



SUP-047370-2019

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: 1101 Oakwood Ave, Richmond, VA 23223 Date: 1/7/19  
 Tax Map #: E0000964012 Fee: 300  
 Total area of affected site in acres: 0.078

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

**Zoning**

Current Zoning: R-5  
 Existing Use: Vecant Lot

**Proposed Use**

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

New construction two-family dwelling  
 Existing Use: Vacant Lot

Is this property subject to any previous land use cases?

Yes  No  If Yes, please list the Ordinance Number: \_\_\_\_\_

**Applicant/Contact Person:** Mark Baker / Cherlie Wilson

Company: Baker Development Resources  
 Mailing Address: 11 S 12th Street, Suite 500  
 City: Richmond State: VA Zip Code: 23219  
 Telephone: ( 804 ) 874-6275 Fax: ( )  
 Email: markbaker@bakerdevelopmentresources.com

**Property Owner:** EVOLVE HLD LLC

If Business Entity, name and title of authorized signee: Denlli Kleyman, owner

(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 Road #189  
 City: Richmond State: VA Zip Code: 23233  
 Telephone: ( 804 ) 991-4111 Fax: ( )  
 Email: dvk5f@yahoo.com

Property Owner Signature: Denlli Kleyman

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

*January 7, 2019*

*Special Use Permit Request  
1101 Oakwood Ave, Richmond, Virginia  
Map Reference Number: E000-0964/012*

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: **Baker Development Resources**  
11 South 12<sup>th</sup> Street, Suite 500  
Richmond, Virginia 23219

## Introduction

The property owner is requesting a special use permit (SUP) for 1101 Oakwood Ave (“the Property”). The SUP would authorize the construction of a two-family detached dwelling. The does not conform to the underlying R-5 Single-Family Residential district zoning requirements applicable to the Property.

## Existing Conditions

### SITE DESCRIPTION AND EXISTING LAND USE

The Property is located on the south side of Oakwood Avenue between Chimborazo Boulevard and Blakey Street, and is referenced by the City Assessor as tax parcel E000-0964/012. The Property is a vacant lot that is roughly 27.25' wide by 125' in depth and contains approximately 3,406.25 square feet of lot area. The lot is relatively flat and is afforded access in the rear by means of a east-west alley running parallel between P Street and Blakey Street.



The properties to the north, west and south are generally developed with single family detached dwellings, two- to four-family dwellings, or are undeveloped vacant lots. Directly across Oakwood Avenue from the Property are two two-family dwellings, as well as one mixed-use property that was permitted through special use permit in 1996, which features a ground-floor

grocery use as well as two dwelling units on the second floor. The adjacent property to the east is a two-family dwelling. In 1984, the Board of Zoning Appeals granted a variance from the use and off-street parking requirements at 1106 Oakwood Ave to permit a two-family dwelling that was originally constructed during a period when zoning permitted two-family uses in this area. With that, the context of the surrounding area is denser, both from a use perspective and a feature perspective, than the current zoning would suggest.

## **EXISTING ZONING**

The Property is zoned R-5 Single-Family Residential, which does not permit the proposed two-family detached dwelling use. The surrounding properties are also zoned R-5.

## **MASTER PLAN DESIGNATION**

The Master Plan recommends "Single-Family (Low Density)" for the Property. There are also a variety of general housing goals contained in the Master Plan "Land Use" and "Neighborhoods and Housing" chapters that are applicable to the request including:

- The desire for increased opportunities for residential development
- The recognition that the vast majority of opportunities for new development are located in the context of existing neighborhoods
- The recognition of the difficulty that an older/aging housing stock represents in the market where new convenience/easy maintenance is desired.
- Encourage culturally and economically diverse residential neighborhoods.

# **Proposal**

## **PROJECT SUMMARY**

The proposed development includes the construction of a two-family detached dwelling on the Property with two (2) accessory parking spaces.

