INTRODUCED: June 10, 2024

AN ORDINANCE No. 2024-171

To authorize the special use of the property known as 3513 Idlewood Avenue, for the purpose of two single-family attached dwellings, upon certain terms and conditions.

Patron – Mayor Stoney (By Request)

Approved as to form and legality by the City Attorney

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

WHEREAS, the owner of the property known as 3513 Idlewood Avenue, which is situated in a R-5 Single-Family Residential District, desires to use such property for the purpose of two single-family attached dwellings, which use, among other things, is not currently allowed by section 30-410.1, concerning permitted principal uses, of the Code of the City of Richmond (2020), as amended; and

WHEREAS, in accordance with section 17.11 of the Charter of the City of Richmond (2020), as amended, it has been made to appear that, if granted subject to the terms and conditions set forth in this ordinance, the special use granted by this ordinance will not be detrimental to the safety, health, morals and general welfare of the community involved, will not tend to create AYES:

NOES:

ABSTAIN:

ADOPTED: REJECTED: STRICKEN:

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

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

NOW, THEREFORE,

THE CITY OF RICHMOND HEREBY ORDAINS:

§ 1. **Finding.** Pursuant to section 30-1050.1 of the Code of the City of Richmond (2020), as amended, the Council hereby finds that the special use set forth in and subject to the terms and conditions of this ordinance will not (i) be detrimental to the safety, health, morals and general welfare of the community involved, (ii) tend to create congestion in streets, roads, alleys and other public ways and places in the area involved, (iii) create hazards from fire, panic or other dangers, (iv) tend to overcrowding of land and cause an undue concentration of population, (v) adversely affect or interfere with public or private schools, parks, playgrounds, water supplies, sewage disposal, transportation or other public requirements, conveniences and improvements, or (vi) interfere with adequate light and air.

§ 2. Grant of Special Use Permit.

- (a) Subject to the terms and conditions set forth in this ordinance, the property known as 3513 Idlewood Avenue and identified as Tax Parcel No. W000-1641/015 in the 2024 records of the City Assessor, being more particularly shown on a survey entitled "Site Plan, 3513 Idlewood Ave., Detention Analysis, City of Richmond, Virginia," prepared by Parker Consulting, LLC, and dated April 10, 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 two single-family attached dwellings, hereinafter referred to as "the Special Use," substantially as shown on the plans entitled "3513-3515 Idlewood Ave," prepared by River Mill Development, and dated July 25, 2023, and the plans entitled "Site Plan, 3513 Idlewood Ave., Detention Analysis, City of Richmond, Virginia," prepared by Parker Consulting, LLC, and dated April 10, 2024, hereinafter, collectively, 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 two single-family attached dwellings, substantially as shown on the Plans.
- (b) Four off-street parking spaces shall be required for the Special Use, substantially as shown on the Plans.
 - (c) The height of the Special Use shall not exceed two stories, 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) All site improvements, including building footprints, floor plans, elevations, and landscaping, shall be substantially as shown on the Plans.
- (f) Prior to the issuance of any building permit for the Special Use, the establishment of up to two residential lots, substantially as shown on the Plans, shall be accomplished by obtaining the necessary approvals from the City and recording the appropriate plats and deeds among the land records of the Clerk of the Circuit Court of the City of Richmond.
- § 4. **Supplemental Terms and Conditions.** This special use permit is conditioned on the following supplemental terms and conditions:
- (a) All required final grading and drainage plans, together with all easements made necessary by such plans, must be approved by the Director of Public Utilities prior to the issuance of the building permit.
- (b) Storm or surface water shall not be allowed to accumulate on the land. The Owner, at its sole cost and expense, shall provide and maintain at all times adequate facilities for the drainage of storm or surface water from the Property so as not to adversely affect or damage any other property or public streets and the use thereof.
- (c) Facilities for the collection of refuse shall be provided in accordance with the requirements of the Director of Public Works. Such facilities shall be located or screened so as not to be visible from adjacent properties and public streets.
- (d) Any encroachments existing, proposed on the Plans or contemplated in the future shall require separate authorization and shall be subject to the applicable provisions of the Code of the City of Richmond (2020), as amended, and all future amendments to such laws.

