INTRODUCED:

AN ORDINANCE No. 2025-095

To authorize the special use of the property known as 14 South Lombardy Street for the purpose of a multifamily dwelling, upon certain terms and conditions.

Patron – Mayor Avula (By Request)

Approved as to form and legality by the City Attorney

PUBLIC HEARING: MAY 27 2025 AT 6 P.M.

WHEREAS, the owner of the property known as 14 South Lombardy Street, which is situated in a R-7 Single- and Two-Family Urban Residential District, desires to use such property for the purpose of a multifamily dwelling, which use, among other things, is not currently allowed by section 30-413.2 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 create hazards from fire, panic or other dangers, will not tend to overcrowding of land and cause

AYES:	NOES:	ABSTAIN:
ADOPTED:	REJECTED:	STRICKEN:

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 14 South Lombardy Street and identified as Tax Parcel No. W000-0658/020 in the 2025 records of the City Assessor, being more particularly shown on a survey entitled "Plat Showing Proposed Improvements on No. 14 S. Lombardy Street in the City of Richmond, Virginia," prepared by Frederick A. Gibson & Associates, P.C., and dated July 12, 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 a multifamily dwelling, hereinafter referred to as "the Special Use," substantially as shown on the plans entitled "Plat Showing Proposed Improvements on No. 14 S. Lombardy Street in the City of Richmond, Virginia," prepared by Frederick A. Gibson & Associates, P.C., and dated July 12, 2024, and "14 S Lombardy St," prepared by Pinnacle Design Consulting, dated December 6, 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 a multifamily dwelling, substantially as shown on the Plans.

(b) The height of the Special Use shall not exceed three stories, substantially as shown on the Plans.

(c) Vinyl siding shall not be permitted. The siding shall consist of brick or cementitious siding.

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(d) All building materials, elevations, and site improvements 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.

§ 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) The Owner shall make improvements within the right-of-way, including repaving the alley adjacent to the northern line of the Property from South Lombardy Street to its intersection with the alley adjacent to the western line of the Property, which improvements may be completed in one or more phases as approved by the Director of Public Works. All

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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 or the designee thereof 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 or the designee thereof, 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,

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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.

City of Richmond Intracity Correspondence

O&R Transmittal

DATE: November 14, 2024

TO: The Honorable Members of City Council

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

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 properties known as 14 South Lombardy Street for the purpose of a multi-family dwelling, upon certain terms and conditions.

ORD. OR RES. No.

PURPOSE: The authorization of the special use of the property known as 14 South Lombardy Street will authorize the construction of a three-unit multi-family dwelling configured as three single-family attached dwellings. As the dwellings will be built on a single parcel, the structure is classified as multi-family in the zoning ordinance. The proposed multi-family dwelling is not a permitted use in the R-7 Single-and-Two Family Urban Residential zoning. Therefore, a special use permit is requested.

BACKGROUND: The vacant 2,297 square foot property is located midblock on the western side of South Lombardy Street between West Main Street to the north and West Cary Street to the south. It is served by alleys that run along the northern and western property lines.

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 with a small, but critical, percentage of parcels

Page 2 of 2

providing retail, office, personal service, and institutional uses... Intensity: Building heights are generally two to four stories. Buildings taller than four stories may be found along major streets (see Street Typologies Map). Parcels are generally between 1,500 and 5,000 sq. ft. Primary Uses: Single-family houses, accessory dwelling units, duplexes, small multi-family buildings (typically 3-10 units), and open space. Secondary Uses: Large multifamily buildings (10+units), retail/office/personal service, institutional, cultural, and government."

COMMUNITY ENGAGEMENT: The property is located within the Uptown Association area which has been notified of this proposal. Notices shall be mailed to surrounding property owners and a sign shall be placed on the properties.

STRATEGIC INITIATIVES AND OTHER GOVERNMENTAL: Richmond 300 Master Plan; Ordinance to be considered by the Planning Commission on May 20, 2025

FISCAL IMPACT: \$1,800 application fee.

