street (the “Property”). The SUP would authorize the construction of two (2) single-family attached dwellings. While the single-family attached use is 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, which was originally Lot 23 of the Howards Grove Subdivision, is located on the western line of Spotsylvania Street between Littlepage and Redd Streets. It is referenced by the City Assessor with a tax parcel number of E000-0606/001 and is approximately 37 feet in width and 117 feet in depth. The Property is currently vacant and access is provided at the rear by means of a north-south alley.



The lot pattern in the vicinity varies but is generally composed of characteristically narrow urban lots. At 37 feet in width, the Property is as wide as or wider than all other lots in the block with the exception of the Property at 1400 Spotsylvania Street which is occupied by the Faith Covenant Christian Fellowship Church. The properties at 1403.5 and 1405 Spotsylvania, which were approved by SUP in 2022, are of similar configuration in lot size and proposed dwellings. Of the

21 lots located in the block, 5 are currently vacant. The other properties are occupied with single-family attached and detached dwellings, a two-family detached dwelling, and the previously mentioned church. Properties to the north and east generally contain single-family dwellings. To the west lie two large, multifamily dwellings, Oliver Crossing and Mosby Court. To the south, across Littlepage Street is Mosby Middle School. Transit access is provided to the area by GRTC bus lines number 5 and 39.

EXISTING ZONING

The Property and properties to the north are zoned R-6 Single-Family Attached Residential, which permits single-family attached dwellings. A considerable number of properties in the immediate vicinity do not conform to the R-6 feature requirements such as lot area, lot width, and setbacks. Across Spotsylvania Street lies a B-2 zoning district at the intersection of Mechanicsville Turnpike and Fairmount Avenue. To the south and west lies an R-53 Multifamily Residential district.

MASTER PLAN DESIGNATION

The Richmond 300 Master Plan (the "Master Plan") suggests "Neighborhood Mixed-Use" for the Property. This land use category is described as "existing or new highly-walkable urban neighborhoods that are predominantly residential." The Master Plan suggests this future land use designation allow for a variety of housing types that are consistent with the scale, density, and design of what exists in the vicinity. Single-family dwellings are a primary use in the Neighborhood Mixed-Use designations which also encourages that developments reinforce a gridded street pattern to increase connectivity. Single-family dwellings are the contemplated primary use in the Residential future land use designation (p. 54).

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 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 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 two single-family attached dwellings. The two new dwellings would be located on lots that would each be 18.5 feet in width and contain approximately 2,165 square feet of lot area. While this configuration 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 attached dwelling width requirements, and therefore, a SUP is required. All other aspects of the underlying zoning requirements will be met including the provision for off-street parking.

PROJECT DETAILS/DESIGN

The proposed dwellings would each be approximately 15 feet in width, 54 feet in depth, and two stories in height. They would include approximately 1,620 square feet of finished floor area and consist of three bedrooms and three bathrooms. The dwellings would be of a traditional urban design with Italianate features that are consistent with the architectural character found in the older homes within the neighborhood. The proposed floor plans are modern and efficient, and designed to be meet the needs of the market. The new dwellings include bedrooms with en-suite bathrooms and large closets. Full-width front porches are also proposed for each dwelling along with two off-street parking spaces for each dwelling accessible from the rear 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 space 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.***

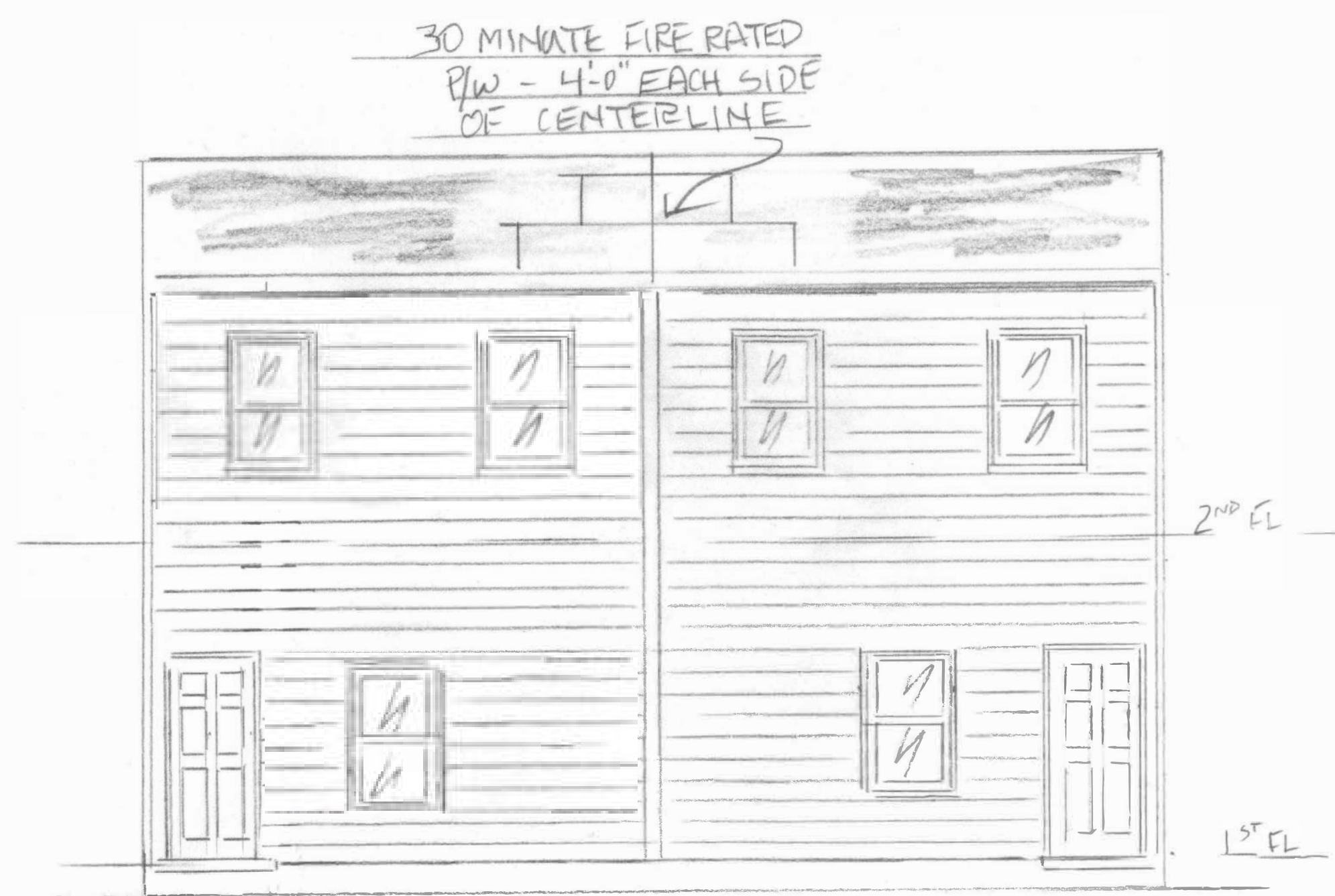
The proposed SUP would not adversely affect the above referenced City services.

