

INTRODUCED: April 14, 2025

AN ORDINANCE No. 2025-085

To authorize the special use of the property known as 4140 Walmsley Boulevard for the purpose of up to two single-family detached dwellings, upon certain terms and conditions.

Patron – Mayor Avula (By Request)

Approved as to form and legality
by the City Attorney

PUBLIC HEARING: MAY 12 2025 AT 6 P.M.

WHEREAS, the owner of the property known as 4140 Walmsley Boulevard, which is situated in a R-3 Single-Family Residential District, desires to use such property for the purpose of up to two single-family detached dwellings, which use, among other things, is not currently allowed by sections 30-406.4, concerning lot area and width, and 30-406.5, 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 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

AYES: 8 NOES: 0 ABSTAIN: _____

ADOPTED: MAY 12 2025 REJECTED: _____ STRICKEN: _____

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 4140 Walmsley Boulevard and identified as Tax Parcel No. C008-0594/054 in the 2025 records of the City Assessor, being more particularly shown on a survey entitled “Map Showing the Improvements on 0.600 AC. of Land at 4140 Walmsley Blvd., in the City of Richmond, VA.,” prepared by Virginia Surveys, and dated April 22, 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 single-family detached dwellings, upon certain terms and conditions, hereinafter referred to as “the Special Use,” substantially as shown on the plans entitled “Sketch Showing the Proposed Improvements on Lot 1, No. 4144 Walmsley Blvd., in the City of Richmond, VA.,” prepared by Virginia Surveys, dated May 6, 2024, and last revised August 13, 2024, and “4144 Walmsley Blvd.,” prepared by River Mill Development, and dated July 3, 2024, and 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 single-family detached dwellings, 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 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

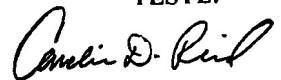
laws or regulations.

(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.

A TRUE COPY:
TESTE:

A handwritten signature in black ink, appearing to read "Amber D. Reed".

City Clerk



City of Richmond

Intracity Correspondence

O&R Transmittal

DATE: September 25, 2024

TO: The Honorable Members of City Council

THROUGH: The Honorable Levar M. Stoney, Mayor (by request)
(This is no way reflects a recommendation on behalf of the Mayor)

THROUGH: J.E. Lincoln Saunders, 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 4140 Walmsley Boulevard for the purpose of two single-family detached dwellings, upon certain terms and conditions.

ORD. OR RES. No. _____

PURPOSE: The applicant is requesting a Special Use Permit to authorize the subdivision and construction one single family home in addition to an existing single-family home, which is currently not permitted due to lot size. Therefore, an SUP is required.

BACKGROUND: The property is located on northern line of Walmsley Boulevard between Clydewood and Olive Avenues, in the British Camp Farms neighborhood. The property is currently a 26140.4 sq. ft. (.6 acre) parcel of land. The City's Richmond 300 Master Plan designates a future land use for the subject property as Residential, which is defined as "Neighborhood consisting primarily of single-family houses on large- or medium-sized lots more homogeneous in nature."

"Intensity: Buildings are generally one to three stories. Lot sizes generally range up to 5,000 to 20,000+ sq. ft. Residential density of 2 to 10 housing units per acre." (p. 80)

The current zoning for this property is R-3 Single Family Residential. Adjacent properties are also zoned as R-3. The density of the proposed is two units upon .6 acre, or 3.3 units per acre.

COMMUNITY ENGAGEMENT: The property is not in or near a civic group. The applicant is responsible for notifying neighbors. Councilmember has been notified.

STRATEGIC INITIATIVES AND OTHER GOVERNMENTAL: Richmond 300 Master Plan; Ordinance to be considered by the Planning Commission on (tentative)

FISCAL IMPACT: \$300 application fee.

DESIRED EFFECTIVE DATE: Upon adoption

REQUESTED INTRODUCTION DATE: October 15, 2024

CITY COUNCIL PUBLIC HEARING DATE: November 12, 2024

REQUESTED AGENDA: Consent

RECOMMENDED COUNCIL COMMITTEE: None

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:

Matthew Ebinger, Planning Supervisor, Land Use Administration (Room 511) 646-6308

Madison Wilson, Land Use Administration (Room 511) 646-7436

**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: 4140 Walmsely

Date: _____

Tax Map #: C008-0594/054 Fee: \$300

Total area of affected site in acres: 0.6

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

Zoning

Current Zoning: R-3

Existing Use: single-family detached dwelling

Proposed Use

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

Lot division and construction of new single-family detached dwelling

Existing Use: single-family detached dwelling

Is this property subject to any previous land use cases?

Yes

No

☐☒

If Yes, please list the Ordinance Number: _____

Applicant/Contact Person: Will Gillette / Mark Baker

Company: Baker Development Resources

Mailing Address: 530 East Main Street, Suite 730

City: Richmond

State: VA

Zip Code: 23219

Telephone: (804) 874-6275

Fax: ()

Email: markbaker@bakerdevelopmentresources.com

Property Owner: CAMPUZANO PAOLA A

If Business Entity, name and title of authorized signer: _____

(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: 1517 Honor Drive

City: Henrico

State: VA

Zip Code: 23228

Telephone: (804) 9082765

Fax: ()

Email: matricbuildingservices@gmail.com

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

May 31st , 2024

*Special Use Permit Request
4140 Walmsley Boulevard, Richmond, Virginia
Map Reference Number: C008-0594/054*

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 530 East Main Street, Suite 730 Richmond, Virginia 23219

Introduction

The property owner is requesting a special use permit (the "SUP") for 4140 Walmsley Boulevard (the "Property"). The SUP would authorize the construction of one new single-family detached dwelling on the Property. While the single-family detached use is permitted by the underlying R-3 Single-Family Residential zoning district, one of the underlying feature requirements cannot be met, and therefore, a SUP is required.