DESIRED EFFECTIVE DATE: Upon adoption

REQUESTED INTRODUCTION DATE: April 28, 2025

CITY COUNCIL PUBLIC HEARING DATE: May 27, 2025

REQUESTED AGENDA: Consent

RECOMMENDED COUNCIL COMMITTEE: Planning Commission, May 20, 2025

AFFECTED AGENCIES: Office of Chief Administrative Officer; Law Department (for review of draft ordinance)

RELATIONSHIP TO EXISTING ORD. OR RES.: None

ATTACHMENTS: Supporting documents

STAFF: David Watson, Planner, Land Use Administration (Room 511) 646-1036





Department of Planning and Development Review Land Use Administration Division 900 E. Broad Street, Room 511 Richmond, Virginia 23219 (804) 646-6304 <u>http://www.richmondgov.com/</u>

Application is hereby submitted for: (check one)

- \Box special use permit, new
- □ special use permit, plan amendment
- □ special use permit, text only amendment

Project Name/Location

Property Address:		Date:_
Parcel I.D. #:	Fee:	
Total area of affected s	ite in acres:	

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

Zoning

Current	

Richmond 300 Land Use Designation:

Proposed Use

(Please include a detailed description of the proposed use in the required applicant's re	port)
Construction of a multifamily dwelling configured as three townhomes.	

Existing Use:_____

Is this property subject to any previous land use cases?



If **Yes**, please list the Ordinance Number:

Applicant/Contact Person: _____

No

Company:	
Mailing Address:	
City:	State: Zip Code:
Telephone: _()	Fax: _()
Email:	

Property Owner:

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(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

July 11th, 2024

Special Use Permit Request 14 S Lombardy, Richmond, Virginia Map Reference Number: W000-0658/020

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 14 S Lombardy Street (the "Property"). The SUP would authorize the construction of a multifamily dwelling, configured as three single-family attached townhomes on the Property. While the single-family attached use is permitted by the underlying R-7 Single- and Two-Family Urban Residential zoning district under certain conditions, the applicant is not proposing property lines between each dwelling, and therefore, this is considered a multifamily dwelling from a zoning perspective and a SUP is required.

Existing Conditions

SITE DESCRIPTION AND EXISTING LAND USE

The Property is located at the western line of S Lombardy Street between W Cary and W Main Streets and is referenced by the City Assessor as tax parcel W000-0658/020. The Property consists of an unimproved lot that is roughly 20.7' wide by 111' in depth and contains approximately 2,297 square feet of lot area. The Property is relatively flat and is afforded access via alleys along its northern and western property lines.



The properties in immediate vicinity are developed with a range of uses, including multi-family dwellings, mixed-use buildings, and single- and two-family dwellings. To the west, along the

northern line of West Cary Street are condominiums and a mixed-use development. Residential dwellings are generally attached, though detached dwellings can be found nearby.

EXISTING ZONING

The Property is zoned R-7 Single- and Two-Family Urban Residential, which permits single-family attached uses contingent on certain feature requirements but does not permit the multifamily use. The properties to the north, east, and south are zoned UB Urban Business.

MASTER PLAN DESIGNATION

The Richmond 300 Master Plan (the "Master Plan") designates the Property as "Community Mixed-Use". This future land use category is described as "medium-density, walkable commercial and residential uses that provide neighborhood services to nearby residential communities..." and recommends multifamily dwellings as a primary use which can "complement existing context" while "prioritizing pedestrian, bike and transit access."

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."
 - 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 14.4 to "Increase the number of mixed-income communities along enhanced transit corridors."
- 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. "
 - e) Allow the development of middle housing (2- to 4- unit buildings) by-right within 1/2 mile of high-frequency transit stops.
- Page 155 (Inclusive Housing Chapter), Objective 14.8 to "Develop inclusionary and equitable housing options for our gentrifying neighborhoods to prevent involuntary displacement."
- 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 highquality, 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

PROJECT SUMMARY

The proposed development includes the construction of a three-unit multifamily dwelling configured as three townhomes. We're the applicant to divide the existing parcel into three separate parcels and construct the same dwelling, it would be considered three attached single-family homes, however, as no division of the lot is proposed, the dwelling would be considered a multifamily dwelling from a zoning perspective.

PURPOSE OF REQUEST

The Property consists of a single lot of record that is of a typical size and configuration for the area consisting of a lot which is approximately 21 feet wide and contains roughly 2,297 square feet of lot area. As the multifamily use is not permitted by the underlying R-7 Single- and Two-Family Urban Residential zoning district, a SUP is required.

