

INTRODUCED: January 13, 2025

AN ORDINANCE No. 2025-015

To authorize the special use of the property known as 618 South Laurel Street for the purpose of an accessory dwelling unit located on the same lot as a two-family dwelling, upon certain terms and conditions. (5th District)

Patron – Mayor Avula (By Request)

Approved as to form and legality
by the City Attorney

PUBLIC HEARING: FEB 10 2025 AT 6 P.M.

WHEREAS, the owner of the property known as 618 South Laurel Street, which is situated in a R-7 Single – and Two-Family Urban Residential District, desires to use such property for the purpose of an accessory dwelling unit located on the same lot as a two-family dwelling, which use, among other things is not currently allowed by section 30-413.3, concerning permitted accessory uses and structures, 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: FEB 10 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 618 South Laurel Street and identified as Tax Parcel No. W000-0165/019 in the 2025 records of the City Assessor, being more particularly shown on a survey entitled “Sketch Showing a Roposed [sic] Additional Dwelling Unit on 618 South Laurel Street in the City of Richmond, VA.,” prepared by Virginia Surveys, and dated July 19, 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 an accessory dwelling unit located on the same lot as a two-family dwelling, hereinafter referred to as “the Special Use,” substantially as shown on the plans entitled “Sketch Showing a Roposed [sic] Additional Dwelling Unit on 618 South Laurel Street in the City of Richmond, VA.,” prepared by Virginia Surveys, and dated July 19, 2024, and “618 S. Laurel St. ADU,” prepared by River Mill Development, and dated July 3, 2024, hereinafter referred to, collectively, as “the Plans,” copies of which are attached to and made a part of this ordinance.

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

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

- (a) The Special Use of the Property shall be as an accessory dwelling unit located on the same lot as a two-family dwelling, substantially as shown on the Plans.
- (b) 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

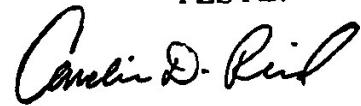
permit substantially in accordance with the Plans for the Special Use subject to the terms and conditions set forth in this ordinance. An application for the building permit shall be made within 1,096 calendar days following the date on which this ordinance becomes effective. If either the application 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.

APPROVED AS TO FORM:

CITY ATTORNEY'S OFFICE

A TRUE COPY:
TESTE:



Carolin D. Reid
City Clerk



City of Richmond

Master

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

File Number: Admin-2024-1283

File ID: Admin-2024-1283

Type: Request for Ordinance or
Resolution

Status: Regular Agenda

Version: 2

Reference:

In Control: City Clerk

Department:

Cost:

File Created: 10/03/2024

Subject:

Final Action:

Title:

Internal Notes:

Code Sections:

Agenda Date: 01/13/2025

Indexes:

Agenda Number:

Patron(s):

Enactment Date:

Attachments: ADMIN-2024-1283_Supporting Documents,
Admin-2024-1283 AATF Ordinance

Enactment Number:

Contact:

Introduction Date:

Drafter: David.Watson@rva.gov

Effective Date:

Related Files:

Approval History

Version	Seq #	Action Date	Approver	Action	Due Date
2	1	11/22/2024	Jonathan Brown	Approve	11/26/2024
2	2	11/22/2024	Kris Daniel-Thiem - FYI	Notified - FYI	
2	3	11/25/2024	Kevin Vonck	Approve	11/29/2024
2	4	11/25/2024	Alecia Blackwell - FYI	Notified - FYI	
2	5	12/2/2024	Sharon Ebert	Approve	11/27/2024
2	6	12/2/2024	Caitlin Sedano - FYI	Notified - FYI	
2	7	12/19/2024	Jeff Gray	Approve	12/4/2024
2	8	12/19/2024	Lincoln Saunders	Approve	12/23/2024
2	9	01/06/2025	Mayor Avula	Approve	12/23/2024

History of Legislative File

Version	Acting Body:	Date:	Action:	Sent To:	Due Date:	Return Date:	Result:

Text of Legislative File Admin-2024-1283

City of Richmond
Intracity Correspondence

O&R Transmittal

DATE: December 16, 2024

TO: The Honorable Members of City Council

THROUGH: The Honorable Dr. Danny Avula (By request)

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

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

THROUGH: Sharon L. Ebert, DCAO for Planning & Economic Development

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

RE: To authorize the special use of the property known as 618 South Laurel Street for the purpose of an accessory dwelling unit located on the same lot as a two-family dwelling, 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. Accessory dwelling units are permitted uses for residential properties that contain a single-family detached dwelling. However, the property is improved with a two-family dwelling. Therefore, an SUP is required.