- (e) In all other respects, the use of the Property shall be in accordance with the applicable underlying zoning regulations.
- § 5. **General Terms and Conditions.** This special use permit is conditioned on the following general terms and conditions:
- (a) No permit implementing this special use permit shall be approved until satisfactory evidence has been presented to the Zoning Administrator that any delinquent real estate taxes applicable to the Property have been paid.
- (b) The Owner shall be bound by, shall observe and shall comply with all other laws, ordinances, rules and regulations applicable to the Property, except as otherwise expressly provided in this ordinance.
- (c) Words and phrases used in this ordinance shall be interpreted to have the meanings ascribed to them by section 30-1220 of the Code of the City of Richmond (2020), as amended, unless the context clearly indicates that a different meaning is intended.
- (d) Notwithstanding any other provision of law, this special use permit is being approved due, in part, to the mitigating effects of each and every condition attached hereto; consequently, if any portion of this ordinance is determined to be invalid for any reason by a final, non-appealable order of any Virginia or federal court of competent jurisdiction, the invalidity shall cause the entire ordinance to be void and of no further effect from the effective date of such order.
- (e) The privileges granted by this ordinance may be revoked pursuant to the provisions of sections 30-1050.7 through 30-1050.11 of the Code of the City of Richmond (2020), as amended, and all future amendments to such laws. Failure to comply with the terms and conditions of this ordinance shall constitute a violation of section 30-1080 of the Code of the City of Richmond (2020), as amended, and all future amendments to such law, or any other applicable laws or regulations.

(f) When the privileges granted by this ordinance terminate and the special use permit

granted hereby becomes null and void, whether as a result of the Owner relinquishing this special

use permit in a writing addressed to the Director of Planning and Development Review or

otherwise, use of the Property shall be governed thereafter by the zoning regulations prescribed

for the district in which the Property is then situated.

§ 6. **Implementation.** The Commissioner of Buildings is authorized to issue a building

permit substantially in accordance with the Plans for the Special Use subject to the terms and

conditions set forth in this ordinance. An application for the building permit shall be made within

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.

APPROVED AS TO FORM:

CITY ATTORNEY'S OFFICE

6





City of Richmond

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

Master

File Number: Admin-2024-0343

File ID: Admin-2024-0343 Type: Request for Ordinance or Status: Regular Agenda

Resolution

Version: 1 Reference: In Control: City Clerk Waiting

Room

Department: Richmond Dept of **Cost:** File Created: 04/17/2024

Planning &

Development. Review

Subject: Final Action:

Title:

Internal Notes:

Code Sections: Agenda Date: 06/10/2024

Indexes: Agenda Number:

Patron(s): Enactment Date:

Attachments: Admin-2024-0343 Application Documents.pdf, Enactment Number:

Scanned SUP - 3513 Idlewood Avenue AATF

Contact: Introduction Date:

Related Files:

Approval History

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

History of Legislative File

Master Continued (Admin-2024-0343)

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

 sion:
 Date:

Text of Legislative File Admin-2024-0343

City of Richmond

Intracity Correspondence

O&R Transmittal

DATE: May 21, 2024

TO: The Honorable Members of City Council

THROUGH: The Honorable Levar M. Stoney, Mayor (by request)

(This is no way reflects a recommendation on behalf of the Mayor)

THROUGH: J.E. Lincoln Saunders, Chief Administrative Officer

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

RE: To authorize the special use of the property known as 3513 Idlewood Avenue, for the

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

ORD. OR RES. No.

PURPOSE: The applicant is requesting a Special Use Permit to authorize two single-family attached dwellings within an R-5 Single-Family Residential District. Single-family attached dwellings are not a permitted use within the R-5 District under section 30-410.1 of the City's Zoning Ordinance. A Special Use Permit is therefore required.

BACKGROUND: The property is located in the Stadium neighborhood on Idlewood Avenue between Rothesay Road and Nansemond Street. The property is a 6,262 sq. ft. (.14 acre) parcel of land. The City's Richmond 300 Master Plan designates a future land use for the subject property as Residential, which is defined as a "Neighborhood consisting primarily of single-family houses on large-or medium-sized lots more homogeneous in nature." (p. 54) 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. Secondary uses may be found along major streets.

The current zoning for this property is R-5, Single-Family Residential District. All properties to the east, south and west are located within the same R-5 Zone as the property in question. The area is primarily single-family detached residential with some institutional uses present in the vicinity. The proposed density is 2 units per .14 acres, or 14 units per acre.

COMMUNITY ENGAGEMENT: The Stadium Civic Association was notified of the application; additional community notification will take place after introduction.

STRATEGIC INITATIVES AND OTHER GOVERNMENTAL: Richmond 300 Master Plan

FISCAL IMPACT: \$300 application fee.