- ***Interfere with adequate light and air.***

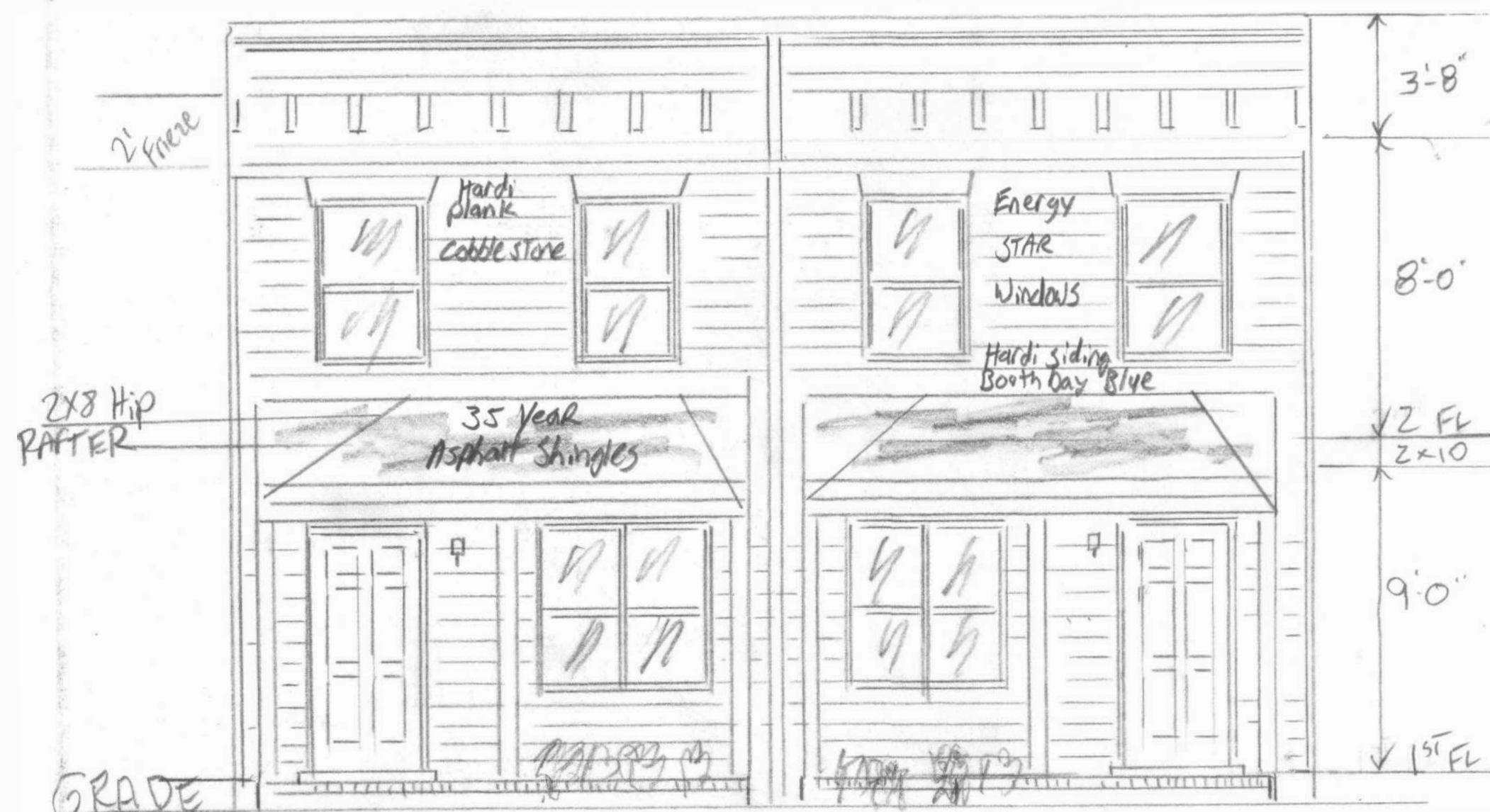
The light and air available to the subject and adjacent properties will not be affected. The proposed buildings are of compatible massing and spacing to the existing in the vicinity and normal side yard setbacks would be met. As a result, this request will not interfere with the provision of adequate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

