

INTRODUCED: March 25, 2019

AN ORDINANCE No. 2019-088

To authorize the special use of the properties known as 2202 West Cary Street, 2206 West Cary Street, 2208 West Cary Street, and 10 South Shields Avenue for the purpose of up to 17 single-family attached dwellings and two single-family detached dwellings, upon certain terms and conditions.

Patron – Mayor Stoney (By Request)

Approved as to form and legality
by the City Attorney

PUBLIC HEARING: APR 22 2019 AT 6 P.M.

WHEREAS, the owner of the properties known as 2202 West Cary Street, 2206 West Cary Street, 2208 West Cary Street, and 10 South Shields Avenue, which are situated in a R-63 Multifamily Urban Residential District, desires to use such properties for the purpose of up to 17 single-family attached dwellings and two single-family detached dwellings, which use, among other things, is not currently allowed by sections 30-419.5, concerning lot area and width, and 30-419.8, concerning lot coverage, of the Code of the City of Richmond (2015), as amended; and

WHEREAS, in accordance with section 17.11 of the Charter of the City of Richmond (2018), 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

AYES: 9 NOES: 0 ABSTAIN: _____

ADOPTED: APR 22 2019 REJECTED: _____ STRICKEN: _____

safety, health, morals and general welfare of the community involved, will not tend to create congestion in streets, roads, alleys and other public ways and places in the area involved, will not create hazards from fire, panic or other dangers, will not tend to overcrowding of land and cause an undue concentration of population, will not adversely affect or interfere with public or private schools, parks, playgrounds, water supplies, sewage disposal, transportation or other public requirements, conveniences and improvements, and will not interfere with adequate light and air; and

WHEREAS, (i) the City Planning Commission has conducted a public hearing to investigate the circumstances and conditions upon which the Council is empowered to authorize such use, (ii) the City Planning Commission has reported to the Council the results of such public hearing and investigation and its recommendations with respect thereto, and (iii) the Council has conducted a public hearing on this ordinance at which the person in interest and all other persons have had an opportunity to be heard;

NOW, THEREFORE,

THE CITY OF RICHMOND HEREBY ORDAINS:

§ 1. **Finding.** Pursuant to section 30-1050.1 of the Code of the City of Richmond (2015), 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 properties known as 2202 West Cary Street, 2206 West Cary Street, 2208 West Cary Street, and 10 South Shields Avenue and identified as Tax Parcel Nos. W000-0994/022, W000-0994/024, W000-0994/025, and W000-0994/017, respectively, in the 2019 records of the City Assessor, being more particularly shown on a survey entitled “Survey Plat Showing Existing Improvements to Five Parcels of Land Situated at the NW Corner of W. Cary St & S. Shields Ave., City of Richmond, Virginia,” prepared by Shadrach & Associates LLC, and dated June 24, 2011, 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 17 single-family attached dwellings and two single-family detached dwellings, hereinafter referred to as “the Special Use,” substantially as shown on the plans entitled “CaryShields Mews, 2202 West Cary Street,” prepared by Johannas Design Group, dated December 17, 2018, and last revised March 19, 2019, hereinafter referred to as “the Plans,” copies of which are attached to and made a part of this ordinance.

(b) The adoption of this ordinance shall constitute the issuance of a special use permit for the Property. The special use permit shall inure to the benefit of the owner or owners of the fee simple title to the Property as of the date on which this ordinance is adopted and their successors in fee simple title, all of which are hereinafter referred to as “the Owner.” The conditions contained in this ordinance shall be binding on the Owner.

§ 3. Special Terms and Conditions. This special use permit is conditioned on the following special terms and conditions:

(a) The Special Use of the Property shall be as up to 17 single-family attached dwellings and two single-family detached dwellings, substantially as shown on the Plans.

(b) Parking shall be provided at a ratio of no fewer than one off-street parking space per dwelling and shall be provided on the Property for the Special Use, substantially as shown on the Plans.

(c) Bicycle storage for no fewer than five bicycles shall be provided, 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 any certificate of occupancy for the Special Use, lots shall be established on the Property, substantially as shown on the Plans, by obtaining subdivision approvals from the City and by recording the appropriate plats among the land records of the Clerk of the Circuit Court of the City of Richmond.

(f) The height of the Special Use shall not exceed the height shown on the Plans.

(g) All building materials, elevations, and site improvements shall be substantially as shown on the Plans.

§ 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 (2015), as amended, and all future amendments to such laws.

(e) The Owner shall make improvements within the public right-of-way, including installation of one street tree along West Cary Street, substantially as shown on the Plans, which improvements may be completed in one or more phases as approved by the Director of Public Works. All improvements and work within the public right-of-way shall be (i) completed in accordance with the requirements of the Director of Public Works, (ii) considered completed only upon written confirmation by the Director of Public Works that such improvements and work are in accordance with such requirements, (iii) transferred to the City, following the written confirmation by the Director of Public Works, pursuant to a transfer of interest document approved as to form by the City Attorney and accepted by the Chief Administrative Officer or the designee thereof on behalf of the City. The Chief Administrative Officer or the designee thereof, for and on behalf of the City, is hereby authorized to accept, in the manner for which this subsection provides, all improvements and work required by and meeting the requirements of this subsection. The final certificate of occupancy shall not be issued for the Property until all requirements of this subsection are fully satisfied.(f) In all other respects, the use of the Property shall be in accordance with the applicable underlying zoning regulations.

§ 5. **General Terms and Conditions.** This special use permit is conditioned on the following general terms and conditions:

(a) No permit implementing this special use permit shall be approved until satisfactory evidence has been presented to the Zoning Administrator that any delinquent real estate taxes applicable to the Property have been paid.

(b) The Owner shall be bound by, shall observe and shall comply with all other laws, ordinances, rules and regulations applicable to the Property, except as otherwise expressly provided in this ordinance.

(c) Words and phrases used in this ordinance shall be interpreted to have the meanings ascribed to them by section 30-1220 of the Code of the City of Richmond (2015), 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 (2015), 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 (2015), 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.

City of Richmond

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

Item Request

File Number: PRE.2019-035

RECEIVED
MAR 12 2019

O & R REQUEST
4-8630

OFFICE OF CITY ATTORNEY
FEB 27 2019

Office of the
Chief Administrative Officer

O & R Request

DATE: February 27, 2019

EDITION: 1

TO: The Honorable Members of City Council

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

Handwritten: 3/8/19

THROUGH: Selena Cuffee-Glenn, Chief Administrative Officer

Handwritten signature

THROUGH: Douglas C. Dunlap, Interim Deputy Chief Administrative Officer for Economic Development and Planning

Handwritten signature

FROM: Mark A. Olinger, Director, Department of Planning and Development Review

Handwritten signature

RE: To authorize the special use of the properties known as 2200, 2202, 2204, 2206, and 2208 West Cary Street, as well as number 10 South Shields Avenue, for the purpose of permitting up to eighteen single-family attached and one single-family detached dwelling units, upon certain terms and conditions.