DESIRED EFFECTIVE DATE: Upon adoption

REQUESTED INTRODUCTION DATE: June 10, 2024

CITY COUNCIL PUBLIC HEARING DATE: July 22, 2024

REQUESTED AGENDA: Consent

RECOMMENDED COUNCIL COMMITTEE: Planning Commission, July 16, 2024

AFFECTED AGENCIES: Office of Chief Administrative Officer

Law Department (for review of draft ordinance)

RELATIONSHIP TO EXISTING ORD. OR RES.: None

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

STAFF:

Matthew Ebinger, Planning Supervisor, Land Use Administration (Room 511) 646-6308

Jonathan Brown, 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/

Project Name/Location		
Property Address: 3513 Idlewood Ave Parcel I.D. #: W0001641015 Fee: \$300		Date: 08/26/2023
Total area of affected site in acres: 0.04		
(See page 6 for fee schedule, please make check pay	able to the "City of Richmond")	
Zoning Current Zoning:R5		
Richmond 300 Land Use Designation: Residen	tial	
		-
Proposed Use (Please include a detailed description of the proposed Two-single family attached dwellings	d use in the required applicant's repor	rt)
Existing Use: Vacant		
Is this property subject to any previous lan- Yes No If Yes, please list the Ordinar		
Applicant/Contact Person: Barry Jones		
Company: Capital City Homes LLC		
Mailing Address: 788 Cedar Run Trail	State: VA	7in Code: 23103
(ity) Manakin Sabot		
City: Manakin Sabot Telephone: (804-283-1925)	 Fax: (
Telephone: _(804-283-1925_)	Fax: _()
Telephone: _(804-283-1925_) Email: _capitalcityhomes22@gmail.com	Fax: _()
Telephone:(804-283-1925_) Email: _capitalcityhomes22@gmail.com Property Owner: Capital City Homes LLC	Fax: _(
Telephone:(804-283-1925_)_ Email: _capitalcityhomes22@gmail.com Property Owner: _Capital City Homes LLC If Business Entity, name and title of authori (The person or persons executing or attesting the executing of authorian content of the person of	Zed signee: Barry Jones (co-owner)	
Telephone:(804-283-1925_)_ Email: _capitalcityhomes22@gmail.com Property Owner: _Capital City Homes LLC If Business Entity, name and title of authori (The person or persons executing or attesting the exesshe has or have been duly authorized and empowered.) Mailing: A delayages Same as Abaya.	Zed signee: Barry Jones (co-owner) ecution of this Application on behalf of the solution of th	of the Company certifies that he or
Telephone:(804-283-1925_)_ Email: _capitalcityhomes22@gmail.com Property Owner: _Capital City Homes LLC If Business Entity, name and title of authori (The person or persons executing or attesting the exesshe has or have been duly authorized and empowered.) Mailing: A delarge as _Same as Above.	Zed signee: Barry Jones (co-owner) ecution of this Application on behalf of the solution of attest.)	of the Company certifies that he or

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

August 26th, 2023

Special Use Permit Request 3513 Idlewood Ave, Richmond, Virginia 23221 Map Reference Number: W000-1641015

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: Capital City Homes LLC

788 Cedar Run Trail

Manakin Sabot, Virginia 23103

Introduction

The property owner is requesting a special use permit (the "SUP") for 3513 Idlewood Ave. (the "Property"). The SUP will authorize the construction of two single-family attached dwellings on the currently vacant Property. While the two single-family attached dwelling use is not permitted by the underlying R-5 Single-Family Residential zoning district, therefore, a SUP is required.

Existing Conditions

Site description and existing land use

The Property is located on the south side of Idlewood Avenue, between S Nansemond Street and Rothesay Road. The Property is reference by the City Assessor as tax parcel W000-1641015 and is 53' wide by 117' in depth. contains approximately 6201 square feet of lot area, and is currently vacant. An south alley, located to the rear of the Property, provides access to the rear of the Property.



The properties within the City Stadium neighborhood are developed with mostly single-family detached dwellings and at least two-family attached dwelling.

Existing zoning

The Property is zoned R-5 Single-Family Residential, which generally does not permit the proposed two single-family attached dwelling use. The surrounding properties within the City Stadium neighborhood are also zoned R-5.

Master plan designation

The Richmond 300 Master Plan (the "Master Plan") suggests "Residential" for the Property. The Master Plan describes this neighborhood consisting primarily of single family houses on large or medium sized lots more homogeneous in nature. Recommended development styles are described as featuring houses on medium-sized and large-sized lots in a largely auto-dependent environment. Homes are set back from the street. Future developments continue and/or introduce a gridded street pattern to increase connectivity. Future single-family housing, accessory dwelling units, duplexes, and small multi-family residential buildings are built to scale and design that is consistent with existing buildings.