Existing Conditions

SITE DESCRIPTION AND EXISTING LAND USE

The Property is located along the northern line of Walmsley Boulevard between Clydewood and Olive Avenues. The Property is referenced by the City Assessor as tax parcels C008-0594/054 and is currently improved with a single-family detached dwelling. The Property is approximately 118' wide, roughly 220' deep, and contains approximately 26,140 square feet of lot area.



The properties in the immediate vicinity are developed mostly with single-family homes that range from one to two stories in height, including a number of one and one-half stories in the adjacent lots. Also nearby, located near the intersection of Warwick and Hopkins Roads, is the Thomas C Boushall Middle School.

EXISTING ZONING

The Property and those in the surrounding vicinity are zoned R-3 Single-Family Residential, which generally permits the proposed single-family detached dwelling use. Parcels in the area differ in size and frontage with a large number of parcels in the area unable to conform to the underlying R-3 feature requirements.

MASTER PLAN DESIGNATION

The Richmond 300 Master Plan (the "Master Plan") suggests "Residential" use for the Property. 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. This designation 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 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.
- 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 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).

Proposal

PROJECT SUMMARY

The SUP would permit the division of the Property into two lots and the construction of a new single-family detached dwelling on the newly created lot. The existing single-family dwelling would be retained.

PURPOSE OF REQUEST

The Property is approximately 118' in width along Walmsley Boulevard. The owner is proposing to split the lot into two lots and construct a new single-family detached dwelling on the western portion of the Property. The existing single-family detached dwelling would be retained on a new lot roughly 72 feet in width and 13,063 square feet of lot area. The new dwelling would be constructed on a new lot approximately 46 feet in width and approximately 13,063 square feet of lot area which is consistent with, and actually larger than, many of the existing parcels in the block. While the new dwelling is consistent with the goals of the Richmond 300 Master Plan and the single-family detached dwelling use is a permitted use, the underlying R-3 requirement for lot width would not be met and therefore, in order to permit the proposed development, a SUP is required.

In exchange for the SUP, the intent of this request is to ensure the development of a high-quality infill dwelling. The overall project will remain respectful to the historic development pattern in the vicinity thereby remaining consistent with the predominant character of the area. Also, the quality assurances conditioned through the SUP will guarantee a higher quality development and better neighborhood compatibility than might otherwise be guaranteed with a by right development.

PROJECT DETAILS

When complete, the proposed dwelling would be 28 feet in width, 42 feet in depth, and one and one-half stories in height. It would include approximately 1,642 square feet of finished floor area and contain three bedrooms and two-and-one-half bathrooms. The proposed floor plans are modern and efficient, with an open kitchen and living area on the first floor. The exterior would be of frame construction and would be clad in cementitious siding to ensure durability. Additionally, a full width covered front porch would provide usable outdoor space for the future owners and address the street. Lastly, the proposed dwelling massing and architectural style is designed to be compatible with nearby dwellings and a driveway would provide off-street parking.

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 on the existing street 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 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 special use permit will not adversely affect the above referenced City services. To the contrary, the proposal will provide positive fiscal (tax) benefits that will enhance the City's ability to provide these services to the proposed development.

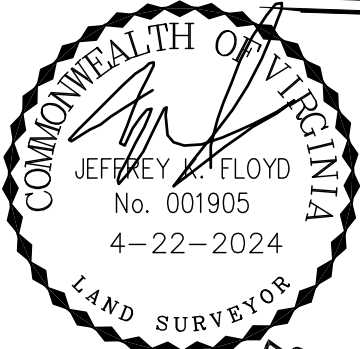
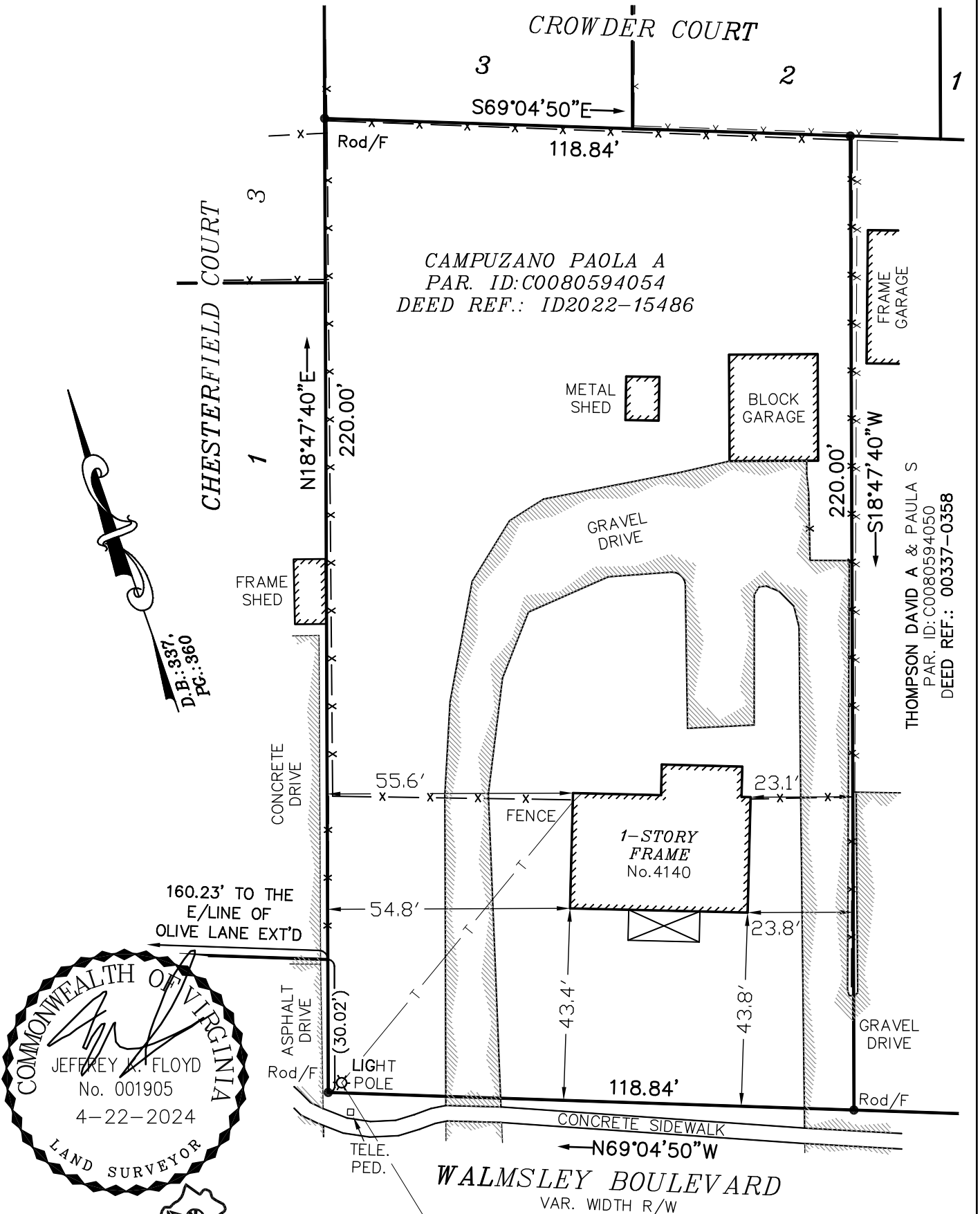
- ***Interfere with adequate light and air.***