ORD. OR RES. No. _____

PURPOSE: To authorize the special use of the properties known as 2200, 2202, 2204, 2206, and 2208 West Cary Street, as well as number 10 South Shields Avenue, for the purpose of permitting up to eighteen single-family attached and one single-family detached dwelling units, upon certain terms and conditions.

REASON: The applicant is requesting a special use permit to authorize the development of the above properties as single-family attached dwellings which do not meet the current lot area and lot coverage requirements of the R-63 Multi-Family Urban Residential District. A special use permit is therefore required.

RECOMMENDATION: In accordance with the requirements of the City Charter and the Zoning Ordinance, the City Planning Commission will review this request and make a recommendation to City Council. This item will be scheduled for consideration by the Commission at its April 15, 2019, meeting. A letter outlining the Commission's recommendation will be forwarded to City Council following that meeting.

BACKGROUND: The subject properties consist of a contiguous assemblage of parcels totaling 23,618 SF or .7 acres of land partially improved with residential buildings, constructed, per tax assessment records, in 1910 and are located in the Near West Planning District. An ordinance adopted in 2007 changed the zoning of the property from B-3 (General Business District) to R-63 (Multi-family Urban Residential District). The property is located within the Fan neighborhood.

The City of Richmond's Master Plan designates the subject property for Single Family Medium Density land use. "Primary uses are single family and two family dwellings, both detached and attached, at densities of 8 to 20 units per acre. Includes residential support uses such as schools, places of worship, neighborhood parks and recreation facilities, and limited public and semi-public uses."

The zoning of the subject property is R-63 Multi-Family Urban Residential, which permits residential uses. The application calls for lot sizes to range from 1,020 to 1,520 sq. ft. The R-63 minimum lot area for single-family attached is not less than 2,200 sq. ft. The application calls for lot coverages for some of the units to exceed the allowable 65% of the lot.

Nearby properties are located in the same R-63 district, with RO-2 (Residential-Office) and R-7 (Residential Single & 2 Family Urban) Zones to the north and south, respectively. A mix of single-, two-, and multi-family residential, commercial and office land uses are present in the vicinity.

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

FISCAL IMPLICATIONS: Staff time for processing the request; preparation of draft ordinance; and publishing, mailing and posting of public notices.

BUDGET AMENDMENT NECESSARY: No

REVENUE TO CITY: \$1,800 application fee

DESIRED EFFECTIVE DATE: Upon Adoption

REQUESTED INTRODUCTION DATE: March 25, 2019

CITY COUNCIL PUBLIC HEARING DATE: April 22, 2019

REQUESTED AGENDA: Consent

RECOMMENDED COUNCIL COMMITTEE: None

CONSIDERATION BY OTHER GOVERNMENTAL ENTITIES: City Planning Commission
April 15, 2019

AFFECTED AGENCIES: Office of Chief Administrative Officer
Law Department (for review of draft ordinance)
City Assessor (for preparation of mailing labels for public notice)

RELATIONSHIP TO EXISTING ORD. OR RES.: None

REQUIRED CHANGES TO WORK PROGRAM(S): None

ATTACHMENTS: Application Form, Applicant's Report, Draft Ordinance, Plans, Survey, Map

STAFF: Jonathan Brown, Senior Planner
Land Use Administration (Room 511) 646-5734

CaryShields Mews

2202 West Cary Street

Owner: CaryShields Mews, LLC
General Contractor: Daniel & Company, Inc.
1800 Roseneath Road
Richmond, VA 23230

SCOPE OF WORK

19 ATTACHED AND DETACHED DWELLING UNITS AS DEPICTED

CURRENTLY ZONED R63

TOTAL SITE AREA: APPROX. 28,130 SF

APPROX. COMMON AREA : 2,075 SF

1-18 LOT SIZES RANGING FROM APPROX. 1,020 - 1,520 SF (NOT INCLUDING PARKING SPACES)

MIN. UNIT SQUARE FOOTAGE: APPROX. 1,600 SF (NOT INCLUDING GARAGES, DECKS, AND ROOF DECKS)

