

INTRODUCED: February 12, 2024

AN ORDINANCE No. 2024-050

To authorize the special use of the property known as 2510 Lynhaven Avenue for the purpose of a multifamily dwelling containing up to 50 dwelling units, upon certain terms and conditions.

\_\_\_\_\_  
Patron – Mayor Stoney (By Request)

\_\_\_\_\_  
Approved as to form and legality  
by the City Attorney  
\_\_\_\_\_

PUBLIC HEARING: MAR 11 2024 AT 6 P.M.

WHEREAS, the owner of the property known as 2510 Lynhaven Avenue, which is situated in an OS Office-Service District, desires to use such property for the purpose of a multifamily dwelling containing up to 50 dwelling units, which use, among other things, is not currently allowed by sections 30-450.1, concerning permitted principal and accessory uses, 30-450.6, concerning height, and 30-710.14, concerning internal landscaping requirements, 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:       7       NOES:       0       ABSTAIN: \_\_\_\_\_

ADOPTED:   MAR 11 2024   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 2510 Lynhaven Avenue and identified as Tax Parcel No. S008-0418/001 in the 2024 records of the City Assessor, being more particularly shown on a survey entitled “Lynhaven Ridge, Special Use Permit, City of Richmond, Virginia, Conceptual Site Plan,” prepared by Koontz Bryant Johnson Williams, and dated January 17, 2024, a copy of which is attached to and made a part of this ordinance, hereinafter referred to as “the Property,” is hereby permitted to be used for the purpose of a multifamily dwelling containing up to 50 dwelling units, hereinafter referred to as “the Special Use,” substantially as shown on the plans entitled “Lynhaven Ridge, Special Use Permit, City of Richmond, Virginia, Conceptual Site Plan,” prepared by Koontz Bryant Johnson Williams, and dated January 17, 2024, “Exterior Elevations, Bldg No. 1,” prepared by Donald C. Harwood Architect, PLLC, dated October 27, 2023, and last revised January 17, 2024, and “Building Plans, 1<sup>st</sup> & 2<sup>nd</sup> Floor, Bldg No. 1,” and “Building Plans, 3<sup>rd</sup> Floor & Roof, Bldg No. 1,” prepared by Donald C. Harwood Architect, PLLC, dated October 27, 2023, and last revised December 24, 2023, and hereinafter referred to, collectively, as “the Plans,” copies of which are attached to and made a part of this ordinance.

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

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

(a) The Special Use of the Property shall be as a multifamily dwelling containing up to 50 dwelling units, substantially as shown on the Plans. Amenity spaces, including a ground-level outdoor amenity space labeled “Park/Recreation Area,” substantially as shown on the Plans, shall be provided.

(b) No more than 71 off-street parking spaces shall be provided for the Special Use, substantially as shown on the Plans.

(c) No fewer than 13 long-term bicycle parking spaces and no less than 2 short-term bicycle spaces shall be provided on the Property.

(d) The height of the Special Use shall not exceed 3 stories, substantially as shown on the Plans.

(e) Signs on the Property shall be limited to signs permitted in all districts pursuant to section 30-505 of the Code of the City of Richmond (2020), as amended. Internally illuminated signs shall not be permitted.

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

(g) All mechanical equipment serving the Property shall be located or screened so as not to be visible from any public right-of-way.

§ 4. **Supplemental Terms and Conditions.** This special use permit is conditioned on the following supplemental terms and conditions:

(a) All required final grading and drainage plans, together with all easements made necessary by such plans, must be approved by the Director of Public Utilities prior to the issuance of the building permit.



(b) Storm or surface water shall not be allowed to accumulate on the land. The Owner, at its sole cost and expense, shall provide and maintain at all times adequate facilities for the drainage of storm or surface water from the Property so as not to adversely affect or damage any other property or public streets and the use thereof.

(c) Facilities for the collection of refuse shall be provided in accordance with the requirements of the Director of Public Works. Such facilities shall be located or screened so as not to be visible from adjacent properties and public streets.

(d) Any encroachments existing, proposed on the Plans or contemplated in the future shall require separate authorization and shall be subject to the applicable provisions of the Code of the City of Richmond (2015), as amended, and all future amendments to such laws.

(e) The Owner shall make improvements within the right-of-way, including the installation of a sidewalk and curb cut along Lynhaven Avenue, 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 the designee thereof 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 or the designee thereof, pursuant to a transfer of interest document approved as to form by the City Attorney and accepted by the Chief Administrative Officer or the designee thereof on behalf of the City. The Chief Administrative Officer or the designee thereof, for and on behalf of the City, is hereby authorized to accept, in the manner for which this subsection provides, all improvements and work required

by and meeting the requirements of this subsection. The final certificate of occupancy shall not be issued for the Property until all requirements of this subsection are fully satisfied.

(f) In all other respects, the use of the Property shall be in accordance with the applicable underlying zoning regulations.

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

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

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

(c) Words and phrases used in this ordinance shall be interpreted to have the meanings ascribed to them by section 30-1220 of the Code of the City of Richmond (2020), as amended, 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 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.

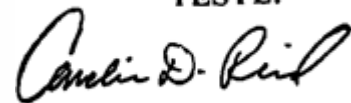
§ 7. **Effective Date.** This ordinance shall be in force and effect upon adoption.

APPROVED AS TO FORM:

  
CITY ATTORNEY'S OFFICE

A TRUE COPY:

TESTE:



City Clerk



# City of Richmond

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

## Master

**File Number: Admin-2024-0079**

**File ID:** Admin-2024-0079

**Type:** Request for Ordinance or Resolution

**Status:** Regular Agenda

**Version:** 1

**Reference:**

**In Control:** City Clerk Waiting Room

**Department:**

**Cost:**

**File Created:** 01/26/2024

**Subject:**

**Final Action:**

**Title:**

**Internal Notes:**

**Code Sections:**

**Agenda Date:** 02/12/2024

**Indexes:**

**Agenda Number:**

**Patron(s):**

**Enactment Date:**

**Attachments:** Admin 2024-0079 - 2510 Lynhaven Avenue Ordinance AATF, Admin 2024-0079 - 2510 Lynhaven Avenue - Application Documents

**Enactment Number:**

**Contact:**

**Introduction Date:**

**Drafter:** Shaianna.Trump@rva.gov

**Effective Date:**

**Related Files:**

### Approval History

Version	Seq #	Action Date	Approver	Action	Due Date
1	1	1/26/2024	Matthew Ebinger	Approve	1/30/2024
1	2	1/26/2024	Kris Daniel-Thiem - FYI	Notified - FYI	
1	3	1/26/2024	Kevin Vonck	Approve	2/2/2024
1	4	1/26/2024	Alecia Blackwell - FYI	Notified - FYI	
1	5	1/26/2024	Sharon Ebert - FYI	Notified - FYI	
1	6	1/26/2024	Caitlin Sedano - FYI	Notified - FYI	
1	7	1/29/2024	Jeff Gray	Approve	1/31/2024

**Notes:** From: Sedano, Caitlin R. - CAO <Caitlin.Sedano@rva.gov>  
 Sent: Monday, January 29, 2024 11:14 AM  
 To: Hagen, Kit - DIT <Kit.Hagen@rva.gov>  
 Subject: RE: IR11152924 - O&R Assistance  
 Importance: High

Good morning, Kit. I have an additional O&R in Jeff's queue that needs to be pushed to Lincoln for approval:

Admin-2024-0079

1	8	1/29/2024	Lincoln Saunders	Approve	1/31/2024
1	9	1/29/2024	Mayor Stoney	Approve	1/31/2024

**Notes:** this should be going to the not by request

1	10	2/6/2024	Mayor Stoney	Approve	1/31/2024
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### History of Legislative File

Ver- sion:	Acting Body:	Date:	Action:	Sent To:	Due Date:	Return Date:	Result:
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**Text of Legislative File Admin-2024-0079**

City of Richmond  
Intracity Correspondence

O&R Transmittal

DATE: January 26, 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 of Planning & Development Review  
RE: To authorize the special use of the property known as 2510 Lynhaven Avenue for the purpose of a multifamily dwelling containing up to 50 dwelling units, upon certain terms and conditions.