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 proposed building would be three stories in height and has been designed to be constructed under residential building code as townhomes to be consistent with other residential buildings in the vicinity. We're the applicant to divide the existing parcel into three separate parcels and construct the same dwelling, it would be considered three attached single-family homes, however, as no division of the lot is proposed, the dwelling would be considered a multifamily dwelling from a zoning perspective.

Each unit would have a separate entrance, accessible from a walkway along the southern portion of the dwelling. The unit fronting S Lombardy Street would have an entrance and porch facing Lombardy Street to appear as a single-family home from the street. The dwellings would be clad in cementitious siding to ensure quality. The proposed architectural style, while modern, reflects both the newer construction in the block and the traditional row house style found throughout the nearby neighborhoods

Each unit would include approximately 1,500 square feet of floor area with three bedrooms and three bathrooms. The first floor would contain one bedroom and one bathroom as well as storage

off the primary entrance and an office. The second floor contains the kitchen and living area in a modern and open living areas. Finally, the third floor would contain two bedrooms, each with an en suite bath and walk-in closet.

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 of the 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 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 would not adversely affect the above referenced City services. To the contrary, the proposal would provide positive fiscal (tax) benefits that would enhance the City's ability to provide these services to the proposed development.

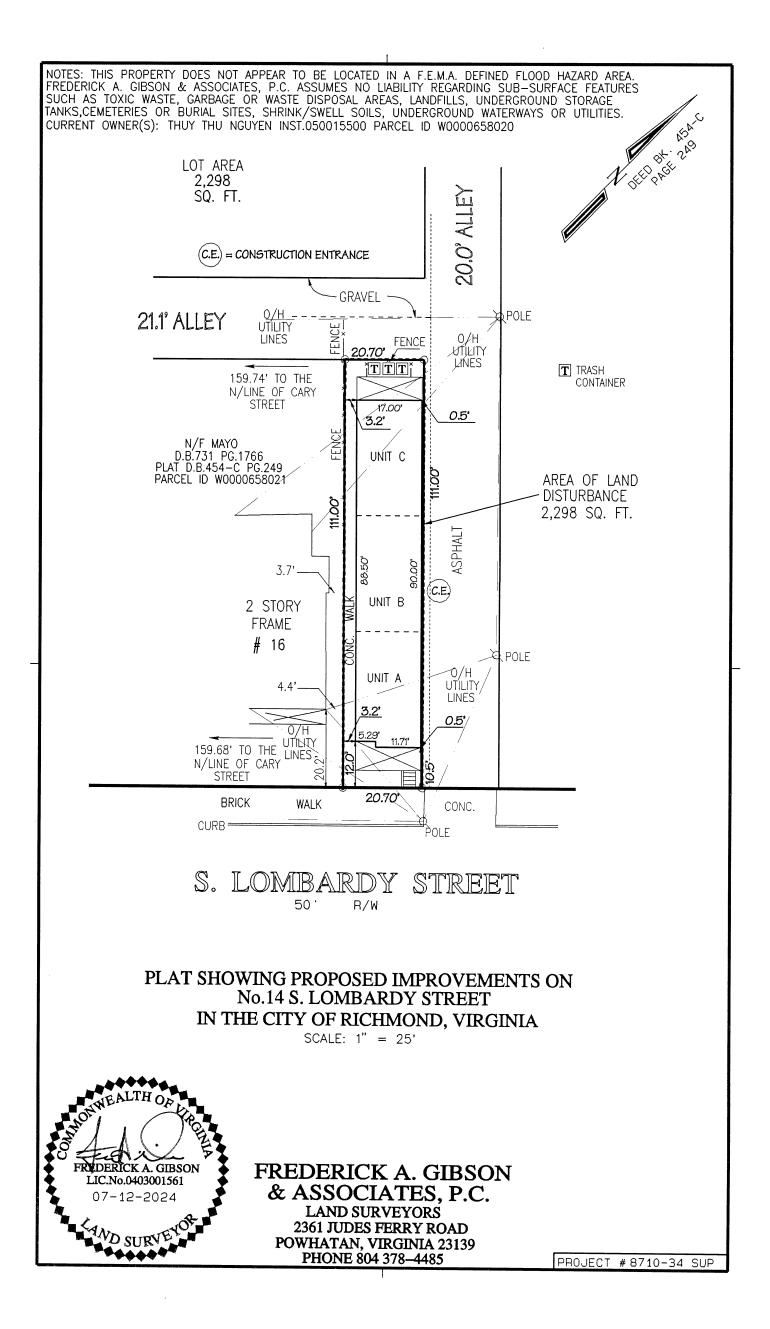
• Interfere with adequate light and air.