TYPICAL UNITS RANGING FROM APPROX. 1,760 - 2,100 SF

CONTENTS

SUP1 - COVER SHEET

SUP2 - OVERALL SITE PLAN

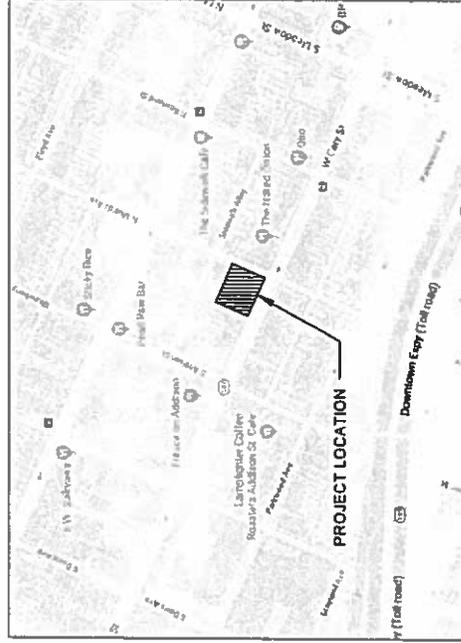
SUP3 - SITE PROPERTY LINES

SUP4 - REPRESENTATIVE UNIT PLANS

SUP5 - ELEVATIONS

SUP6 - ELEVATIONS CONT'D

SUP7 - SECTIONS



LOCATION MAP
no scale
Copyright 2018 Google