The light and air available to the subject and adjacent properties will not be affected. The proposed building is 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 one single-family detached dwelling on the Property. The SUP represents an ideal, small-scale urban infill development for this location that is mindful of its surroundings. In exchange for the SUP, the quality assurances conditioned therein would guarantee the construction of a quality housing opportunity consistent with Master Plan guidance.

This is to certify to the PURCHASER/OWNER shown hereon, and his TITLE INSURER and Lender, that on 4-22-2024 I made an Accurate survey of the premises shown hereon and that there are no easements or encroachments visible on the ground other than those shown hereon. This survey has been made without the benefit of a title search and is subject to any uses recorded and unrecorded and other pertinent facts in which a title search may disclose. Copies of this plat without the certifying surveyor's seal with an original signature are INVALID.

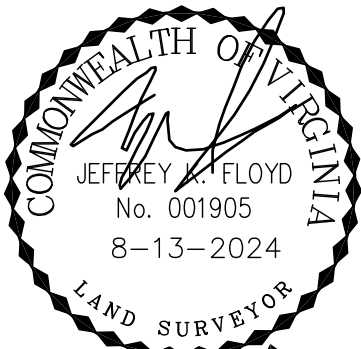
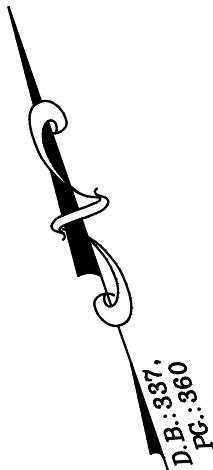