Proposal

Project summary

The applicant is proposing to construct a new, two single-family attached dwelling

Purpose of request

The Property at 3513 Idlewood Avenue is of relatively standard size for the vicinity with a lot width of 53 feet. At 117 feet in depth, the parcel is consistent with the depth of many existing parcels fronting both Idlewood Avenue and other streets in the City Stadium Neighborhood. two single-family attached dwellings are not permitted by the underlying zoning, therefore a SUP is required.

In exchange for the SUP, the intent of this request is to ensure the development of a high-quality infill dwelling. The overall project will be appropriately dense and efficient as contemplated by the Richmond 300 Master Plan. At the same time, the dwelling will remain consistent with the predominant character of the area.

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.

Project details

The new two single-family attached dwelling would be two stories in height. Each dwelling would contain three bedrooms and three bathrooms, totaling approximately 1,920 square feet of floor area per dwelling. The exterior design would be traditional and consistent with the character of the area.

The new dwelling would be clad in quality building materials including cementitious lap siding in order to ensure durability. A full-width front porch would engage the street and provide usable outdoor living space for future residents. The proposed dwelling's massing and architectural style is designed to be compatible with nearby dwellings and is consistent with homes found in the neighborhood.

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 overcrowd 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.

Applicant's Report 3513 Idlewood Ave.

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.

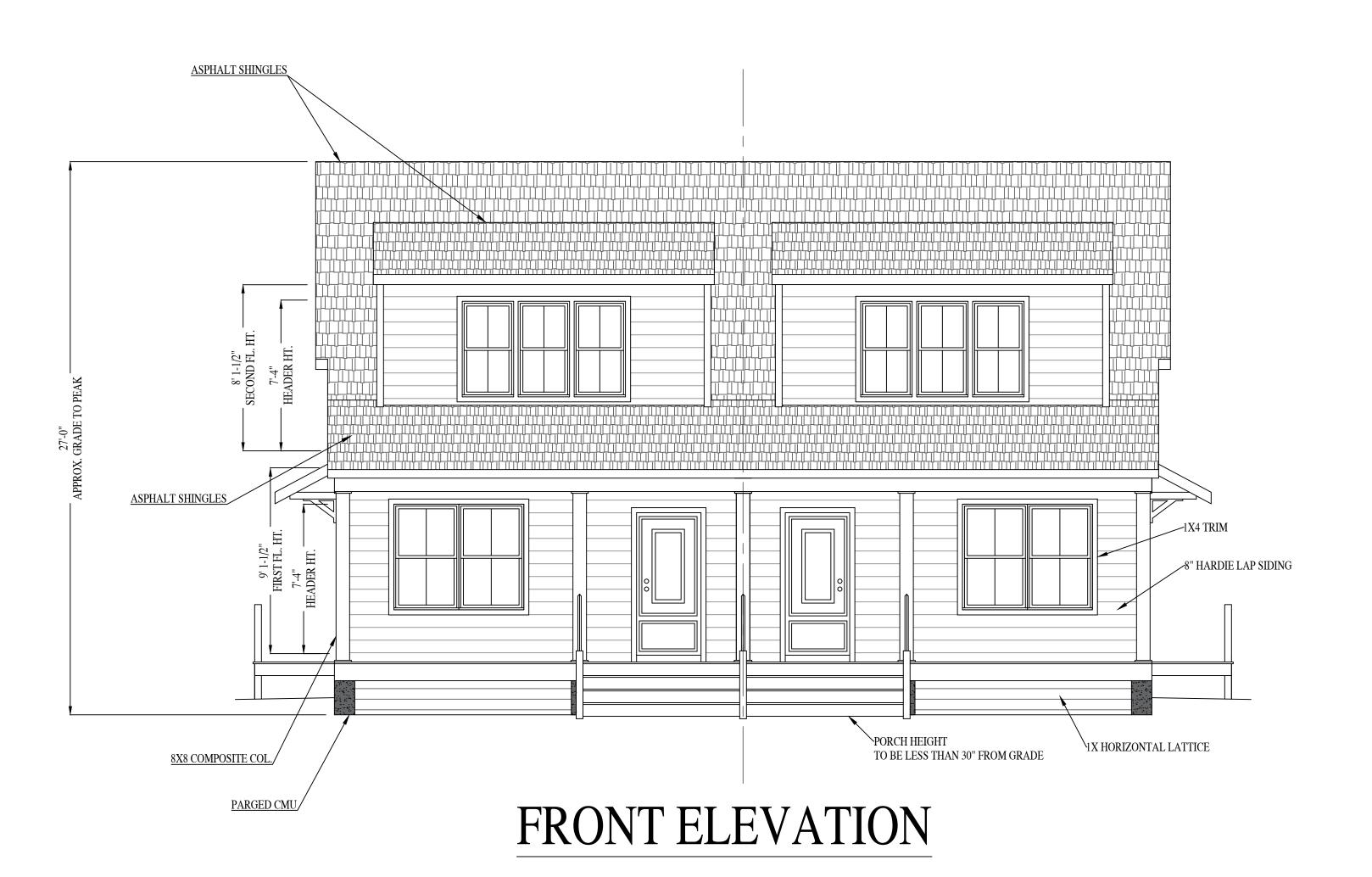
• Interfere with adequate light and air.

