

INTRODUCED: June 2, 2025

AN ORDINANCE No. 2025-130

To authorize the special use of the property known as 1404 North 32nd Street for the purpose of up to four single-family attached dwellings and one dwelling unit within an accessory structure, upon certain terms and conditions.

Patron – Mayor Avula (By Request)

Approved as to form and legality
by the City Attorney

PUBLIC HEARING: JUN 23 2025 AT 6 P.M.

WHEREAS, the owner of the property known as 1404 North 32nd Street, which is situated in a R-5 Single-Family Residential District, desires to use such property for the purpose of up to four single-family attached dwellings and one dwelling unit within an accessory structure, which use, among other things, is not currently allowed by sections 30-410.1, 30-410.2, and 30-610.3, concerning alley frontage for accessory buildings, structures, or uses, of the Code of the City of Richmond (2020), as amended; and

WHEREAS, in accordance with section 17.11 of the Charter of the City of Richmond (2020), as amended, it has been made to appear that, if granted subject to the terms and conditions set forth in this ordinance, the special use granted by this ordinance will not be detrimental to the

AYES: 8 NOES: 0 ABSTAIN: _____

ADOPTED: JUN 23 2025 REJECTED: _____ STRICKEN: _____

safety, health, morals and general welfare of the community involved, will not tend to create 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 1404 North 32nd Street and identified as Tax Parcel No. E000-0719/010 in the 2025 records of the City Assessor, being more particularly shown on a survey entitled “Sketch Showing the Proposed Improvements on No. 1404 N 32nd Street, in the City of Richmond, VA.,” prepared by Virginia Surveys, dated May 31, 2024, and last revised February 18, 2025, 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 up to four single-family attached dwellings and one dwelling unit within an accessory structure, hereinafter referred to as “the Special Use,” substantially as shown on the plans entitled “1404 N 32nd Plans,” prepared by Unlimited Renovations, LLC, and dated February, 2024, “1404 N 32nd SUP Plans,” prepared by an unknown preparer, and undated, and “Sketch Showing the Proposed Improvements on No. 1404 N 32nd Street, in the City of Richmond, VA.,” prepared by Virginia Surveys, dated May 31, 2024, and last revised February 18, 2025, 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 up to four single-family attached

dwelling and one dwelling unit within an accessory structure, substantially as shown on the Plans.

(b) No off-street parking shall be required for the Special Use.

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

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

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

(f) Prior to the issuance of any certificate of occupancy for the Special Use, the Owner shall submit a request to name the primary alley access to the Property. Such naming shall be governed by sections 8-7 through 8-10 of the Code of the City of Richmond (2020), as amended.

(g) Prior to the issuance of a building permit for the Special Use, the establishment of up to four residential lots, substantially as shown on the Plans, shall be accomplished by obtaining the necessary approvals from the City and recording the appropriate plats and deeds among the land records of the Clerk of the Circuit Court of the City of Richmond.

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

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

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

other property or public streets and the use thereof.

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

(d) Any encroachments existing, proposed on the Plans or contemplated in the future shall require separate authorization and shall be subject to the applicable provisions of the Code of the City of Richmond (2020), as amended, and all future amendments to such laws.

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

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

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

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

(c) Words and phrases used in this ordinance shall be interpreted to have the meanings ascribed to them by section 30-1220 of the Code of the City of Richmond (2020), as amended, unless the context clearly indicates that a different meaning is intended.

(d) Notwithstanding any other provision of law, this special use permit is being approved due, in part, to the mitigating effects of each and every condition attached hereto; consequently, if any portion of this ordinance is determined to be invalid for any reason by a final,

non-appealable order of any Virginia or federal court of competent jurisdiction, the invalidity shall cause the entire ordinance to be void and of no further effect from the effective date of such order.

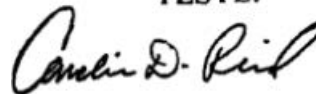
(e) The privileges granted by this ordinance may be revoked pursuant to the provisions of sections 30-1050.7 through 30-1050.11 of the Code of the City of Richmond (2020), as amended, and all future amendments to such laws. Failure to comply with the terms and conditions of this ordinance shall constitute a violation of section 30-1080 of the Code of the City of Richmond (2020), as amended, and all future amendments to such law, or any other applicable laws or regulations.