BACKGROUND: The property is located on the western side of South Laurel Street between China and Holly Streets, in the Oregon Hill neighborhood and is zoned R-7 Single-and-Two-Family Urban Residential District. The subject property is 25 feet wide and 137 feet deep and contains 3,498 square feet of area. The two-family dwelling located on the property can be accessed via an alley running along the rear property lines.

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.

The current zoning for this property and surrounding neighborhood is R-7 Single-and-Two-Family Urban Residential. The area is generally two-family residential, with some single family residential and small, neighborhood commercial uses present in the vicinity. The proposed use creates a density of three units on a .08-acre parcel, or 38 units per acre.

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

STRATEGIC INITIATIVES AND OTHER GOVERNMENTAL: Richmond 300 Master Plan

FISCAL IMPACT: \$400 application fee.

DESIRED EFFECTIVE DATE: Upon adoption

REQUESTED INTRODUCTION DATE: January 13, 2025

CITY COUNCIL PUBLIC HEARING DATE: February 10, 2025

REQUESTED AGENDA: Consent

RECOMMENDED COUNCIL COMMITTEE: Planning Commission February 4, 2025

AFFECTED AGENCIES: Law Department (for review of draft ordinance)

RELATIONSHIP TO EXISTING ORD. OR RES.: None

ATTACHMENTS: Draft Ordinance, Supporting Documents

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

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



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: 618 S Laurel Street Date: _____

Parcel I.D. #: W0000165019 Fee: \$400

Total area of affected site in acres: 0.08

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

Zoning

Current Zoning: R-7

Richmond 300 Land Use Designation: Neighborhood Mixed-Use

Proposed Use

(Please include a detailed description of the proposed use in the required applicant's report)

Construction of an accessory building configured as a first floor garage and second floor accessory dwelling unit.

Existing Use: Two-family detached

Is this property subject to any previous land use cases?

Yes No

If Yes, please list the Ordinance Number: _____

Applicant/Contact Person: Will Gillette

Company: Baker Development Resources

Mailing Address: 530 East Main Street, Suite 730

City: Richmond State: VA Zip Code: 23219

Telephone: (864) 377-9140 Fax: ()

Email: will@bakerdevelopmentresources.com

Property Owner: 618 SOUTH LAUREL STREET LLC

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

(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: 1100 WELBORNE DR #203A

City: HENRICO State: VA Zip Code: 23229

Telephone: () Fax: ()

Email: _____

Property Owner Signature: John Chandler

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

July 25th, 2024

*Special Use Permit Request
618 S Laurel Street, Richmond, Virginia
Map Reference Numbers: W000-0165/019*

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 618 S Laurel Street (the “Property”). The SUP would authorize the construction of a two story, detached garage to include a habitable second floor. While the proposed use and siting is permitted by the underlying R-7 Single- and Two-Family Urban Residential District zoning requirements for single-family dwellings, the Property is currently occupied with a two-family dwelling, and therefore, a SUP is required. No changes are proposed to the existing two-family dwelling on the Property.

Existing Conditions

SITE DESCRIPTION AND EXISTING LAND USE

The Property is located on the western line side of S Laurel Street between China and Holly Streets in the Oregon Hill Neighborhood and is referenced by the City Assessor as tax parcel W000-0165/019. The Property is roughly 25 feet wide by 137 feet in depth, contains approximately 3,498 square feet of lot area, and is occupied with a two-family dwelling fronting S Laurel Street. Access is provided at the rear of the Property via a north-south alley.