ORD. OR RES. No.

PURPOSE: The applicant is requesting a Special Use Permit to authorize a multifamily dwelling within a OS - Office Service District. This dwelling use is not permitted within the OS - Office Service District. A Special Use Permit is therefore required.

BACKGROUND: The property is located in the Windsor neighborhood on Lynhaven Avenue between Concord Avenue and Drake Street. The property is currently a 171,511.484 square foot (3.9 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, "Neighborhood consisting primarily of single-family houses on large- or medium-sized lots more homogeneous in nature" (Richmond 300, 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 OS - Office Service District. The area is generally residential and commercial properties. The proposed density is 12.8 units per acre.

COMMUNITY ENGAGEMENT: Bellmeade Civic Association and Richmond Highway Neighborhood Association were contacted.

STRATEGIC INITIATIVES AND OTHER GOVERNMENTAL: Planning Commission, March 4, 2024

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

DESIRED EFFECTIVE DATE: Upon adoption

REQUESTED INTRODUCTION DATE: February 12, 2024

CITY COUNCIL PUBLIC HEARING DATE: March 11, 2024

REQUESTED AGENDA: Consent

RECOMMENDED COUNCIL COMMITTEE: None

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, Map

STAFF: Shaianna Trump, Planner Associate, Land Use Administration (Room 511) 646-7319  
Matthew Ebinger, Planning Supervisor, Land Use Administration (Room 511) 646-6308



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: 2510 LYNHAVEN AVE RICHMOND VA, 23234 Date: JANUARY 17, 2024  
Tax Map #: S0080418001 Fee: \$2,400  
Total area of affected site in acres: PARCEL AREA = 4.065 Ac.

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

**Zoning**

Current Zoning: OS (OFFICE SERVICE DISTRICT)

Existing Use: VACANT

**Proposed Use**

(Please include a detailed description of the proposed use in the required applicant's report)  
50 UNIT MULTIFAMILY APARTMENT BUILDING WITH ASSOCIATED IMPROVEMENTS (SEE ATTACHED REPORT & PLAN)  
Existing Use: VACANT

Is this property subject to any previous land use cases?

Yes  No  If Yes, please list the Ordinance Number: \_\_\_\_\_

**Applicant/Contact Person:** JEN SURBER

Company: SURBER DEVELOPMENT/JEN SURBER  
Mailing Address: 120 GREENTREE CIRCLE RD.  
City: BRISTOL State: VIRGINIA Zip Code: 24201  
Telephone: ( 276 ) 698-8760 Fax: ( )  
Email: jensurber@surberdev.com

**Property Owner:** CITY OF RICHMOND ECONOMIC DEVELOPMENT

If Business Entity, name and title of authorized signee: SHARON EBERT, DEPUTY CAO FOR PLANNING & ECONOMIC DEVELOPMENT

(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: 900 EAST BROAD STREET, SUITE 1603  
City: RICHMOND State: VIRGINIA Zip Code: 23219  
Telephone: ( 804 ) 629-3588 Fax: ( )  
Email: Sharon.Ebert@rva.gov

**Property Owner Signature:** *Sharon Ebert*

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)



## FD LETTERHEAD

The submitted plans for your commercial or multi-family project are under review with Fire & Emergency Services. Applications which only require conceptual plans will be reviewed to the appropriate level of detail for this stage of development planning.

Per the Department of Planning & Development Review, Final Subdivision Plat site plan and Building Permit architectural plan reviews require 100% construction drawings. When applicable, the following sheets should be noted in the Table of Contents of the plan set. Any symbols, fire lines, hydrants, etc. pertaining to our review should be in noted in red.

- Site Layout
- Utility Layout
- First Floor Plan
- Life Safety Plan
- Roof Plan
- Elevation Drawings

Please respond to the checklist items below *\*and include the corresponding sheet number when asked to provide locations\** to expedite our review process. Further discussion may be necessary to provide approval from this department on your application's plans.

***We reserve the right to change or amend*** our decisions should new evidence be discovered, site conditions change during the review period, or revisions on subsequent submissions for this application modify previously approved items which fall within our scope of review.

We look forward to working with you to design a safe project for our city's residents and visitors.

**Office of the Fire Marshal**  
**City of Richmond Fire Department**  
201 East Franklin Street  
Richmond, VA 23219





## CITY OF RICHMOND FIRE & EMERGENCY PLAN REVIEW CHECKLIST

### Project Summary:

1. Is this new construction or a rehabilitation project? **New Construction**
2. What is the height of the building(s)? How many stories? **See Sheet C1.0 - Building Height = 45'-6" to eave, Three (3) Stories**
3. Is there any accessory parking garage or parking garage levels? **No**
4. Are any levels below street level or below grade? **No**

### Building Occupant Egress:

5. Provide location of roof access points on the plans. **N/A (See Architectural Elevations)**
6. If there is a basement or floors below street level, provide locations for egress on the plans. **N/A (gable roof)**
7. For projects with 6 stories or more, stairways must be noted with compass directions (North, South, etc) and the inside of stairwells must note each floor number. **N/A**
8. If a fire escape is part of the structure, it must be inspected by a design engineer and necessary repairs or replacements must be made before a Certificate of Occupancy can be issued. **N/A**

### Suppression Systems

9. A temporary standpipe is required on site during construction. Its operative should be on the finished floor below the next floor being constructed. Provide the location on the plans. **Acknowledged, the required information will be provided within the architectural drawings as part of formal design drawing submissions.**
10. Alarm panel box. This must be in the first floor lobby area on the street address side of the building. Provide location on the plans. **Acknowledged, the required information will be provided within the architectural drawings as part of formal design drawing submissions.**
11. Knox-Box Rapid Entry System. One is required on any new construction or renovated enclosed multi-story building. Provide the location on the plans. **Acknowledged, the required information will be provided within the architectural drawings as part of formal design drawing submissions.**
12. Fire pump(s). Provide the location on the plans. **Acknowledged, the required information will be provided within the architectural drawings as part of formal design drawing submissions.**
13. Command Center. This needs to be clearly marked outside of the door. Provide the location on the plans. **Acknowledged, the required information will be provided within the architectural drawings as part of formal design drawing submissions**
14. Sprinkler shut off valve. Provide the location on the plans. **Acknowledged, the required information will be provided within the architectural drawings as part of formal design drawing submissions**
15. Sprinkler connections. Provide the FDC location on the plans – in red ink please. **See Sheet C1.0 - Shown on plan in red ink.**

### Hydrant & Fire Department Connections

16. More than one hydrant may be required to support the project. How many existing hydrants are near the project? How many are proposed? Provide the location on the plans. **See Sheet C1.0, there are two existing public hydrants along the frontage of the site within Lynhaven Ave. Additionally two private**



hydrants are being proposed within the project site along the proposed 24' wide travelway along the north and east sides of the building.

17. The dedicated hydrant should be public. Special circumstances may allow for a private hydrant if an ISO Class 1 Rating can be maintained and the Department of Public Utilities approves of it. A private hydrant must also be maintained in accordance with NFPA 291 and the current Virginia Statewide Fire Protection Code. **See Sheet C1.0 - There are two existing public fire hydrants along Lynahven Ave within 100' of the proposed FDC.**
18. The FDC for each building. Provide the location on the plans. Signage is required around it (i.e. FDC Connection, No Parking) and curbing before it must be painted yellow. We highly recommend a Knox FDC secure system to safeguard the sprinkler system. **The location of the FDC is noted in red on Sheet C1.0, signage will be provided with formal design plans.**
19. The FDC should be at least 50 feet from the its dedicated hydrant, but no more than 100 feet. **See Sheet C1.0 - There are two existing public fire hydrants along Lynahven Ave within 100' of the proposed FDC.**