The light and air available to the subject and adjacent properties will not be affected. The proposed buildings are of compatible massing those 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 dwelling. The building has been thoughtfully designed in order to provide appropriate, high-quality, marketrate infill development. The request offers compatibility with the City's Master Plan in terms of use. 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.

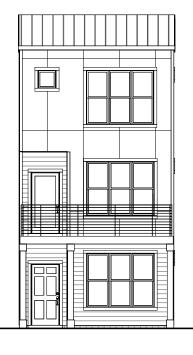
The proposed development would respectfully help restore an appropriate urban fabric in a block face in which several lots are vacant or underutilized. It would help encourage a pedestrian friendly traditional streetscape in the block and contribute to the vibrancy of the block though the addition street life in the form of a street-oriented front porch along Lombardy Street. Finally, the quality assurances conditioned through the SUP would guarantee a higher quality development than might otherwise be developed by right.



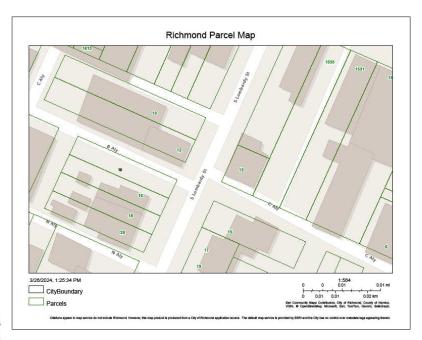
CANVAS DESIGN GROUP

AREA CALCULATIONS

Heated Area	
1st Floor Livable UNIT A	496 SF
1st Floor Livable UNIT B	503 SF
1st Floor Livable UNIT C	503 SF
2nd Floor Livable UNIT A	502 SF
2nd Floor Livable UNIT B	453 SF
2nd Floor Livable UNIT C	510 SF
3rd Floor Livable UNIT A	510 SF
3rd Floor Livable UNIT B	510 SF
3rd Floor Livable UNIT C	510 SF
	4497 SF
Unheated Area	
2nd Floor Porch UNIT B	57 SF
Deck UNIT A	110 SF
Deck UNIT C	102 SF
Front Porch UNIT A	7 SF
Front Porch UNIT B	7 SF
Front Porch UNIT C	7 SF
Patio UNIT A	110 SF
Patio UNIT C	102 SF
	501 SF
Total	4998 SF



