#### AN ORDINANCE No. 2024-169

To authorize the special use of the property known as 2711 Q Street for the purpose of up to two single-family attached dwellings, upon certain terms and conditions. (7<sup>th</sup> District)

Patron – Mayor Stoney (By Request)

Approved as to form and legality by the City Attorney

PUBLIC HEARING: JULY 22 2024 AT 6 P.M.

WHEREAS, the owner of the property known as 2711 Q 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 single-family attached dwellings, which use, among other things, is not currently allowed by section 30-412.4, concerning lot area and width, density, and unit width, 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

AYES:	9	NOES:	0	ABSTAIN:
ADOPTED:	JULY 22 2024	REJECTED:		STRICKEN:

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 2711 Q Street and identified as Tax Parcel No. E000-0476/007 in the 2024 records of the City Assessor, being more particularly shown on a survey entitled "Site Plan 2711/2713 'Q' Street, City of Richmond, Virginia," prepared by Long Surveying, LLC, and dated April 19, 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 attached dwellings, hereinafter referred to as "the Special Use," substantially as shown on the survey entitled "Site Plan 2711/2713 'Q' Street, City of Richmond, Virginia," prepared by Long Surveying, LLC, and dated April 19, 2024, and the plans entitled "2711-2713 Q ST.," prepared by River Mill Development, with sheet A1.1 dated July 6, 2023, and last revised March 21, 2024, sheet A1.2 dated July 6, 2023, and last revised March 20, 2024, and sheet A2.1 dated May 10, 2022, and last revised March 20, 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 attached dwellings, substantially as shown on the Plans.
  - (b) No off-street parking shall be required for the Special Use.
  - (c) The height of the Special Use shall not exceed two stories, substantially as shown

on the Plans.

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

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.

APPROVED AS TO FORM:

CITY ATTORNEY'S OFFICE

andin D.

City Clerk

A TRUE COPY:

6





## **City of Richmond**

900 East Broad Street 2nd Floor of City Hall Richmond, VA 23219 www.rva.gov

#### **Master**

File Number: Admin-2024-0436

File ID: Admin-2024-0436 Type: Request for Ordinance or Status: Regular Agenda

Resolution

Version: 2 Reference: In Control: City Clerk Waiting

Room

Department: Cost: File Created: 05/07/2024

Subject: Final Action:

Title:

**Internal Notes:** 

Code Sections: Agenda Date: 06/10/2024

Indexes: Agenda Number:

Patron(s): Enactment Date:

Attachments: Admin-2024-0436 2711 Q Street Supporting Enactment Number:

Documents, Admin-2024-0436 - 2711 Q Street AATF

Ordinance

Contact: Introduction Date:

**Drafter:** David.Watson@rva.gov **Effective Date:** 

**Related Files:** 

#### **Approval History**

Version	Seq#	Action Date	Approver	Action	Due Date
2	1	5/21/2024	Matthew Ebinger	Approve	5/23/2024
2	2	5/21/2024	Kris Daniel-Thiem - FYI	Notified - FYI	
2	3	5/22/2024	Kevin Vonck	Approve	5/28/2024
2	4	5/22/2024	Alecia Blackwell - FYI	Notified - FYI	
2	5	5/22/2024	Sharon Ebert	Approve	5/24/2024
2	6	5/22/2024	Caitlin Sedano - FYI	Notified - FYI	
2	7	5/29/2024	Jeff Gray	Approve	5/24/2024
2	8	5/30/2024	Lincoln Saunders	Approve	5/31/2024
2	9	5/31/2024	Mayor Stoney	Approve	6/4/2024

#### History of Legislative File

Master Continued (Admin-2024-0436)

 Ver- Acting Body:
 Date:
 Action:
 Sent To:
 Due Date:
 Return Result:

 sion:
 Date:

#### Text of Legislative File Admin-2024-0436

# City of Richmond

### Intracity Correspondence

#### **O&R Transmittal**

**DATE:** May 21, 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

FROM: Kevin J. Vonck, Director of Planning & Development Review

**RE:** To authorize the special use of the property known as 2711 Q Street for the purpose

of up to two single-family attached dwellings, upon certain terms and conditions.

ORD. OR RES. No.

**PURPOSE:** The applicant is requesting a Special Use Permit to authorize two single-family attached dwellings, which use, among other things, is not currently allowed by section 30-412.4, concerning lot area and width; density; unit width, of the Code of the City of Richmond (2020), as amended. A Special Use Permit is therefore required.