Virginia Surveys
P.O. BOX 118
CHESTERFIELD, VA 23832
(804) 748-9481
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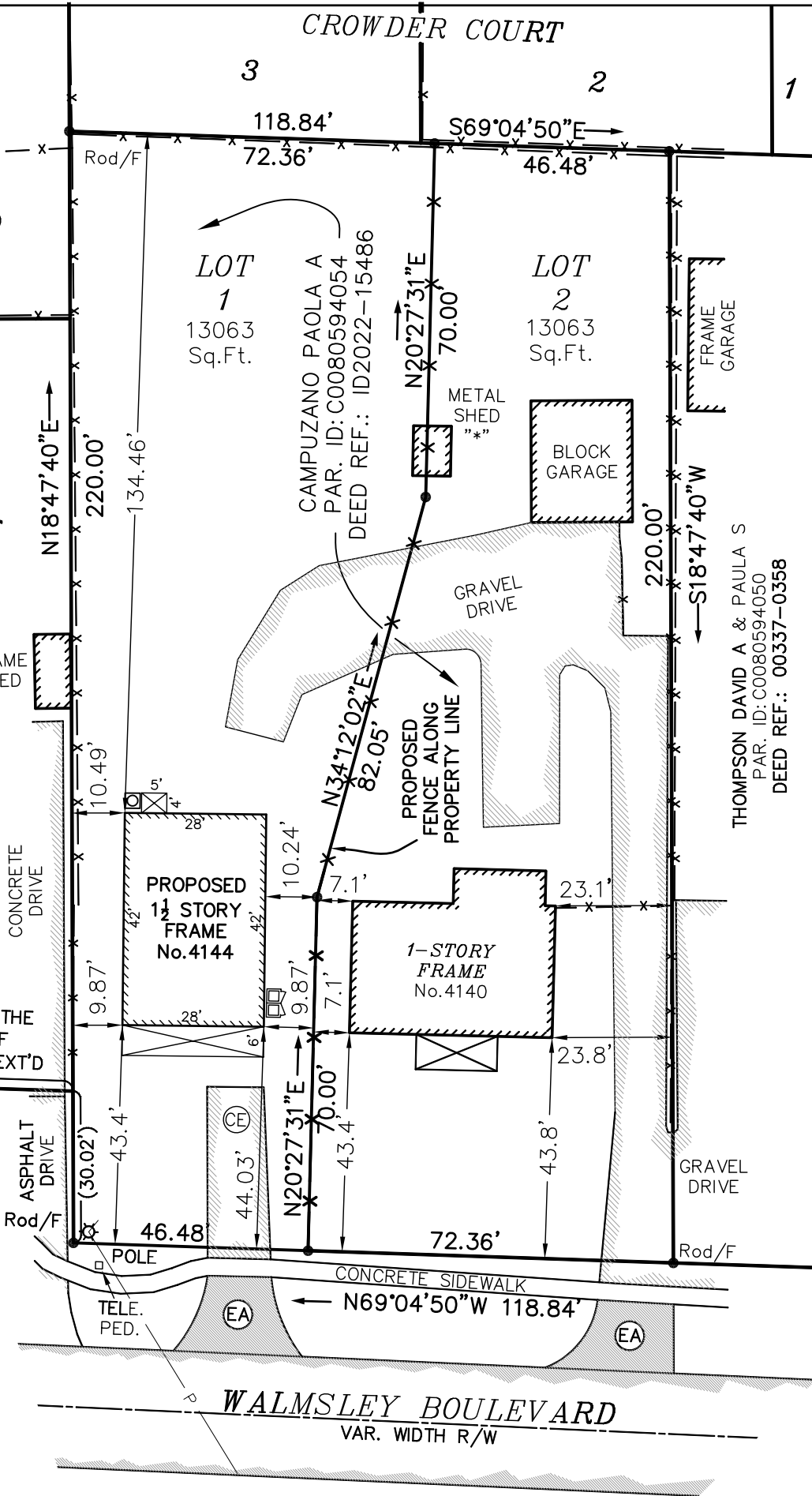
MAP SHOWING THE IMPROVEMENTS
ON 0.600 AC. OF LAND
AT 4140 WALMSLEY BLVD.
IN THE CITY OF RICHMOND, VA.

DATE: 4-22-2024
CERTIFIED BY JEFFREY K. FLOYD
VIRGINIA CERTIFICATE NO. 001905
SCALE: 1"=30'
JOB NO. 240416225

- (CE)
CONSTRUCTION
ENTRANCE
& OFF-STREET
PARKING
- SUPER CANS
WITH SCREENING
< 5' TALL
- HVAC UNIT
WITH
SCREENING
- "*"
SHED TO BE
DEMO'ED OR MOVED
TO MEET ZONING
REQUIREMENTS
- (EA)
PROPOSED
ENTRANCE
APRON TO BE
CONSTRUCTED TO
CITY STANDARDS



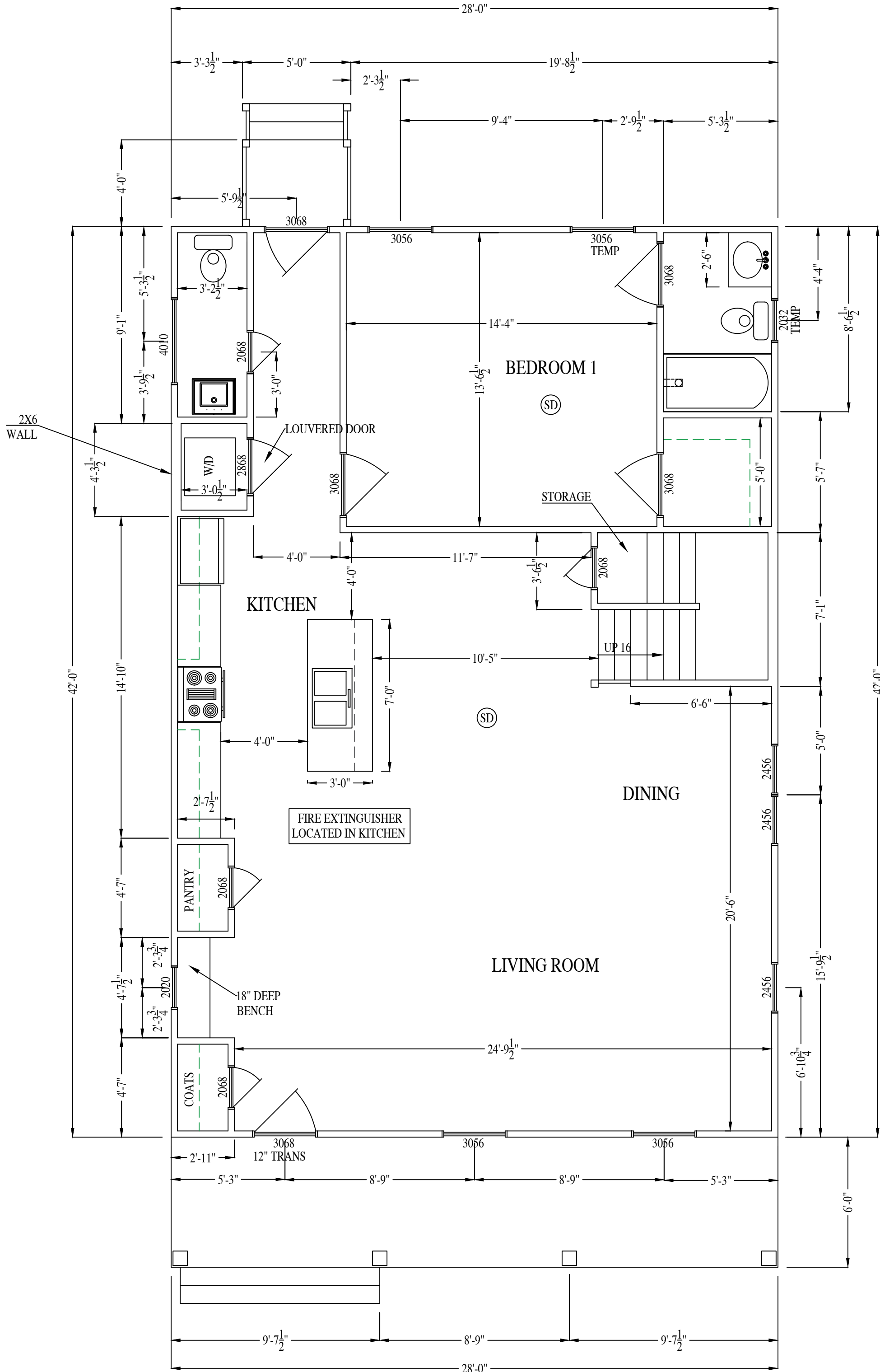
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SKETCH SHOWING THE
PROPOSED IMPROVEMENTS ON
LOT 1, No. 4144 WALMSLEY BLVD.
IN THE CITY OF RICHMOND, VA.