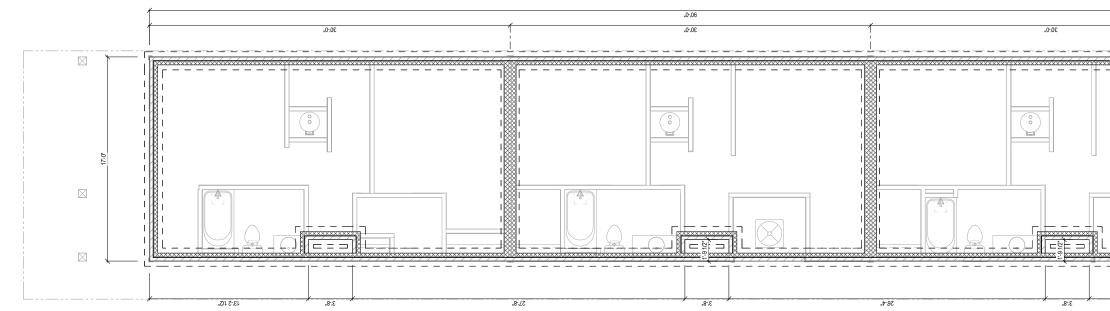
14 S LOMBARDY ST



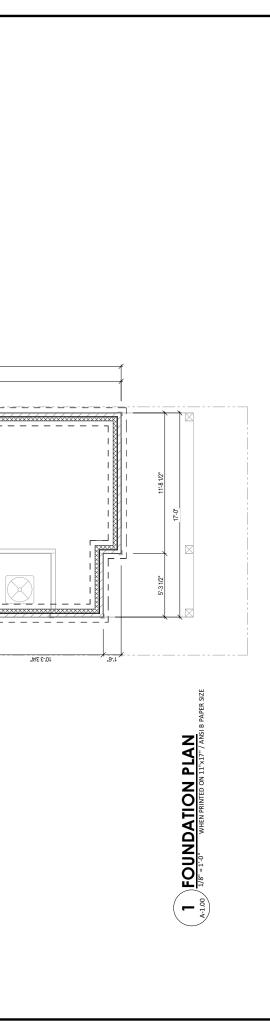
PINNACLE DESIGN CONSULTING

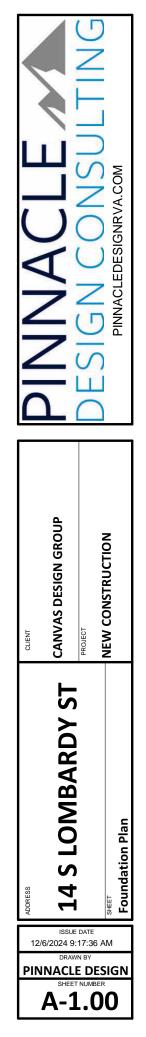
COPYRIGHT NOTICE

APPROVAL SET NOT FOR CONSTRUCTION



C Copyright 2024





NOTE:

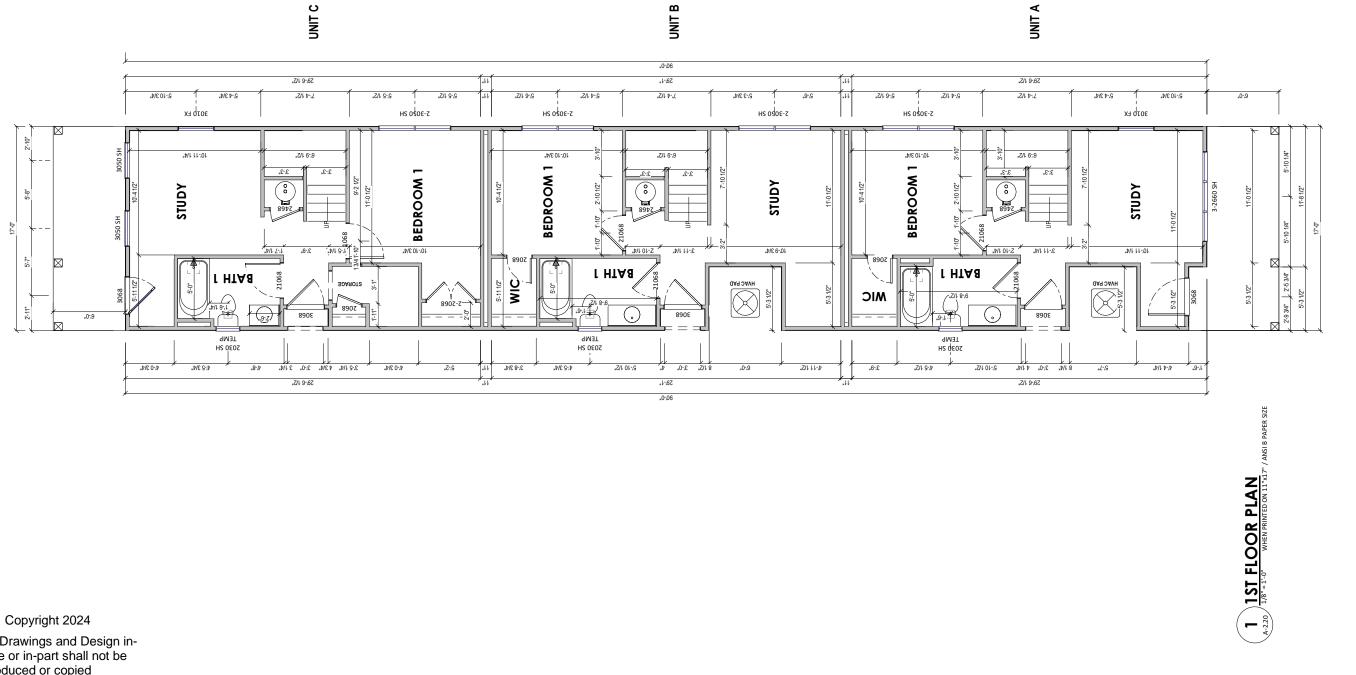
- 1. ALL DIMENSIONS ARE FROM OUTSIDE EDGE OF EXTERIOR WALL SHEATHING OR FACE OF STUD, U.N.O.
- 2. ALL DOOR & WINDOW HEADERS IN EXTERIOR WALLS TO BE (2) 2X8 U.N.O.
- 3. ALL INTERIOR DOOR HEADERS TO BE (2) 2X4, U.N.O.
- 4. PROVIDE PRESSURE TREATED LUMBER @ HOUSE BAND WHERE ALL DECK, PORCH & APPURTENANCES ARE CONNECTED.