**BACKGROUND:** The property is in the Church Hill North neighborhood situated on a block bounded by P Street, N 27th Street, N 28th Street, and Q Street. The block is intersected by a 10-foot public alley which runs along the site's east property line. The property is currently a vacant 3,225 sq. ft. (0.074 acre) parcel and is zoned R-6 Single-family Attached Residential District

The City's Richmond 300 Master Plan designates a future land use for the subject property as Neighborhood Mixed-Use, which is defined as "Existing or new highly-walkable urban neighborhoods that are predominantly residential use with building heights generally two to four stories. Duplexes are a primary use.

COMMUNITY ENGAGEMENT: The Church Hill Central Civic Association was notified of

the application; additional community notification will take place after introduction.

STRATEGIC INITATIVES AND OTHER GOVERNMENTAL: Richmond 300 Master Plan

**FISCAL IMPACT:** The Department of Planning and Development Review does not anticipate any impact to the City's budget for this or future fiscal years.

**DESIRED EFFECTIVE DATE:** Upon adoption

**REQUESTED INTRODUCTION DATE:** June 10, 2024

CITY COUNCIL PUBLIC HEARING DATE: July 22, 2024

**REQUESTED AGENDA:** Consent

RECOMMENDED COUNCIL COMMITTEE: Planning Commission July 16, 2024

**AFFECTED AGENCIES:** Office of Chief Administrative Officer

Law Department (for review of draft ordinance)

**RELATIONSHIP TO EXISTING ORD. OR RES.:** None

**ATTACHMENTS:** Application Supporting Documents

STAFF: Matthew J. Ebinger, Planning Supervisor - Land Use Administration 804-646-6308

David Watson, Senior Planner, Land Use Administration, 804-646-1036



## 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
<a href="http://www.richmondgov.com/">http://www.richmondgov.com/</a>

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		
		Date:
Parcel I.D. #: <u>E0000476007</u> Fee: <u>\$300</u>		_
Total area of affected site in acres: 0.074		-
(See <b>page 6</b> for fee schedule, please make check payable to the "City of	of Richmond")	
Zoning		
Current Zoning:R-6		
Richmond 300 Land Use Designation: Neighborhood Mixed-Use		
Proposed Use		
	d applicant's report)	
Existing Use: Vacant		
Is this property subject to any previous land use cases?  Yes No  If Yes, please list the Ordinance Number:		
in 166, prease list the Standards Harrison.		
Applicant/Contact Person: Will Gillette / Mark Baker		
Company:Baker Development Resources		
Mailing Address: 530 East Main Street, Suite 730		
City: Richmond		_ Zip Code: <u>23219</u>
Telephone: _(864)377-9140 Email: will@bakerdevelopmentresources.com	_ Fax: _(	)
Email: will spake idevelopment esources.com		
Property Owner: GREATER LEVEL PROPERTIES LLC		
If Business Entity, name and title of authorized signee:		
(The person or persons executing or attesting the execution of this Appl	ication on bobalf of th	no Company cortifies that he or
she has or have been duly authorized and empowered to so execute or a		te company certifies that he of
A 400 OREEN DAOTURE DR		
Mailing Address: 1409 GREEN PASTURE RD	C+-+ \/ \	7:- 0
City: SANDSTON	State: VA	_ ZIP Code: <b>23130</b>
Telephone: _()_ Email:	_ I ax(	)
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**

July 31st, 2023

Special Use Permit Request 2711 Q Street, Richmond, Virginia Map Reference Number: E000-0476/007

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 2711 Q 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 is located on the southern line of Q Street, mid-block, between N 27<sup>th</sup> and N 28<sup>th</sup> Streets. It is referenced by the City Assessor with a tax parcel number of E000-0476/007 and is approximately 33 feet in width and 100 feet in depth. The Property is currently vacant, and access is provided at the rear by means of an east-west alley and along the eastern property line by a north-south alley which spans the entire block.



The properties in the vicinity are primarily developed with single-family attached and detached dwellings though two-family dwellings and multi-family uses can also be found nearby. In the nearby vicinity are also a range of institutional and religious uses as well including the Good Shephard Baptist Church and George Mason Elementary School.

#### **EXISTING ZONING**

The Property and the surrounding properties are zoned R-6 Single-Family Attached Residential, which permits the proposed single-family detached 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 south of the subject Property in the same block lies a R-63 Multifamily Urban Residential zoning district which would require a lot width of 25 feet and area of 3,000 feet for a single-family attached dwelling.

