

City Of Richmond, Virginia Office of the City Clerk

Request to Withdraw Legislation

Paper Number:

Ord. 2025-092

Chief Patron:

Mayor Danny Avula (By Request)

Introduction Date:

April 28, 2025

Chief Patron Signature:

1/2 1/1

For Office Use Only

Attestation:

Effective Date:

May 13, 2025

AN ORDINANCE No. 2025-092

To authorize the special use of the properties known as 6320 Daytona Drive, 6330 Daytona Drive, and 6340 Daytona Drive, for the purpose of up to eight single-family detached dwellings, upon certain terms and conditions.

Patron – Mayor Avula (By Request)

Approved as to form and legality by the City Attorney

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

WHEREAS, the owner of the properties known as 6320 Daytona Drive, 6330 Daytona Drive, and 6340 Daytona Drive, which are situated in a R-3 Single-Family Residential District, desires to use such properties for the purpose of up to eight single-family detached dwellings, which use, among other things, is not currently allowed by sections 30-406.4, concerning lot area and width, and 30-406.5, concerning yards, of the Code of the City of Richmond (2020), as amended; and

WHEREAS in accordance with section 17.11 of the Charter of the City of Richmond (2020), as amended, it has been made to appear that, if granted subject to the terms and conditions set forth in this ordinance, the special use granted by this ordinance will not be detrimental to the

AYES:	NOES:	ABSTAIN:
ADOPTED:	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 (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 properties known as 6320 Daytona Drive, 6330 Daytona Drive, and 6340 Daytona Drive and identified as Tax Parcel Nos. C007-0406/074, C007-0406/073, and C007-0406/072, respectively, in the 2025 records of the City Assessor, being more particularly shown on a survey entitled "Map Showing the Improvements on Lots 2, 3 & 4, 'Daytona Dell' in the City of Richmond., VA," prepared by Virginia Surveys, and dated April 2, 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 eight single-family detached dwellings, hereinafter referred to as "the Special Use," substantially as shown on the plans entitled "Sketch Showing the Proposed Improvements on a Re-Division Lots 2, 3 & 4, 'Daytona Dell' in the City of Richmond, VA.," prepared by Virginia Surveys, dated July 30, 2024, and last revised August 2, 2024, and "Daytona Dr. (8) Parcels," prepared by River Mill Development, and dated April 16, 2024, 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 eight single-family detached

dwellings, substantially as shown on the Plans.

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

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

(d) No fewer than sixteen off-street parking spaces shall be provided for the Special Use, 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 any building permit for the Special Use, the establishment of up to eight residential lots, and one private easement, 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.

The Owner shall make improvements within the right-of-way, including the (e) installation of new sidewalk along Daytona Drive, 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 or his designee 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 his designee, 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, 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

O&R Transmittal		
DATE:	March 14, 2025	
TO:	The Honorable Members of City Council	
THROUGH: The Honorable Dr. Danny Avula, Mayor (by request)		
	(This in no way reflects a recommendation on behalf of the Mayor.)	
THROUGH: Sabrina Joy-Hogg, Interim Chief Administrative Officer		
THROUGH: Sharon L. Ebert, Deputy Chief Administrative Officer for Economic		
Development and Planning		
FROM:	Kevin J. Vonck, Director, Department of Planning and Development Review	
RE:	To authorize the special use of the properties known as 6320 Daytona Drive, 6330 Daytona Drive, and 6340 Daytona Drive, for the purpose of up to eight single-family detached dwellings, upon certain terms and conditions.	
ORD. OR RES. No.		

PURPOSE: The applicant is proposing to subdivide three existing, contiguous parcels, and construct eight single-family detached dwellings. The properties are currently located within the R-3 Single-Family Residential District. The proposed dwellings do not meet the current requirements for lot area, lot width, and side-yard width. A Special Use Permit is therefore required.

BACKGROUND: The properties are located in the Hioaks neighborhood on Daytona Drive between Whitehead and Pierpont Roads. The properties are currently a combined 43,560 sq. ft. (1 acre), vacant parcels of land. The City's Richmond 300 Master Plan designates these parcels as Residential. This land use is intended to be "Neighborhoods consisting primarily of single-family houses on large- or medium-sized lots more homogeneous in nature."

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

Primary Uses: Single-family houses, accessory dwelling units, and open space.

Secondary Uses: Duplexes and small multi-family buildings (typically 3-10 units), institutional, and cultural.

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Secondary uses may be found along major streets. Currently, the majority of surrounding properties are zoned R-3 Single-Family Residential. The overall density of the proposed is eight units per acre.