Summary

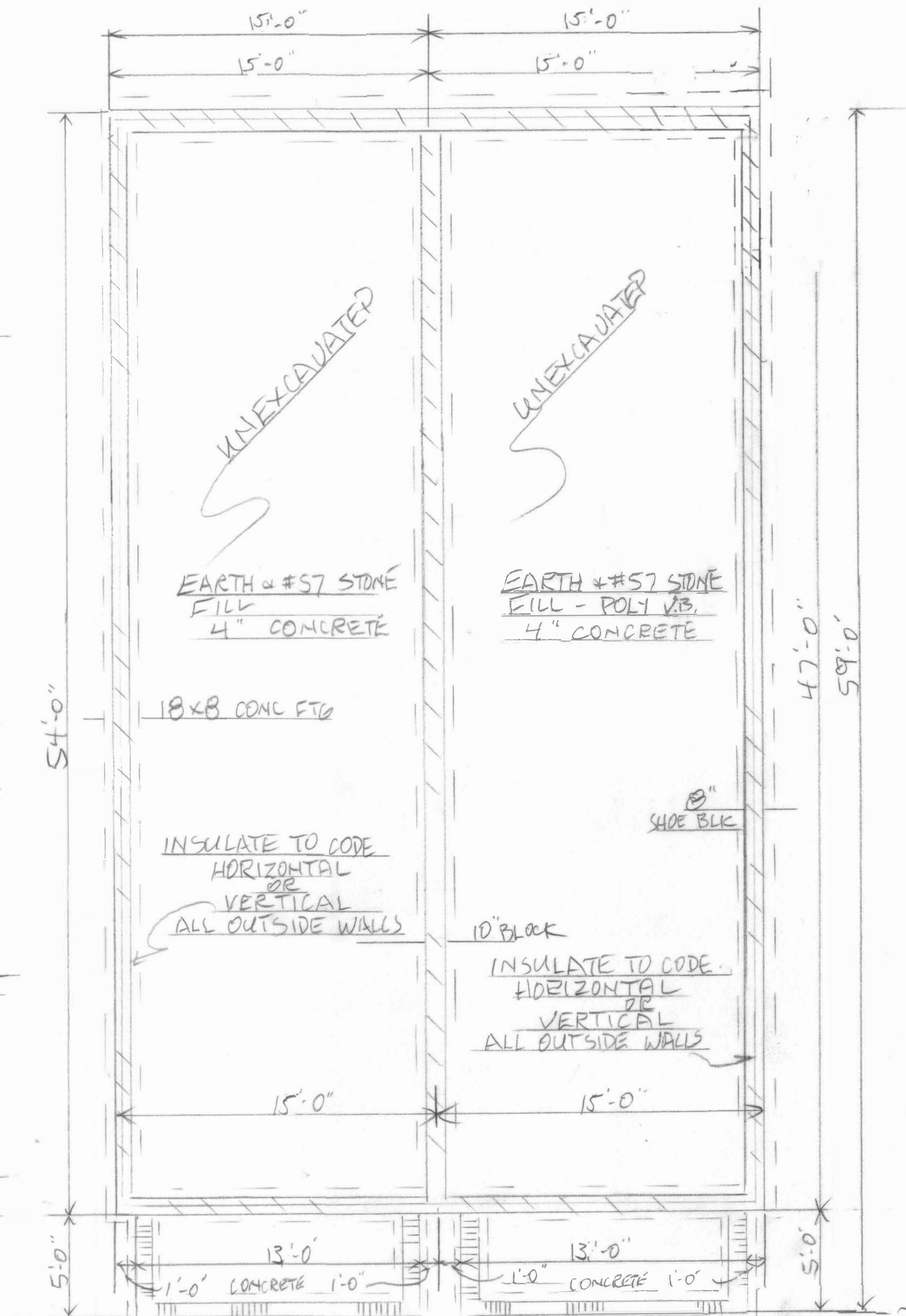
In summary we are enthusiastically seeking approval for the construction of two single-family attached dwellings on the Property. The SUP represents an ideal, small-scale urban infill development for this location that is mindful of its surroundings. These dwellings provide new housing opportunities for the neighborhood which 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 two quality residences consistent with Master Plan guidance.