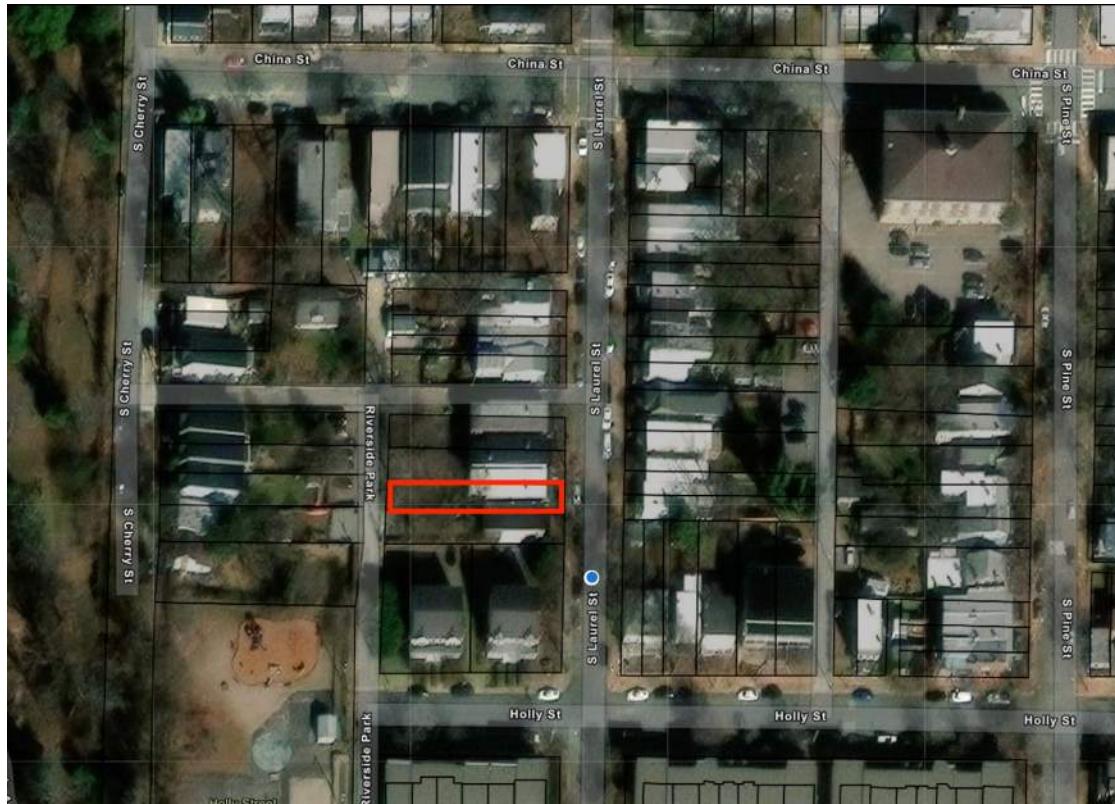


Figure 1: Map of existing parcels in the area with the subject property highlighted

The properties in the immediate vicinity are developed with a wide range of uses and building forms. Single- and two-family attached and detached dwellings are the most common uses found in the area.

However, multifamily, educational, religious, and commercial uses as well as open space are also found in the vicinity.

EXISTING ZONING

The Property and surround properties in Oregon Hill are generally zoned R-7 Single- and Two-Family Urban Residential, which permits the existing two-family dwelling use. Some corner properties in the neighborhood are zoned B-1 Neighborhood Business District. To the east, beyond S Belvidere Street lies a RO-3 Residential Office District.

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 a number of other goals elsewhere within the Master Plan that support this request. In the High-Quality Places chapter, there are number of supporting objectives, such as:

- Page 109 (Equitable Transportation Chapter), Objective 6.1 to “Increase the number of residents and jobs at Nodes and along enhanced transit corridors in a land development pattern that prioritizes multi-modal transportation options.”
 - b. Develop housing at all income levels in and near Nodes and along major corridors (see strategies Goal 14).
- Page 136 (Diverse Economy Chapter), Objective 11.1 to “Increase the areas of appropriately zoned land near various transportation modes and housing to retain, create, and attract employers.”
 - d. Encourage the development of a variety of quality housing types to house employees across the economic spectrum (see Goal 14).
- Page 150 (Inclusive Housing Chapter), Objective 14.1 to “Increase city-wide awareness of the importance of integrating housing at all income levels into every residential neighborhood so every household has housing choice throughout the city.”
- Page 152 (Inclusive Housing Chapter) (see map on p. 153), Objective 14.5 to “Encourage more housing types throughout the city and greater density along enhanced transit corridors and at Nodes (shown in Figure 38 [p.153]) by amending the Zoning Ordinance.”
- Page 159 (Thriving Environment Chapter) Objective 15.1 to “Reduce air pollution related to transportation.”
 - a. Increase the number of Richmonders living in a development pattern that encourages density and reduces dependency on single-occupancy vehicles (see Goal 1, Goal 8, Goal 14).
- Page 86 (High-Quality Places Chapter), Objective 1.4, to “maintain and improve primarily residential areas by increasing their linkages to...corridors...and maintaining high-quality design standards.”