COMMUNITY ENGAGEMENT: Letters of notification shall be sent to nearby property owners, and a sign noting this request shall be placed on the property once the ordinance is introduced to City Council.

STRATEGIC INITIATIVES AND OTHER GOVERNMENTAL: Richmond 300 Master Plan

FISCAL IMPACT: \$300 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: Law Department (for review of draft ordinance)

RELATIONSHIP TO EXISTING ORD. OR RES.: None

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

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

Application for SPECIAL USE PERMIT

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

Application is hereby submitted for: (check one)

- 🗹 special use permit, new
- special use permit, plan amendment
- □ special use permit, text only amendment

Project Name/Location

Property Address: 6320-6340 Daytona Drive		Date:
Tax Map #: C007-0406/072,073,074	Fee: \$300	
Total area of affected site in acres: 0.789		

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

Zoning

Current Zoning: R-3

Existing Use: Vacant

Proposed Use

(Please include a detailed description of the proposed use in the required applicant's report) Contruction of seven (7) new single-family detached dwellings

Existing Use: Vacant

Is this property subject to any previous land use cases?

Yes		

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

Applicant/Contact Person: Will Gillette / Mark Baker

Company: Baker Development Resources		
Mailing Address: 530 East Main Street, Suite 730		
City: Richmond	State: VA Zip Code: 23219	
Telephone: _(804) 874-6275	Fax: _()	
Email: markbaker@bakerdevelopmentresources.com		

Property Owner: Six Bears Inc

If Business Entity, name and title of authorized signee: President

(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: 8631 Chester Forest Lane	
City: Chesterfield	State: VA Zip Code: 23237
Telephone: (804-267-9511	
Email: Sixbearsrealty@gmail.com	
Property Owner Signature: Samuel Cruz	04/24/24

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

April 26, 2024 Revised: August 2, 2024

Special Use Permit Request 6320-6340 Daytona Drive, Richmond, Virginia Map Reference Number: C007-0406/072,073,074

Submitted to:City of Richmond
Department of Planning and Development Review
Land Use Administration
900 East Broad Street, Suite 511
Richmond, Virginia 23219Submitted 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 6320-6340 Daytona Drive (the "Property"). The SUP would authorize the construction of eight new single-family detached dwellings on the Property. While the single-family detached use is permitted by the underlying R-3 Single-Family Residential zoning district, some of the underlying feature requirements cannot be met, and therefore, a SUP is required.

Existing Conditions

SITE DESCRIPTION AND EXISTING LAND USE

The Property is located along the northern line of Daytona Drive between Whitehead Road and McDowell Road. The Property is referenced by the City Assessor as tax parcels C007-0406/072, 073, 074 and is currently unimproved. The Property is approximately 228' wide, roughly 147' deep, and contains approximately 34,077 square feet of lot area.



The properties in the immediate vicinity are developed mostly with single-family homes that range from one to two stories in height. Also nearby, located at the intersection of Daytona Drive and Whitehead Road, is GH Reid Elementary School. While many properties nearby have been developed, there remain tracts of wooded areas that have not seen development.

EXISTING ZONING

The Property and those in the surrounding vicinity are zoned R-3 Single-Family Residential, which generally permits the proposed single-family detached dwelling use. Parcels in the area differ in size and frontage with a large number of parcels in the Worthington Farms area unable to conform to the underlying R-3 feature requirements. Notably, further to the south are properties zoned R-43 Multifamily Residential District.

MASTER PLAN DESIGNATION

The Richmond 300 Master Plan (the "Master Plan") suggests "Residential" use for the Property. The Master Plan suggests this future land use designation allow for a variety of housing types that are consistent with the scale, density, and design of what exists in the vicinity. This designation also encourages that developments reinforce a gridded street pattern to increase connectivity. Single-family dwellings are the contemplated primary use in the Residential future land use designation (p. 54).

In addition to the Property-specific guidance offered by the Vision and Core Concepts chapter, there are a number of other goals elsewhere within the Master Plan that support this request:

- Page 86 (High-Quality Places Chapter), Objective 1.4, to "maintain and improve primarily residential areas by increasing their linkages to...corridors...and maintaining high-quality design standards."
- Page 100 (High Quality Places Chapter), Objective 4.1, to "create and preserve high quality, distinctive, and well-designed neighborhoods and nodes throughout the City," as the request introduces thoughtfully designed new construction in a manner not otherwise assured by-right.
- Page 136 (Diverse Economy Chapter), Objective 11.1 to "Increase the areas of appropriately zoned land near various transportation modes and housing to retain, create, and attract employers."
 - d. Encourage the development of a variety of quality housing types to house employees across the economic spectrum (see Goal 14).
- Page 150 (Inclusive Housing Chapter), Objective 14.1 to "Increase city-wide awareness of the importance of integrating housing at all income levels into every residential neighborhood so every household has housing choice throughout the city."
- Page 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).