#### Emergency Vehicle Access to Site

20. New construction projects require at least (2) two roads for emergency vehicles to access the site and shall comply with Chapter 5 of Statewide Virginia Fire Prevention Code Fire Service Features. **Only one point of access has been provided with the proposed design due to site constraints, if an additional point of access is required, we will address on subsequent submissions. See Sheet C1.0.**
21. Proposed or Improved road surfaces used for emergency access must be able to support a minimum weight of 75,000 lbs. **Heavy duty pavement section has been recommended on all travelways to accommodate the 75,000 lbs, please note it is assumed that this load is distributed throughout the wheel base.**
22. Proposed or improved road surfaces used for emergency access must be at least 20 feet in width, In some cases, 27 feet may be required. **The proposed minimum travelway width is 24 feet. See Sheet C1.0.**
23. Curb cuts into an around the site for emergency access must support a fire apparatus turning radii of 36' inside and 52' outside. **The Site has been designed to accommodate the noted minimum turning radii, if required the radii\turning radii paths can be shown on subsequent submissions. See Sheet C1.0.**
24. New construction projects may require access to all sides of the building for emergency vehicles. **Due to site constraints access has been provide to three sides of the building and the site design has been revised to shorten the distance between the public right-of-way and the rear of the building.**

#### Environmental Concerns

25. Are you aware of any underground storage tanks (UST's) or above ground storage tanks (AST's) which currently hold, or may have at one time held, flammable or combustible substances? If any are discovered during land disturbance, excavation, or construction activities, they must be immediately reported to the Fire Marshal's Office. A permit is required before removal or abandonment. All documents pertaining to environmental reports shall be forwarded to the Fire Marshall's Office. **At this time no environmental concerns are not believed to be present, once the viability of this project has been further determined, and environmental assessment will be performed any required findings, documentation, and permits will be obtained to address the noted concerns.**
26. Are you aware of any environmental concerns that need to be mitigated before construction, ie. Leaks, spills, etc.) **None at this time, To be determined.**
27. Will this project involve any rock blasting? A rock blasting permit shall be obtained from the Fire Marshall's Office. **No rock blasting is anticipated at this time.**

**BAILIWICK STRATEGIES LLC  
406 West Franklin Street, Second Floor  
P.O. Box 25309  
Richmond, Virginia 23260**

January 17, 2024

By Email:

City of Richmond  
Department of Planning and Development Review  
Land Use Administration Division  
900 E. Broad Street, Room 511  
Richmond, Virginia 23219  
Attn: Matthew Ebinger  
matthew.ebinger@rva.gov

**Re: SUP Applicant's Report; 2510 Lynhaven Avenue (S0080418001)**

Dear Mr. Ebinger:

This letter shall serve as the Applicant's Report accompanying the application for a Special Use Permit application (the "SUP") for the property consisting of approximately 4.065 acres located at 2510 Lynhaven Avenue (GPIN No. S0080418001) (the "Property"). The SUP would authorize the use of the Property for fifty (50) multifamily dwelling units, which is not a primary permitted use in the OS zoning district except by special use permit under the City of Richmond Code of Ordinances (the "Ordinance"), all as shown on the enclosed conceptual site plan (the "Plan"). The applicant, Lynhaven Ridge VA LLC (the "Applicant"), is a related entity to Surber Development and Consulting LLC the "company"). Additionally, Spanish Oak LLC and the YWCA Richmond are members of the Applicant LLC and participants in the proposed development of the Property. The company has been an active participant in the VHDA Low Income Housing Tax Credit Program since 2013, placing its first development in service in 2014. Since then, sixteen (16) additional properties have been completed and placed in service, four (4) properties are currently under construction, and four (4) properties are in the predevelopment stage with construction expected to begin in 2024. One of the company's properties in the predevelopment stage (plan of development review) is Bellevue Gardens, a 78-unit new construction family development located in the City of Richmond.

The Applicant proposes that the development on the Property ("Lynhaven Ridge" or the "development") consist of the new construction of 50 multi-family affordable housing units that will be targeted to individuals and families earning 30%, 50%, 60%, and 80% or less of the Area Median Income. Lynhaven Ridge would consist of one (1) three-story building, to include 28 two-bedroom and 22 three-bedroom units. All 50 units will be universally designed. Five (5) units will be fully HUD Section 504 accessible and actively marketed to individuals with disabilities. Also, the development will employ green building techniques, will achieve the National Green Building Standard of silver, and will meet the requirements of the HUD Low Income Home Energy Assistance Program. There will be a community room with on-site leasing, an elevator, and community laundry facilities.

PO Box 25309  
Richmond, Virginia 23260  
804.938.9818  
mark@bailiwickstrategies.com

Washer/dryer unit hook ups will also be provided in each unit. There will also be dedicated space in which the YWCA will provide on-site services to residents. Further, the Richmond Behavioral Health Authority will be invited to participate in the development, and up to five (5) units could be set aside for their use should RBHA have a need.

The Property is currently vacant and unimproved. By way of background, the Property is zoned OS and appears to be subject to no special use permit or similar parcel-specific zoning case. The Property has been designated as a surplus property and identified for potential future use for housing. Properties immediately surrounding the Property to the north and northwest are zoned R-53, with a mix of M-1 zoning to the northeast and east extending across the railroad right of way. Many of the surrounding parcels are vacant properties. Properties to the west, south, and southwest are zoned R-5 and occupied by a mix of residential and multifamily uses.

The adopted Richmond 300 (the “Master Plan”) generally recommends “Residential” for the subject and surrounding properties and there is additional specific text guidance contained elsewhere in the Master Plan that is supportive of this request for what is a relatively small multifamily building. The Property is located near the Bellemeade node in the Master Plan. Goal 1 of the Master Plan is to “Establish a city of complete neighborhoods that have access to Nodes connected by major corridors in a gridded street network.” Location of affordable housing on the Property near the Bellemeade node supports that goal. Goal 2 is to “Efficiently manage City-owned land and facilities.” Deployment of the Property towards achieving the City’s housing and development goals is an efficient management of this City-owned land. Goal 14 is to “Preserve, expand, and create mixed income communities, by preserving existing housing units and developing new ones—both renter- and owner-occupied—throughout the city.” The development expands highly service-supported, dignified housing opportunities proximate to the Bellemeade node. Goal 15 provides for development to “Positively adapt to the effects of a changing climate via RVAgreen 2050, and ensure that all residents have equitable access to nature and a healthy community.” The development’s high standards of green construction support Goal 15 and the development’s tested design makes reaching this goal possible through the offering of green housing at deeply affordable levels.

Further, the development is a direct response to the recent City declaration of an affordable housing crisis in the City made in the Summer of 2023, at which time the City set a goal of creating 1000 new affordable rental units every year until 2030.

#### *STANDARD OF REVIEW*

The request addresses the following factors indicted in Section 17.11 of the Charter and Section 30-1040.5 of the Zoning Ordinance relative to the approval of special use permits by City Council.

The proposed SUP:

- *Will not be in conflict with the objectives and policies of the master plan for the City;*

As set forth above, the proposed SUP is supported by at least Goals 1, 2, 14 and 15 of the Master Plan.

- *Will conform with all applicable sections of this article and other applicable requirements of the district in which it is proposed to be located;*

The proposed SUP and the Concept Plan is designed to conform with all other sections of the Ordinance applicable to the Property.

- *Will not substantially diminish or impair the established property values in the neighborhood in which it is proposed to be located;*

The proposed SUP will eliminate a vacant property where nuisance activity could otherwise occur, enhancing the property values of adjacent properties. The proposed use will also provide a range of affordable housing in a modern, green, and services-supported way.

- *Will not have an undue adverse effect on the public health, safety or general welfare;*

The proposed SUP will not have an undue adverse effect on the public health, safety or general welfare.

- *Will not adversely affect the character of the surrounding area or the continued use and development of surrounding property in a manner consistent with applicable zoning regulations or master plan objectives;*

The Concept Plan of the proposed SUP is consistent with deployment of relatively small multi-family housing units in a residential areas abutting R-53, M-1 and vacant uses.

- *Will not cause undue traffic congestion on public streets or significantly increase traffic volumes on minor residential streets;*

The proposed SUP is consistent with appropriate future land use density expectations and supported by scheduled City-initiated capital improvements already planned and in place around the Property.

- *Will be adequately served by essential public services and facilities and will not cause an undue burden on such services and facilities;*

The proposed use adds no adverse impacts to essential public services. The proposed use will support the deployment of participant's programming in the area, enhancing services and access to those services in the community and overall in the southside of the City.