- Page 100 (High Quality Places Chapter), Objective 4.1, to “create and preserve high-quality, distinctive, and well-designed neighborhoods and nodes throughout the City,” as the request introduces thoughtfully designed new construction in a manner not otherwise assured by-right.

Proposal

PROJECT SUMMARY

The SUP would authorize the construction of a two-story accessory building located at the rear of the Property configured as a first-floor two-car garage and a 418 square foot second-floor studio apartment. is required.

PURPOSE OF REQUEST

While the proposed accessory building and ADU use are permitted by the underlying R-7 Single- and Two-Family Urban Residential District for single-family homes, the ADU is not permitted by-right for two-family homes, and therefore, the SUP

In exchange for the SUP, the intent of this request is to continue to provide parking for the site as well as an additional dwelling unit without modifying the historic dwelling on the Property. No changes will be made to the existing dwelling and 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 accessory building would be 19' in width, 22' deep, and two stories in height. The first floor would be a two-car garage to continue to provide parking for the Property. The second floor would be accessed from an exterior staircase and configured as a studio apartment. When complete, the ADU would be approximately 418 square feet in floor area and would be configured as a studio apartment with one bathroom. Care was taken in the design so as to include generous living space as well as a small, yet functional, kitchen. The structure would be clad in quality cementitious siding and includes ample sunlight within the unit. In exchange for the SUP, the intent of this request is to more efficiently utilize the Property to create a housing opportunity in the neighborhood for a future resident with a high-quality product that is in-line with future land use guidance.

Findings of Fact

The following are factors included 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 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 proposed use would be limited in size, type and scale and the provision of two off-street parking spaces in the first floor garage would avoid any traffic or parking concerns.

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

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

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

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

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

The proposed 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.

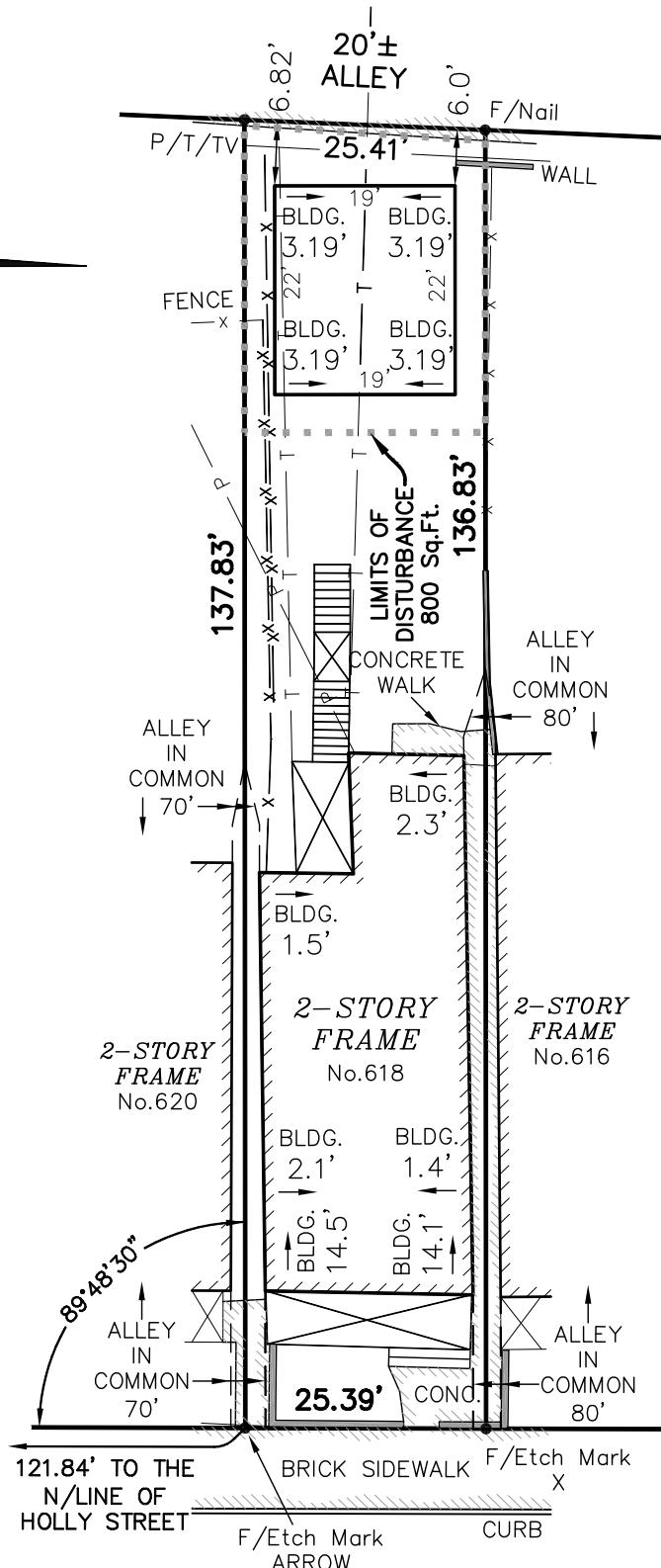
- ***Interfere with adequate light and air.***