#### 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."
  - o 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 currently vacant 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 16.7 feet in width and contain approximately 1,662 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 and lot area requirements and therefore, a SUP is required. All other aspects of the underlying zoning requirements will be met.

#### PROJECT DETAILS/DESIGN

The proposed dwellings would each be approximately 13.2 feet in width, 52 feet in depth, and two stories in height. They would include approximately 1,636 square feet of finished floor area and consist of three bedrooms and two-and-one-half bathrooms. The dwellings would be of a traditional urban design with 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 including a primary bedroom suite with en suite bath. Full-width front porches are also proposed for each dwelling to address the street.

# **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.



## City of Richmond **Department of Planning** & Development Review

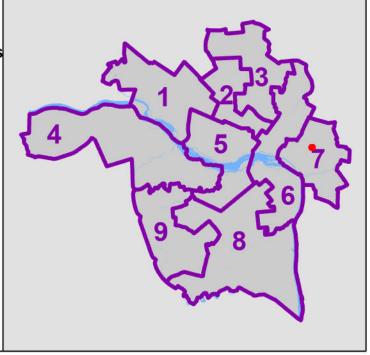
### **Special Use Permit**

LOCATION: 2711 Q Street

APPLICANT: Greater Level Properties LLC represented by Baker Development Resources

COUNCIL DISTRICT: 7

PROPOSAL: To authorize the special use of the properties known as 2711 Q Street for the purpose of two single-family attached dwellings, upon certain terms and conditions.



For questions, please contact David Watson at 804-646-1036 or David. Watson@rva.gov



ADDRESS: 2711/2713 Q STREET PARCEL: E0000476007

ZONED R-6 SETBACKS FRONT: 15' SIDE: 5' REAR: 5'

EX. LOT SIZE: 3325 SQ.FT.

ONCE CONSTRUCTION IS COMPLETE SITE IS TO BE PERMANENTLY SEEDED.

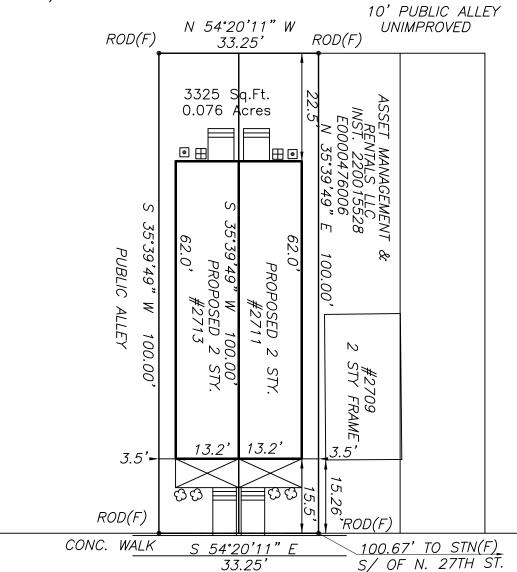
\$\text{PROPOSED NATIVE / NON-INVASIVE BUSH}\$

