

INTRODUCED: April 28, 2025

AN ORDINANCE No. 2025-093

To authorize the special use of the property known as 2003 West Grace Street for the purpose of a single-family detached dwelling and an accessory dwelling unit, 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 property known as 2003 West Grace Street, which is situated in a R-48 Multifamily Residential District, desires to use such property for the purpose of a single-family detached dwelling and an accessory dwelling unit, which use, among other things, is not currently allowed by sections 30-416.5, concerning yards and 30-416.6:1, concerning lot coverage, 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: 9 NOES: 0 ABSTAIN: _____

ADOPTED: JUN 2 2025 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 2003 West Grace Street and identified as Tax Parcel No. W000-0953/021 in the 2025 records of the City Assessor, being more particularly shown on a survey entitled “Physical Location Survey of #2003 West Grace Street, City of Richmond, Virginia,” prepared by Potts, Minter and Associates, P.C., and dated August 9, 2022, 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 single-family detached dwelling and an accessory dwelling unit, hereinafter referred to as “the Special Use,” substantially as shown on the plans entitled “2003 West Grace Street Carriage House,” prepared by ARCDEV Studio, and dated June 25, 2024, hereinafter referred to as “the Plans,” copies of which are attached to and made a part of this ordinance.

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

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

(a) The Special Use of the Property shall be as a single-family detached dwelling and an accessory dwelling unit, substantially as shown on the Plans.

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

(c) All building elevations and site improvements shall be substantially as shown on

the Plans, subject to the applicable regulations of Chapter 30, Article IX, Division 4 of the Code of the City of Richmond (2020), as amended.

(d) 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 (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.

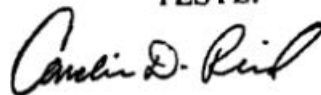
(f) When the privileges granted by this ordinance terminate and the special use permit granted hereby becomes null and void, whether as a result of the Owner relinquishing this special use permit in a writing addressed to the Director of Planning and Development Review or

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.

A TRUE COPY:
TESTE:

A handwritten signature in black ink, appearing to read "Camille D. Reil".

City Clerk



City of Richmond

Intracity Correspondence

O&R Transmittal

DATE: February 24, 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, DCAO for Economic Development and Planning

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

RE: To authorize the special use of the property known as 2003 West Grace Street for the purpose of a single-family detached dwelling and an accessory dwelling unit, upon certain terms and conditions.

ORD. OR RES. No. _____

PURPOSE: The applicant is requesting a Special Use Permit to authorize the construction of an accessory dwelling unit to be located over top of a garage. The garage and accessory dwelling unit are permitted uses for residential properties that contain a single-family detached dwelling. However, the proposed location encroaches into the rear yard setback, consistent with the garages located on both adjacent properties. Therefore, an SUP is requested.

BACKGROUND: The 3,780 square foot property is located on the southern side of West Grace Street one parcel removed from the corner created with North Meadow Street in The Fan District. Access to the rear of the property is provided by an alley running parallel to West Grace Street. The property is improved with a three-story single-family detached dwelling.

The Richmond 300 Master Plan (the “Master Plan”) suggests “Neighborhood Mixed-Use” for the Property. The Master Plan describes this land use designation as “existing or new highly walkable urban neighborhoods that are predominantly residential with a small, but criti-

cal, percentage of parcels providing retail, office, personal service, and institutional uses.” Recommended development styles are described as featuring “a variety of building types that are close to one another and create a unified street wall. The building size, density, and zoning districts for these areas vary depending on historical densities and neighborhood characteristics. Single-family, accessory dwelling units, two-family, and small multi-family buildings are contemplated as the primary uses in these areas.

The current zoning for this property and surrounding neighborhood is R-48 Multifamily Residential District. The area is generally single family residential and small neighborhood commercial uses present in the vicinity. The proposed use creates a density of two units on a .08-acre parcel, or 25 units per acre.

COMMUNITY ENGAGEMENT: The Historic West Grace Street Association, the Fan District Association, and the Fan Area Business Alliance were notified of the application; additional community notification will take place after introduction.

