



May 6, 2021

Kevin Vonck, Acting Director
Department of Planning & Development Review
900 East Broad Street, Suite 511
Richmond, VA 23219
kevin.vonck@richmondgov.com

Re: 419-421 Brook Rd Special Use Permit

Dear Mr. Vonck,

Please accept this letter as the Applicant's Report along with the Special Use Permit application for the property located at 419-421 Brook Rd. With this application the property owner, Project 421 LLC, is petitioning City Council for a SUP to authorize the renovation of the existing building for commercial and residential use. The property is also in the Jackson Ward City Old and Historic District and this proposal was recently granted conceptual approval from the Commission of Architectural Review.

Most recently, the building was being used as a dry cleaner. The property is split zoned with the western portion of the parcel in the B-1 Community Business district and the eastern portion in the R-6 Residential district. The building has nonconforming yard features in each zoning district and the dry cleaning use was a nonconforming use.

The property owner proposes to convert the dry cleaner to an office or a dwelling unit and add a second level to the building to accommodate one dwelling unit. The second-floor dwelling unit will be 1,248 SF in size with a 264 SF terrace overlooking Brook Rd. Because the expansion of a building with nonconforming features is not permitted, a Special Use Permit is required even though the uses would be conforming uses.

Existing Site Conditions

The subject property is one parcel containing 1,783 SF of land area located on Brook Road between W Marshall and W Clay Streets. This parcel is improved with a one-story masonry building constructed in 1920 with approximately 1,500 SF of floor area.

Current Zoning

The property is split zoned with the western portion of the parcel in the B-1 Community Business district and the eastern portion in the R-6 Residential district. The B-1 district permits a variety of commercial uses and dwelling use. The B-1 district also requires a minimum 10 feet side and 20 feet rear yards when a lot abuts a property in an R or RO district. The R-6 district permits dwelling uses only and requires a front yard of 15 feet and side and rear yards of 5 feet.

The portion of building located in the B-1 district has nonconforming yard features. The portion of the building in the R-6 district also contains nonconforming yard features. Because the expansion of a

building with nonconforming features is not permitted, a Special Use Permit is being requested for the proposal to add the dwelling unit.

City's Master Plan for Future Land Use

The Richmond 300 Master Plan recommends Neighborhood Mixed-Use development for the property. These areas are Existing or new highly-walkable urban neighborhoods that are predominantly residential with a small, but critical, percentage of parcels providing retail, office, personal service, and institutional uses.

Future development should generally complement existing context. Setbacks, plazas, and parks create a sense of place and community gathering areas. Building heights are generally two to four stories. Buildings taller than four stories may be found along major streets.

Neighborhood Outreach

The owner met with the Historic Jackson Ward Association to discuss and receive feedback for the proposal at their March 2021 meeting and receive positive feedback.

City Charter Conditions

We trust that you will agree with us that this proposed Special Use Permits 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 be 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 Special Use Permit. 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,



Lory Markham

Enc: Application form, fee payment, existing survey, conceptual plans

cc: Matthew Ebinger, Secretary to the City Planning Commission
The Honorable Katherine Jordan, 2nd Voter District