REAR ELE



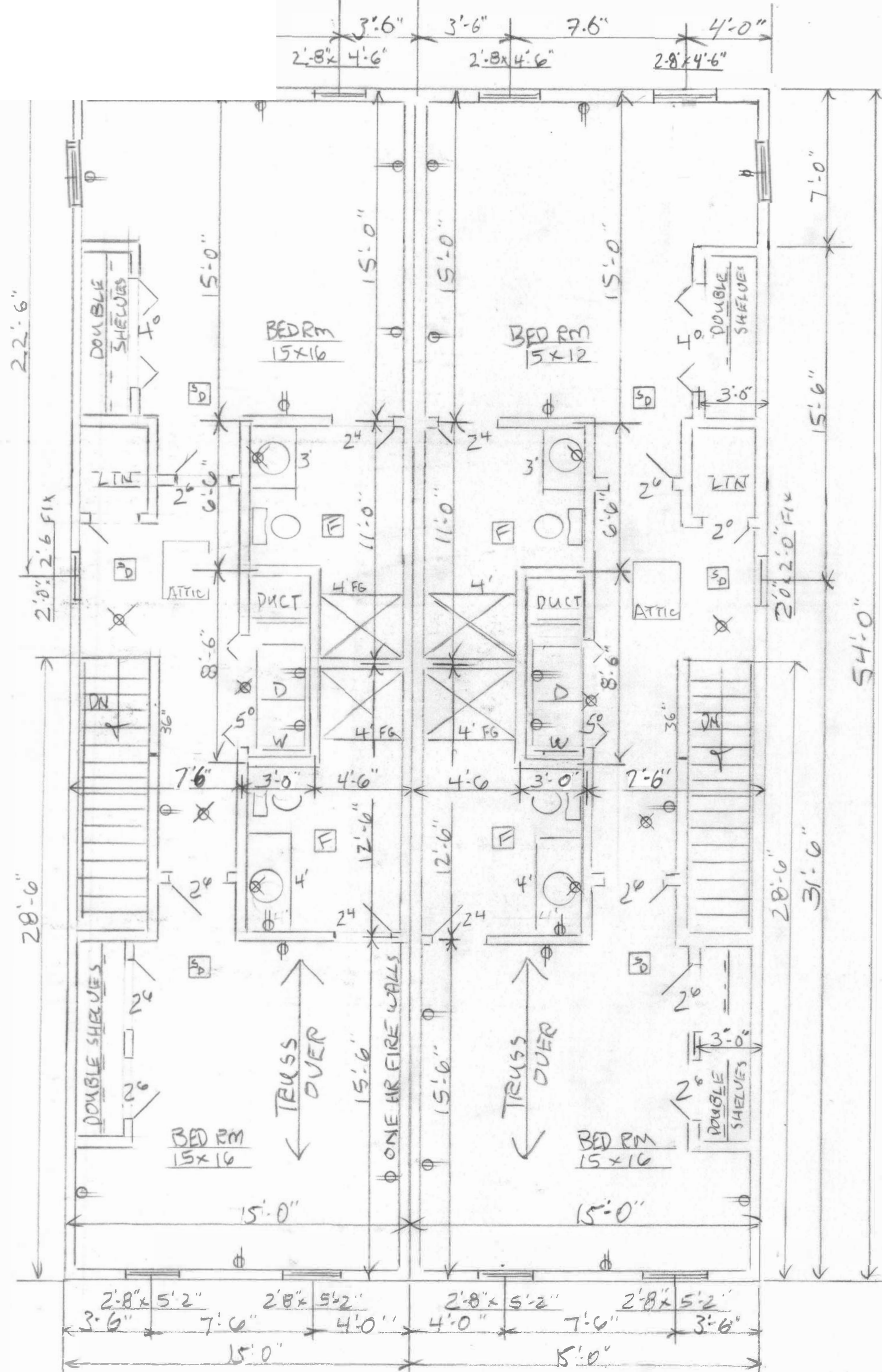
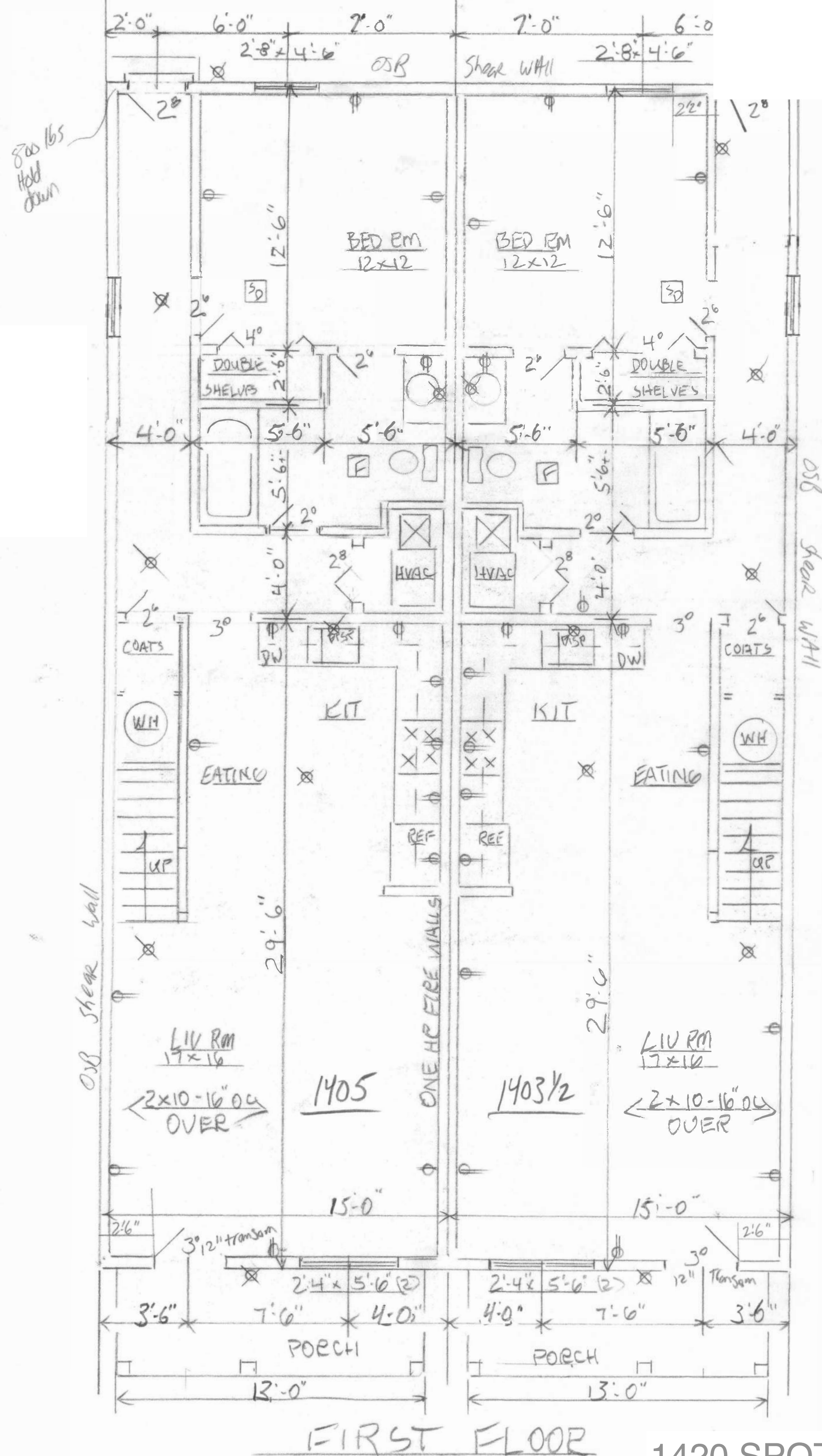
FRONT ELE