Proposal

PROJECT SUMMARY

The applicant is proposing to divide the Property into a total of eight lots and construct eight new single-family detached dwellings to front onto Daytona Drive.

PURPOSE OF REQUEST

The currently vacant Property is approximately 228' in width along Daytona Drive. The owner is proposing to divide the parcel into eight new lots and construct a new single-family detached dwelling on each new lot. While the single-family dwelling use is permitted by the underlying R-3 zoning district, the proposed lots, like other lots in the vicinity, do not meet the R-3 lot area and lot width requirements. Therefore, an SUP is required to permit the proposed development. All other aspects of the underlying zoning requirements would be met and off-street parking, which is not required, would be provided.

PROJECT DETAILS

When complete, the proposed dwellings would each be 20 feet in width, 54 feet in depth, and one and one-half stories in height. They would each include approximately 1,522 square feet of finished floor area and contain three bedrooms and two-and-one-half bathrooms. The proposed floor plans are modern and efficient, with an open kitchen and living area on the first floor. The buildings would be of frame construction and would be clad in cementitious siding to ensure durability. Two different exterior designs would provide some variation in style and a covered front porch would provide usable outdoor space for the future owners and address the street. The proposed dwellings massing and architectural styles are designed to be compatible with nearby dwellings and a private alley with a single point of entry would provide off-street parking.

In exchange for the SUP, the intent of this request is to ensure the development of high-quality infill dwellings. The overall project will be appropriately dense and efficient as contemplated by the Richmond 300 Master Plan and be consistent with the uses permitted by-right by the underlying zoning. Finally, the quality assurances conditioned through the SUP will guarantee a higher quality development and better neighborhood compatibility than might otherwise be guaranteed with a by-right development.

Findings of Fact

The following are factors indicated in Section 17.11 of the Charter and Section 114-1050.1 of the Zoning Ordinance relative to the approval of special use permits by City Council. The proposed special use permit will not:

• Be detrimental to the safety, health, morals and general welfare of the community involved.

The proposed special use permit for high-quality infill construction will not impact the safety, health, morals and general welfare of the nearby neighborhoods.

• Tend to create congestion in streets, roads, alleys and other public ways and places in the area involved.

The proposed special use permit will not result in significant traffic impacts to nearby residential neighborhoods. The negligible traffic generation on the existing street will create no congestion on streets, roads, alleys or any other public right of way.

• Create hazards from fire, panic or other dangers.

The Property will be developed in a manner consistent with the requirements of the building code and in accordance with the requirements of Fire and Emergency Services. The City's codes applicable to this development are designed to eliminate such hazards.

• Tend to overcrowding of land and cause an undue concentration of population.

The proposed special use permit will not tend to over crowd the land or create an undue concentration of population.