STRATEGIC INITIATIVES AND OTHER GOVERNMENTAL: Richmond 300 Master Plan; Ordinance to be considered by the Planning Commission on May 20, 2025

FISCAL IMPACT: \$400 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: Office of Chief Administrative Officer; Law Department (for review of draft ordinance)

RELATIONSHIP TO EXISTING ORD. OR RES.: None

ATTACHMENTS: Draft Ordinance, Supporting Documents

STAFF: David Watson, Land Use Administration (Room 511) 646-1036

APPLICANT'S REPORT

October 8th, 2024

*Special Use Permit Request
2003 W grace Street, Richmond, Virginia
Map Reference Number: W000-0953/021*

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:	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 2003 W Grace Street (the "Property") in order to construct a two-story detached garage with an accessory dwelling unit (the "ADU") on the second floor. While the proposed ADU is permitted by the underlying R-48 Multifamily Residential District, in order to situate the ADU along the rear alley and western property line, consistent with the existing accessory buildings on both adjacent parcels, a SUP is required to waive the rear and side yard setbacks.

Existing Conditions

SITE DESCRIPTION AND EXISTING LAND USE

The subject property is located on the southern line of W Grace Street between Allison and N Meadow Street. The Property is referenced by the City Assessor as tax parcel W000-0953/021 and is currently improved with a three-story detached single-family dwelling constructed c. 1915. The Property is approximately 270 feet in width and contains roughly 3,780 square feet of lot area. Access is provided at the rear of the dwelling by a north-south alley.



The properties in the block are developed primarily with residential uses, many of which, including the adjacent parcels on both sides of the subject Property, have accessory structures abutting the rear alley and along one or both property lines.

EXISTING ZONING

The Property and those immediately surrounding it are located within the R-48 Multifamily Residential District. To the south, across the alley, are parcels zoned R-6 Single-Family Attached. Since September of 2023, accessory dwelling units of 500 square feet or 1/3 the

floor area of the existing single-family dwelling are permitted by-right for single-family dwellings in all zoning districts within the City of Richmond.

MASTER PLAN DESIGNATION

The Richmond 300 Master Plan (the “Master Plan”) suggests “Neighborhood Mixed-Use” for the Property. The Master Plan describes this land use designation as “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.” Recommended development styles are described as featuring “a variety of building types that are close to one another and create a unified street wall. The building size, density, and zoning districts for these areas vary depending on historical densities and neighborhood characteristics. Single-family, two-family, and small multi-family buildings are contemplated as the primary uses in these areas.”

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

- Develop housing at all income levels in and near Nodes and along major corridors (see strategies Goal 14).
- 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. “
- Amend the Zoning Ordinance to allow accessory dwelling units in all residential zones to allow for in-law apartments. (Inclusive Housing)

Proposal

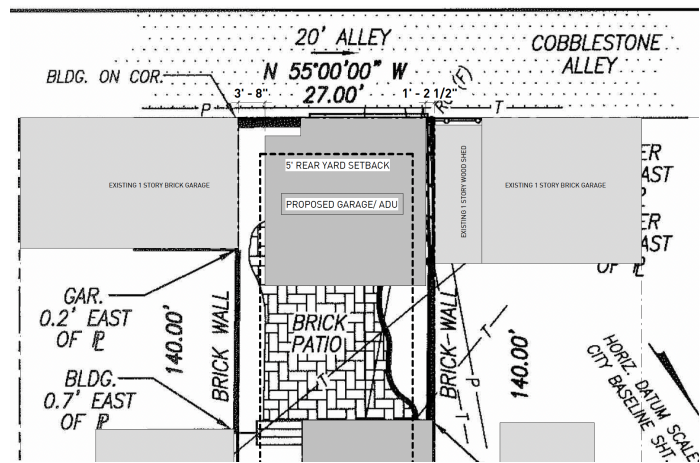
PROJECT SUMMARY

The Property owner is proposing to construct a new detached accessory structure at the rear of the Property. While the proposed accessory structure and ADU can be built by-right, in order to remain compatible with the existing accessory structures on the adjacent

parcels, the applicant would like to locate the structure abutting the rear alley and western property line, consistent with the adjacent parcels.