FOUNDATION

1420 SPOTSYLVANIA STREET
Two Single-Family Attached Dwellings

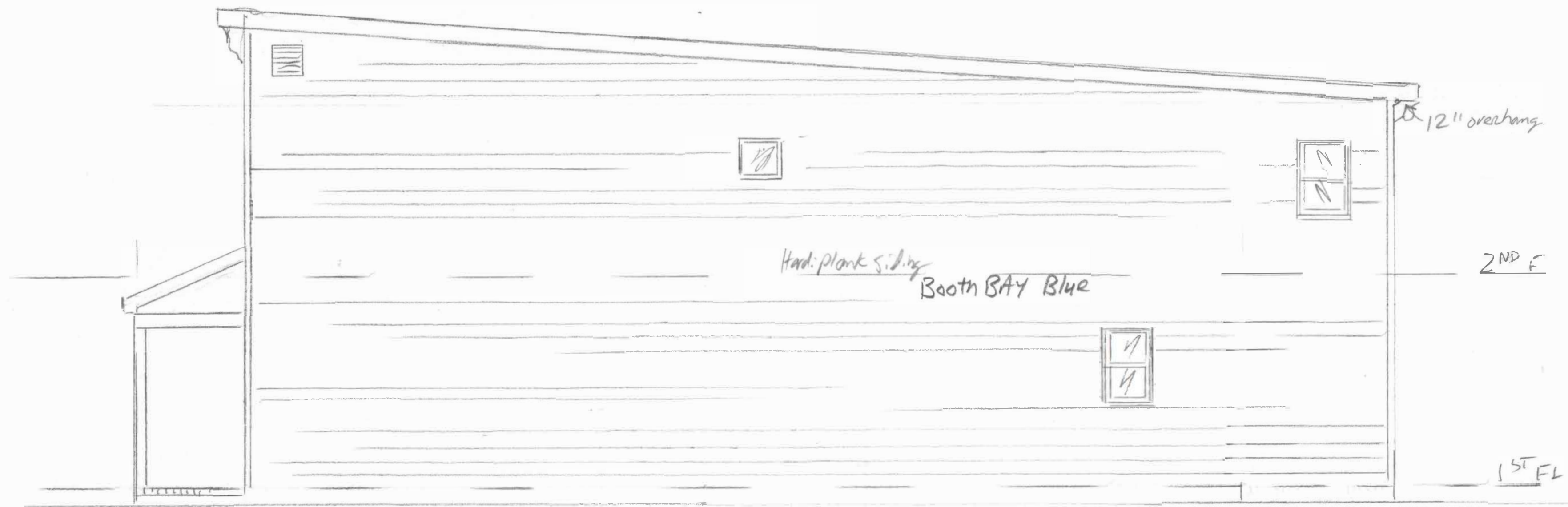
Unlimited Renovations, LLC
SCALE 1/4" = 1'0"
February 27, 2023