The light and air available to the subject and adjacent properties will not be affected.

Summary

In summary we are enthusiastically seeking approval for the construction of a detached garage at the rear of the Property with a habitable second story. 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 guaranteed within the SUP would guarantee the construction of new housing without the need to modify the existing historical dwelling on the Property.

SCALED CITY
BASELINE



S. LAUREL STREET
50' R/W

SKETCH SHOWING A
PROPOSED ADDITIONAL DWELLING UNIT
ON 618 SOUTH LAUREL STREET
IN THE CITY OF RICHMOND, VA.

Virginia Surveys
P.O. BOX 118
CHESTERFIELD, VA 23832
(804) 748-9481
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All rights reserved.

DATE: 7-19-2024

CERTIFIED BY JEFFREY K. FLOYD

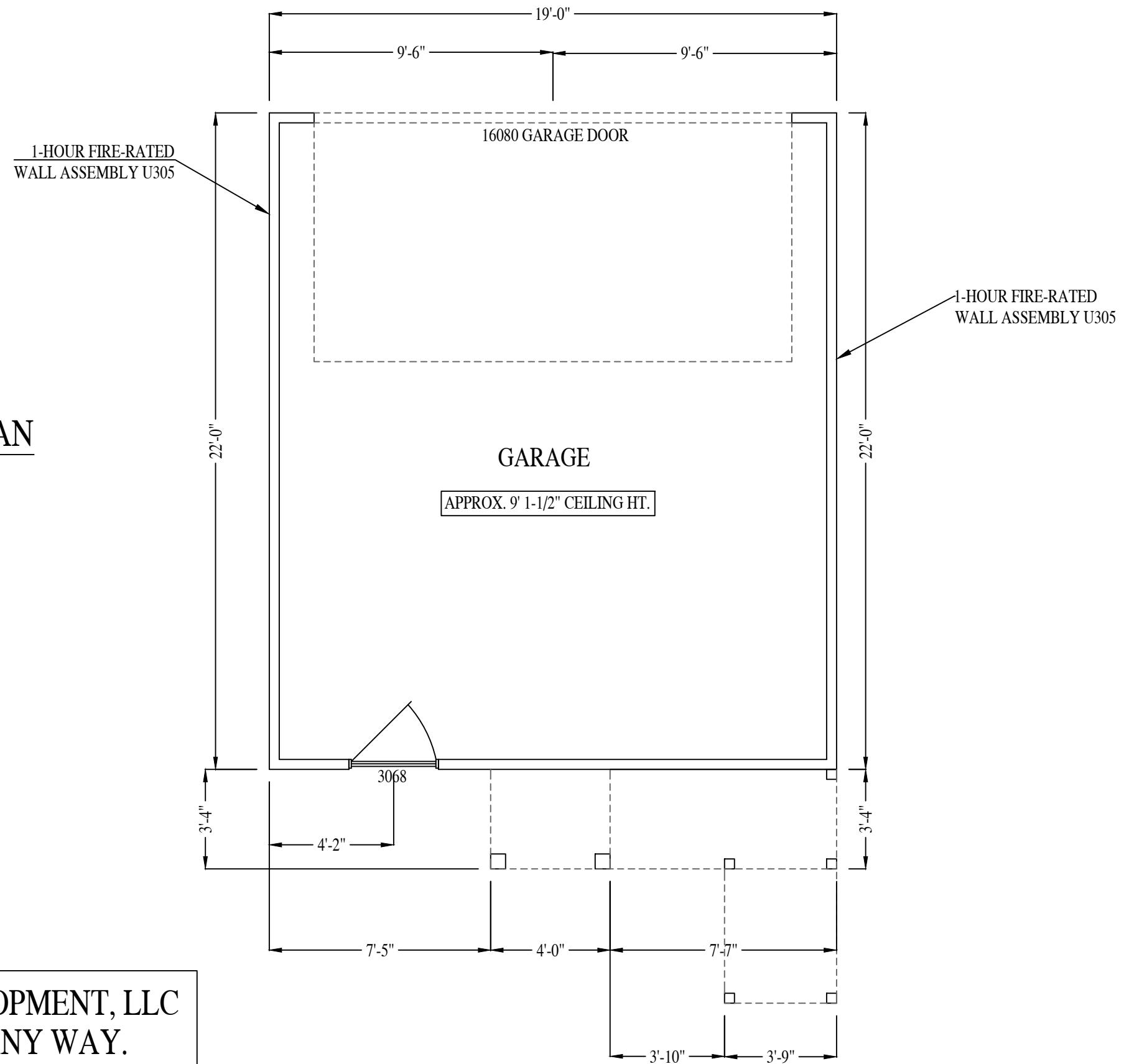
VIRGINIA CERTIFICATE NO. 001905

SCALE: 1"=20'

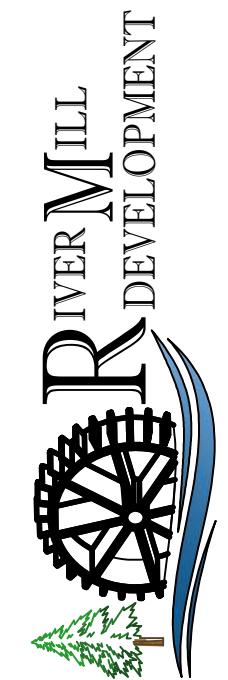
JOB NO. 240516272

FIRST FLOOR GARAGE PLAN

418 S.F.



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DO NOT COPY OR REPLICATE IN ANY WAY.**



618 S. LAUREL ST. ADU

MILL DEVELOPMENT@GMAIL.COM

PHONE: (434) 774-4535

SCALE:

DATE:

SHEET:
A1.1

SECOND FLOOR PLAN

418 S.F.

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SCALE:

DATE:

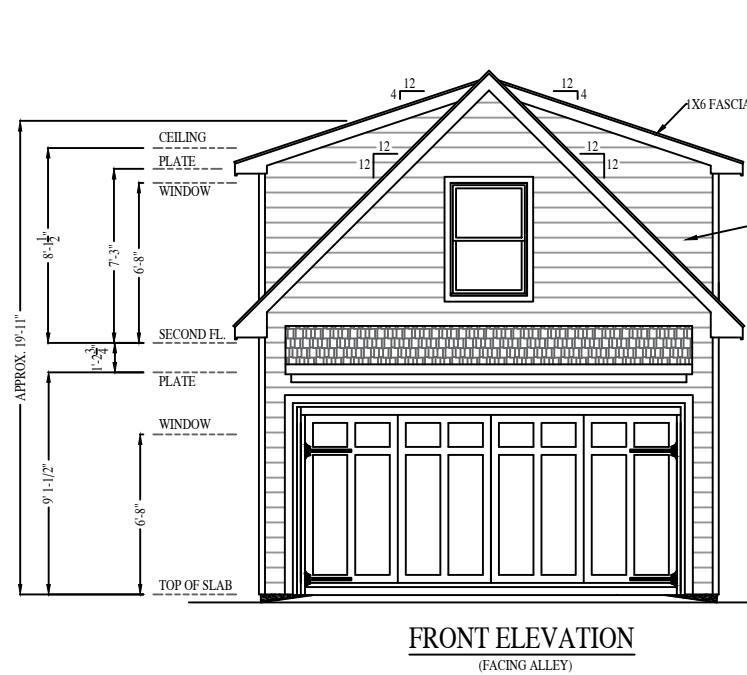
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A1.2