PURPOSE OF REQUEST

While the use of accessory structures for small-scale dwelling units is consistent with the goals of the Richmond 300 Master Plan and is permitted by the underlying zoning, in order to remain consistent with the adjacent parcels, the applicant is requesting a waiver of the side and rear yard setbacks so the that proposed dwelling will remain consistent with the development pattern of the nearby accessory buildings.



In exchange for the SUP, the intent of this request is to provide an additional housing unit within the City. The quality assurances conditioned through the SUP would guarantee a high-quality development and ensure an appropriately scaled use that is compatible with, and complementary to, the surrounding residential neighborhood.

PROJECT DETAILS

The proposed structure would be located at the rear of the Property, behind the existing dwelling. The dwelling would be located along the rear and western property lines, within the side yard setbacks. The footprint of the structure is approximately 19.5 feet by 21.25 feet. The first floor would contain a garage while the second floor would be configured as an ADU. The ADU would be accessed by an exterior stairway to the second story located along the northern façade.

When complete, the ADU would be roughly 400 square feet in floor area, consistent with the ADU guidelines as approved by City Council. The dwelling would be configured as a studio-style apartment and care was taken in the design to include generous living space as well as a small, yet functional, kitchen. In exchange for the SUP, the intent of this request is to more efficiently utilize the Property to create a high-quality product in the neighborhood that is consistent with the current zoning regulations and compatible with the adjacent structures abutting the alley.

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 an accessory dwelling unit 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 will create no congestion on streets, roads, alleys or any other public right of way.

- ***Create hazards from fire, panic or other dangers.***

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

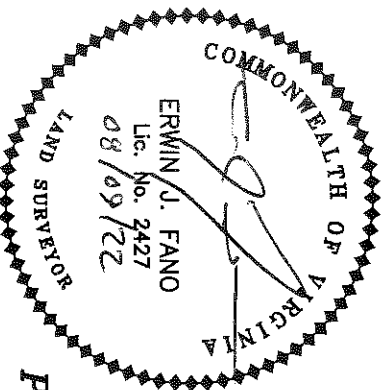
- ***Interfere with adequate light and air.***

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 a detached garage at the rear of the Property with the provision for an accessory dwelling unit in the second floor of the structure. This Special Use Permit proposal represents an ideal, small-scale urban development for this location that is mindful of its surroundings. In exchange for the SUP, the quality assurances and conditions related to the renovation of the structure would guarantee the construction of a new housing type that furthers the realization of recent planning guidance.