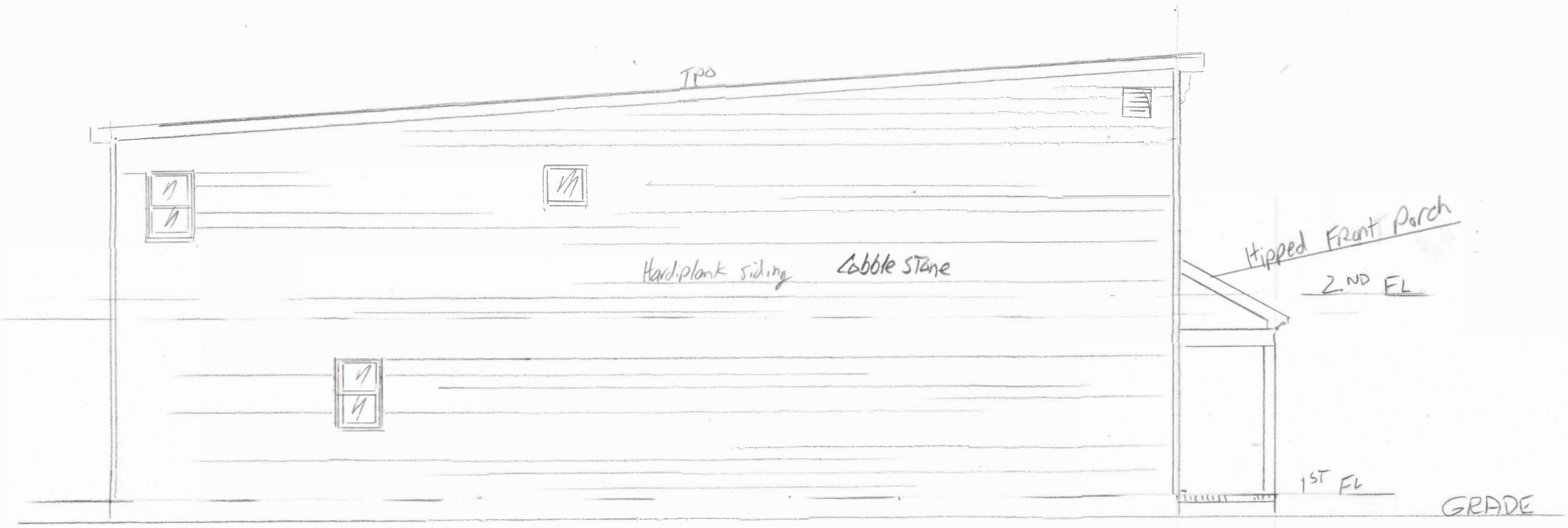
UNIT A
1728 FIN FTG
UNIT B
1672 FIN FTG

1420 SPOTSYLVANIA STREET
Two Single-Family Attached Dwellings

Unlimited Renovations, LLC
SCALE 1/4" = 1'0"
February 27, 2023



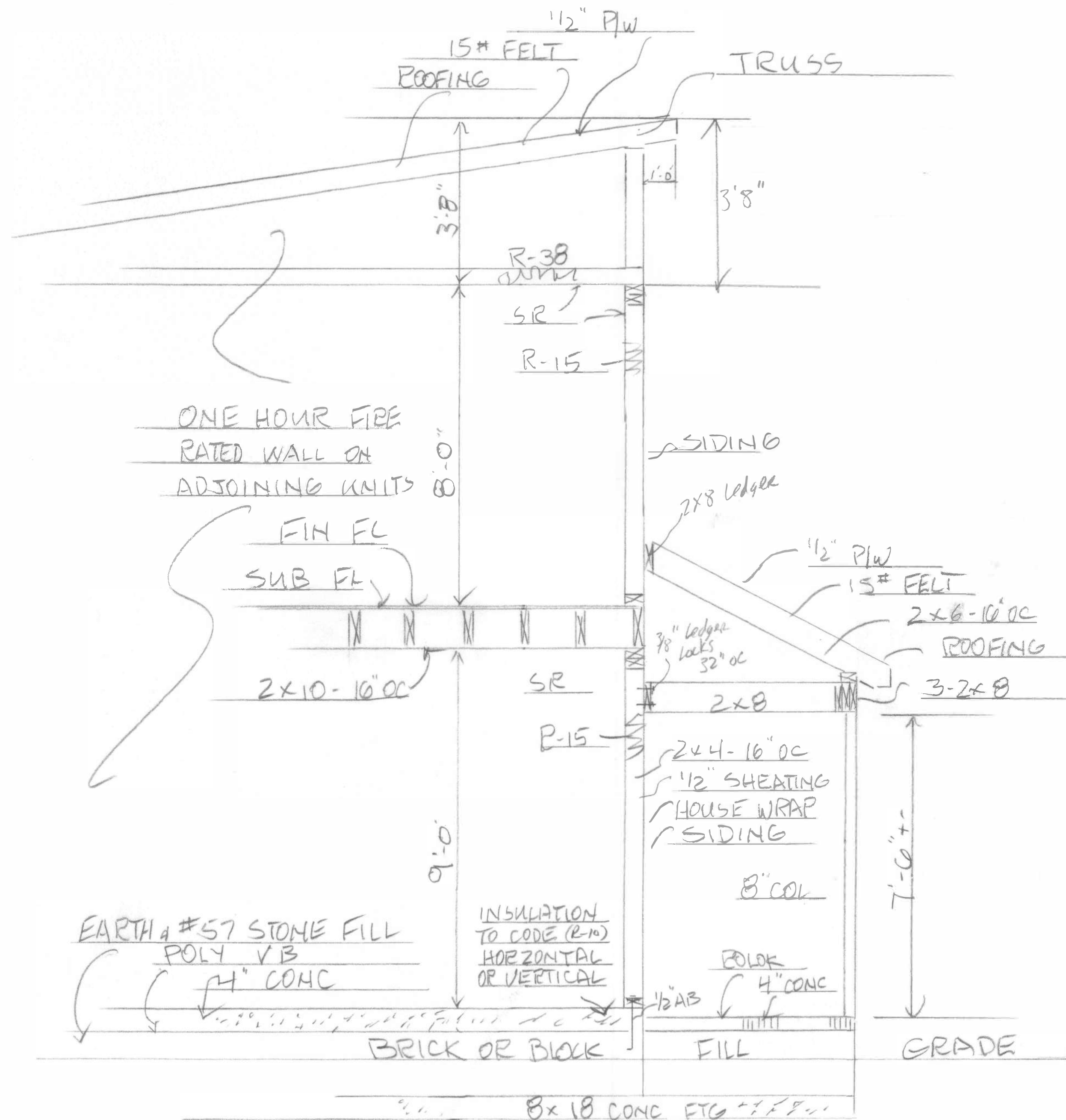
RIGHT SIDE 1403 1/2 Spotsylvania Street



LEFT SIDE

1420 SPOTSYLVANIA STREET
Two Single-Family Attached Dwellings

PG 3 OF 4
Unlimited Renovations, LLC
SCALE 1/4" = 1'0"
February 27, 2023



WALL SECTION (SLAB)

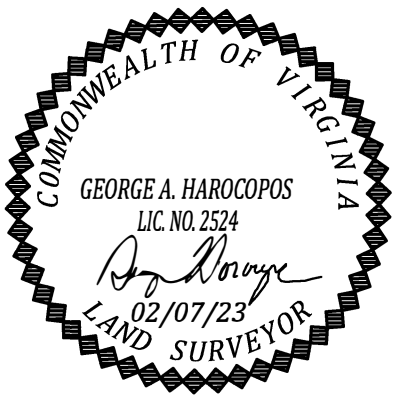
1420 SPOTSYLVANIA STREET
Two Single-Family Attached Dwellings