The light and air available to the subject and adjacent properties will not be affected. The proposed dwelling is 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 dwellings.

Summary

In summary we are enthusiastically seeking approval for the construction of the proposed two single-family attached dwelling. The dwelling has been thoughtfully designed in order to provide appropriate, high-quality, infill residential development. The request offers compatibility with the City's Master Plan in terms of use and would upgrade the property while maintaining a desirable variation in housing style and density in the vicinity.

The proposed development would help encourage a pedestrian friendly traditional streetscape on the block and contribute to the vibrancy of the block through the addition of street life in the form of street-oriented full width front porches along Idlewood Avenue. The dwelling would provide the much-desired neighborhood design which is appropriate to this area of the City. Finally, the quality assurances conditioned through the SUP would guarantee a higher quality development than might otherwise be developed by right.





LEFT ELEVATION

-3515 IDLEWOOD AVE

RIVER MILL DEVELOPMENT
RIVERMILLDEVELOPMENT@GMAIL.COM
PHONE: (434) 774-4535

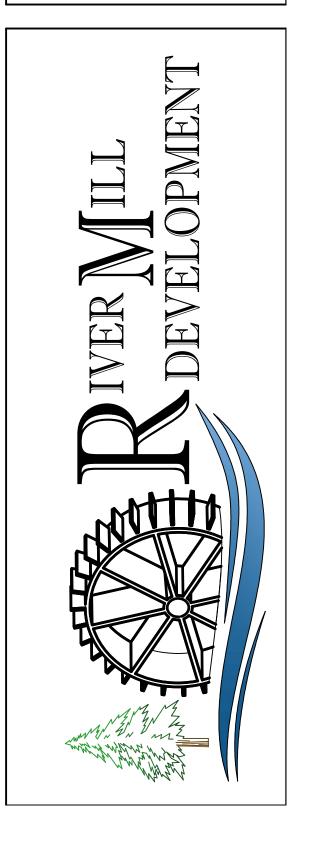
RI	REVISION NOTES				
DATE	START				

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

DATE: 7-25-2023

SHEET:

A2.1





RIGHT ELEVATION



REAR ELEVATION

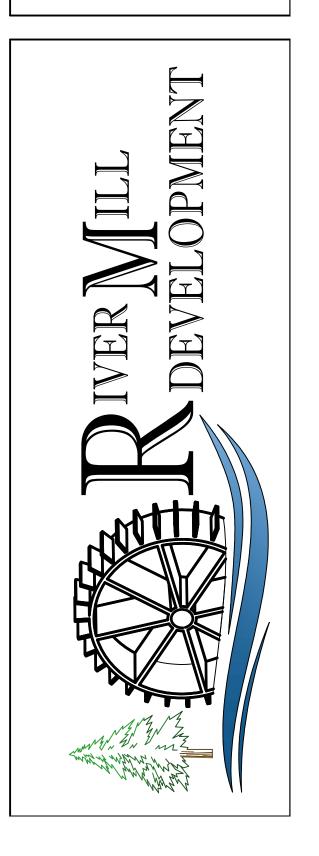
13-3515 IDLEWOOD AVE

REVISION NOTES			
DATE	START		

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

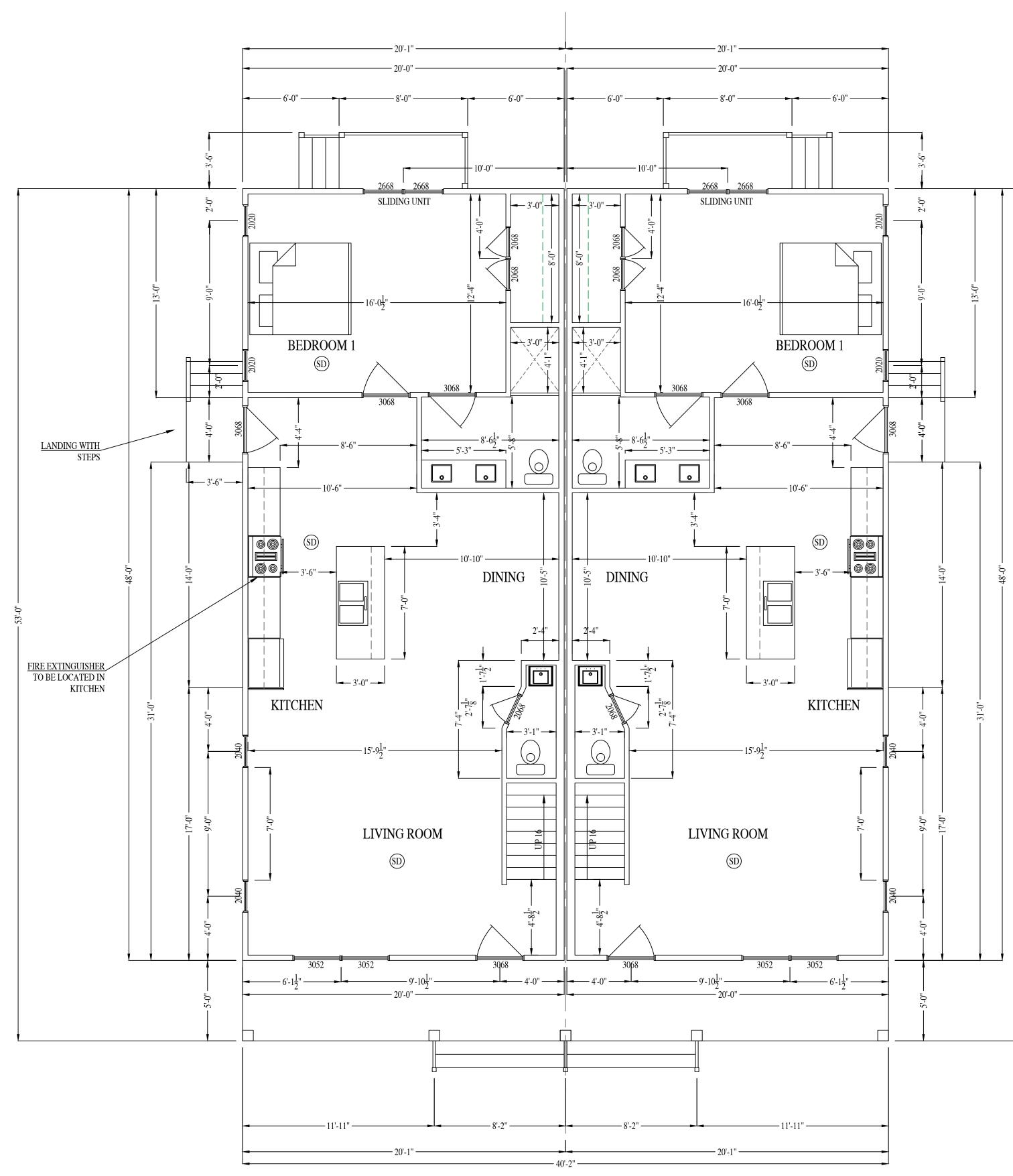
DATE: 7-25-2023

SHEET: A2.2