- *Will not cause the destruction, loss or damage of significant natural, scenic or historic features to any greater degree than development of the property for uses permitted by right in the district;*

The proposed SUP does not cause the loss or damage of any natural, scenic or historic features on the Property or otherwise.

- *Will ensure compatibility with surrounding property through existing and proposed landscaping, screening and buffering and the location, arrangement and character of existing and proposed buildings, structures, open spaces, parking areas, vehicular circulation, driveways, signage and lighting; and*

The proposed SUP will provide for improvements to a now-vacant, potentially nuisance, parcel.

- *Will not cause or result in any significant increase in negative cumulative impact when considered in conjunction with other conditional uses in the neighborhood in which it is proposed to be located.*

The Proposed SUP would not lead to a negative cumulative impact with exiting or future special or conditional uses.

In summary, the Applicant enthusiastically seeks approval of the SUP. The revitalization of the Property, made possible through the SUP, would guaranty a high-quality use beneficial to the community. The Project would contribute to the vibrancy of the area through the provision of housing that is consistent with the historic development pattern of the surrounding neighborhood. Thank you for your time and consideration of this request, please let me know if you have any questions

Sincerely,



Mark Krontenthal

cc: The Honorable Reva Trammell, City Council

## **2510 Lynhaven Avenue Property Description**

D.B. 571 PG. 1815 – Schedule “A”

Parcel I: All that certain piece or parcel of land lying and being in the City of Richmond, Virginia, containing 14.111 acres of land situated on the east line of Lynhaven Avenue in the City of Richmond, Virginia and more particularly described as follows:

BEGINNING at a point marked by a rod in the east line of Lynhaven Avenue (formerly Newport Street) distant thereon 155.01 feet from the north line of Concord Avenue; thence along said east line of Lynhaven Avenue N 2°10' E 449.08 feet to a point marked by a rod; thence S 88°36' E 626 feet to a point marked by a rod; thence N. 2°04' E 292 feet to a point marked by a rod; thence N 89°45' E, 389.59 feet to a point marked by a rod; thence S 0°15' E, 87.52 feet to a point marked by a rod; thence N 89°45' E, 389.59 feet to a point marked by a rod in the west line of the right of way of the Seaboard Air Line Railway; thence along said right of way line along an arc curving to the left, the radius of which is 5792.53 feet, 743.41 feet to a point marked by a rod; thence N 87°49' W 935.93 feet to the point and place of beginning, all as shown on plat of survey made by Austin Brockenbrough and Associates, Consulting Engineers, dated April 26, 1972, revised June 30 1972.

Parcel II: All that certain piece or parcel of land lying and being in the City of Richmond, Virginia, containing 4.065 acres of land, and being to the north of and contiguous with Parcel I hereinbefore described, and more particularly described as follows:

BEGINNING at a point marked by a rod in the eastern line of Lynhaven Avenue, which point is 604.09 feet to the north line of Concord Avenue and the east line of Lynhaven Avenue, thence from said point of beginning S 88°36' E a distance of 626 feet to a point marked by a rod; thence N 2°04' E 292 feet to a point marked by; thence S 89°45' W a distance of 625.99 feet to a point on the east line of Lynhaven Avenue; thence S 2°10' W a distance of 273.98 feet to the point of beginning, all as shown on plat of survey made by Austin Brockenbrough and Associates, Consulting Engineers, dated April 26, 1972, revised June 30 1972.



**SITE DATA**

**OWNER:** CITY OF RICHMOND ECONOMIC DEVELOPMENT  
500 E. FRANKLIN ST.  
RICHMOND, VA 23219  
CONTACT: SHARON EBERT  
PHONE: (804)629-3588

**DEVELOPER:** SURBER DEVELOPMENT  
120 GREENTREE CIRCLE ROAD  
BRISTOL, VIRGINIA 24202  
CONTACT: JEN SURBER  
PHONE: (276) 698-8760  
EMAIL: JENSURBER@SURBERDEV.COM

**ENGINEER:** KOONTZ BRYANT JOHNSON WILLIAMS, INC  
1703 NORTH PARHAM ROAD, SUITE 202  
HENRICO, VIRGINIA 23229  
CONTACT: JONATHAN COSBY, P.E.  
PHONE: (804) 206-1933 ~ FAX: (804) 740-7338  
EMAIL: JCSBY@KBJWGROUP.COM

**SITE ADDRESS:** 2510 LYNHAVEN AVE., RICHMOND, VIRGINIA 23234

**PROPOSED USE:** MULTI-FAMILY APARTMENTS (S.U.P. REQ'D)

**MAP REFERENCE:** PARCEL ID NUMBER: S0080418001  
LAT. LONG.: 37.487°, -77.439° (APPROX. CENTER OF SITE)  
HYDROLOGIC UNIT CODE: 02080206  
UNIT NAME: UPPER LOWER JAMES  
RECEIVING WATERS: BROAD ROCK CREEK

**UTILITIES:** WATER & SEWER (PUBLIC)

**PARCEL ZONING:** OS (OFFICE SERVICE DISTRICT)

**REZONING CASE:** N/A

**PREVIOUS APPROVALS:** N/A

**DISTRICT:** COUNCIL DISTRICT 8

**PARCEL AREA:** 4.065 ACRES (177,067.92 S.F.)

**BUILDING STORIES:** EXISTING: N/A  
PROPOSED: THREE (3) STORIES

**BUILDING HEIGHT:** EXISTING: N/A  
PROPOSED: 45'-6" (TO EAVE)

**BUILDING SQ. FT.:** EXISTING: N/A  
PROPOSED: 20,450 S.F. (FOOTPRINT)  
55,164 S.F. (TOTAL 3-STORIES)

**FLOOR AREA RATIO:** 0.31 (55,164 S.F./177,495 S.F.)

**USEABLE OPEN SPACE:** ±117,464 S.F. (PARCEL AREA LESS STRUCTURES, TRAVELWAYS)

**USEABLE OPEN SPACE RATIO:** ±21 (117,464 S.F./55,164 S.F.)

**PARKING:** 0 REQUIRED  
71 PARKING LOT SPACES PROVIDED

**LEGEND**

	FEMA 100YR FLOODPLAIN ZONE-AE		STANDARD DUTY ASPHALT CONCRETE PAVEMENT
	FEMA 100YR FLOODWAY ZONE-AE		HEAVY DUTY PAVEMENT
	FEMA 500YR FLOODPLAIN ZONE-X (SHADED)		CONEWALK SIDEWALK/PADS
	STREAM (W.O.U.S.)		

**CURB AND GUTTER LEGEND**

	STD. C.O.R. INDEPENDENT CURB
	STD. C.O.R. CURB & GUTTER
	TRANSITION STD. C.O.R. C&G TO DRY C&G
	DRY CURB & GUTTER (SEE DETAIL)