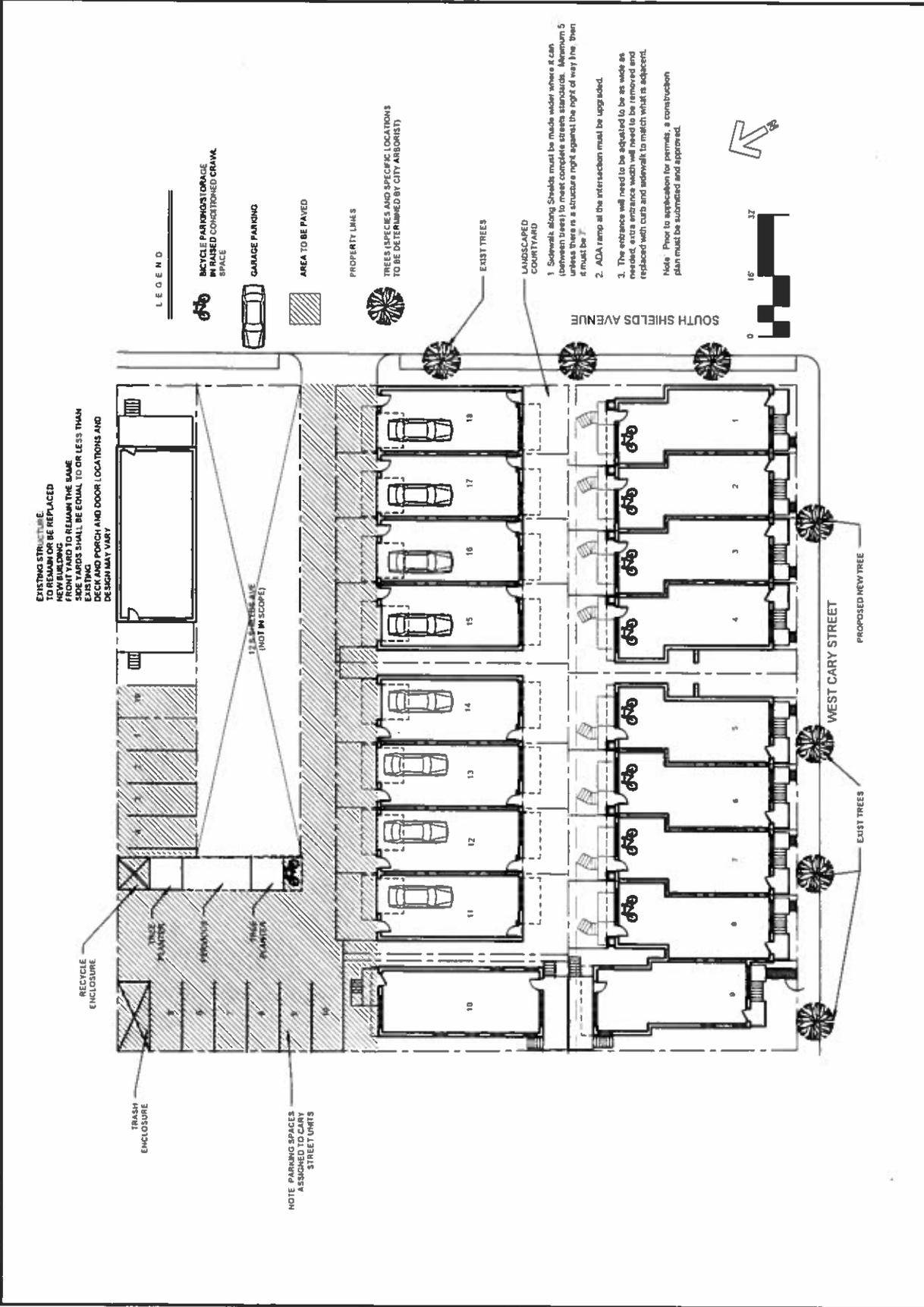
REVISIONS
2/13/19
3/19/19

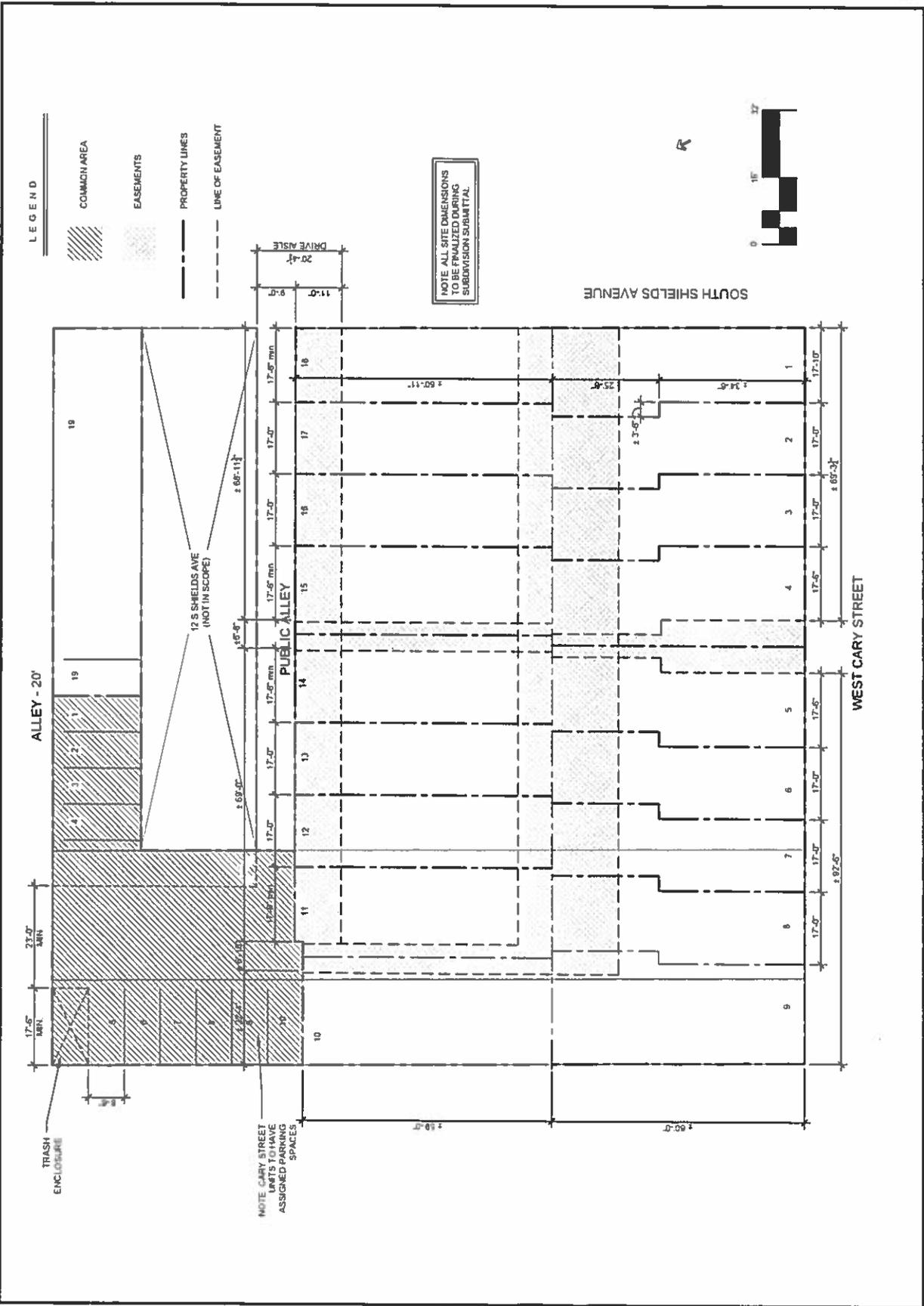
CARYSHIELDS MEWS
2202 WEST CARY STREET

SHEET TITLE
COVER

DATE
12.17.18
PROJECT NO.
1867

SHEET NO.
SUP1



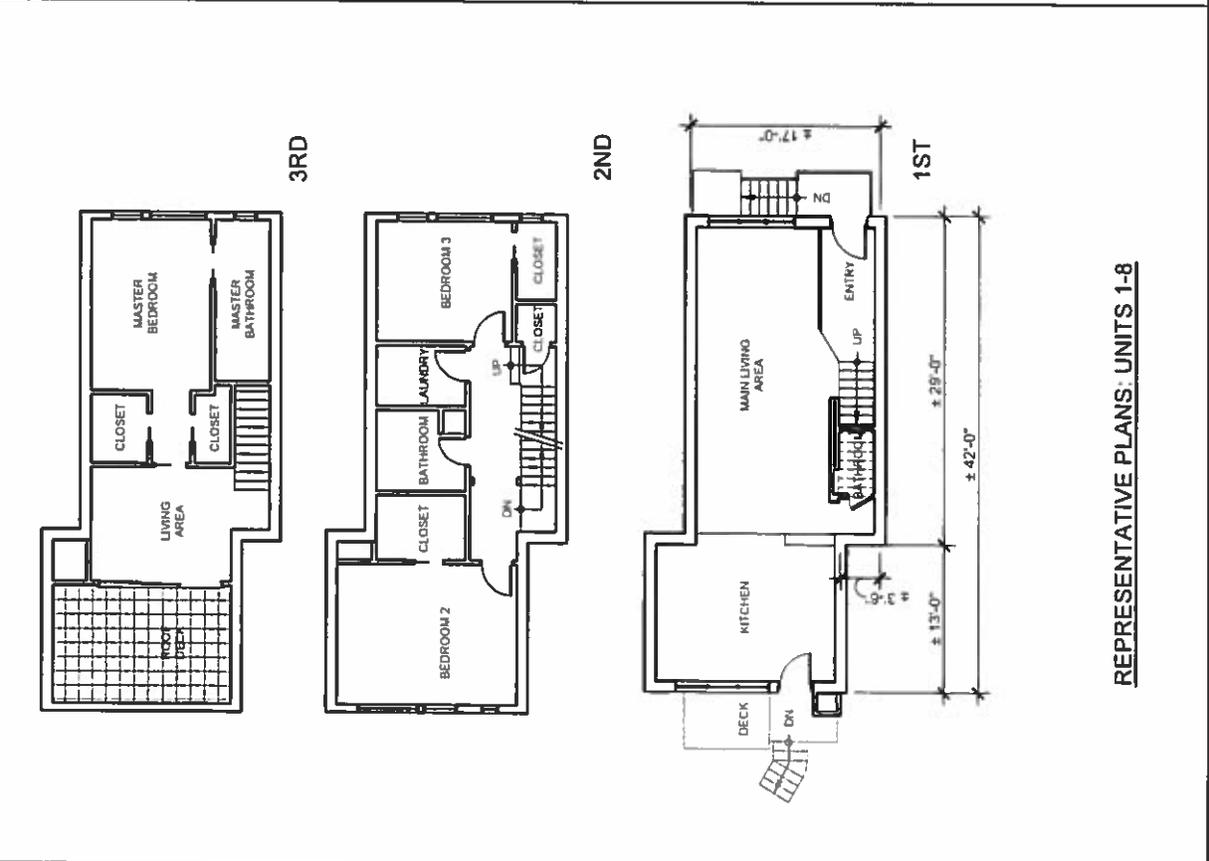
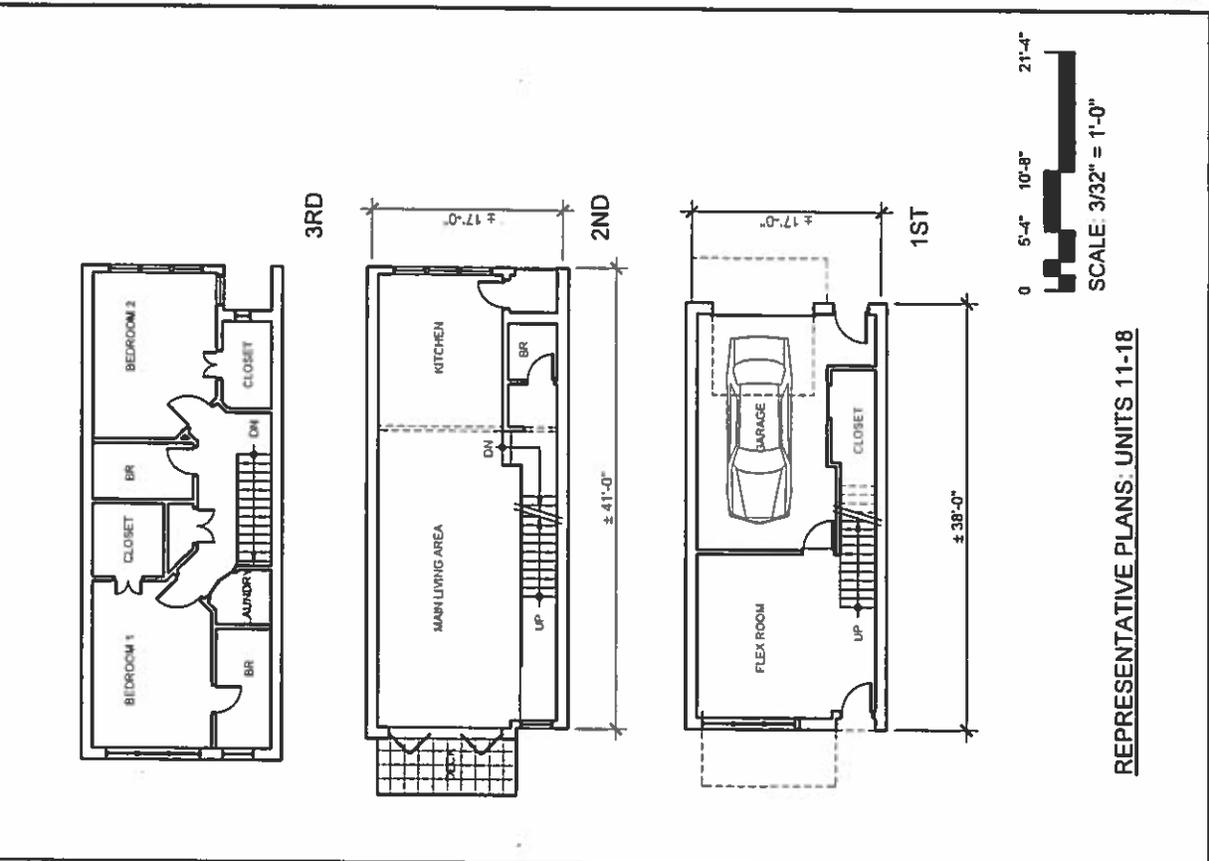