RIVER MILL DEVELOPMENT

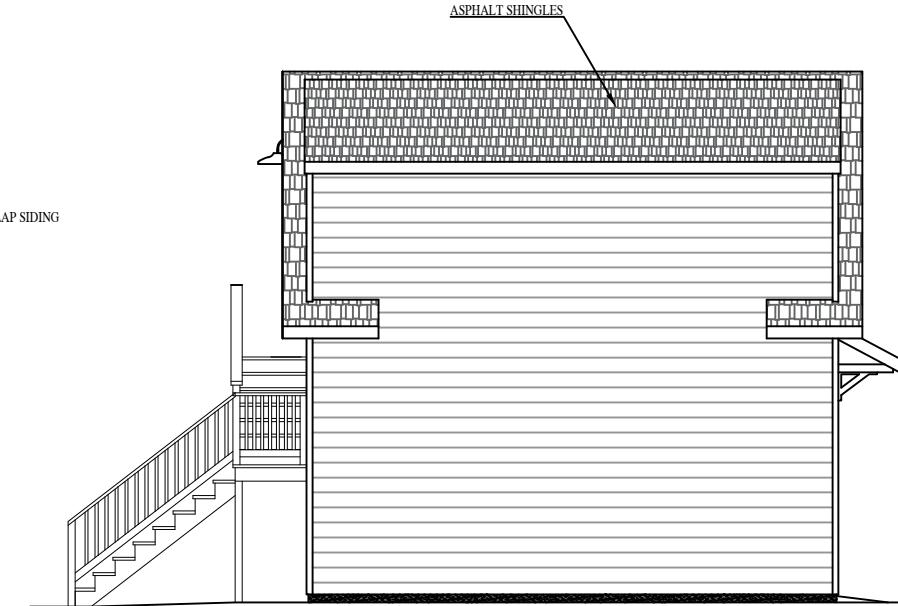
RIVER MILL DEVELOPMENT
DIVIDED AT THE VELVET CLOUD COMMENT@OMAHACOM

PHONE: (434) 774-4535
E-MAIL: HELEDEVELF-MENI@GMAIL.COM

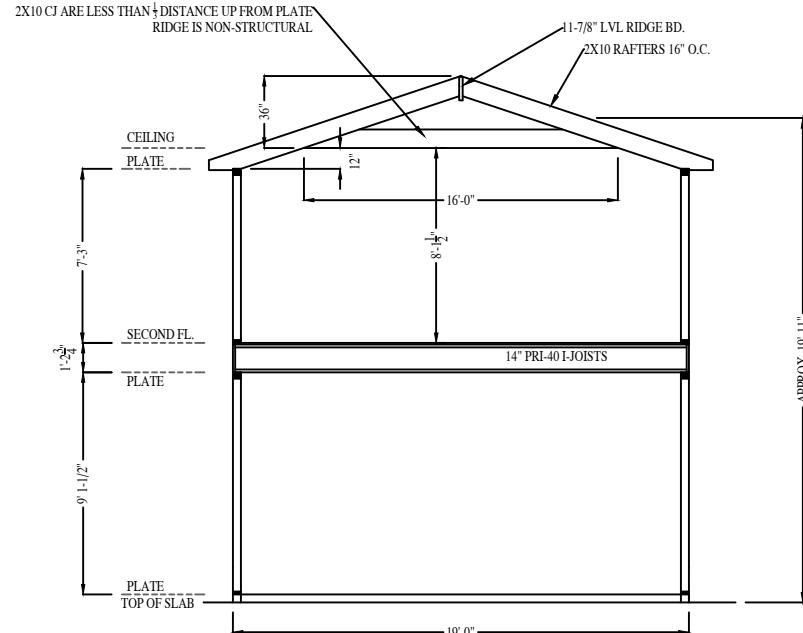
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FRONT ELEVATION
(FACING ALLEY)