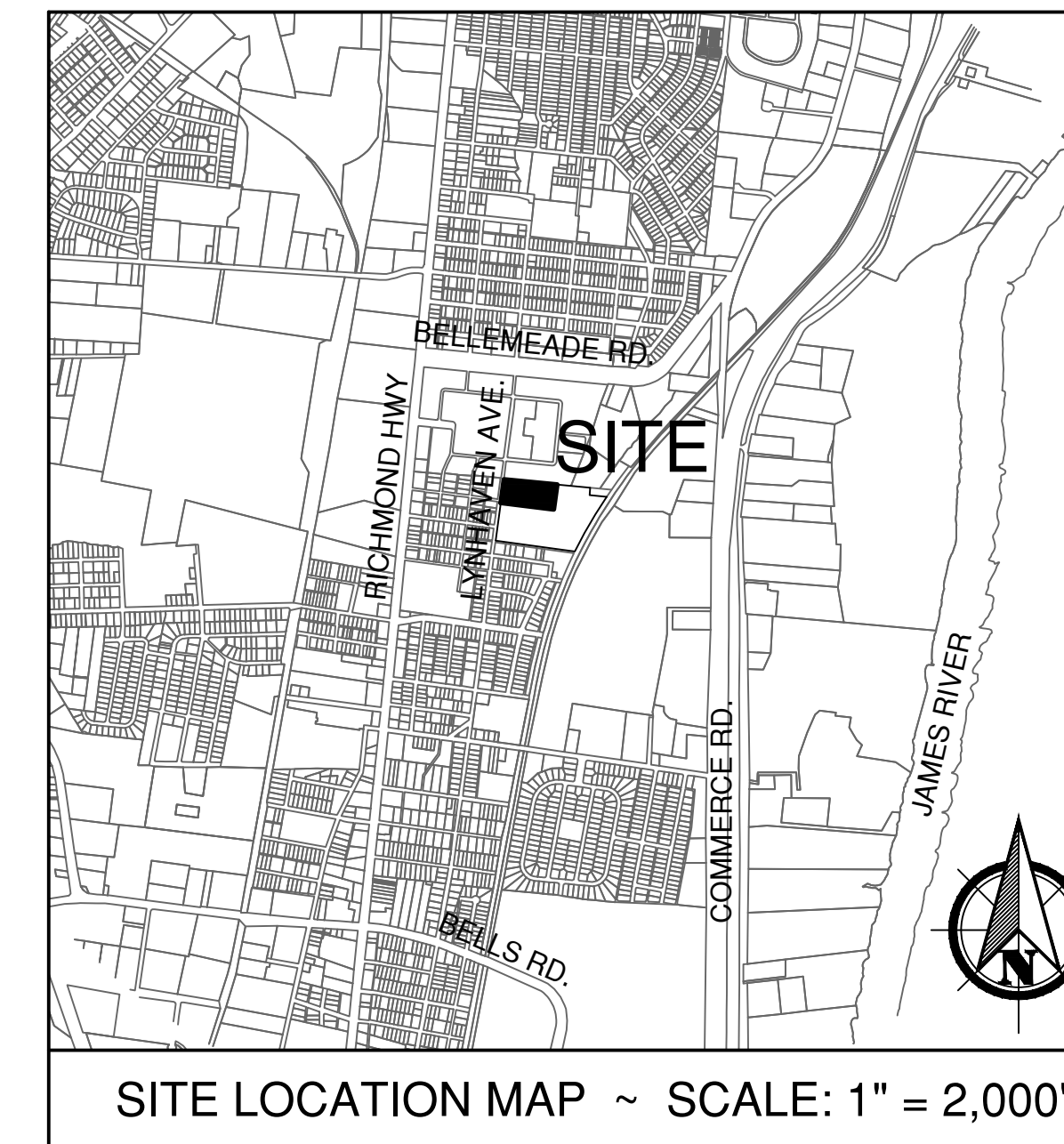
**FLOOR AREA CALCULATIONS:**

BLDG.	FLOOR	GROSS FLOOR AREA	EXCLUDED AREAS		FLOOR AREA		
			DESCRIPTION	AREA			
BLDG #1	1ST FLOOR	20,452 G.S.F.	LAUNDRY, 111B	123 S.F.	18,705 S.F. (20,452 - 1,747)		
			RESIDENT SVC PROVD, 111C	59 S.F.			
			AUXILIARY ROOM, 111A	59 S.F.			
			TELE-HEALTH, 103C	59 S.F.			
			COMMUNITY WING, 101	1,149 S.F.			
			JANITOR, 103B	59 S.F.			
			MAINTENANCE ROOM, 108 A/B	239 S.F.			
			MAINTENANCE ROOM, 108 A/B	239 S.F.			
			TOTAL EXCLUDED AREAS	1,747 S.F.			
			LAUNDRY, 211B	123 S.F.			
BLDG #1	2ND FLOOR	18,699 G.S.F.	AUXILIARY ROOM, 211C	59 S.F.	18,304 S.F. (18,699 - 395)		
			AUXILIARY ROOM, 211A	59 S.F.			
			AUXILIARY ROOM, 203C	59 S.F.			
			JANITOR, 203B	59 S.F.			
			STORAGE, 208 A	36 S.F.			
			TOTAL EXCLUDED AREAS	395 S.F.			
			LAUNDRY, 311B	123 S.F.			
			AUXILIARY ROOM, 311C	59 S.F.			
			AUXILIARY ROOM, 311A	59 S.F.			
			AUXILIARY ROOM, 303C	59 S.F.			
BLDG #1	3RD FLOOR	18,550 G.S.F.	JANITOR, 303B	59 S.F.	18,155 S.F. (18,550 - 395)		
			STORAGE, 308 A	36 S.F.			
			TOTAL EXCLUDED AREAS	395 S.F.			
			TOTAL BLDG #1 FLOOR AREA:			55,164 S.F.	
			PR. PARCEL AREA:			177,067.92 S.F.	
			PR. FLOOR AREA RATIO:			0.31 S.F. (55,164 / 177,067.92)	

**PARKING SUMMARY**

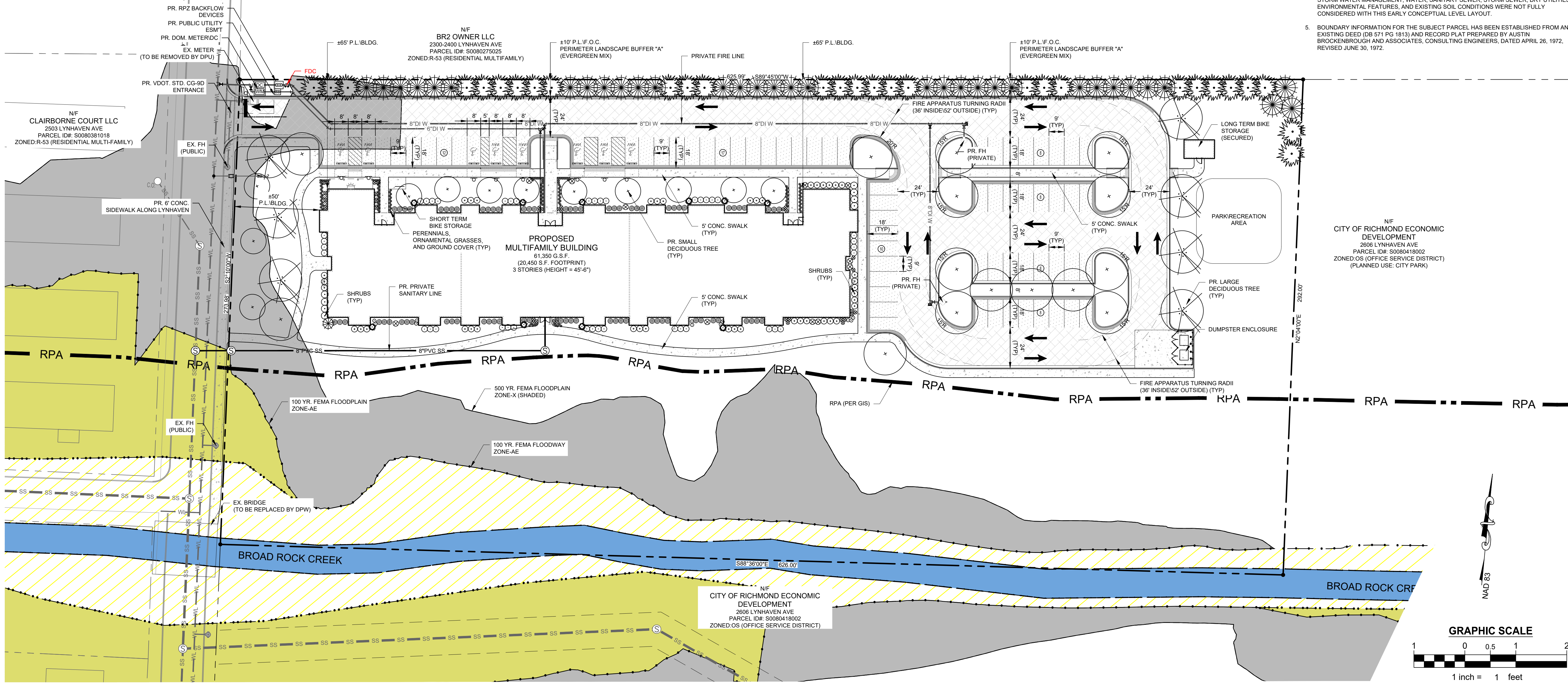
TYPE	DIMENSIONS		SPACES	
	REQUIRED	PROVIDED	REQUIRED	PROVIDED
STANDARD SPACE	8'5" x 17'5"	9' x 18'		63
STANDARD ACCESSIBLE SPACE *	5' x 18'	5' x 18'		1
VAN ACCESSIBLE SPACE	8' x 18'	8' x 18'		7
<b>TOTAL SPACES</b>			<b>0</b>	<b>71</b>