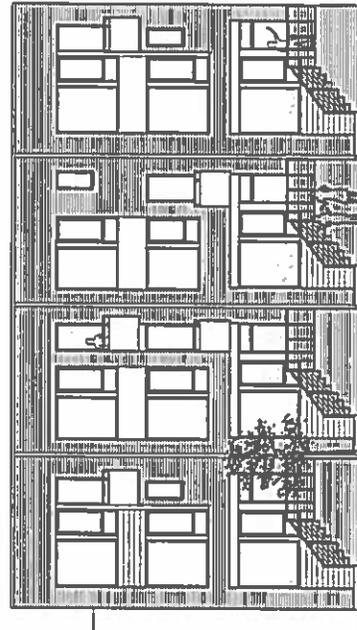
LEGEND

- COMMON AREA
- EASEMENTS
- PROPERTY LINES
- LINE OF EASEMENT

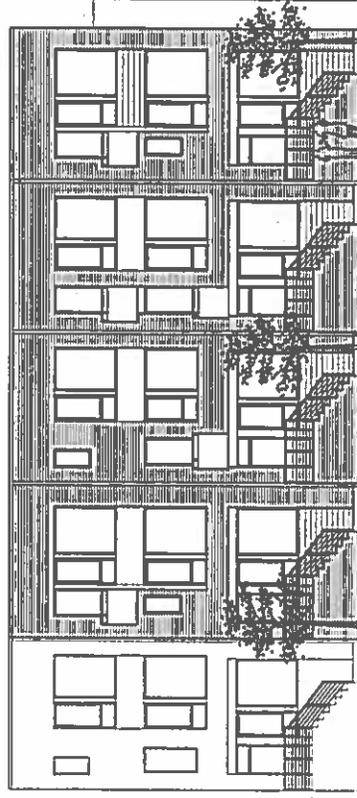
NOTE ALL SITE DIMENSIONS TO BE FINALIZED DURING SUBDIVISION SUBMITTAL



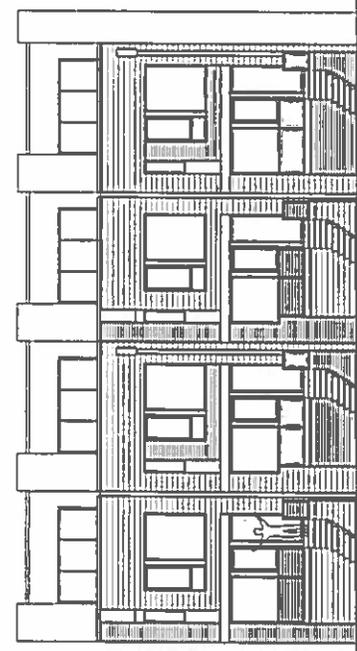




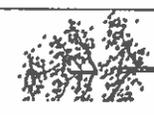
Cary Street View

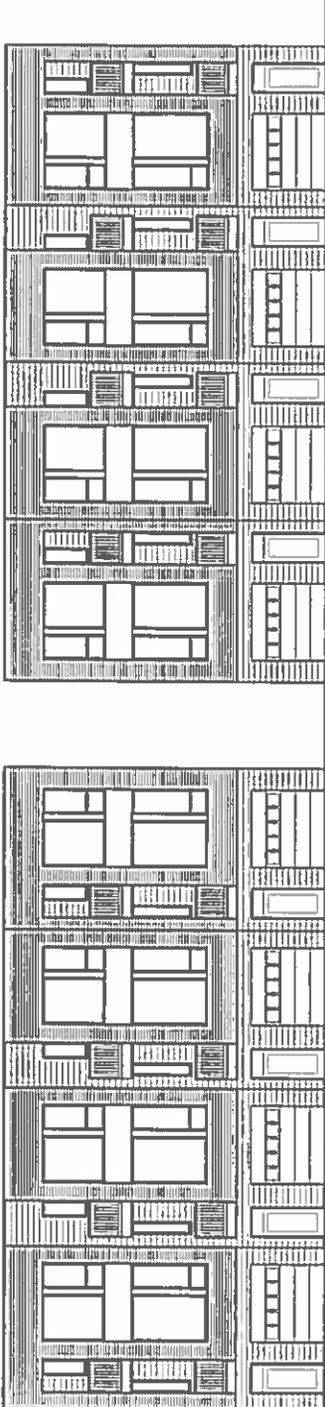


Cary Mews View

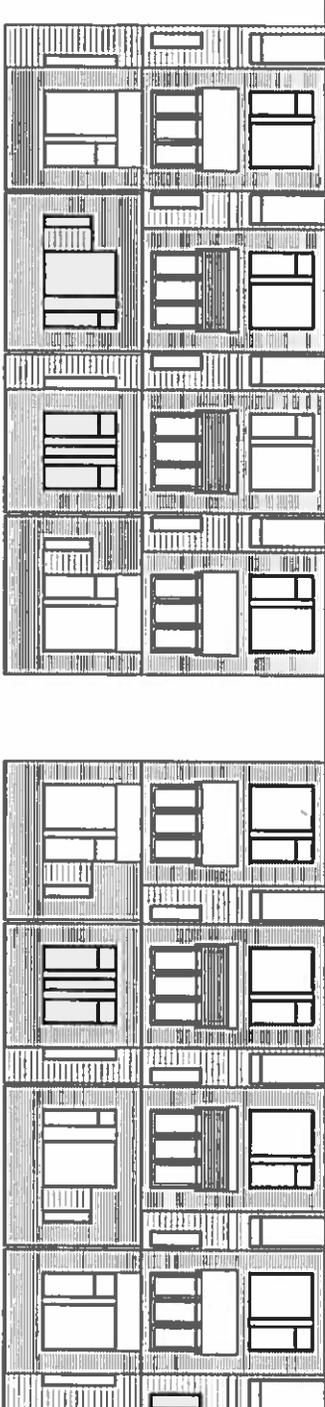


- TYPICAL SIDING MATERIALS**
- BRICK OR THRU-COLOR MASONRY
 - CEMENTITIOUS SIDING - SHIPLAP SIDING SIMILAR TO HARDI ARTISAN SIDING
 - CEMENTITIOUS PANELS
 - METAL SIDING
 - SYNTHETIC STUCCO