(f) When the privileges granted by this ordinance terminate and the special use permit granted hereby becomes null and void, whether as a result of the Owner relinquishing this special use permit in a writing addressed to the Director of Planning and Development Review or otherwise, use of the Property shall be governed thereafter by the zoning regulations prescribed for the district in which the Property is then situated.

§ 6. **Implementation.** The Commissioner of Buildings is authorized to issue a building permit substantially in accordance with the Plans for the Special Use subject to the terms and conditions set forth in this ordinance. An application for the building permit shall be made within 1,096 calendar days following the date on which this ordinance becomes effective. If either the application for the building permit is not made within the time period stated in the previous sentence or the building permit terminates under any provision of the Virginia Statewide Building Code, this ordinance and the special use permit granted hereby shall terminate and become null and void.

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

A TRUE COPY:
TESTE:



City Clerk

City of Richmond

Intracity Correspondence

O&R Transmittal

DATE: April 22, 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 1404 North 32nd Street for the purpose of up to four single-family attached dwellings and one dwelling unit within an accessory structure, upon certain terms and conditions.

ORD. OR RES. No. _____

PURPOSE: The applicant is requesting a Special Use Permit to authorize the special use of the property known as 1404 North 32nd Street for the purpose of four single-family attached dwellings and one dwelling unit within an accessory structure. Single-family attached dwellings are not permitted in the R-5 district. As a result, a Special Use Permit is necessary to proceed with this request.

BACKGROUND: The property is located in the Church Hill North neighborhood on North 32nd Street between T Street and Kuhn Street. The property is currently a 5,860 square foot (0.135 acre) parcel of land improved with a single-family dwelling. The City's Richmond 300 Master Plan designates a future land use for the subject property has Neighborhood Mixed-Use, which is defined 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".

Intensity: Building heights are generally two to four stories. Buildings taller than four stories may be found along major streets. Parcels are generally between 1,500 and 5,000 sq. ft.

Primary Uses: Single-family houses, accessory dwelling units, duplexes, small multi-family buildings (typically 3-10 units), and open space.

Secondary Uses: Large multifamily buildings (10+units), retail/office/personal service, institutional, cultural, and government.

The current zoning for this property is R-5 – Residential. The area is generally residential. The density of the proposed is five units upon 0.135 acres or 37 units per acre.

COMMUNITY ENGAGEMENT: Church Hill Central Civic 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: \$300 application fee.

DESIRED EFFECTIVE DATE: Upon adoption

REQUESTED INTRODUCTION DATE: May 27, 2025

CITY COUNCIL PUBLIC HEARING DATE: June 23, 2025

REQUESTED AGENDA: Consent

RECOMMENDED COUNCIL COMMITTEE: Planning Commission June 17, 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, Application Form, Applicant's Report, Plans, Survey

STAFF:

Shaianna Trump, Planner Associate, Land Use Administration (Room 511) 646-7319



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: 1404 N 32nd Date: _____

Parcel I.D. #: E0000719010 Fee: \$300

Total area of affected site in acres: 0.135

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

Zoning

Current Zoning: R-5

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)

Lot division and construction of two two-family attached dwellings and one accessory dwelling unit

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: 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: DOMINION AREA DEVELOPMENT GROUP 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: 615 ALBEMARLE ST

City: RICHMOND State: VA Zip Code: 23220

Telephone: () Fax: ()

Email: _____

Property Owner Signature: 

Bryan Traylor (Mar 13, 2024 17:32 EDT)

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)






SUP_Application_1404 N 32nd

Final Audit Report

2024-03-13

Created:	2024-03-13
By:	William Gillette (wwgillette@gmail.com)
Status:	Signed
Transaction ID:	CBJCHBCAABAAEblxs3Rp9vVN2f4fLZGbtBXfaUMM63Ka