\* DENOTES ADA/FEDERAL REQUIREMENTS EXCLUSIVE OF REQUIRED VAN SPACES



**NOTES**

- THIS PLAN IS FOR CONCEPTUAL PURPOSES ONLY. THE FEASIBILITY OF THIS LAYOUT HAS YET TO BE FULLY DETERMINED.
- PLANIMETRICS AND PROPERTY INFORMATION ARE COMPILED FROM EXISTING DESIGN PLANS, AS-BUILT PLANS, GIS DATA, AND OBSERVATIONS FROM A SITE VISIT.
- A GENERAL REVIEW OF ZONING REQUIREMENTS WAS DONE IN PREPARING THIS CONCEPT; HOWEVER, THE CONCEPT DOES NOT BENEFIT FROM FORMAL MEETINGS AND REVIEWS FROM THE GOVERNMENTAL AGENCIES HAVING JURISDICTION WHICH MAY UNCOVER ADDITIONAL CONSTRAINTS.
- SITE AND DESIGN RELATED CONSTRAINTS INCLUDING BUT NOT LIMITED TO GRADING, STORM WATER MANAGEMENT, WATER, SANITARY SEWER, STORM SEWER, DRY UTILITIES, ENVIRONMENTAL FEATURES, AND EXISTING SOIL CONDITIONS WERE NOT FULLY CONSIDERED WITH THIS EARLY CONCEPTUAL LEVEL LAYOUT.
- BOUNDARY INFORMATION FOR THE SUBJECT PARCEL HAS BEEN ESTABLISHED FROM AN EXISTING DEED (DB 571 PG 1813) AND RECORD PLAT PREPARED BY AUSTIN BROCKENBROUGH AND ASSOCIATES, CONSULTING ENGINEERS, DATED APRIL 26, 1972, REVISED JUNE 30, 1972.



**KOONTZ BRYANT JOHNSON WILLIAMS**  
1703 N. Parham Rd, Suite 202  
Henrico, Va 23229  
(804) 740-9200  
FAX (804) 740-7338  
www.kbjwgroup.com

**NOT FOR CONSTRUCTION**

REVISIONS	DESCRIPTION	DATE
NO. 1	PER PRE-APPLICATION MEETING COMMENTS	1/17/2024

**POST APPROVAL**

DESIGNED	DRAWN	CHECKED
J.C.	J.C.	J.C.

**LYNHAVEN RIDGE SPECIAL USE PERMIT CONCEPTUAL SITE PLAN**

COUNCIL DISTRICT 8 CITY OF RICHMOND, VIRGINIA

SCALE: 1" = 30'
DATE: 01/17/2024
PROJECT: 23-29109-001

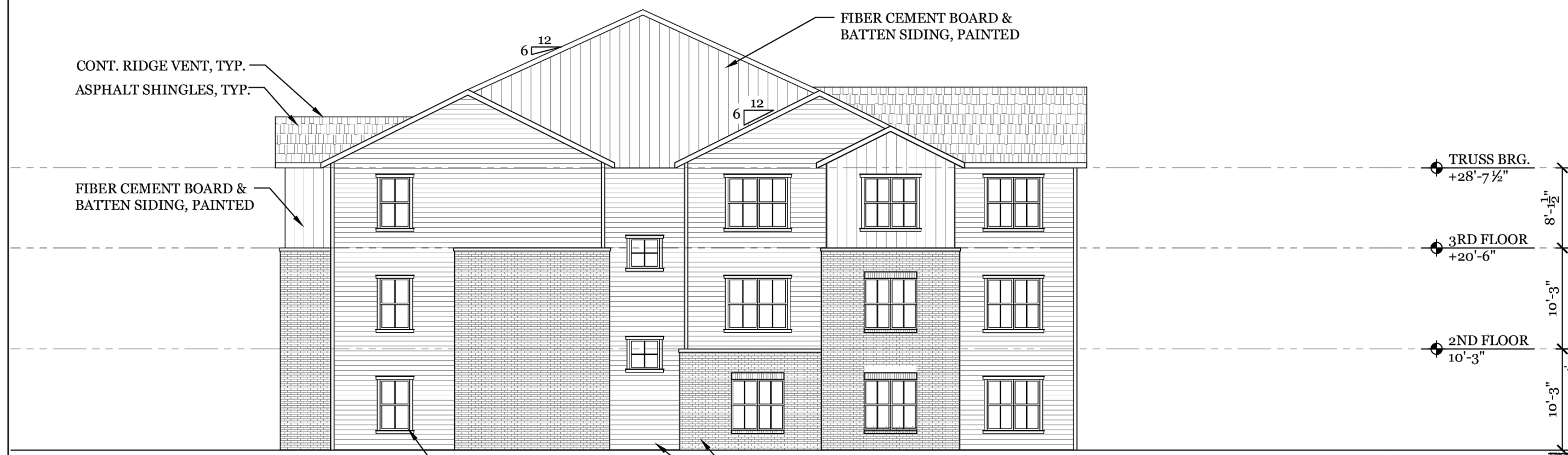
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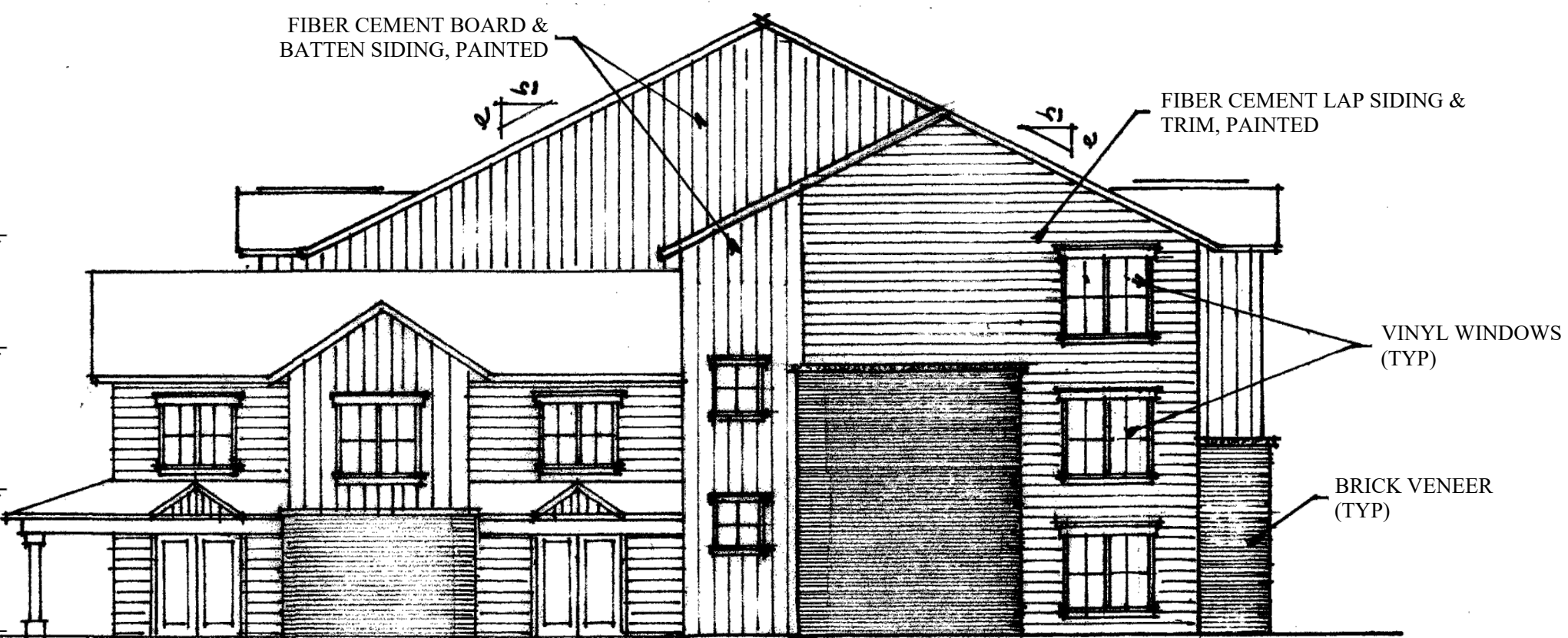
**BUILDING NO. 1  
REAR ELEVATION**