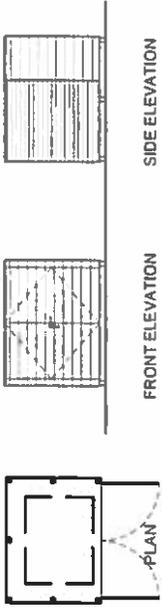




Alley View



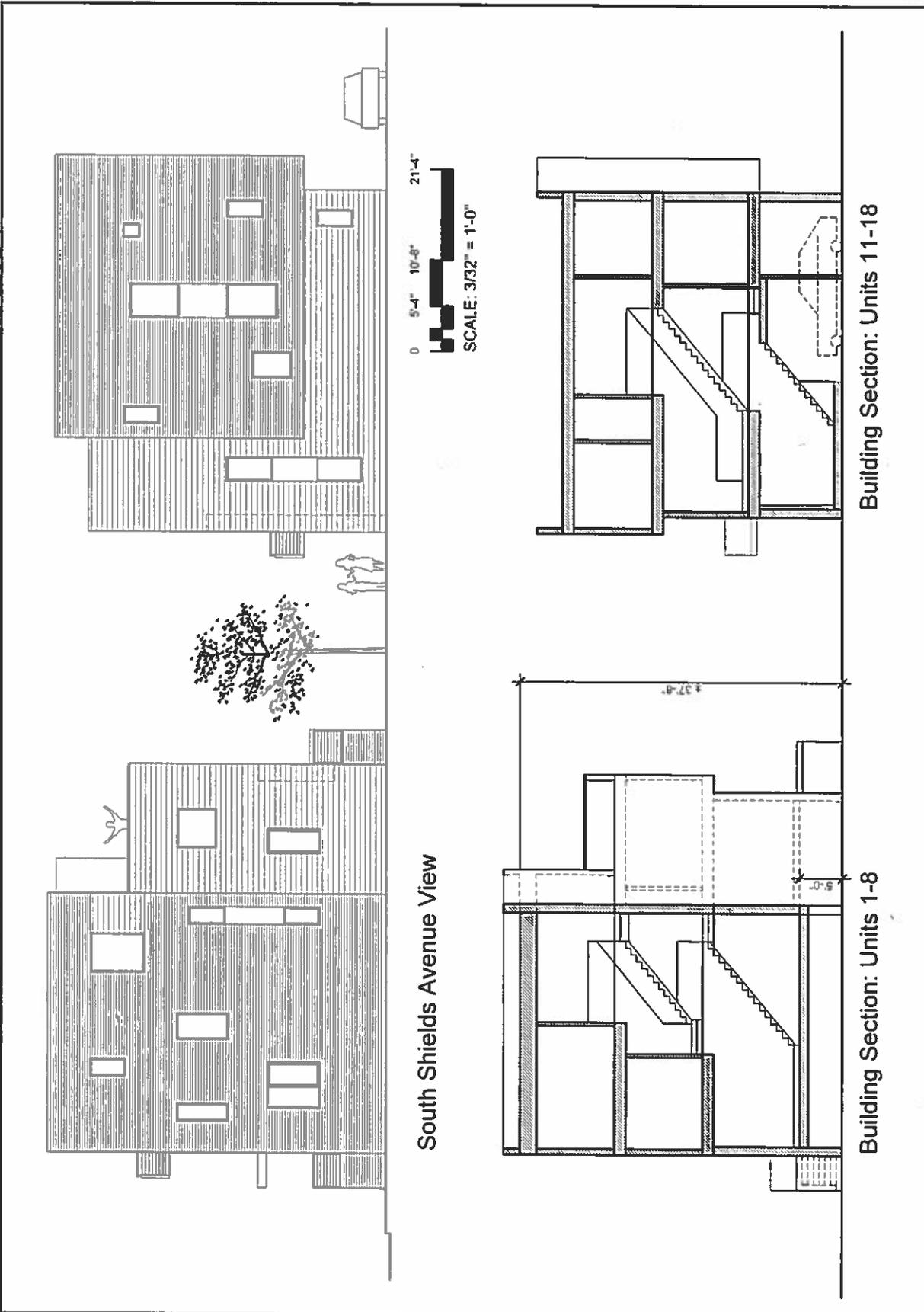
Alley Mews View



NOTE TRASH ENCLOSURE TO HAVE SAME SIDING MATERIALS AS BUILDINGS

FRONT ELEVATION SIDE ELEVATION
TRASH ENCLOSURE NOT TO SCALE

- TYPICAL SIDING MATERIALS**
- BRICK OR THRU-COLOR MASONRY
 - CEMENTITIOUS SIDING - SHIPLAP SIDING SIMILAR TO HARDI ARTISAN SIDING
 - CEMENTITIOUS PANELS
 - METAL SIDING
 - SYNTHETIC STUCCO



Legal References:

① Parcel 1
0.342 Ac.

CARYSHIELDS, LLC
Instrument #2005-31123
Tax Parcel #M000-0894/022
#2202-2204 W. Cary St.

② Parcel 2
0.124 Ac.

DANIEL INVESTMENTS AND DEVELOPMENT, LLC
AND SOUTH SHIELDS, LLC
Instrument #2008-12903
Tax Parcel #M000-0894/024
#2206 W. Cary St.

③ Parcel 3
0.082 Ac.

DANIEL INVESTMENTS AND DEVELOPMENT, LLC
AND SOUTH SHIELDS, LLC
Instrument #2008-12904
Tax Parcel #M000-0894/025
#2208 W. Cary St.

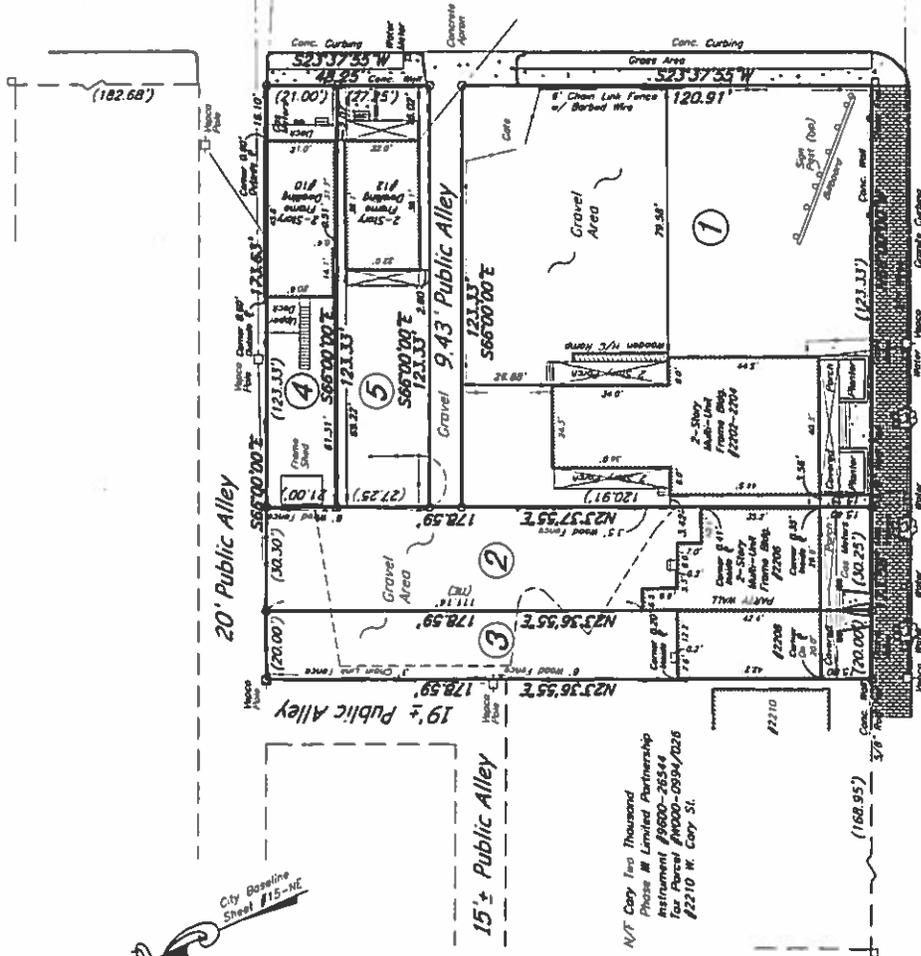
④ Parcel 4
0.059 Ac.