PROPOSED TRASH/ RECYCLE W/SCREENING •

PROPOSED AC W/SCREENING





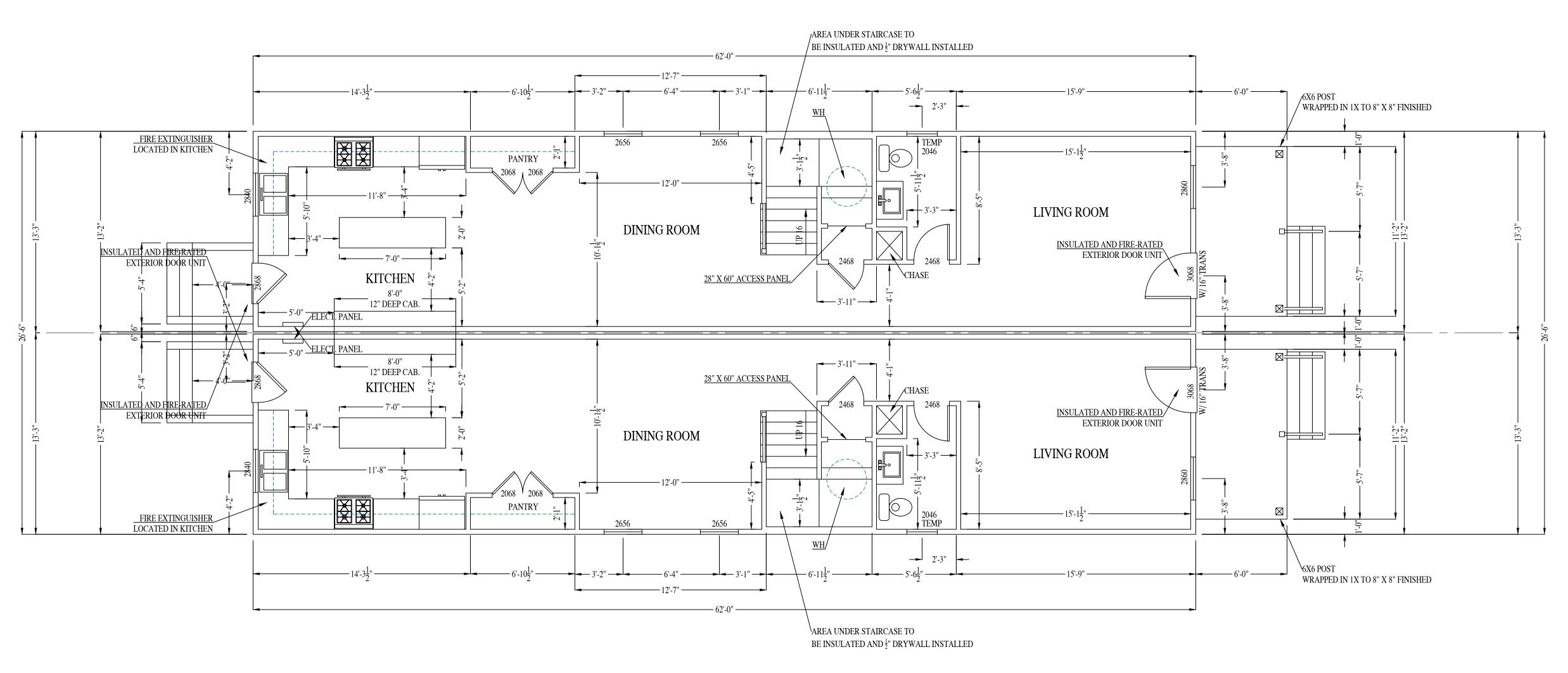


VAR. PUBLIC R/W

SITE PLAN 2711/2713 "Q"

LONG SURVEYING, LLC 4650 FACTORY MILL ROAD MAIDENS, VA 23012 804-314-5620

CITY OF RICHMOND **VIRGINIA** APRIL 19, 2024 SCALE: 1"=20'



# FIRST FLOOR PLAN

817 S.F.

1-2713 Q ST.