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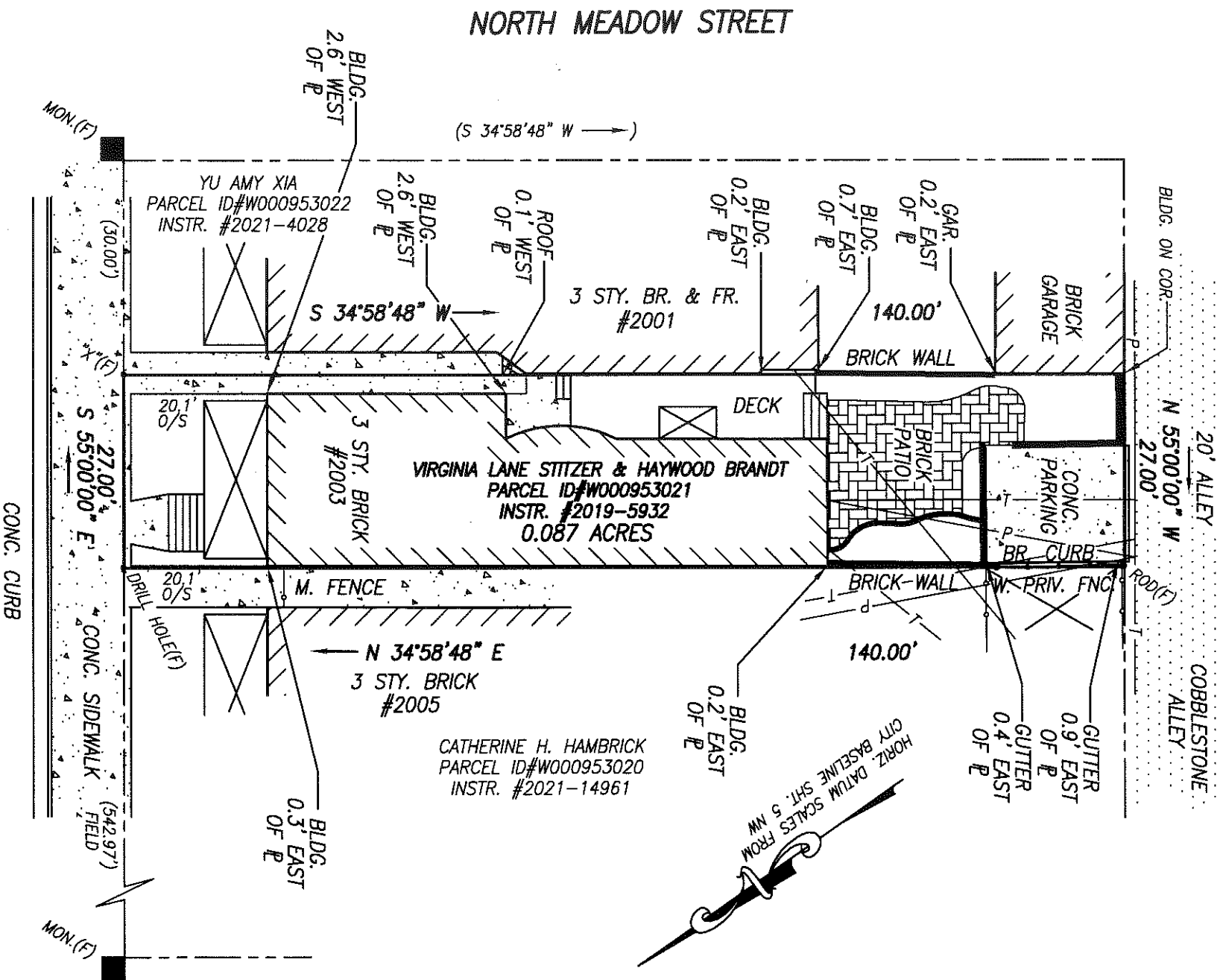
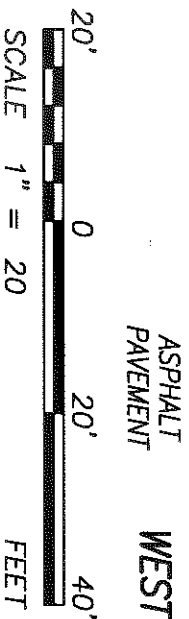


PURCHASERS:
CHRISTOPHER VU &
DANIEL SHAFER

THIS PROPERTY APPEARS TO BE LOCATED
IN ZONE 'X' AS SCALED FROM FEMA
COMMUNITY PANEL NO. 5101290037D
(EFFECTIVE DATE: APRIL 02, 2009)

PHYSICAL LOCATION SURVEY OF #2003 WEST GRACE STREET,
CITY OF RICHMOND, VIRGINIA

THIS SURVEY HAS BEEN PREPARED WITHOUT THE BENEFIT OF A TITLE REPORT AND THEREFORE DOES NOT NECESSARILY INDICATE ALL ENCUMBRANCES ON THE PROPERTY.



POTTS, MINTER and ASSOCIATES, P.C.

Engineers, Land Surveyors, Land Planners

3520 Courthouse Road

Richmond, Virginia 23236

(804) 745-2876

Date: 08/09/22

Scale: 1" = 20'

J.N. 8405-20

STATEMENT



POTTS, MINTER AND ASSOCIATES, P.C.
ENGINEERS, LAND SURVEYORS
LAND PLANNERS

3520 S. Courthouse Road
Suite B
Richmond, Virginia 23236
(804) 745-2876

Christopher W
Daniel Shafer

DATE 8-10-22

For surveying/engineering services rendered.