PG-4 OF 4
Unlimited Renovations, LLC
SCALE 1/4" = 1'0"
February 27, 2023

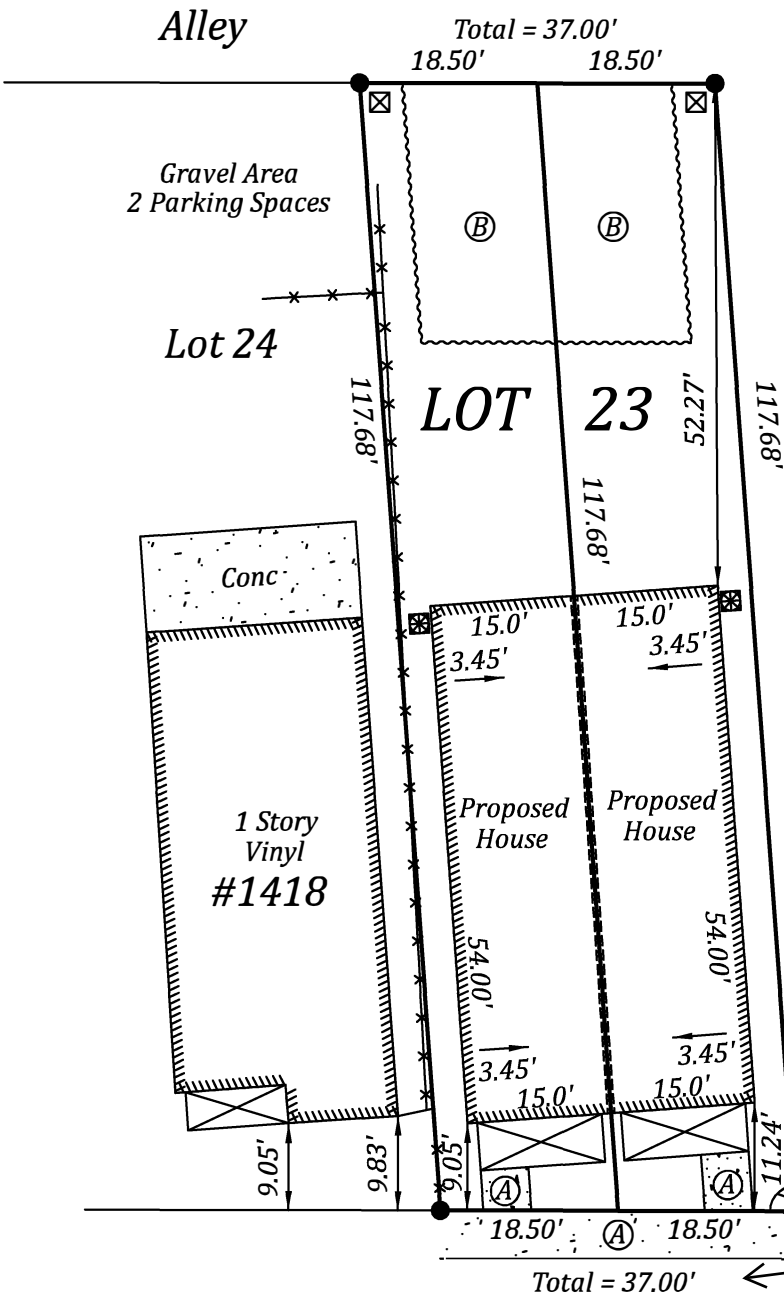
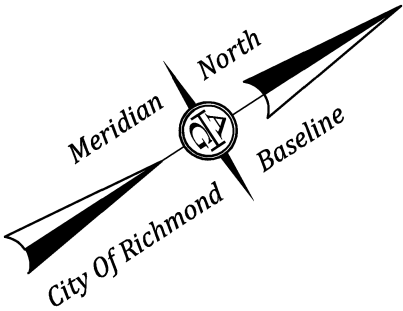
This is to certify that on 02/07/2023
I made an accurate field survey of the known premises
shown hereon; that all improvements known or visible
are shown hereon; that there are no encroachments by
improvements either from adjoining premises, or from
subject premises upon adjoining premises, other than
shown hereon.

NOTE: THIS LOT APPEARS
TO BE IN FEMA FLOOD ZONE
X AS SHOWN ON HUD
COMMUNITY PANEL NUMBERS
5101290041E

NOTE:
This survey has been prepared without
the benefit of a title report and does
not therefore necessarily indicate all
encumbrances on the property.



- Ⓐ 5' Conc. Walk
- Ⓑ (1) 14' X 27.5' Gravel Parking Space



LEGEND

- Rod/S
- ◇ Stone/F
- ⊠ Supercan
- ⊠ HVAC TO BE
SCREENED FROM
ROW

Redd Street

SPOTSYLVANIA STREET

SURVEY OF
PROPOSED DIVISION OF LOT 23
HOWARDS GROVE
RICHMOND, VIRGINIA

NOTE: PLAT PREPARED FOR THE EXCLUSIVE
USE OF THE CONVEYANCE TO
BOLLARD LLC

JN 52492

A. G. HAROCOPOS & ASSOCIATES, P.C.

CERTIFIED LAND SURVEYOR AND CONSULTANT

4920 E. MILLRIDGE PKWY. SUITE 200 MIDLOTHIAN VA. 23112
Office 804 744 2630 FAX 804 744 2632
E-MAIL AGHAROCOPOS72@GMAIL.COM

Scale 1"=20' Date 02/07/23 Drawn by GAH

A.G .Harocopos & Associates, P.C.

4920 E. Millridge Parkway
Suite 200
Midlothian, VA 23112

Invoice

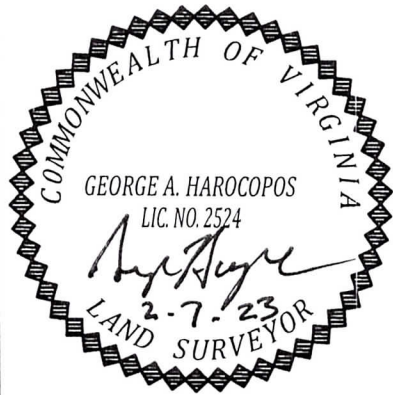
Date	Invoice #
2/8/2023	52492

Bill To
UNLIMITED RENOVATIONS 615 ALBEMARLE STREET RICHMOND, VA 23220

P.O. No.	Terms	Project

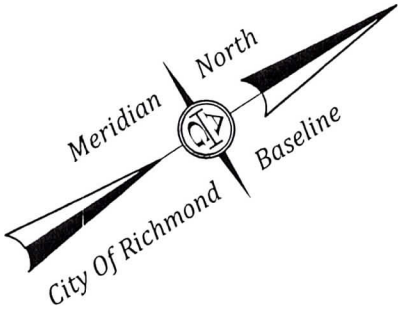
Quantity	Description	Rate	Amount
1	Survey of 1420 Spotslyvania St. Purchaser - Bollard, LLC City - Richmond, VA	520.00	520.00
Invoices after 30 days will have a 1.50% interest charge. Collection fees at clients expense.		Total	\$520.00

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are shown hereon; that there are no encroachments by
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subject premises upon adjoining premises, other than
shown hereon.