SUSAN S. & JUDSON T. VAUGHAN, III
Instrument #9900-24525
Tax Parcel #M000-0894/018
#110 S. Shields Ave.

⑤ Parcel 5
0.077 Ac.

LOUIS H. & MARCI S. HORMITZ
Instrument #2003-41217
Tax Parcel #M000-0894/017
#112 S. Shields Ave.

South Shields Ave.
(50' R/W)



West Cary Street
(60' R/W)

SURVEY PLAT

SHOWING EXISTING IMPROVEMENTS TO
FIVE PARCELS OF LAND SITUATED AT THE
NW CORNER OF W. CARY ST & S. SHIELDS AVE.
CITY OF RICHMOND, VIRGINIA
DATE: JUNE 24, 2011



Scale: 1" = 25'



Shadrach & Associates LLC
LAND SURVEYING
128 S. Williams Blvd., Suite 100, Richmond, Virginia 23104
Phone: (804)374-4200 or Fax: (804)374-1901

I hereby certify that this boundary survey, to the best of my knowledge and belief, complies with the minimum procedures and standards established by the Virginia State Board of Architects, Professional Engineers, Land Surveyors, and Certified Landscape Architects.



- Notes:**
- The subject property appears not to be located within the limits of the 100 Year Flood Plain Boundary as defined by The Federal Insurance Administration Community-Plan #10129-0038-10, effective date: April 2, 2009 (Zone X).
 - This survey plat represents a current and accurate field transit survey of the premises shown hereon.
 - Date of last physical survey: June 22, 2011
 - This survey was made without the benefit of a Title Report and therefore there may be encumbrances which affect the subject property and are not shown hereon.
 - 3/8" iron rods set at all corners unless otherwise shown hereon.

Legal References:

① Parcel 1
0.342 Ac.

CARYSHIELDS, LLC
Instrument #2005-11323
Tax Parcel #W000-0894/022
#2202-2204 W. Cary St.

② Parcel 2
0.124 Ac.

DANIEL INVESTMENTS AND DEVELOPMENT, LLC
AND SOUTH SHIELDS, LLC
Instrument #2006-12803
Tax Parcel #W000-0894/024
#2206 W. Cary St.

③ Parcel 3
0.082 Ac.

DANIEL INVESTMENTS AND DEVELOPMENT, LLC
AND SOUTH SHIELDS, LLC
Instrument #2006-12804
Tax Parcel #W000-0894/025
#2208 W. Cary St.

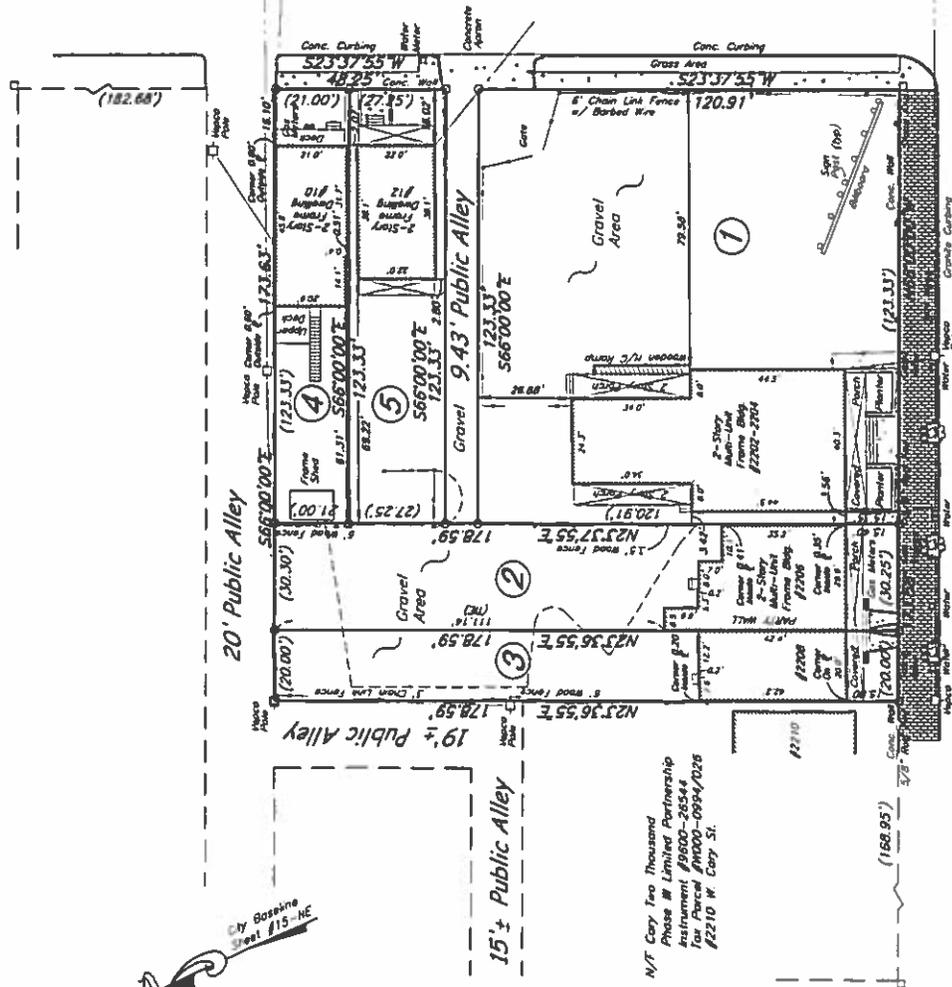
④ Parcel 4
0.059 Ac.

SUSAN S. & JUDSON T. VAUGHAN, III
Instrument #9900-74525
Tax Parcel #W000-0894/018
#10 S. Shields Ave.

⑤ Parcel 5
0.077 Ac.

LOUIS H. & MARCI S. MORWITZ
Instrument #2003-41217
Tax Parcel #W000-0894/017
#12 S. Shields Ave.

South Shields Ave.
(50' R/W)



I hereby certify that this boundary survey, to the best of my knowledge and belief, complies with the minimum procedures and standards established by the Virginia State Board of Architects, Professional Engineers, Land Surveyors, and Certified Landscape Architects.