"SUP_Application_1404 N 32nd" History

-  Document created by William Gillette (wwgillette@gmail.com)
2024-03-13 - 8:56:55 PM GMT- IP address: 73.40.55.78
-  Document emailed to Bryan Traylor (bryantraylor@gmail.com) for signature
2024-03-13 - 8:56:59 PM GMT
-  Email viewed by Bryan Traylor (bryantraylor@gmail.com)
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-  Document e-signed by Bryan Traylor (bryantraylor@gmail.com)
Signature Date: 2024-03-13 - 9:32:58 PM GMT - Time Source: server- IP address: 96.228.30.92
-  Agreement completed.
2024-03-13 - 9:32:58 PM GMT

APPLICANT'S REPORT

February 11, 2024

Rev: September 17, 2024

Special Use Permit Request

1404 N 32nd Street, Richmond, Virginia

Map Reference Numbers: E000-0719/010

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:

Mark Baker

Baker Development Resources

530 East Main Street, Suite 730

Richmond, Virginia 23219

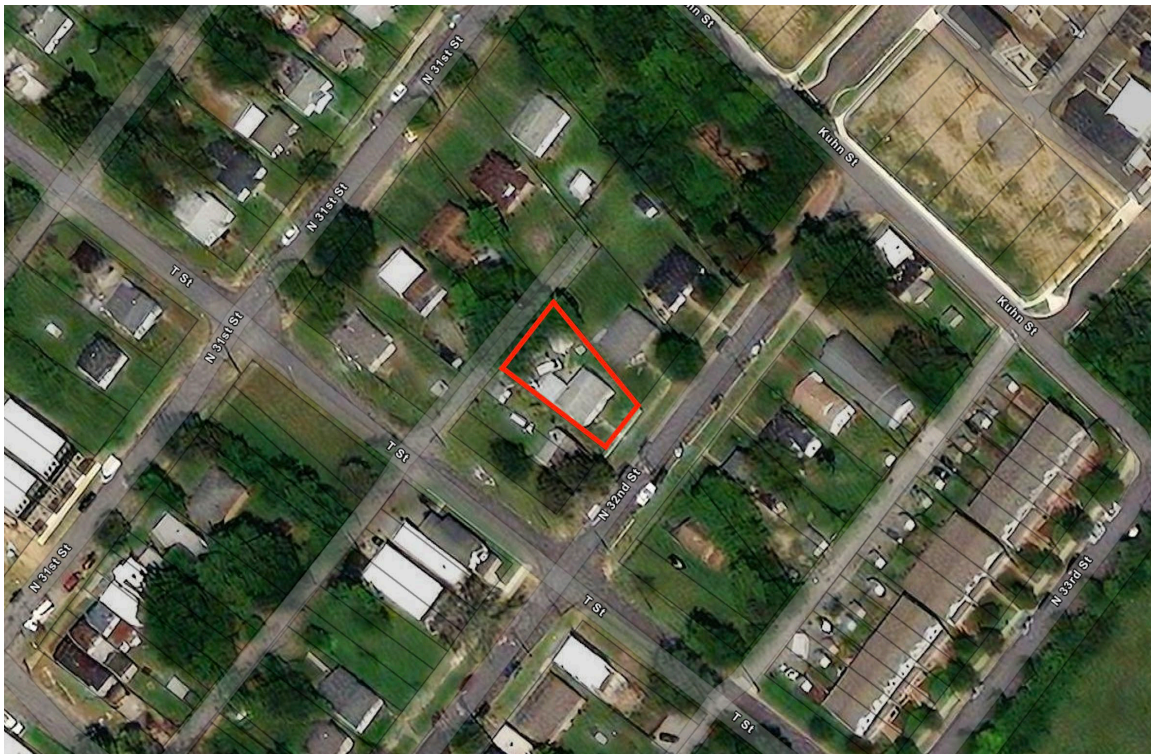
Introduction

The contract purchaser of 1404 N 32nd Street (the “Property”) is requesting a special use permit (the “SUP”) for the Property. The SUP would authorize the division of the parcel into four lots and the construction of four (4) attached single-family dwellings, configured as two attached two-family dwellings, and one accessory dwelling unit (the “ADU”) on the Property. While single-family attached dwellings are found throughout the neighborhood and ADUs have been recently permitted by-right for single-family homes, they are not currently permitted by the underlying Zoning and therefore, a SUP is required.