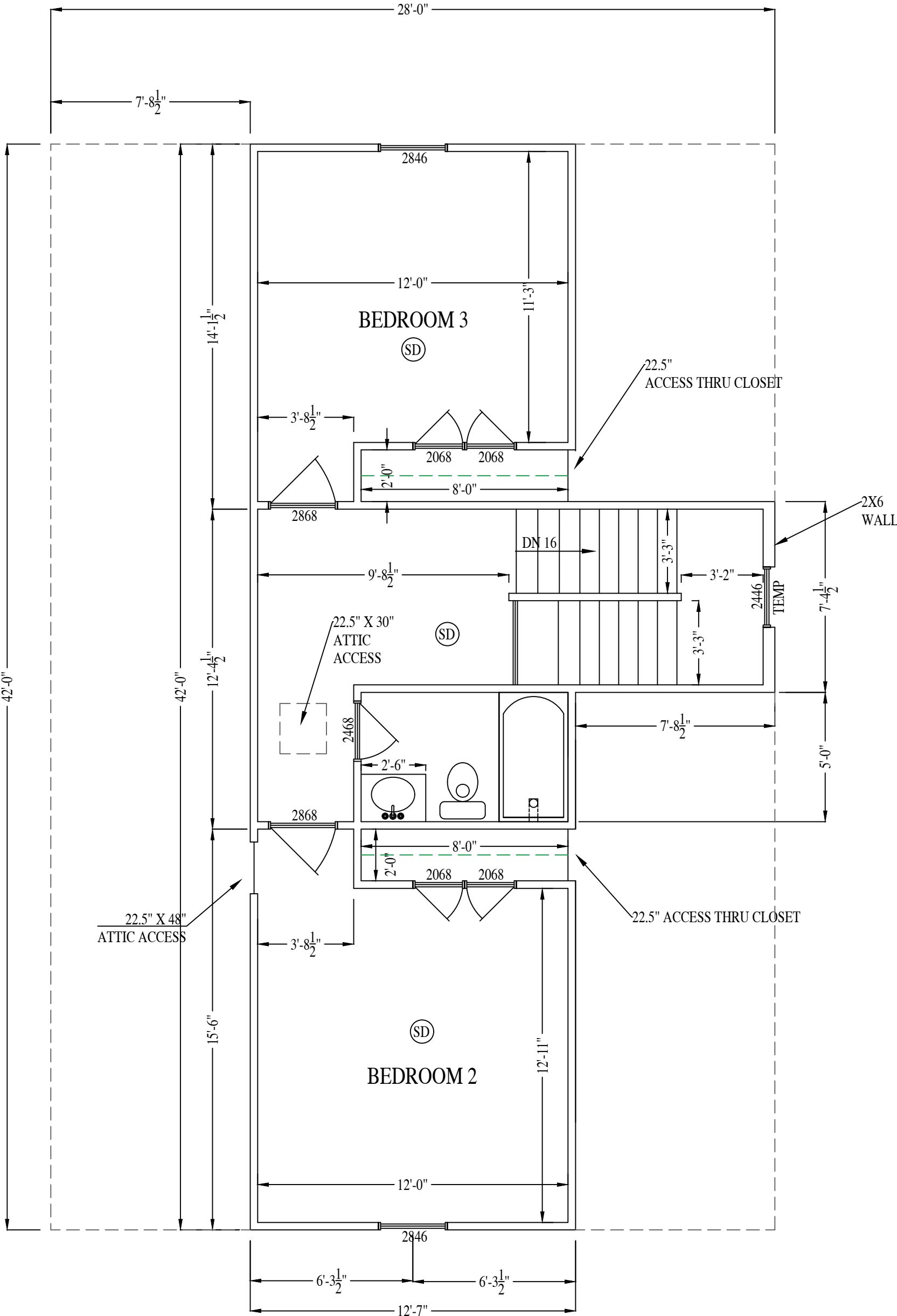
REVISED: 8-13-2024
DATE: 5-6-2024
CERTIFIED BY JEFFREY K. FLOYD
VIRGINIA CERTIFICATE NO. 001905
SCALE: 1"=30'
JOB NO. 240416225