NOTE:

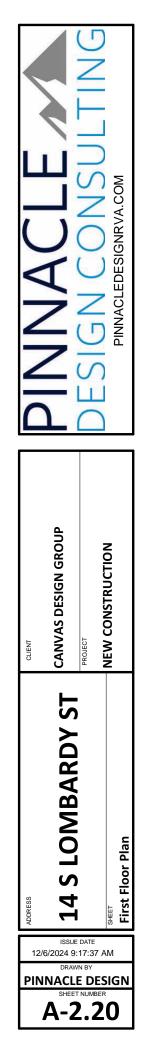
THE FINISHED GRADE SHALL BE SLOPED AWAY FROM THE FOUNDATION WALLS A MINIMUM OF 5% WITHIN THE FIRST 10 FT FROM THE FOUNDATION [R401.3 VRC]

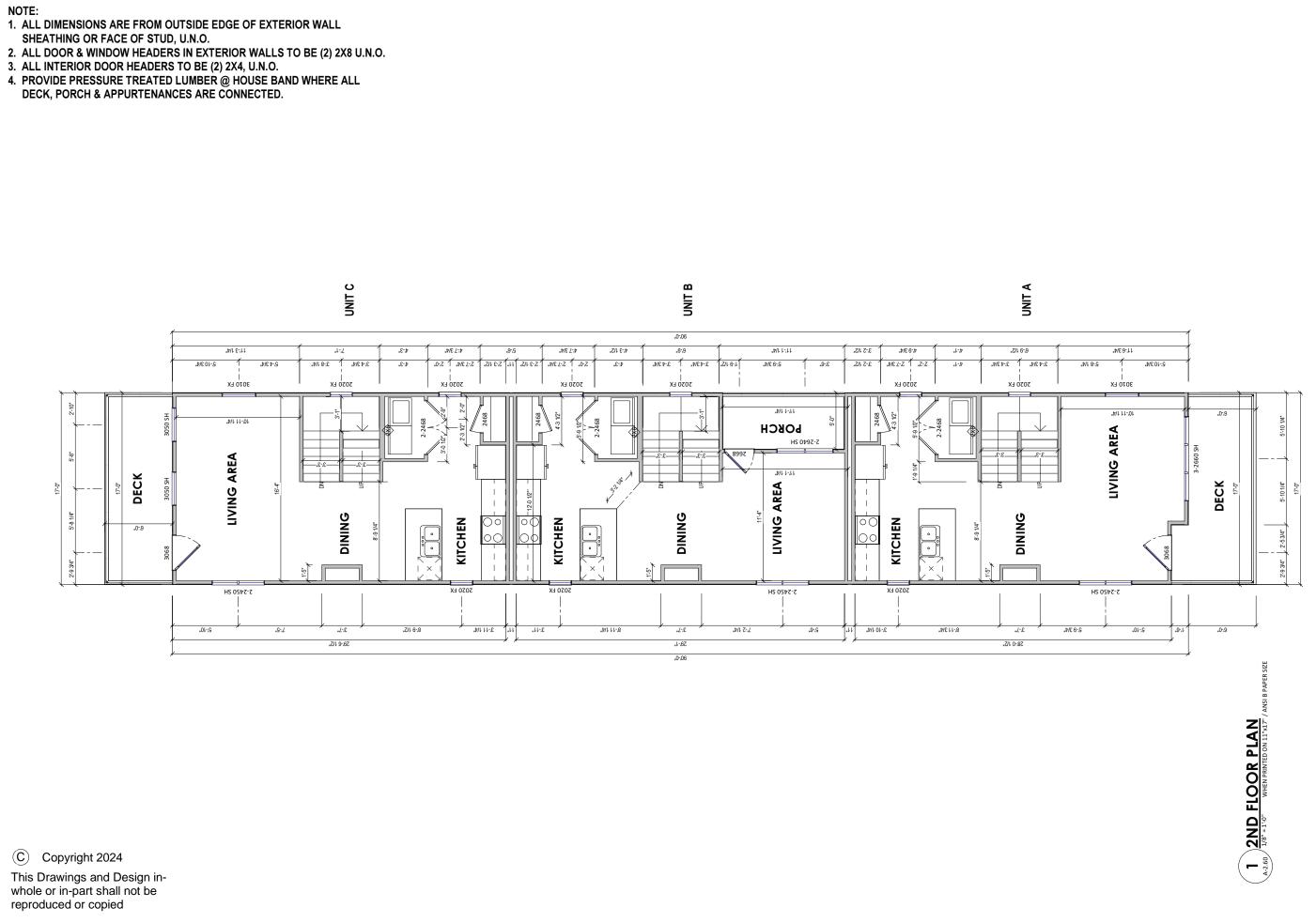
NOTE:

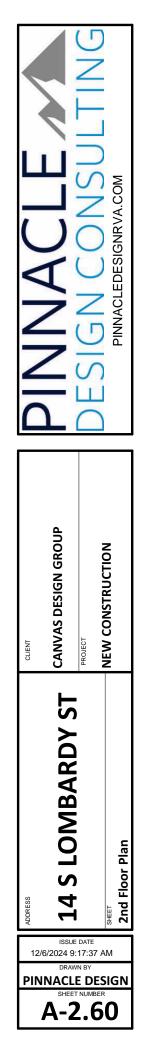
EXTERIOR RISER HEIGHT MAX 8 1/4" AND MIN TREAD DEPTH 9" [R311.7.5 VRC]

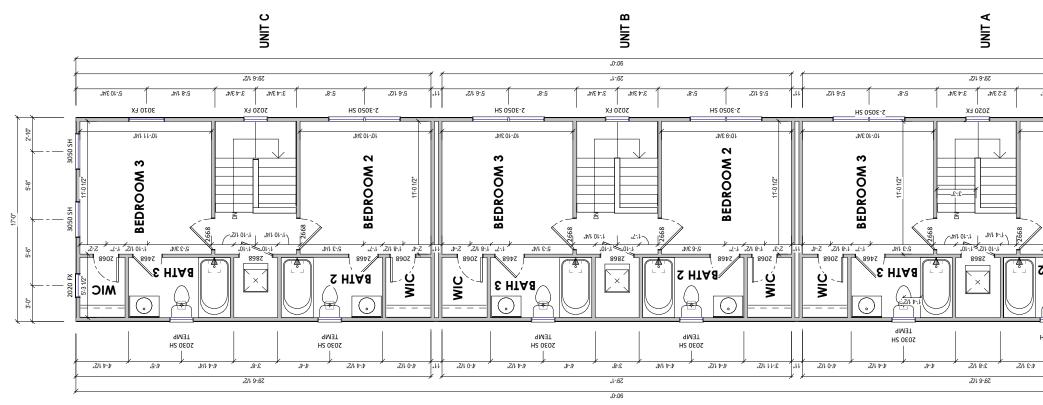


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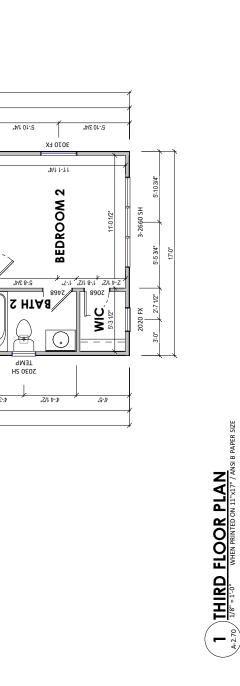