Existing Conditions

SITE DESCRIPTION AND EXISTING LAND USE

The Property is located on the west side of North 32nd Street between Kuhn and T Streets. The Property is referenced by the City Assessor as tax parcel E000-0719/010 and is irregularly shaped with roughly 45 feet of frontage along N 32nd Street and 71' of frontage along the alley and containing approximately 6,087 square feet of lot area. At the time of submission of the application, a demo permit has been applied for the existing home on the Property which is awaiting approval pending a LDIS permit which is required due to the construction on the adjacent parcels to the south. Access is provided to the property via a north-south alley at the rear.



Other properties in the area are predominately occupied by a mix of one- and two-family dwellings. A SUP was approved on the properties to the south at 1400-1402 N 32nd Street in 2023 which authorized the construction of a total of three single-family dwellings. A SUP for a two-family

detached dwelling was also approved at 1401 N 32nd Street in 2020. To the north, across Kuhn Street, lay properties administered under the Church Hill North Revitalization Plan Community Unit Plan. To the west lie a series of two story, single-family attached dwellings which were authorized by a Plan of Development. Further west lies the Oakwood Cemetery. The block immediately south from the Property along N. 32nd Street contains a multi-family and two, two-family dwellings. The surrounding land use context is denser than that which might be suggested by the Property's current zoning.

EXISTING ZONING

The Property and the surrounding properties to the east, west, and north are zoned R-5 Single-Family Residential. Immediately to the south, across T Street, properties are zoned R-6 Single-Family Attached which permits the construction of the proposed two-family dwellings.

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:

- 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 14.4 to "Increase the number of mixed-income communities along enhanced transit corridors."
- 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."
 - e) Allow the development of middle housing (2- to 4- unit buildings) by-right within 1/2 mile of high-frequency transit stops.

- Page 155 (Inclusive Housing Chapter), Objective 14.8 to “Develop inclusionary and equitable housing options for our gentrifying neighborhoods to prevent involuntary displacement.”
- 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

PURPOSE OF REQUEST

The SUP would permit the construction of four single-family attached dwellings as well as one ADU on the northern lot. While single-family attached dwellings are found throughout the neighborhood and ADUs have been recently permitted by-right for single-family homes, they are not currently permitted by the underlying Zoning and therefore, a SUP is required. The Property's lot width and area exceed most other lots in the vicinity, which vary in size but are all characteristically smaller urban lots where many of the lots do not comply with the current R-5 requirements.

The proposal would be consistent with the historic development pattern in the area. The proposal is also consistent with the recommendations of the Richmond 300 plan in terms of both use and density.

PROJECT DETAILS

The proposed dwellings would be two-stories in height and of an Italianate design. The dwellings are configured as two, attached two-family dwellings with front-to-back units where each dwelling is two stories in height with its own discreet entrance while still appearing as single-family dwellings from the street. Each dwelling would contain 3 bedrooms and 1.5 bathrooms in roughly 1,360 square feet of finished floor area. Each unit would include a full-width front porch and be constructed of high-quality materials including cementitious siding. The proposed floor plans have been created to meet the needs of the market with modern and open living spaces on the first floor with bedrooms on the second floor.

The proposed ADU would be located at the rear of the northern lot and would be two-stories in height. The dwelling would contain roughly 640 square feet of floor area with one bedroom and one bathroom on the second floor and an open kitchen/living area on the first floor.

Findings of Fact

The following are factors included in Section 17.11 of the Charter and Section 30-1050.1 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 SUP will not impact the safety, health, morals and general welfare of the nearby neighborhoods. The proposed site improvements and density are consistent with other development in the vicinity. This request would simply permit the reconfiguration of the Property in order to allow for new development to occur in a manner that is both of quality as well as consistent with the neighborhood. The redevelopment of this underutilized Property in conjunction with the high quality/benefits provided by the SUP will provide positive impacts in terms of health, welfare, etc.

- ***Tend to create congestion in streets, roads, alleys and other public ways and places in the area involved.***

The proposed SUP will not result in significant traffic impacts to nearby residential neighborhoods. The traffic generation for the additional dwelling units will be negligible, especially within the context of a walkable neighborhood. As such, the SUP will not create congestion on streets, roads, alleys or any other public right of way.