NOTE: DOOR & WINDOW GLAZING SHALL HAVE A MAX U-FACTOR OF 0.32
NOTE: DOOR & WINDOW GLAZING SHALL HAVE A MAX SOLAR HEAT GAIN COEFFICIENT (SHGC) OF 0.4



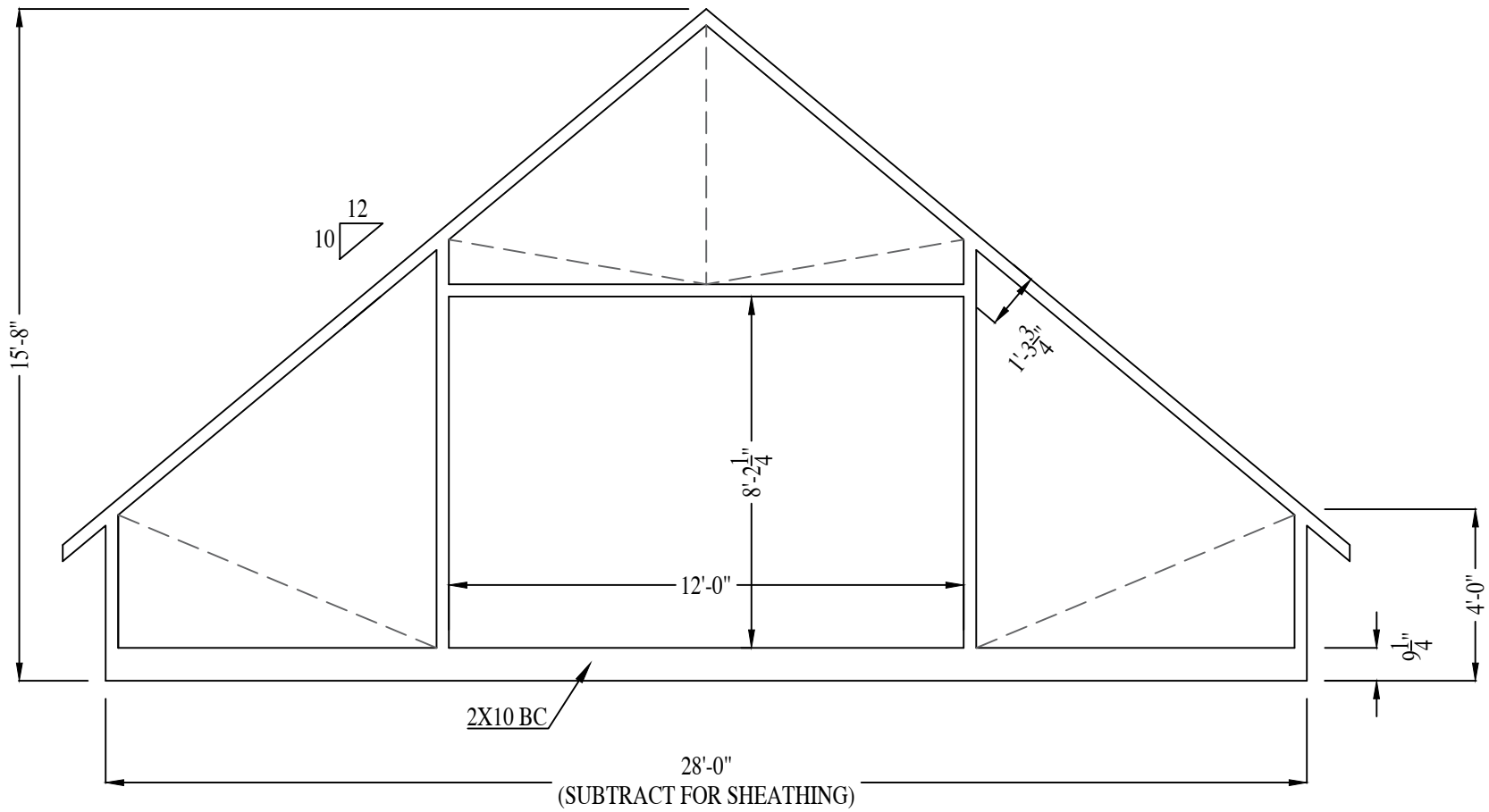
FIRST FLOOR

1ST FLOOR HEATED SQ. FOOTAGE: 1176 S.F.