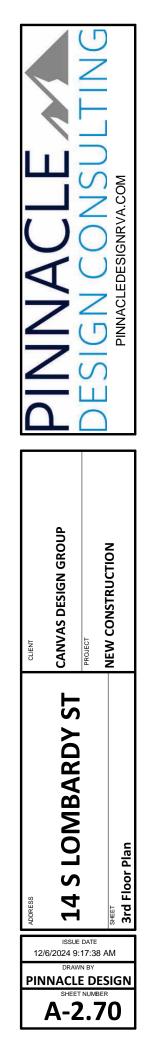


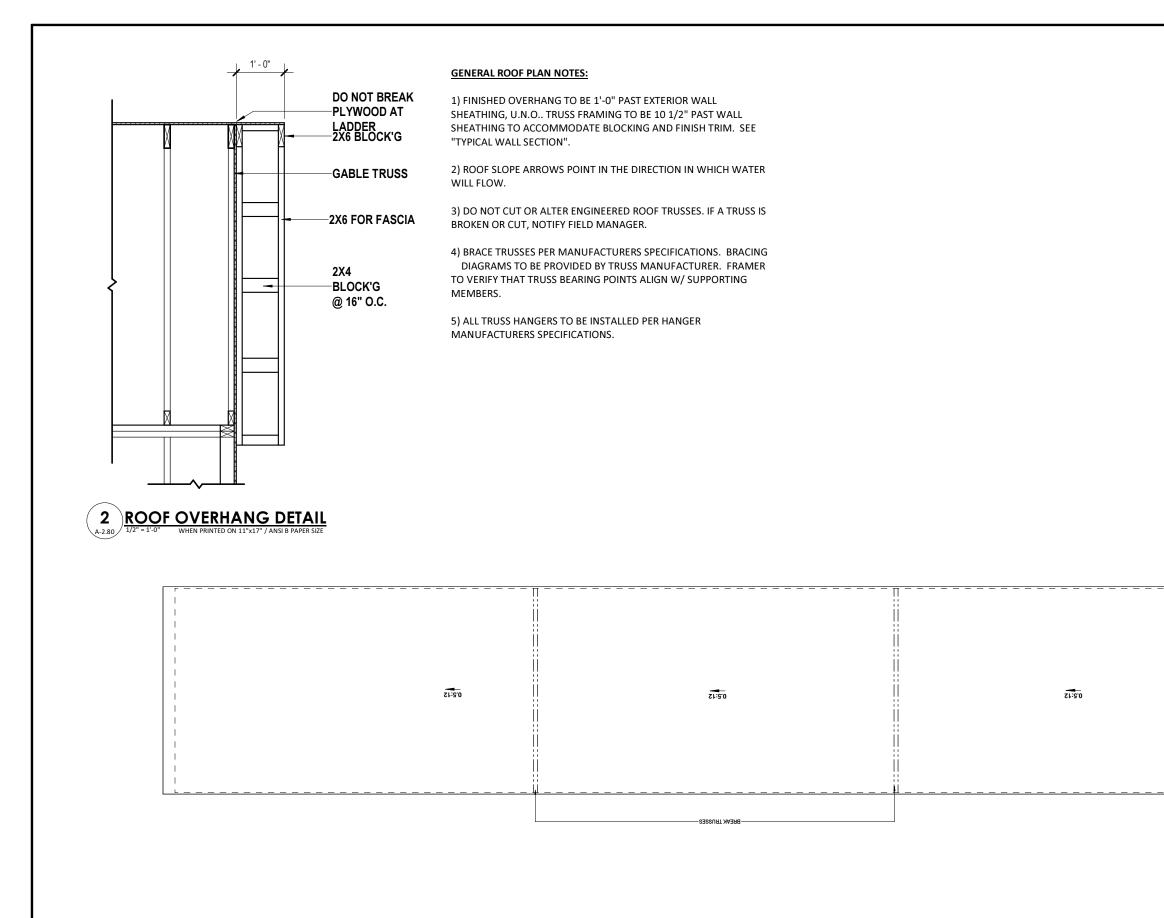




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