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

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

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

The proposed SUP will not tend to over crowd the land or create an undue concentration of population. The request is reflective of the historic lot pattern and uses found in the neighborhood and is no more intense than the density found in the immediate vicinity.

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

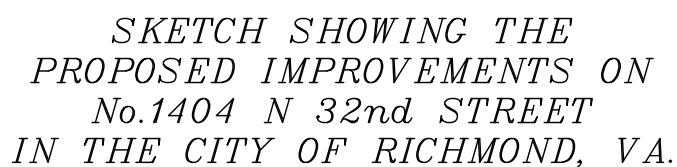
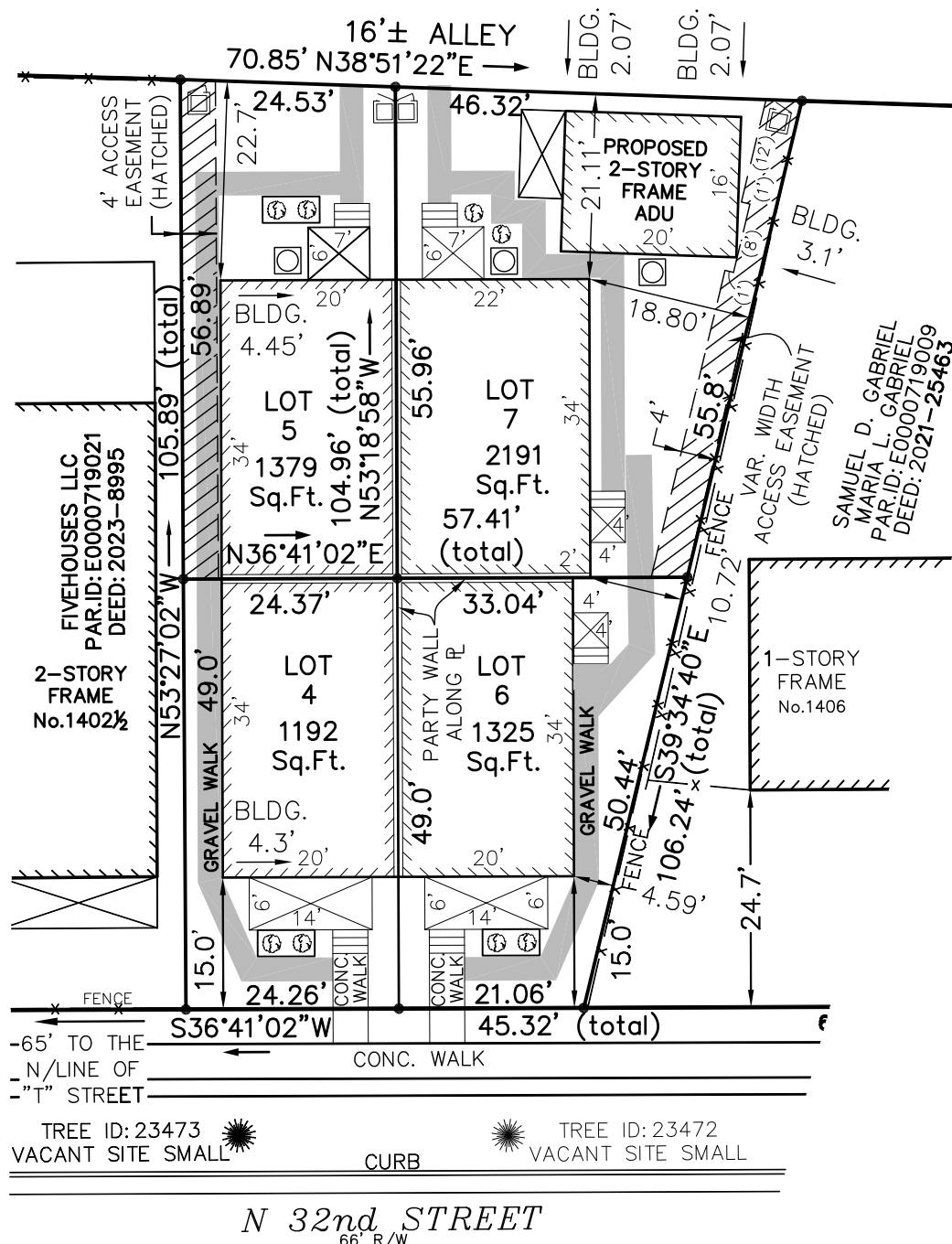
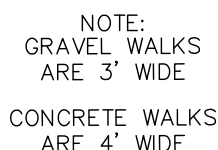
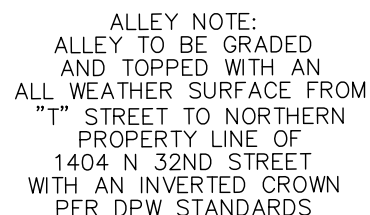
The SUP would not adversely affect the above referenced City services. To the contrary, the proposal would provide positive fiscal (tax) benefits that would enhance the City's ability to provide these services to the proposed development.