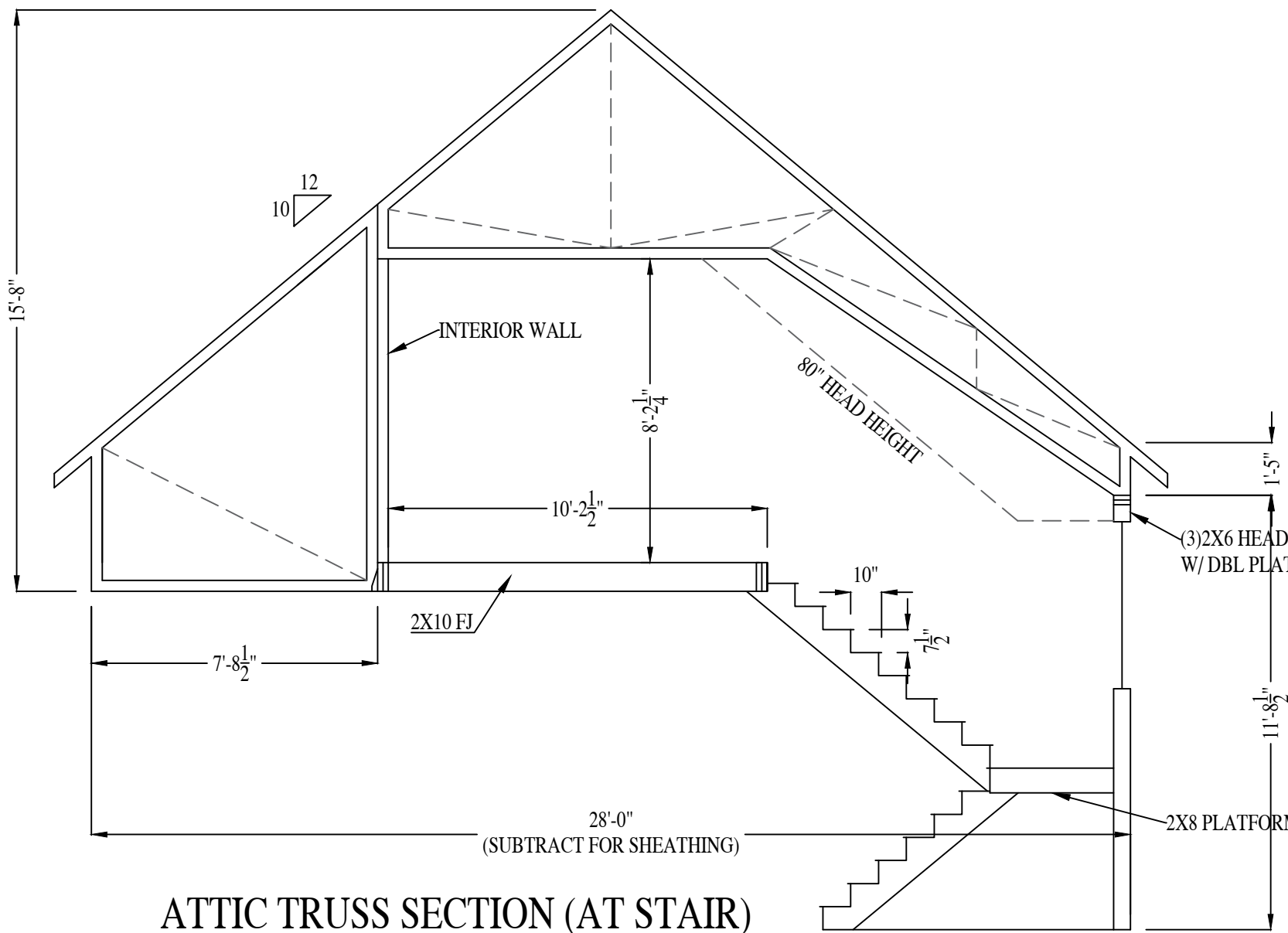
SECOND FLOOR

2ND FLOOR HEATED SQ. FOOTAGE: 466 S.F.



ATTIC TRUSS SECTION

SMOKE DETECTOR (SD)



ATTIC TRUSS SECTION (AT STAIR)

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4144 WALMSLEY BLVD.
RIVER MILL DEVELOPMENT
RIVERMILLDEVELOPMENT@GMAIL.COM
PHONE: (434) 774-4535

REVISION NOTES

DATE	START

SCALE:

1/4" = 1'-0"

DATE:

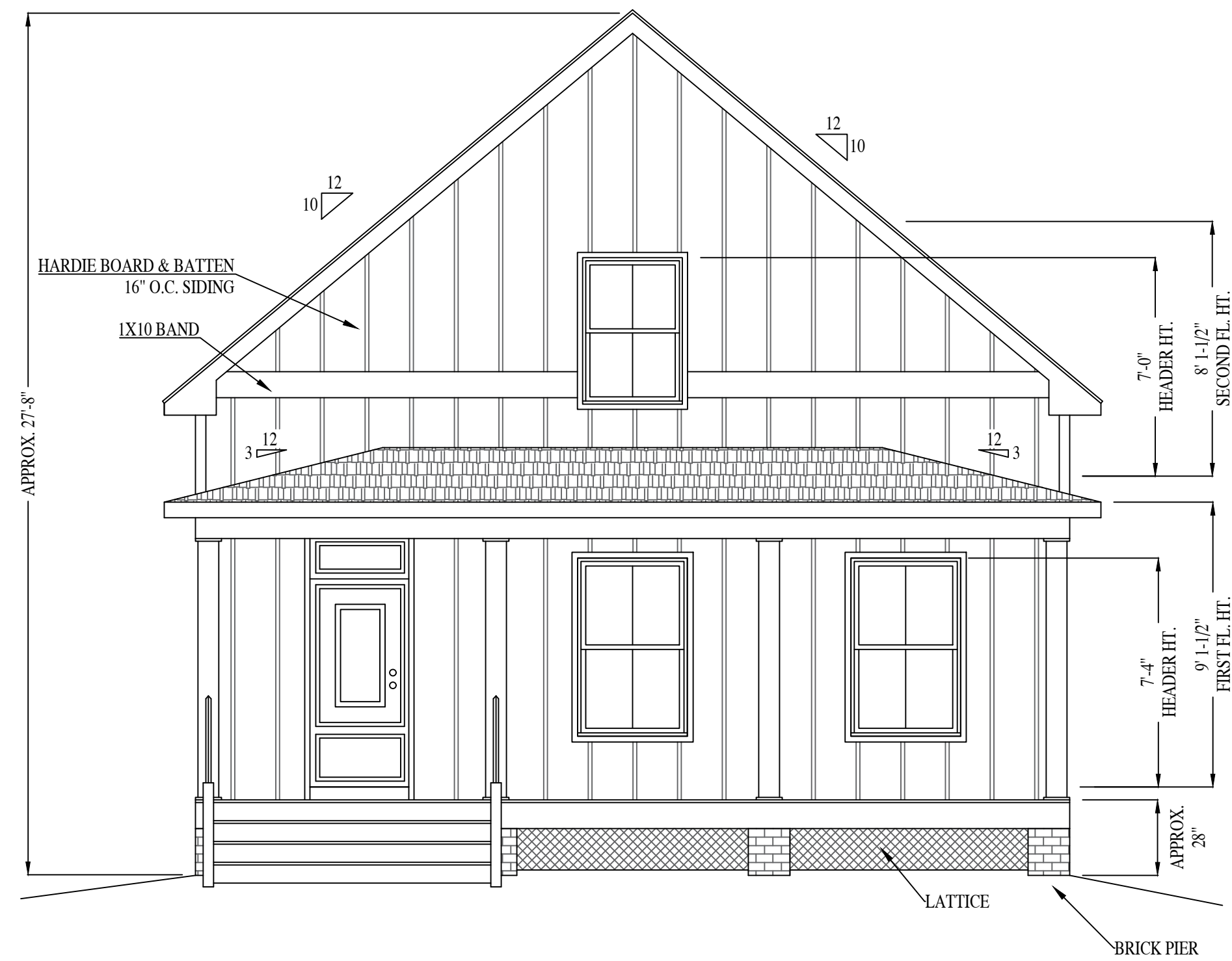
7-03-2024

SHEET:

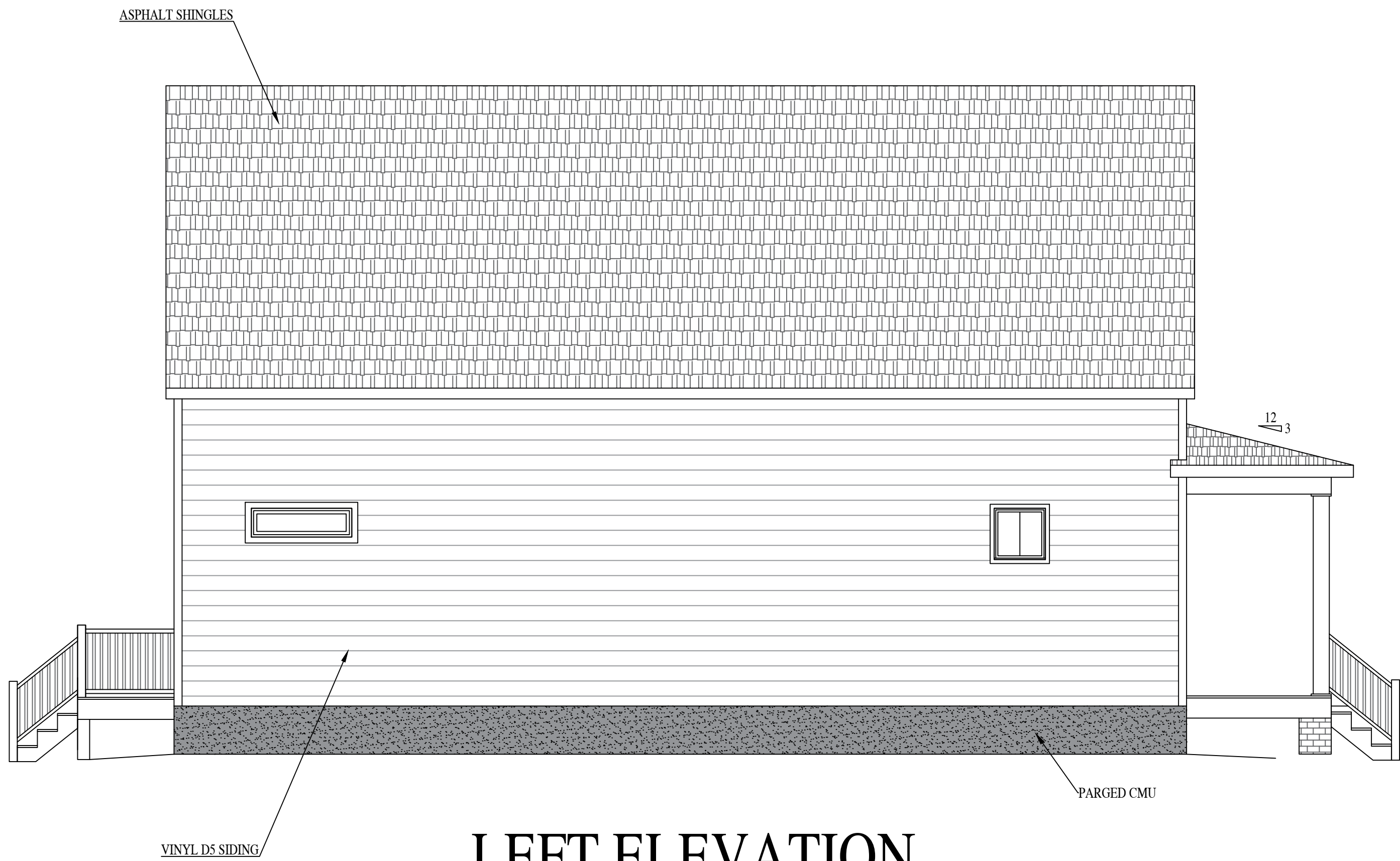
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FRONT ELEVATION



LEFT ELEVATION



RIGHT ELEVATION



REAR ELEVATION

4144 WALMSLEY BLVD.

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

REVISION NOTES

DATE	START

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

DATE:
7-03-2024

SHEET:
A2.1