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

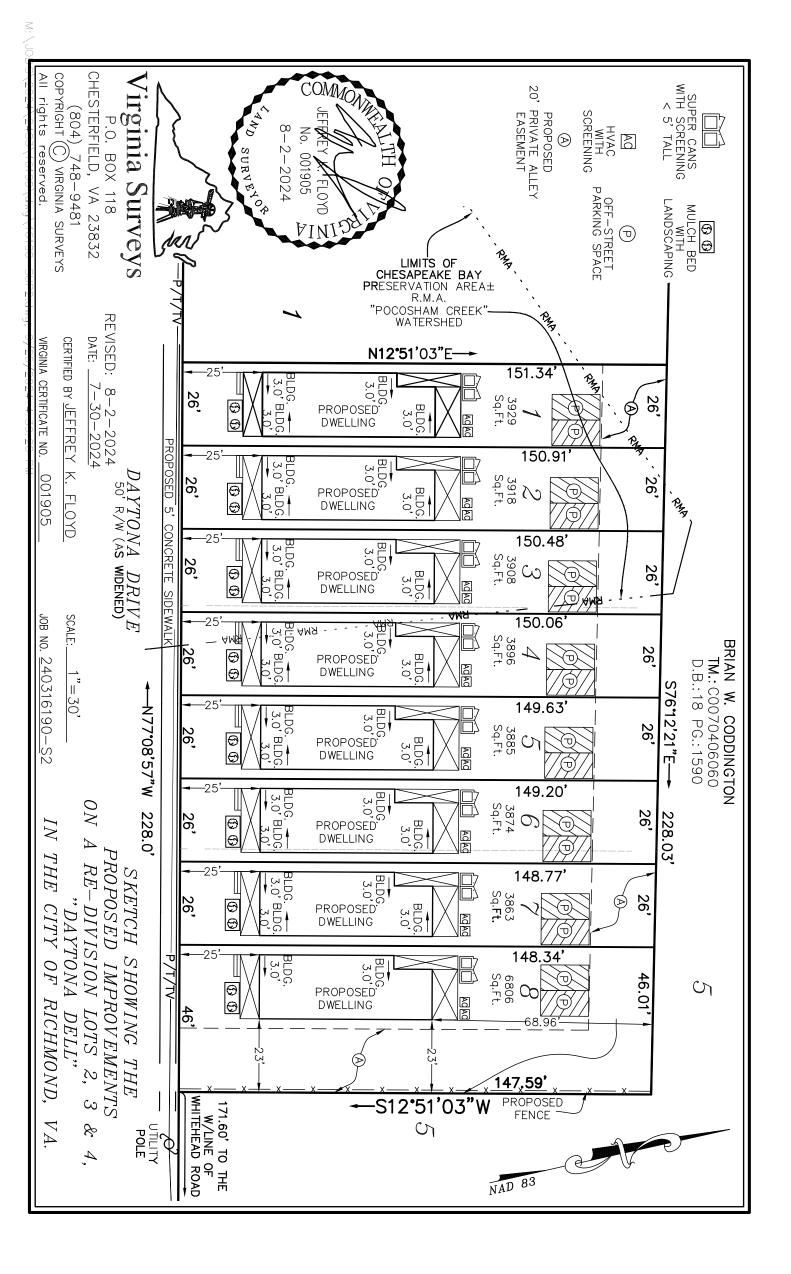
The special use permit will not adversely affect the above referenced City services. To the contrary, the proposal will provide positive fiscal (tax) benefits that will enhance the City's ability to provide these services to the proposed development.

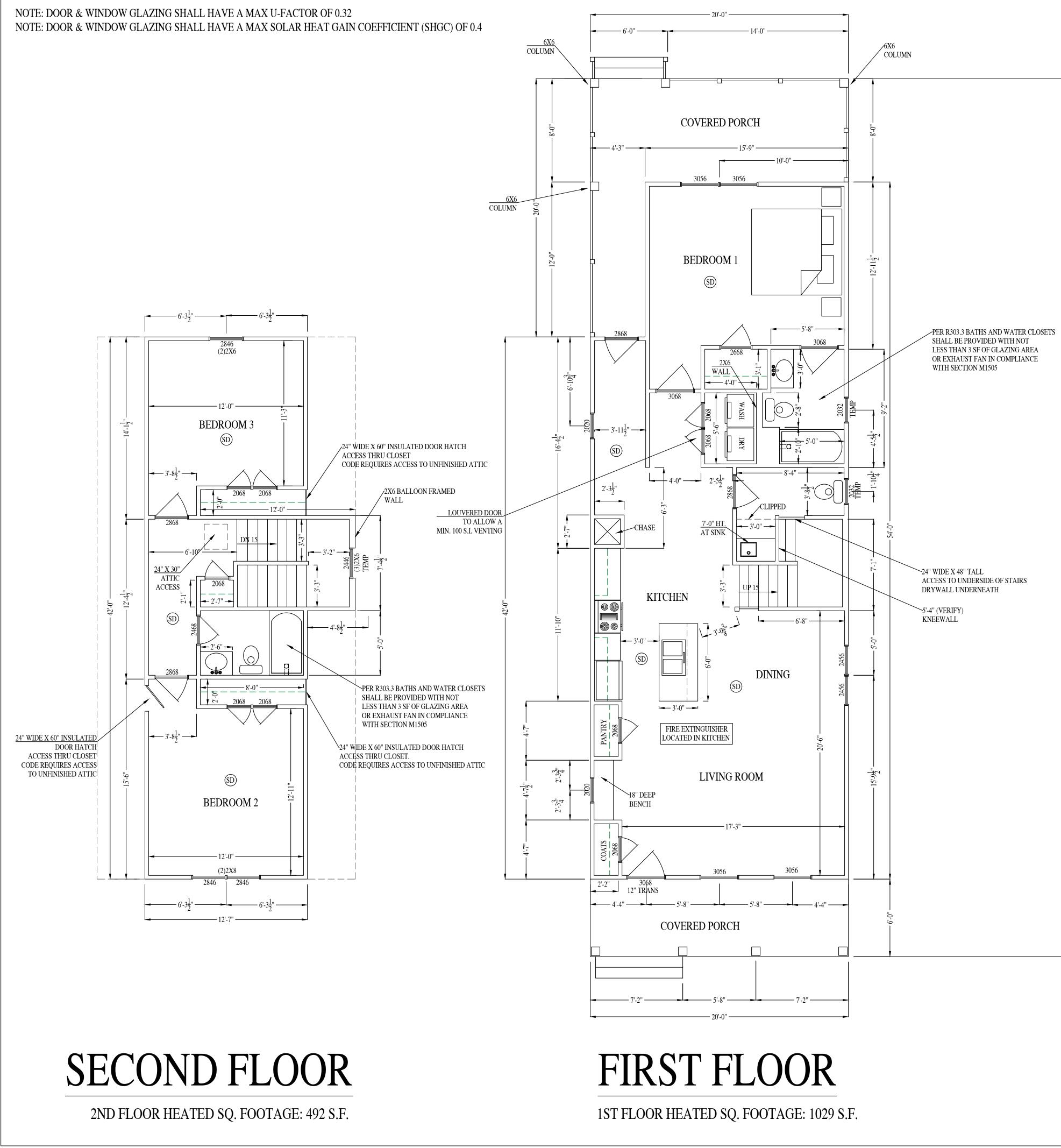
• Interfere with adequate light and air.