## **PURPOSE OF REQUEST**

The Property consists of a single lot of record that is of typical size and configuration for the vicinity. The Property has a lot width of roughly 27.25' and contains approximately 3,406.25 square feet of lot area. The owner would like to construct a two-family dwelling on the Property. The R-5 district does not permit two-family dwellings. Therefore, a SUP is required in order to permit the proposed development.

With that, the proposed development is more similar in context to the existing conditions of the neighborhood than the R-5 zoning may suggest. The Property's lot width and area are compatible with other lots in the vicinity, which vary in size but are all characteristically smaller urban lots. On the subject block face, a majority of the lots are developed with single family homes that do not comply with the current R-5 requirements; many appear to be built with minimal side-yard setbacks, for instance. As stated in the previous section, there is a mixture of uses in the general

vicinity, none of which would seem to indicate that this proposed development is of atypical intensity. For example, 1015 Oakwood Avenue, according to a zoning confirmation letter written in 2005, establishes that property as a legally non-conforming two-family dwelling, citing its existence to at least 1934. Based on the historic lot pattern, the majority of lots overall, not only on the block face but moreover in this vicinity, are nonconforming with regard to lot area and lot width. In addition, there have been a number of lots authorized by SUP in the greater Church Hill area for similar proposals. The proposed 3'-9" and 3'-6" side yards for the structure exceeds the existing setbacks commonly seen in the area.

In exchange for the SUP, the intent of this request is to ensure a high-quality market rate infill development. The overall project would be appropriately dense and efficient. At the same time, it would remain respectful to the historic lot pattern in the vicinity thereby remaining consistent with the predominant character of the area. Finally, the quality assurances conditioned through the SUP would guarantee a higher quality development than might otherwise be developed by right.

### **PROJECT DETAILS**

The two-family attached dwelling would be two stories in height. From the street, the proposed building reads as a single-family dwelling, and is thereby consistent with other residential buildings in the vicinity in terms of scale and character. The building would contain approximately 2,560 square feet of floor area. When the common foyer and stairwell is excluded, the ground floor unit would have approximately 1,176 square feet, while the upper floor unit would have approximately 1,216 square feet. Each unit would contain two bedrooms and two bathrooms. The dwelling floor plans are spacious and modern with open living areas

The buildings would be clad in cementitious lap siding in order to ensure quality and consistency with many other dwellings in the vicinity. A full-width front porch and full width upper and lower rear porches are proposed and would provide ample usable outdoor area. Two parking spaces are proposed for the two dwellings. Parking spaces would be located to the rear of the dwellings and accessed by the rear alley.

## **Findings of Fact**

The following are factors indicated in Section 17.11 of the Charter and Section 114-1050.1 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 special use permit 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 special use permit will not result in significant traffic impacts to nearby residential neighborhoods. The negligible traffic generation and two off street parking

spaces for the two dwelling units 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 special use permit will not tend to over crowd the land or create an undue concentration of land.

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

The special use permit 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. 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 the proposed two-family detached dwelling. The building has been thoughtfully designed in order to provide appropriate, high quality market rate infill development. The request would contribute to the ongoing revitalization of the neighborhood, upgrading the Property while maintaining a desirable variation in housing style and density in the vicinity and providing for continued economic diversity in housing options within the neighborhood.

The proposed development would respectfully help bolster a consistent urban fabric in a block face in which a couple remaining lots are vacant. It would help encourage a pedestrian friendly urban streetscape in the block and contribute to the vibrancy of the block through the addition street life in the form of a street-oriented full width front porch. An appropriate urban form coupled with the provision of accessory parking to the rear of the property would give the property the much-desired traditional neighborhood design which is appropriate to this area of the City. The provision of off-street parking spaces per zoning standards would help mitigate any impact on parking related to the development. Finally, the quality assurances conditioned through the SUP would guarantee a higher quality development than might otherwise be developed by right.