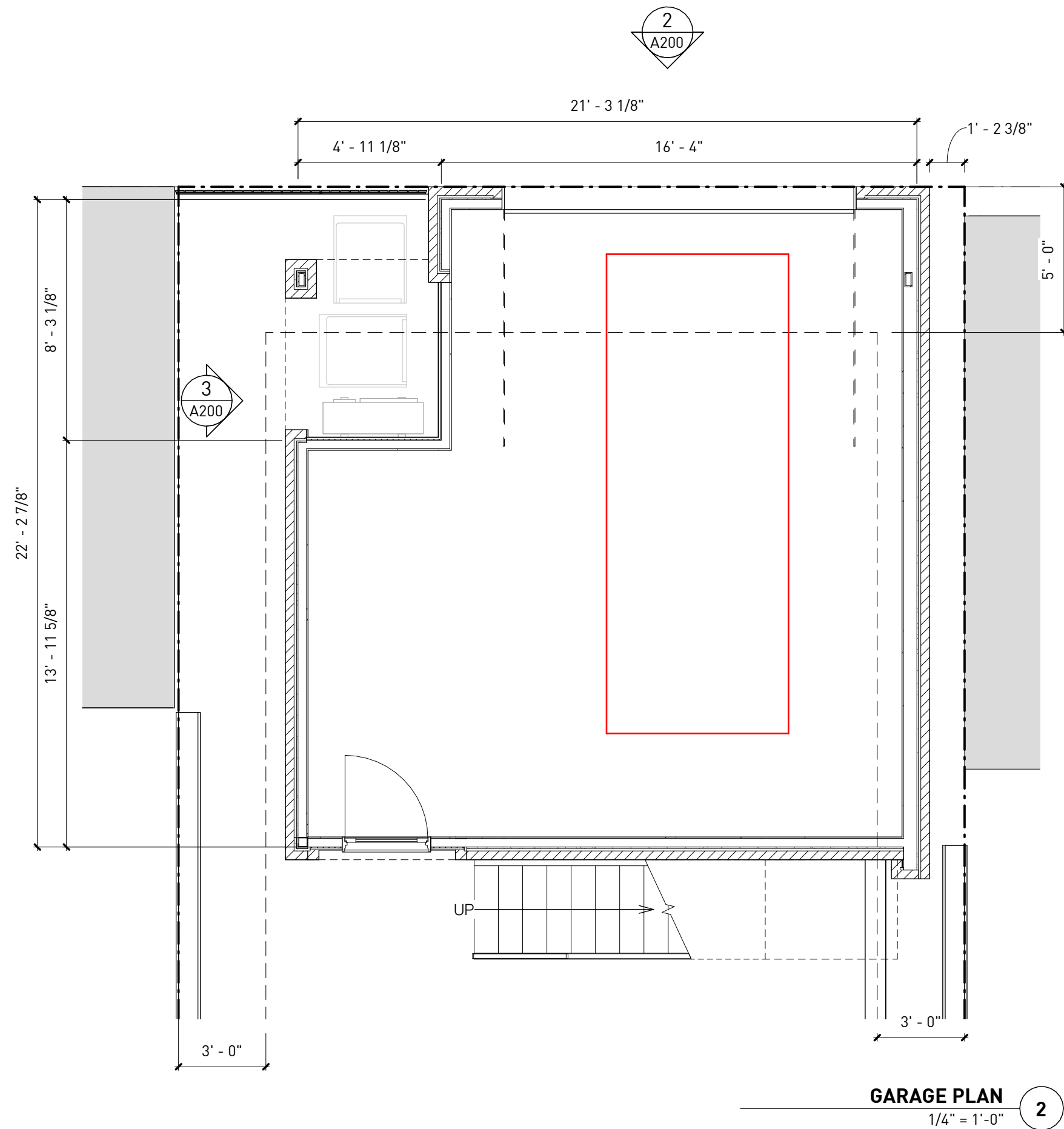
LOT	BLK	SEC	SUBDIVISION	REMARKS	AMOUNT
			2003 W. Grace St.	Survey	850.00

TERMS: Net 30 Days. FINANCE CHARGE at a rate of 1 1/2%
per month on unpaid balance.