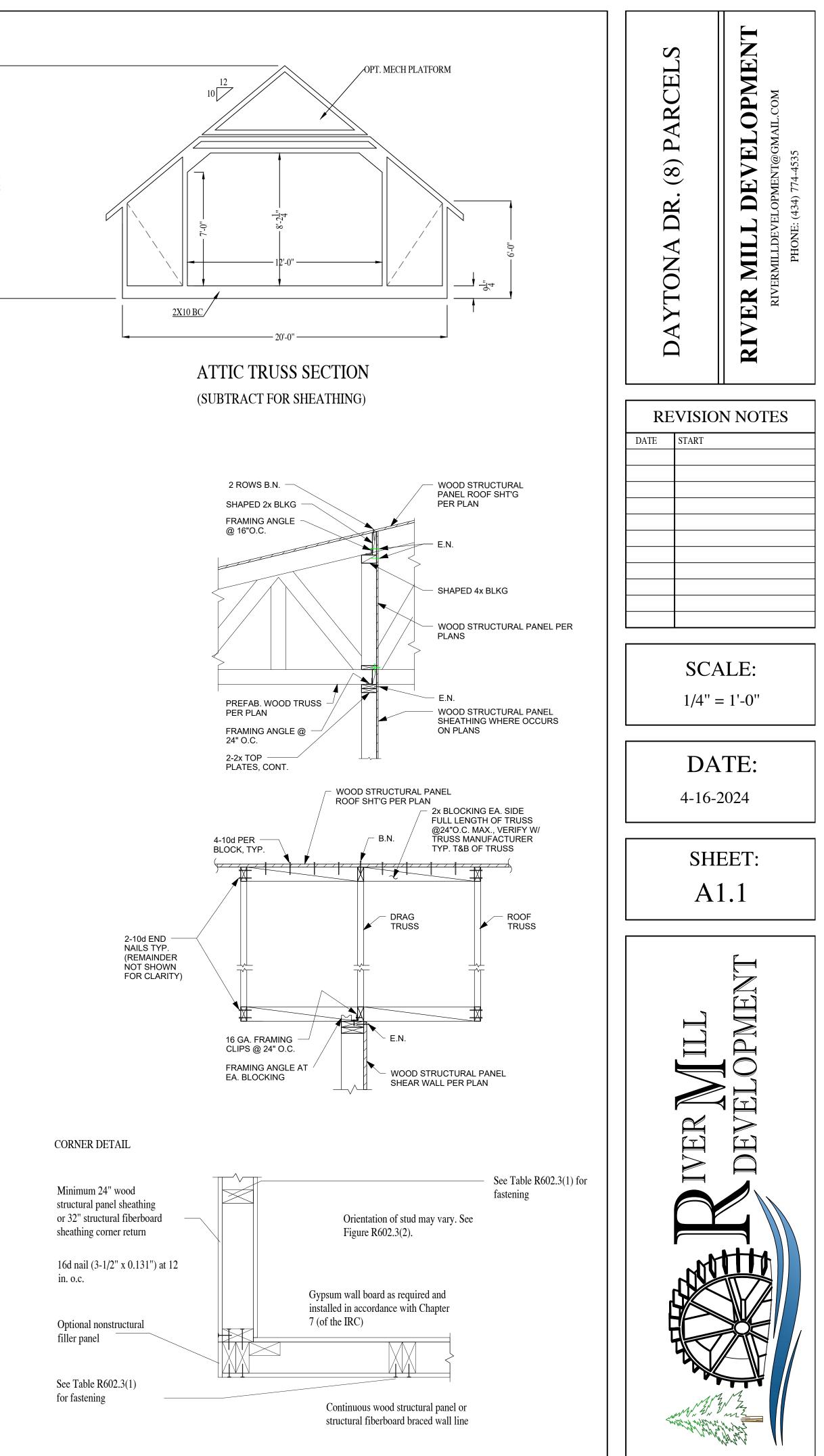
The light and air available to the subject and adjacent properties will not be affected. The proposed buildings are of compatible massing and spacing to the existing in the vicinity. As a result, this request will not interfere with the provision of adequate light and air to the adjacent buildings.