NOTE: DOOR & WINDOW GLAZING SHALL HAVE A MAX SOLAR HEAT GAIN COEFFICIENT (SHGC) OF 0.4

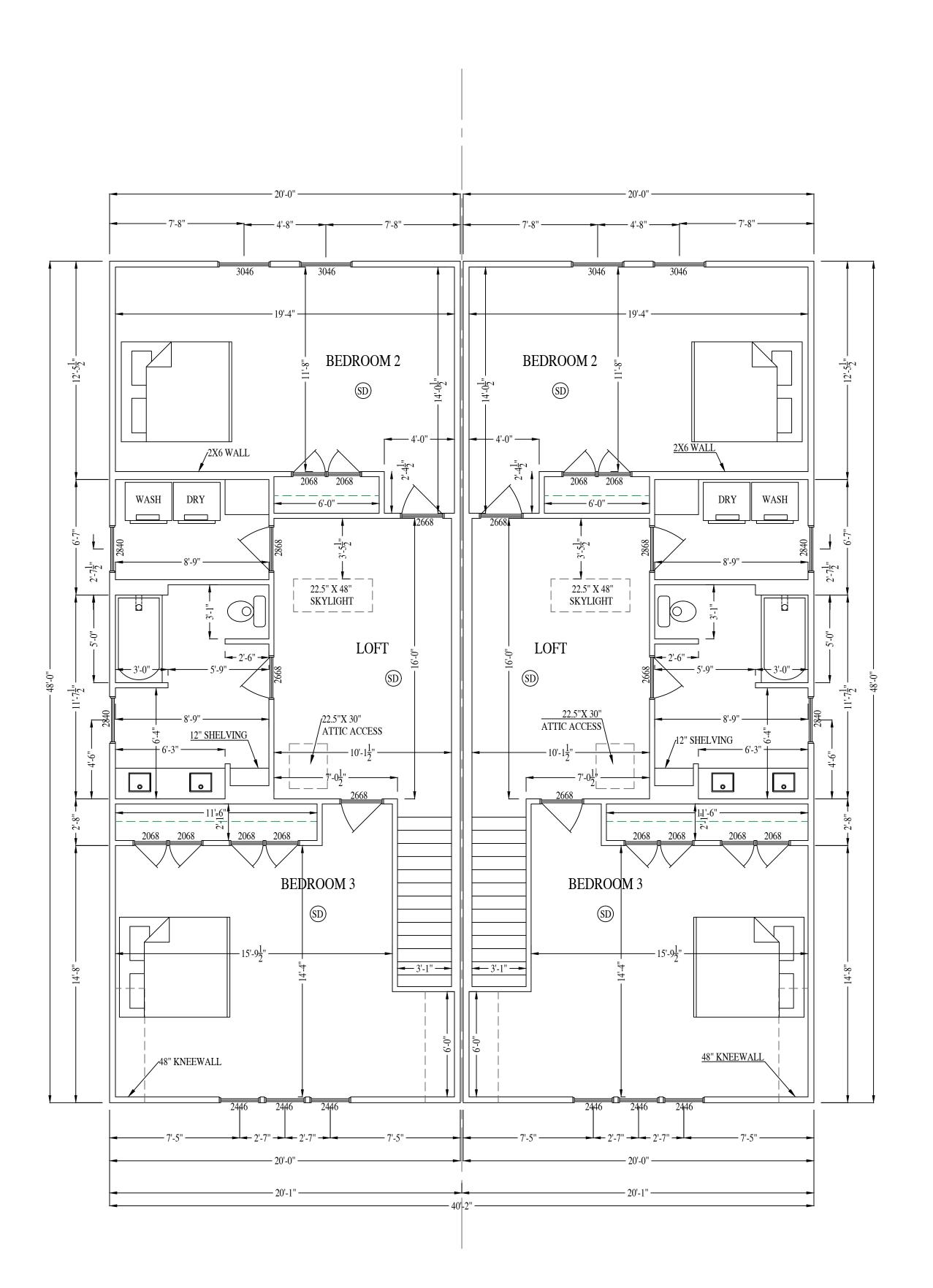


FIRST FLOOR

960 S.F.

FINISHED GRADE SHALL BE SLOPED AWAY FROM THE FOUNDATION WALL A MIN. OF 5%, WITHIN THE FIRST 10' FROM THE FOUNDATION.

SMOKE ALARMS TO COMPLY WITH NFPA 72 (R314 VRC)



SECOND FLOOR 960 S.F.