RIVER MILL DEV RIVERMILLDEVELOPMENT

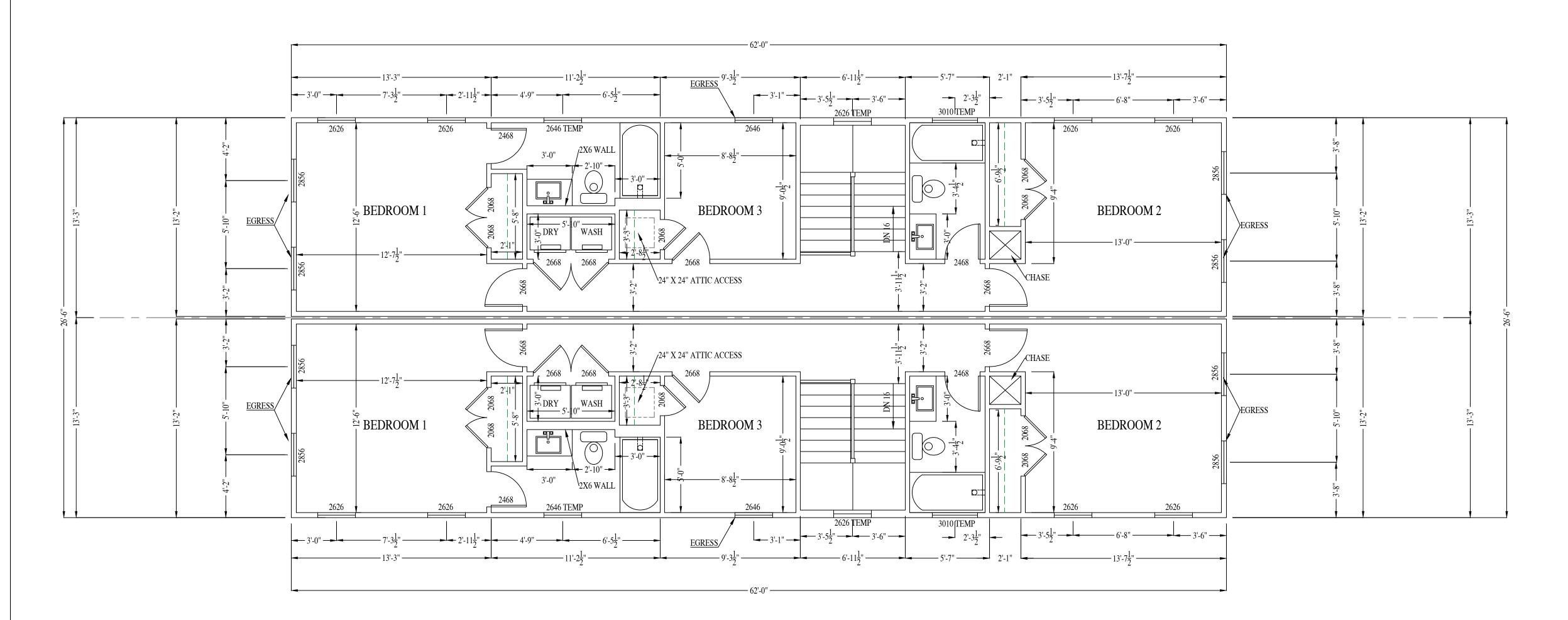
RI	REVISION NOTES		
3-21-24	SUP CHANGES		

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

DATE: 7-06-2023

SHEET: A1.1

IVER MILL DEVELOPMENT



# SECOND FLOOR PLAN

817 S.F.

2711-2713 Q ST.

ER MILL DEVEL

RIVER MILL DE RIVERMILLDEVELOPMEN

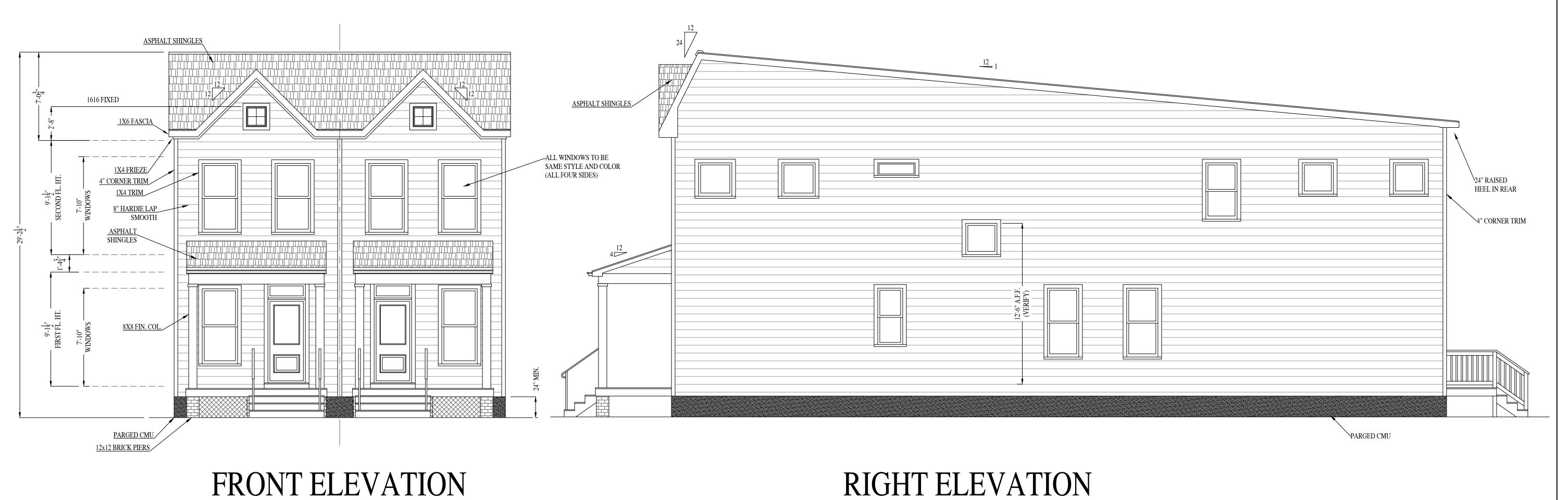
	1
3-20-24	SUP CHANGES

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

DATE: 7-06-2023

SHEET: A1.2

IVER MILL DEVELOPMENT



# RIGHT ELEVATION



REAR ELEVATION

REVISION NOTES		
3-20-24	SUP CHANGES	

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

DATE: 5-10-2022

SHEET: A2.1