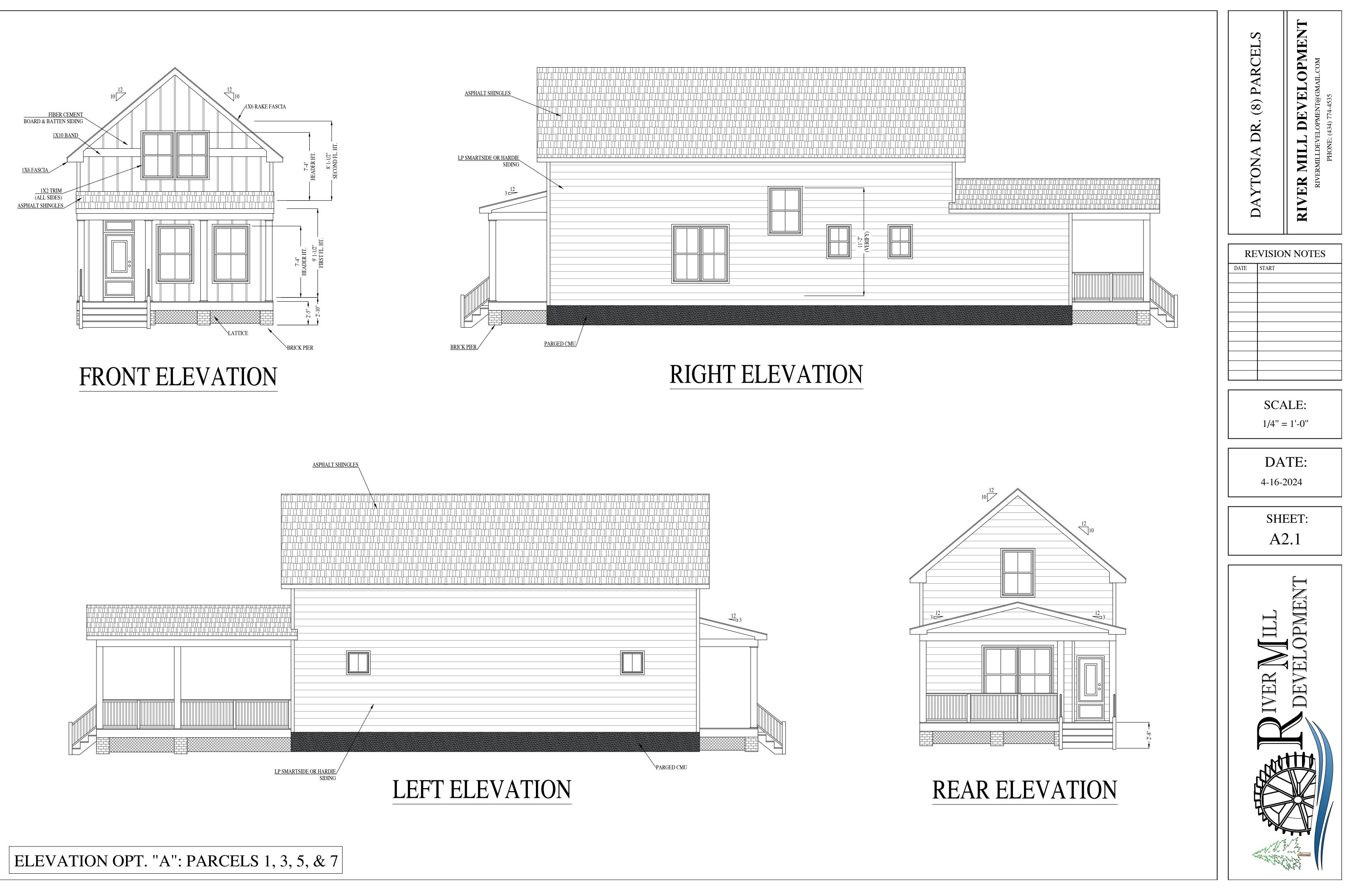
Summary

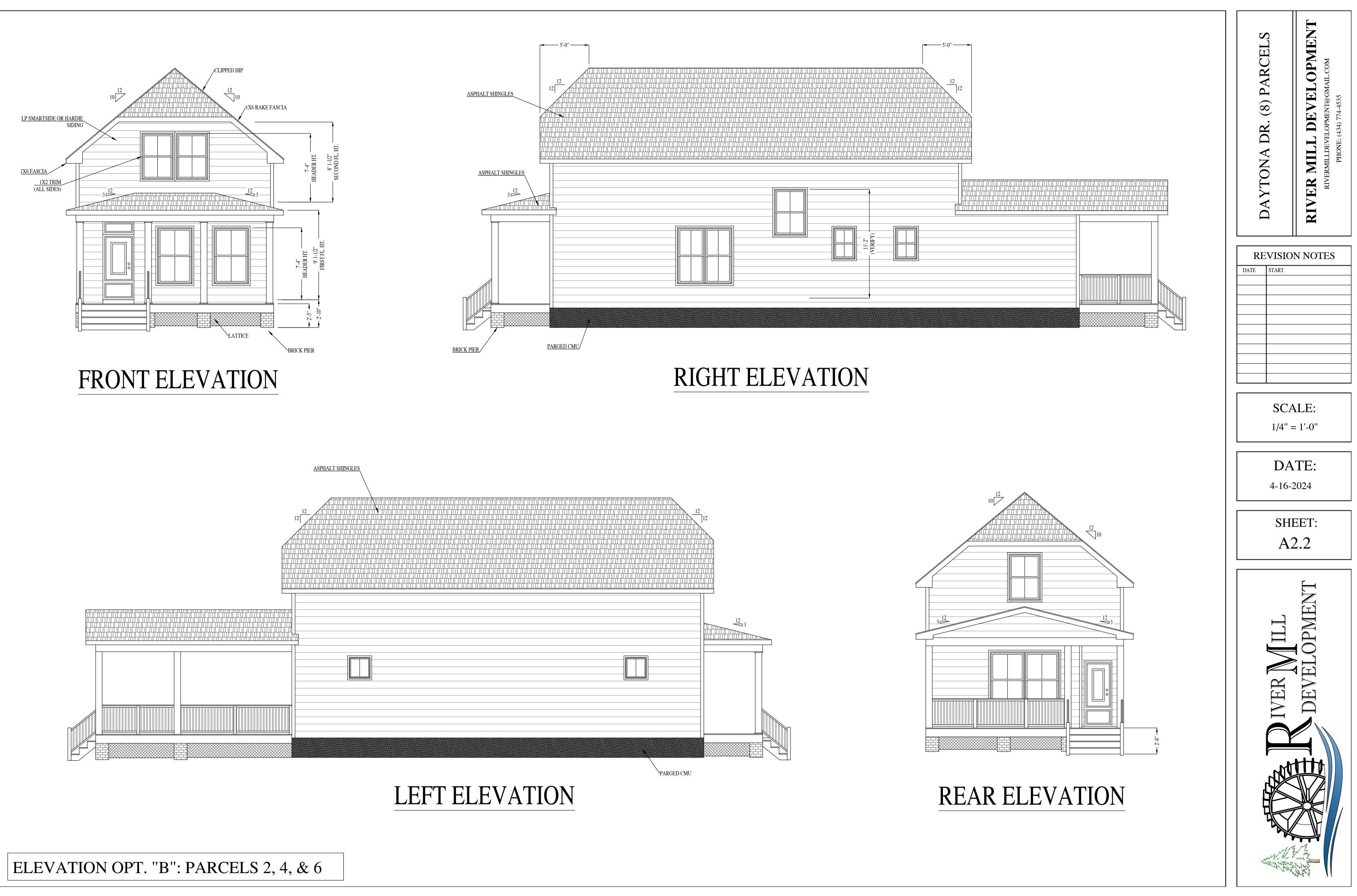
In summary, we are enthusiastically seeking approval for the construction of the proposed singlefamily dwellings. The buildings have been thoughtfully designed in order to provide appropriate, high-quality, infill residential development. In exchange for the SUP, the quality assurances conditioned therein would guarantee the construction of quality housing opportunities that are consistent with the development pattern while maintaining a desirable variation in housing style and density in the vicinity. Finally, the quality assurances conditioned through the SUP would guarantee a higher quality development than might otherwise be developed by right.