SURVEY PLAT
SHOWING EXISTING IMPROVEMENTS TO
FIVE PARCELS OF LAND SITUATED AT THE
NW CORNER OF W. CARY ST & S. SHIELDS AVE.
CITY OF RICHMOND, VIRGINIA
DATE: JUNE 24, 2011



Shadrach & Associates LLC
LAND SURVEYING
433 Southside Blvd., Suite 10-40 • Richmond, Virginia 23218
Phone: (804)781-9300 • Fax: (804)781-9301

West Cary Street
(60' R/W)

- Notes:**
1. The subject property appears not to be located within the limits of the 100 Year Flood Plain Boundary as defined by The Federal Insurance Administration Community-Panel #510129-0036-D, effective date, April 2, 2009 (Zone X).
 2. This survey plat represents a current and accurate field transit survey of the premises shown hereon.
Date of last physical survey: June 22, 2011
 3. This survey was made without the benefit of a Title Report and therefore there may be encumbrances which affect the subject property and are not shown hereon.
 4. 5/8" Iron Rods Set at all corners unless otherwise shown hereon.

N/T Cary Two Thousand
Phase III Limited Partnership
Instrument #9600-26544
Tax Parcel #W000-0894/025
#2210 W. Cary St.



SUP-046495-2018

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.richmondva.gov

Application is hereby submitted for: (check one)

- [X] special use permit, new
[] special use permit, plan amendment
[] special use permit, text only amendment

Project Name/Location

Property Address: 2200, 2202, 2204, 2206, and 2208 West Cary Street and 10 S Shields Avenue Date 12/17/2018

Tax Map #: WOOD-0804/022, 024, 025 and 017 Fee: \$300

Total area of affected site in acres: 0.607 acres

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

Zoning

Current Zoning: R-43

Existing Use: Vacant lot with a billboard and duplexes

Proposed Use

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

Existing Use: Vacant lot with a billboard and duplexes

Is this property subject to any previous land use cases?

Yes [] No [X] If Yes, please list the Ordinance Number:

Applicant/Contact Person: Lory Mathem

Company: Mathem Planning

Mailing Address: 2318 W. Main Street

City: Richmond State: VA Zip Code: 23220

Telephone: (804) 248-2561 Fax: ()

Email: lory@mathemplanning.com

Property Owner: Daniel Investments & Dev LLC, Caryshields LLC, Caryshields Condominium LLC

If Business Entity, name and title of authorized signee: Samuel W Daniel

(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: P.O. Box 6740

City: Richmond State: VA Zip Code: 23220

Telephone: (804) 340-1902 Fax: ()

Email: sww@daninvest.net

Property Owner Signature: Samuel W. Daniel

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)



December 17, 2018

Mr. Mark Olinger, Director
Department of Planning & Development Review
900 East Broad Street, Suite 511
Richmond, VA 23219
Mark.Olinger@richmondgov.com

RE: Applicant's Report for Special Use Permit Application at 2200, 2202, 2204, 2206 and 2208 W Cary Street and 10 South Shields Avenue

Dear Mr. Olinger,

Please accept this letter as the Applicant's Report for the Special Use Permit (SUP) application for the properties at 2200, 2202, 2204, 2206 and 2208 West Cary Street and 10 South Shields Avenue. With this application, the property owner is petitioning the City Council for a SUP to authorize eighteen (18) single-family attached dwellings and one single-family detached dwelling in an R-63 Multifamily Urban Residential District. This SUP would waive the lot size and public street frontage requirements for single-family dwellings.

Site

The subject property is comprised of five lots located in the Near West Planning District at the intersection of West Cary Street and South Shields Avenue. 2200, 2202, 2204, 2206 and 2208 W. Cary Street have a land area of 0.548 acres and 10 S. Shields Avenue has a land area of 0.059 acres. 2202 and 2204 W. Cary Street is improved with a two-story multifamily residential building with 4,840 square feet of floor area and 2206 and 2208 are also improved with dwellings. 10 S. Shields Avenue is improved with a two-story, single-family dwelling with 1,932 square feet of floor area. The surrounding properties are mostly comprised of single-, two-, and multi-family residences in the R-63 district.

Zoning and SUP Ordinance Conditions

The subject property is located in the R-63 Multifamily Urban Residential District which permits residential uses and limited commercial uses on corner lots. Single-family attached dwellings are required to be on lots of not less than 2,200 square feet. Single-family detached dwellings are required to be on lots of not less than 3,000 square feet. In addition, each building is required to have frontage on an improved public street or a recorded permanent access easement. One parking space per dwelling is required under normal zoning regulations.

This SUP, if approved, would waive the minimum lot size requirements for detached and attached single-family residences and permit nine of the proposed dwellings to front on a private driveway.

Proposal

We proposed to develop 18 single-family dwellings on the property and allow the lot area devoted to the dwelling at 10 S Shields Ave to be reduced with the existing house either to be retained or replaced. Each dwelling unit would be three-stories in height and provide approximately 2,000 square feet of finished living area. Each lot would contain approximately 1,000 square feet of land area. Nine of the proposed dwellings would front along West Cary Street, and nine dwellings would front along an interior landscaped courtyard which would also provide usable open space for all of the residents of the development.

Nineteen off-street parking spaces would be provided for the dwellings. Eight of the dwellings would offer garages located at the rear, and 11 additional spaces would be provided on a parking lot behind the dwellings. The garages and parking lot would be accessible by a proposed private driveway and/or an existing public alley from S. Shields Avenue.

Master Plan

The Master Plan recommends Single-Family Medium Density land use for the subject property. Primary uses are single and two-family dwellings, both detached and attached, at densities between 8 and 20 units per acre (p. 133). The Land Use Plan for the Near West District does not recommend any substantial changes to the distribution of land uses; rather it is meant to accommodate new and diverse development opportunities where appropriate, while preserving the urban character of an area almost entirely built out (p. 229).

This proposal to develop single-family dwellings is consistent with the Plan recommendations for the land use of the property. The architectural design and mass and scaling of the dwellings would specifically complement the existing urban character of the neighborhood. High quality materials would also be used in the construction of the dwellings to fit with the existing historic structures in the neighborhood. In addition, the layout of property with parking at the rear would maintain an active street frontage along both W. Cary Street and S. Shields Avenue and preserve the pedestrian-friendly nature of the area.

While this proposal seeks an exception from the density restriction for single-family dwellings, the proposed development would be permitted by-right under R-63 regulations as a multi-family development. However, instead of condominiums, we believe that single-family dwellings on individual fee simple lots as proposed is more appropriate and in keeping with the historical development pattern of this West Cary Street neighborhood.

City Charter Conditions

This is an excellent opportunity to bring high-quality single-family dwellings to an important neighborhood in the Near West End. The proposed development would contribute positively to the housing stock in this part of West Cary Street and provide a high-quality housing option to its residents. We trust that you will agree with us that this proposed SUP meets the City Charter criteria for the granting of SUPs as the project 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.

Thank you for your consideration of this application. Please feel free to contact me at lory@markhamplanning.com or (804) 248-2561 if you have any questions or require additional materials to process the application.

Very Truly Yours,

A handwritten signature in black ink, appearing to read 'Lory Markham', written in a cursive style.

Lory Markham

Enclosures

cc: The Honorable Parker C. Agelasto
Matthew Ebinger, Secretary to the City Planning Commission