SCALE: 3/32" = 1'-0"



**BUILDING NO. 1  
LEFT ELEVATION**

SCALE: 3/32" = 1'-0"



**BUILDING NO. 1  
RIGHT ELEVATION**

SCALE: 3/32" = 1'-0"



**BUILDING NO. 1  
FRONT ELEVATION**

SCALE: 3/32" = 1'-0"

LYNHAVEN RIDGE  
RICHMOND, VIRGINIA  
**Preliminary**  
01/17/2024 12:07:05 PM

Seal:

Title:  
**EXTERIOR  
ELEVATIONS**  
BLDG NO. 1

Date: 10.27.2023

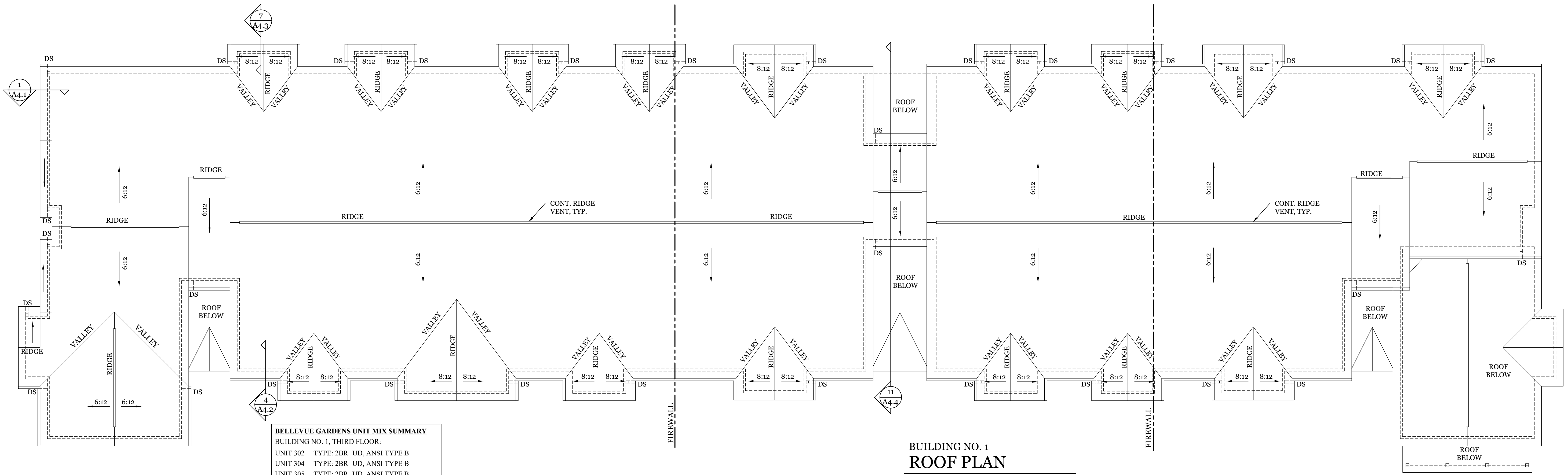
Revisions:

Drawn By: NLR  
Review By: DCH  
Project No. 2302

Sheet No.

**A3.1**



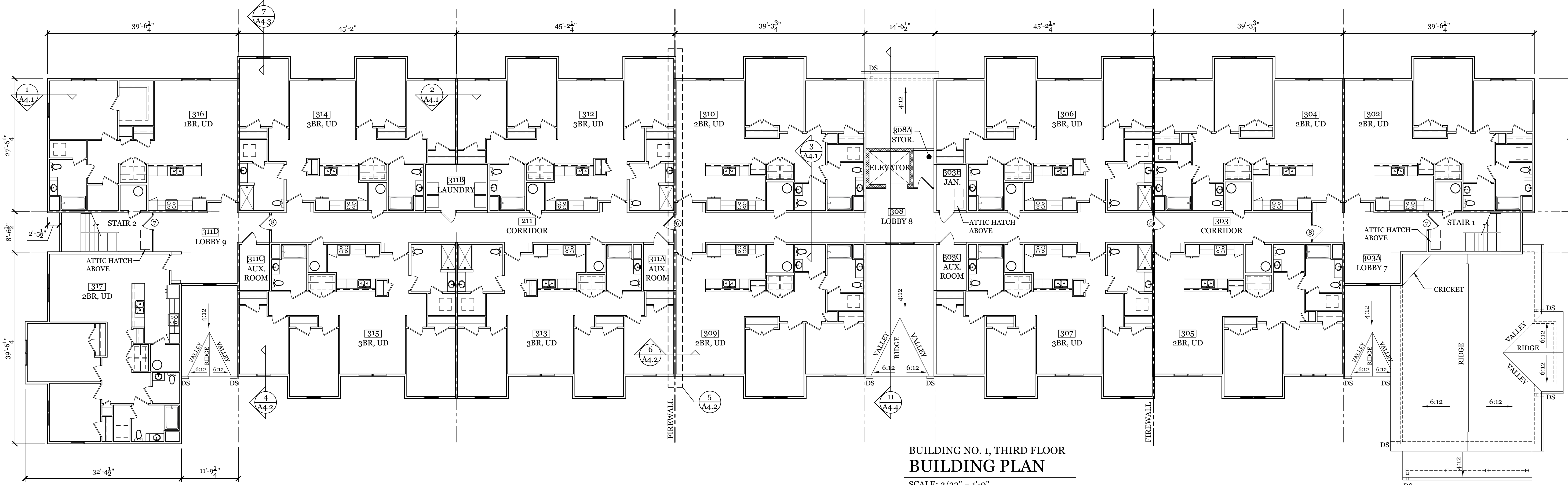


**BELLEVUE GARDENS UNIT MIX SUMMARY**  
BUILDING NO. 1, THIRD FLOOR:

UNIT 302	TYPE: 2BR UD, ANSI TYPE B
UNIT 304	TYPE: 2BR UD, ANSI TYPE B
UNIT 305	TYPE: 2BR UD, ANSI TYPE B
UNIT 306	TYPE: 3BR UD, ANSI TYPE B
UNIT 307	TYPE: 3BR UD, ANSI TYPE B**
UNIT 309	TYPE: 2BR UD, ANSI TYPE B
UNIT 310	TYPE: 2BR UD, ANSI TYPE B
UNIT 312	TYPE: 3BR UD, ANSI TYPE B**
UNIT 313	TYPE: 3BR UD, ANSI TYPE B
UNIT 314	TYPE: 3BR UD, ANSI TYPE B
UNIT 315	TYPE: 3BR UD, ANSI TYPE B**
UNIT 316	TYPE: 1BR UD, ANSI TYPE B
UNIT 317	TYPE: 2BR UD, ANSI TYPE B

\*\* ROLL-IN SHOWER IN 3BR UD UNITS, BATH 1

**BUILDING NO. 1  
ROOF PLAN**  
SCALE: 3/32" = 1'-0"



**BUILDING NO. 1, THIRD FLOOR  
BUILDING PLAN**  
SCALE: 3/32" = 1'-0"

LYNHAVEN RIDGE  
RICHMOND, VIRGINIA  
**Preliminary**  
12/24/2023 10:47:11 AM

Seal:

Title:  
**BUILDING  
PLANS**  
3RD FLOOR & ROOF  
BLDG NO. 1

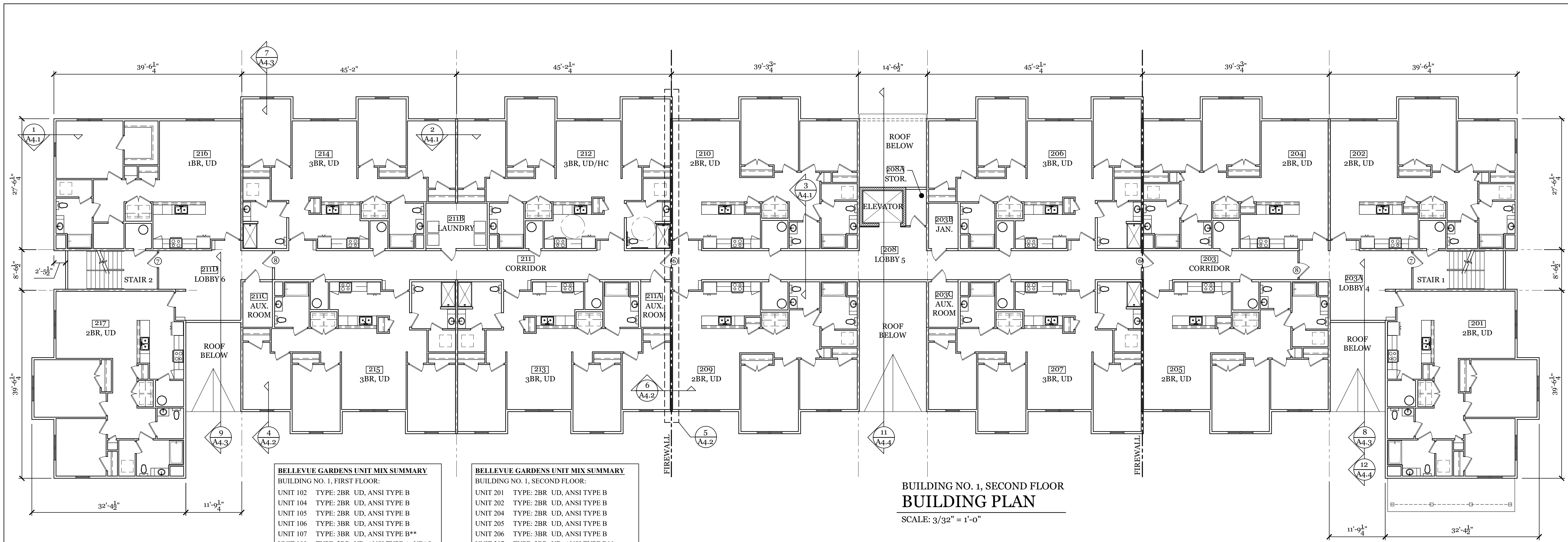
Date: 10.27.2023  
Revisions:

Drawn By: NLR  
Review By: DCH  
Project No. 2302

Sheet No.

**A1.2**





**BELLEVUE GARDENS UNIT MIX SUMMARY**  
BUILDING NO. 1, FIRST FLOOR:

UNIT 102	TYPE: 2BR UD, ANSI TYPE B
UNIT 104	TYPE: 2BR UD, ANSI TYPE B
UNIT 105	TYPE: 2BR UD, ANSI TYPE B
UNIT 106	TYPE: 3BR UD, ANSI TYPE B
UNIT 107	TYPE: 3BR UD, ANSI TYPE B**
UNIT 109	TYPE: 2BR UD, ANSI TYPE A, UFAS
UNIT 110	TYPE: 2BR UD, ANSI TYPE B*
UNIT 112	TYPE: 3BR UD, ANSI TYPE B**
UNIT 113	TYPE: 3BR UD, ANSI TYPE B
UNIT 114	TYPE: 3BR UD, ANSI TYPE B
UNIT 115	TYPE: 3BR UD, ANSI TYPE B**
UNIT 116	TYPE: 1BR UD, ANSI TYPE B
UNIT 117	TYPE: 2BR UD, ANSI TYPE B

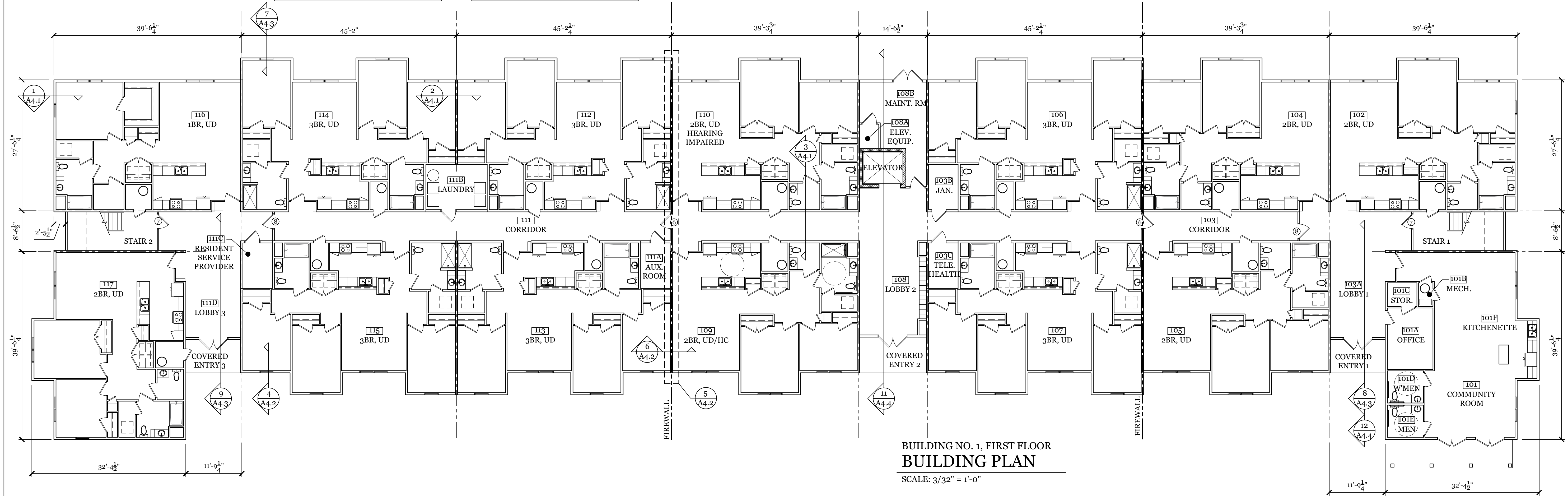
\* HEARING IMPAIRED  
\*\* ROLL-IN SHOWER IN 3BR UD UNITS, BATH 1

**BELLEVUE GARDENS UNIT MIX SUMMARY**  
BUILDING NO. 1, SECOND FLOOR:

UNIT 201	TYPE: 2BR UD, ANSI TYPE B
UNIT 202	TYPE: 2BR UD, ANSI TYPE B
UNIT 204	TYPE: 2BR UD, ANSI TYPE B
UNIT 205	TYPE: 2BR UD, ANSI TYPE B
UNIT 206	TYPE: 3BR UD, ANSI TYPE B
UNIT 207	TYPE: 3BR UD, ANSI TYPE B**
UNIT 209	TYPE: 2BR UD, ANSI TYPE B
UNIT 210	TYPE: 2BR UD, ANSI TYPE B
UNIT 212	TYPE: 3BR UD, ANSI TYPE A, UFAS
UNIT 213	TYPE: 3BR UD, ANSI TYPE B
UNIT 214	TYPE: 3BR UD, ANSI TYPE B
UNIT 215	TYPE: 3BR UD, ANSI TYPE B**
UNIT 216	TYPE: 1BR UD, ANSI TYPE B
UNIT 217	TYPE: 2BR UD, ANSI TYPE B

\*\* ROLL-IN SHOWER IN 3BR UD UNITS, BATH 1

**BUILDING NO. 1, SECOND FLOOR**  
**BUILDING PLAN**  
SCALE: 3/32" = 1'-0"



**BUILDING NO. 1, FIRST FLOOR**  
**BUILDING PLAN**  
SCALE: 3/32" = 1'-0"

LYNHAVEN RIDGE  
RICHMOND, VIRGINIA  
**Preliminary**  
12/24/2023 10:46:42 AM

Seal:

Title:  
**BUILDING PLANS**  
1ST & 2ND FLOOR  
BLDG NO. 1

Date: 10.27.2023  
Revisions:

Drawn By: NLR  
Review By: DCH  
Project No. 2302

Sheet No.

**A1.1**