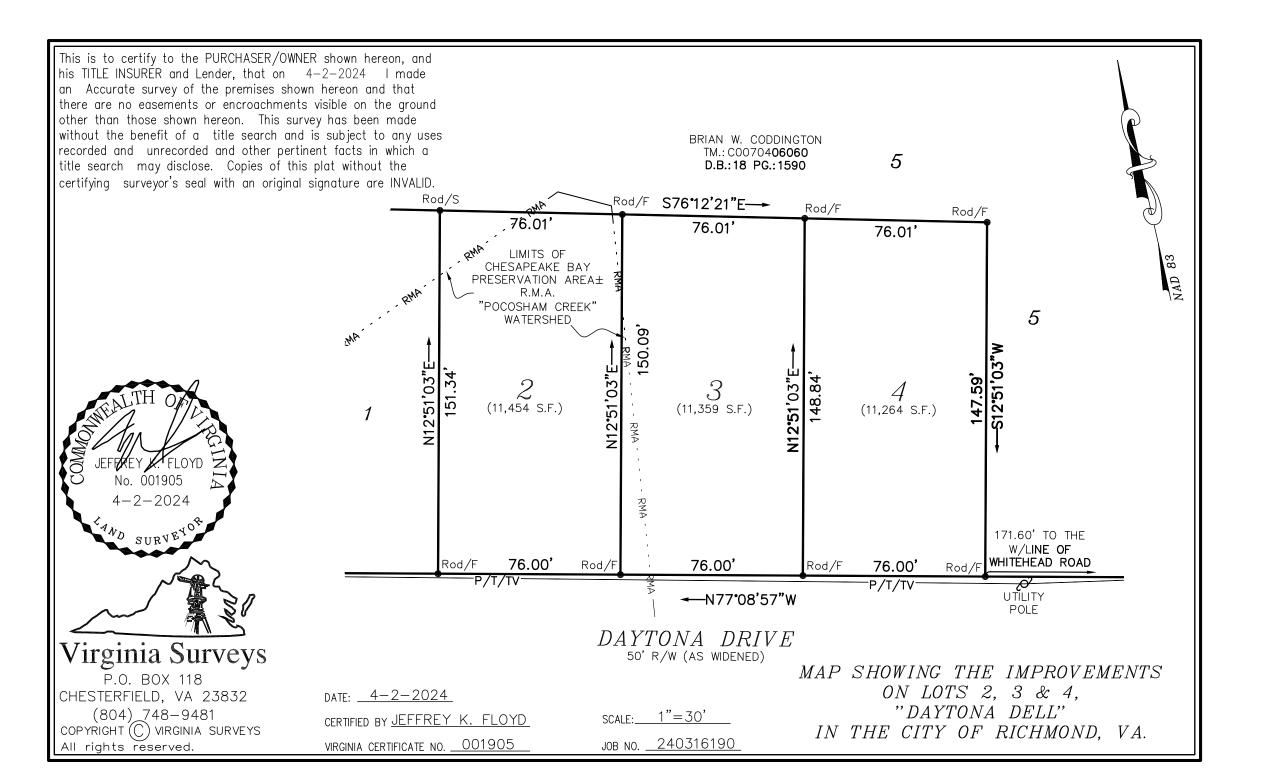














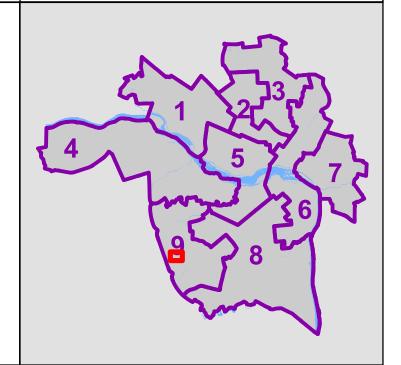
City of Richmond Department of Planning & Development Review

LOCATION: 6320, 6330, and 6340 Daytona Drive

APPLICANT: Baker Development Resources

COUNCIL DISTRICT: 9

PROPOSAL: To authorize the special use of the properties known as 6320 Daytona Drive, 6330 Daytona Drive, and 6340 Daytona Drive, for the purpose of up to eight single-family detached dwellings, upon certain terms and conditions.



For questions, please contact Alyson Oliver at 804-646-5789 or alyson.oliver@rva.gov