LEFT ELEVATION



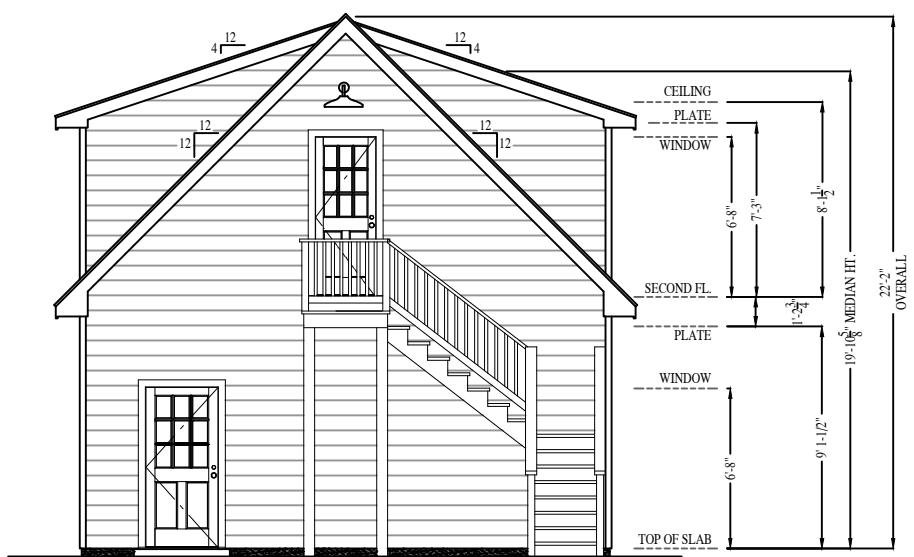
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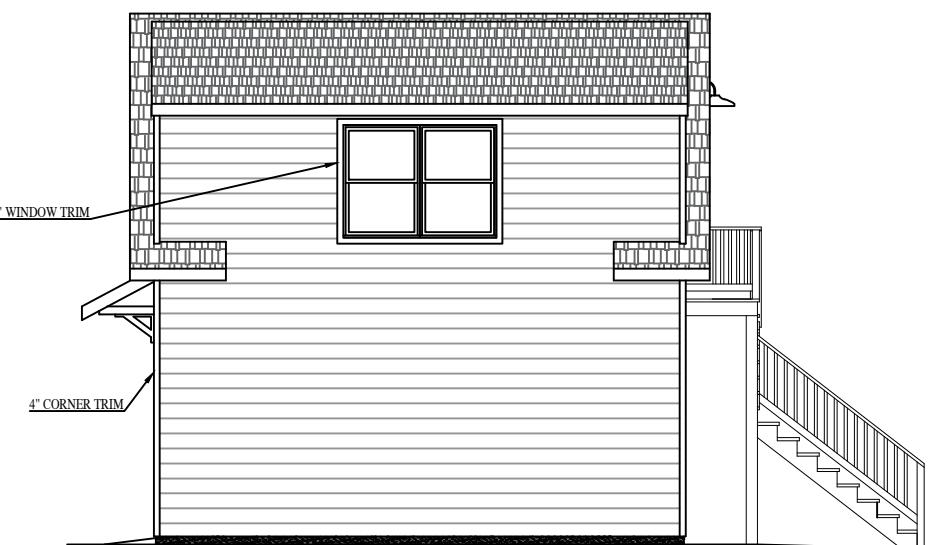
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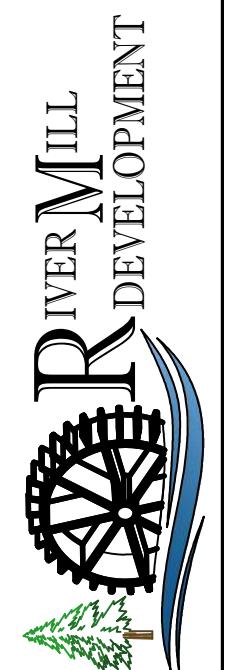
SHEET:
A2.1



REAR ELEVATION
(FACING YARD & HOUSE)



RIGHT ELEVATION





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

Special Use Permit

LOCATION: 618 South Laurel Street

APPLICANT: Baker Development Resources

COUNCIL DISTRICT: 5

PROPOSAL: To authorize the special use of the property known as 618 South Laurel 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*