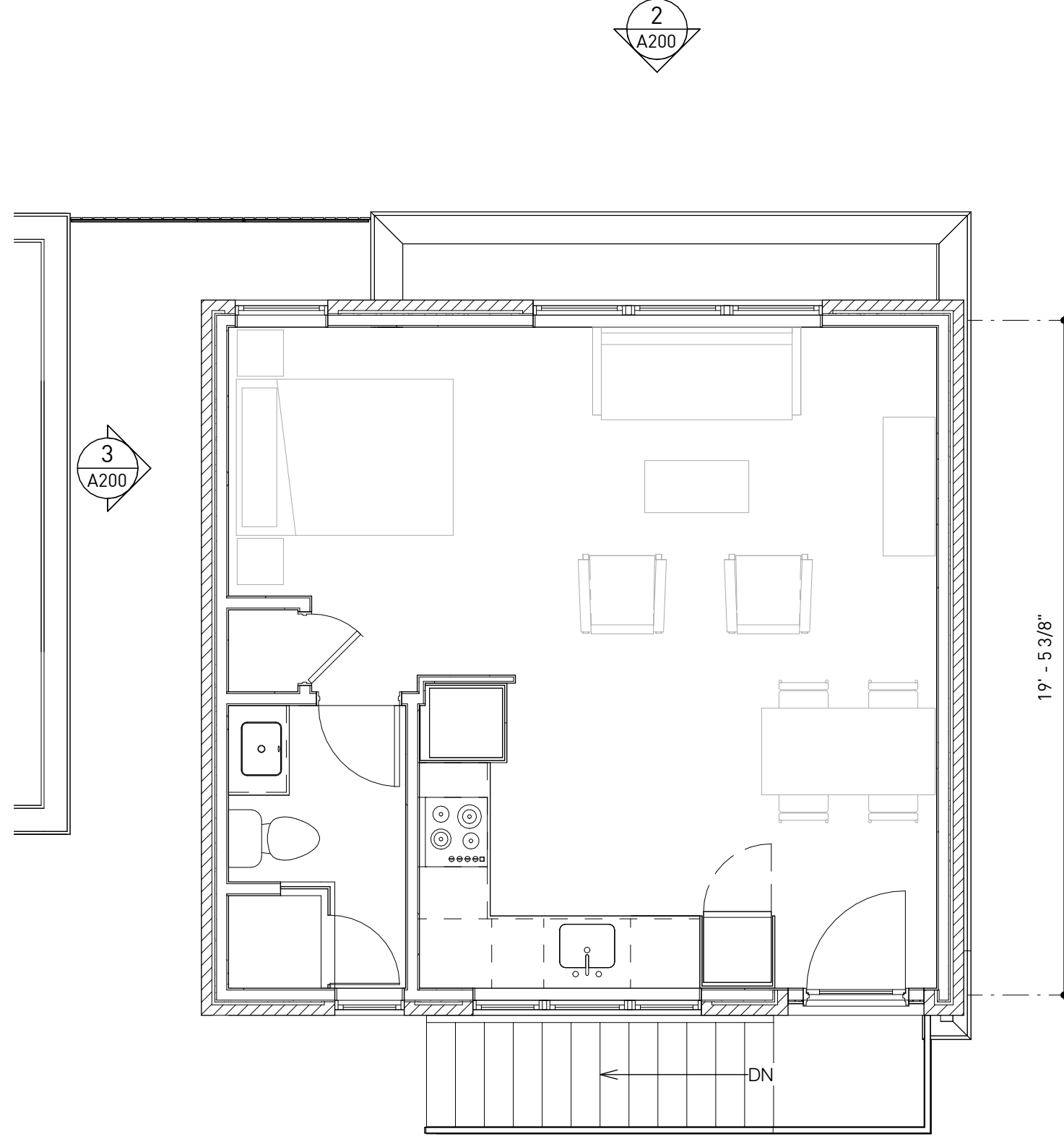
Thank You

White - Your Copy Yellow - Return With Payment

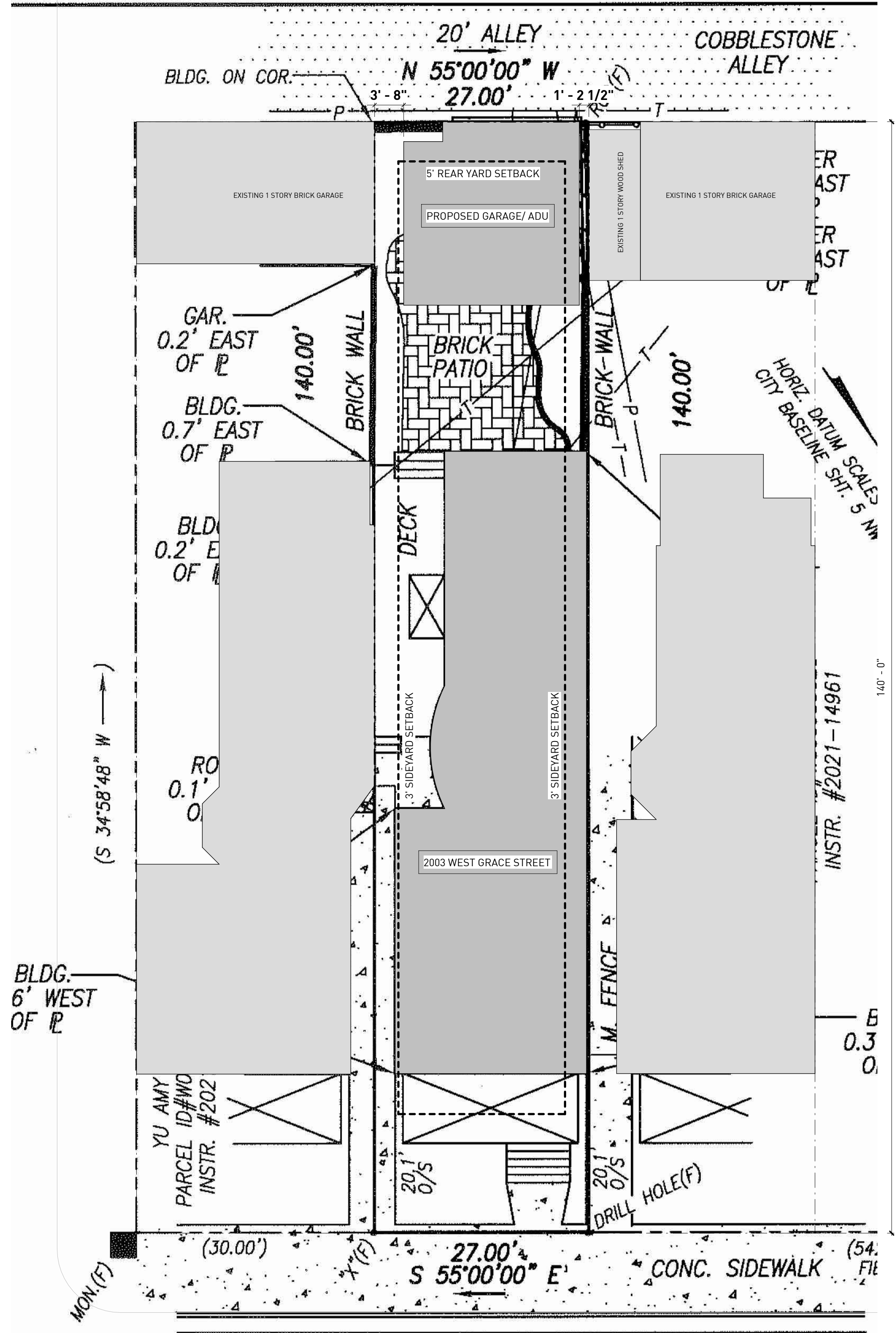
PROJECT TEAM	PROJECT DESCRIPTION	DRAWING LIST	REVISIONS																																		
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GARAGE PLAN
1/4" = 1'-0"



ADU PLAN
1/4" = 1'-0"



SITE PLAN
1" = 10'-0"



**City of Richmond
Department of Planning
& Development Review**

Special Use Permit

LOCATION: 2003 W. Grace Street

APPLICANT: Baker Development Resources

COUNCIL DISTRICT: 2

PROPOSAL: To authorize the special use of the property known as 2003 West Grace Street for the purpose of an accessory dwelling unit, upon certain terms and conditions.

*For questions, please contact David Watson
at 804-646-1036 or David.Watson@RVA.gov*