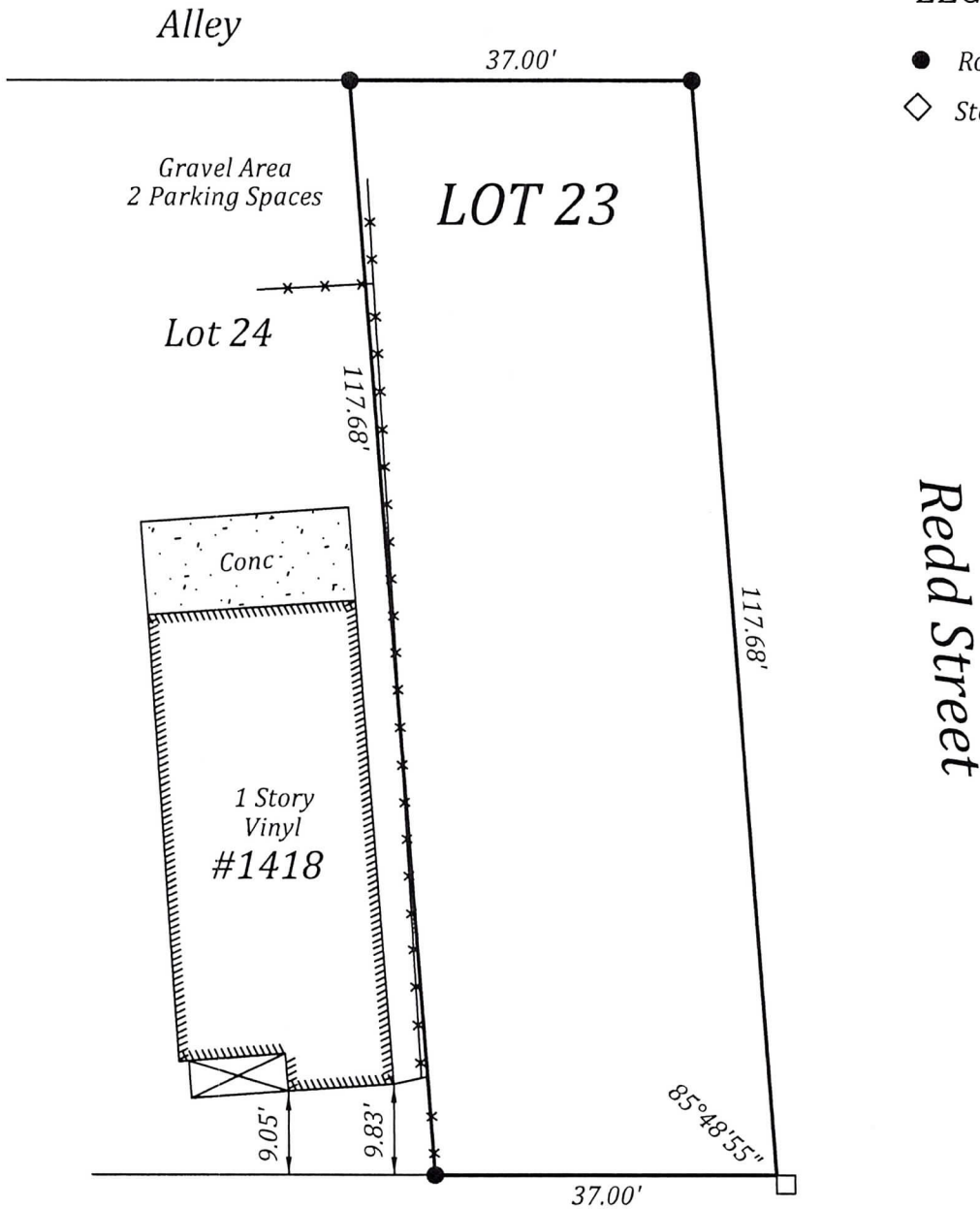
NOTE: THIS LOT APPEARS
TO BE IN FEMA FLOOD ZONE
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LEGEND

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- ◇ Stone/F



SPOTSYLVANIA STREET

SURVEY OF
LOT 23
HOWARDS GROVE
RICHMOND, VIRGINIA

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NOTE: PLAT PREPARED FOR THE EXCLUSIVE
USE OF THE CONVEYANCE TO
BOLLARD LLC

Scale 1"=20' Date 02/07/23 Drawn by GAH

INTRODUCED:

AN ORDINANCE No. 2023-

To authorize the special use of the property known as 1420 Spotsylvania Avenue for the purpose of two single-family attached dwellings, with off-street parking, upon certain terms and conditions.

Patron – Mayor Stoney (By Request)

Approved as to form and legality
by the

PUBLIC HEARING:

AT 6 P.M.

WHEREAS, the owner of the property known as 1420 Spotsylvania Street which is situated in a R-6 Single-Family Attached Residential District, desires to use such property for the purpose two single-family attached dwellings, with off-street parking, which use, among other things, is not currently allowed by Sections 30-412.4(2)b, and 30-412.4(2)c, concerning lot area and unit width, respectively, 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

AYES: _____ NOES: _____ ABSTAIN: _____

ADOPTED: _____ REJECTED: _____ STRICKEN: _____

set forth in this ordinance, the special use granted by this ordinance will not be detrimental to the 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 1420 Spotsylvania Street and identified as Tax Parcel No. E0000606/001 in the 2023 records of the City Assessor, being more particularly shown on a survey entitled “Survey of Lot 23 Howards Grove Richmond Virginia”, prepared by A.G. Harocopos & Associates, P.C., and dated February 7, 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 two single-family attached dwellings, with off-street parking, hereinafter referred to as “the Special Use,” substantially as shown on the plans entitled “Survey of Proposed Division of Lot 23 Howards Grove Richmond Virginia” prepared by A.G. Harocopos & Associates, P.C, dated February 7, 2023, as well as the plans entitled “1420 Spotsylvania Street Two Single-Family Attached Dwellings” prepared by Unlimited Renovations, LLC, and dated February 27, 2023, hereinafter referred to 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 two single-family attached dwellings, with off-street parking, substantially as shown on the Plans. (all sheets)

(b) No fewer than two off-street parking spaces shall be provided on the Property, substantially as shown on the Plans. (sheet site plan)

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

(d) The height of the Special Use shall not exceed two stories, substantially as shown on the Plans (all sheets)

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

(f) Prior to the issuance of any 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, substantially as shown on the Plans. (sheet

site plan)

(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) The Owner shall make improvements within the right-of-way, including the installation of a new sidewalk and a street tree, substantially as shown on the Plans (sheet site plan), 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 that such improvements and work are in accordance with such requirements, and (iii) transferred to the City, following the written confirmation by the Director of Public Works, 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 730 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.