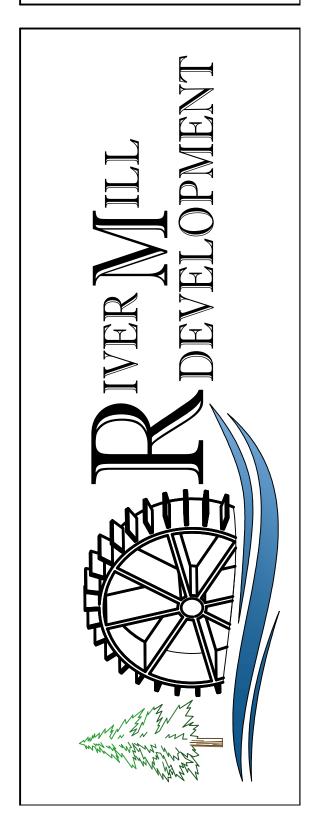
15 IDLEWOOD AVE

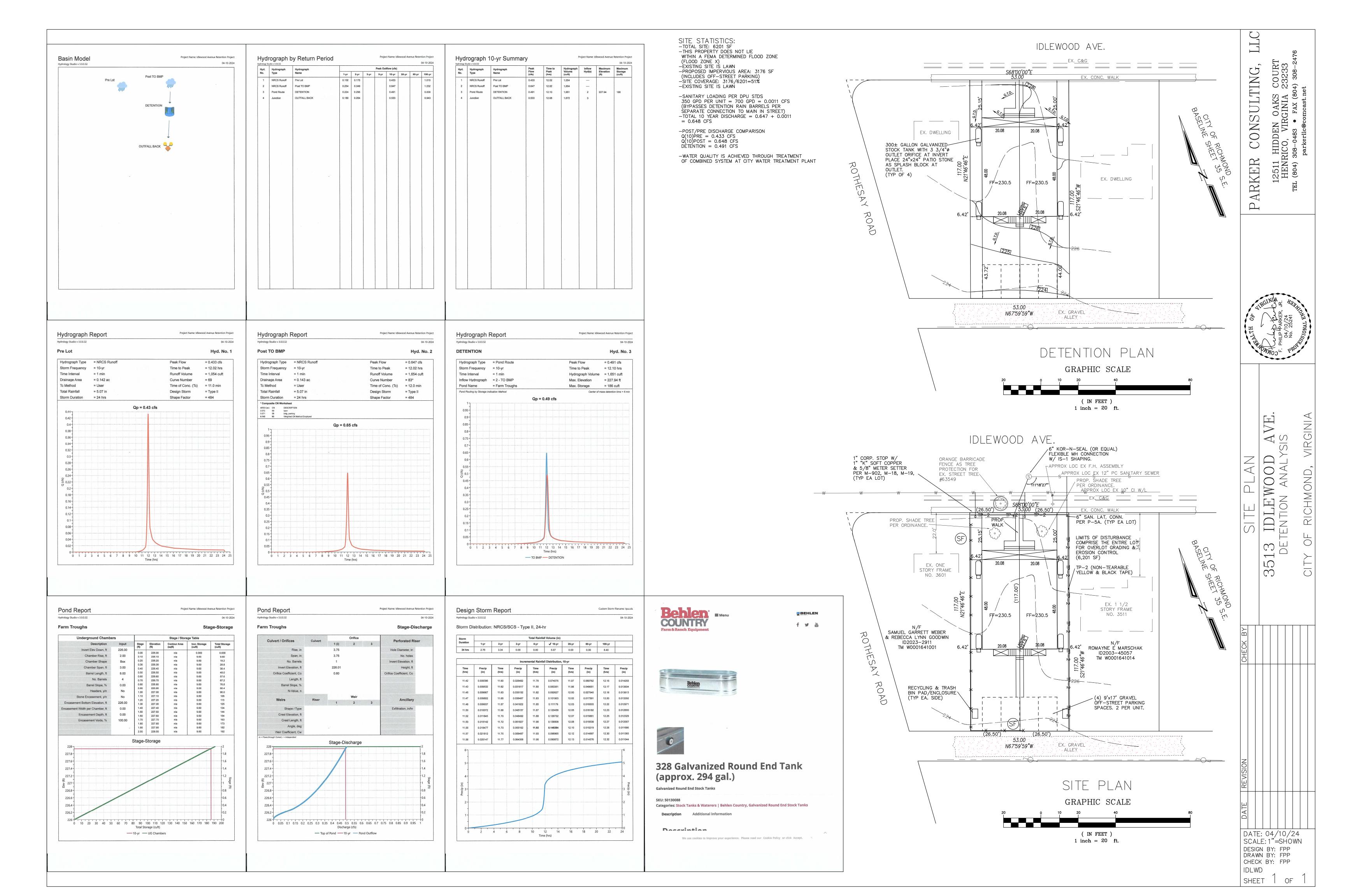
DATE START

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

DATE: 7-25-2023

SHEET: A1.1







Special Use Permit

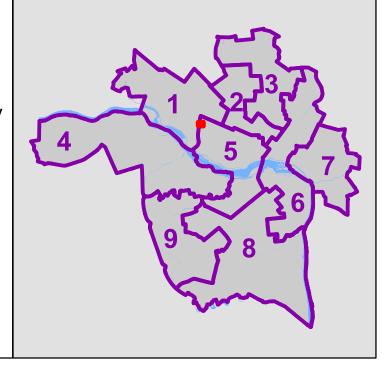
LOCATION: 3513 Idlewood Avenue

APPLICANT: Barry Jones

COUNCIL DISTRICT: 5

PROPOSAL: To authorize the special use of the property known as 3513 Idlewood Avenue, for the purpose of two single-family attached dwellings, upon certain terms

and conditions.



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