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

The light and air available to the subject and adjacent properties will not be affected. New construction would be consistent with the preexisting buildings and provide setbacks that are consistent with character of the immediate neighbors and the surrounding area.

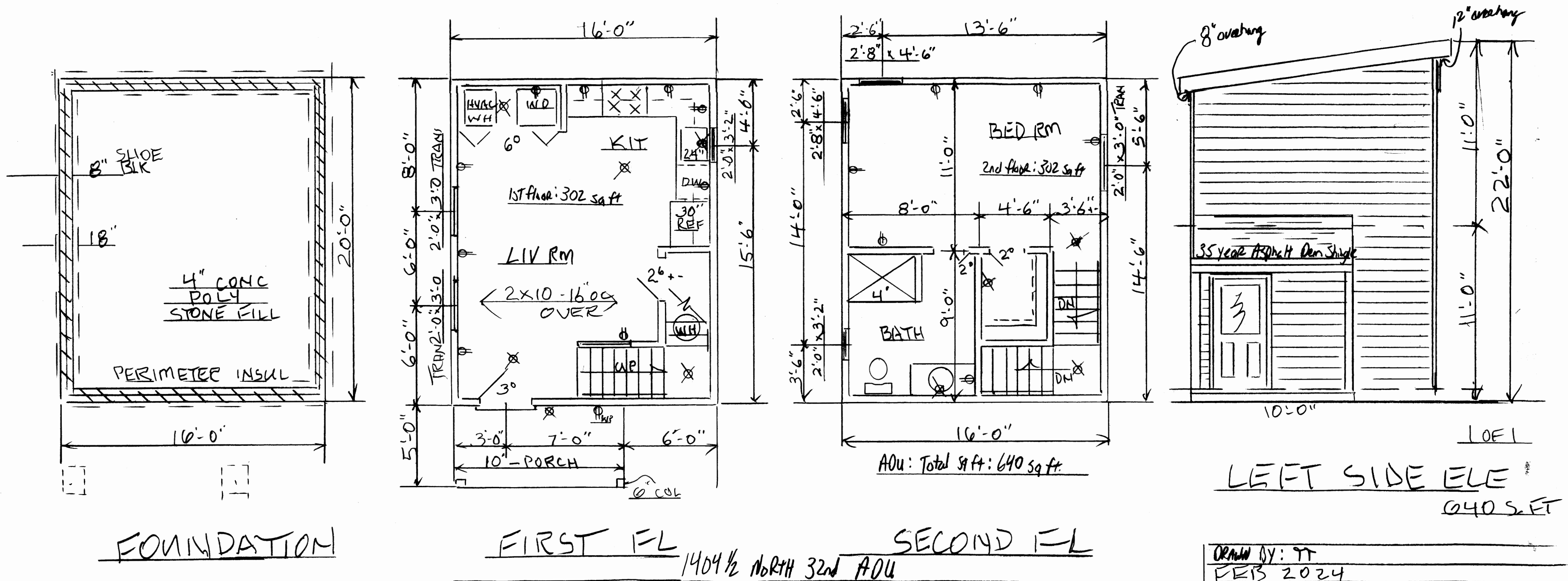
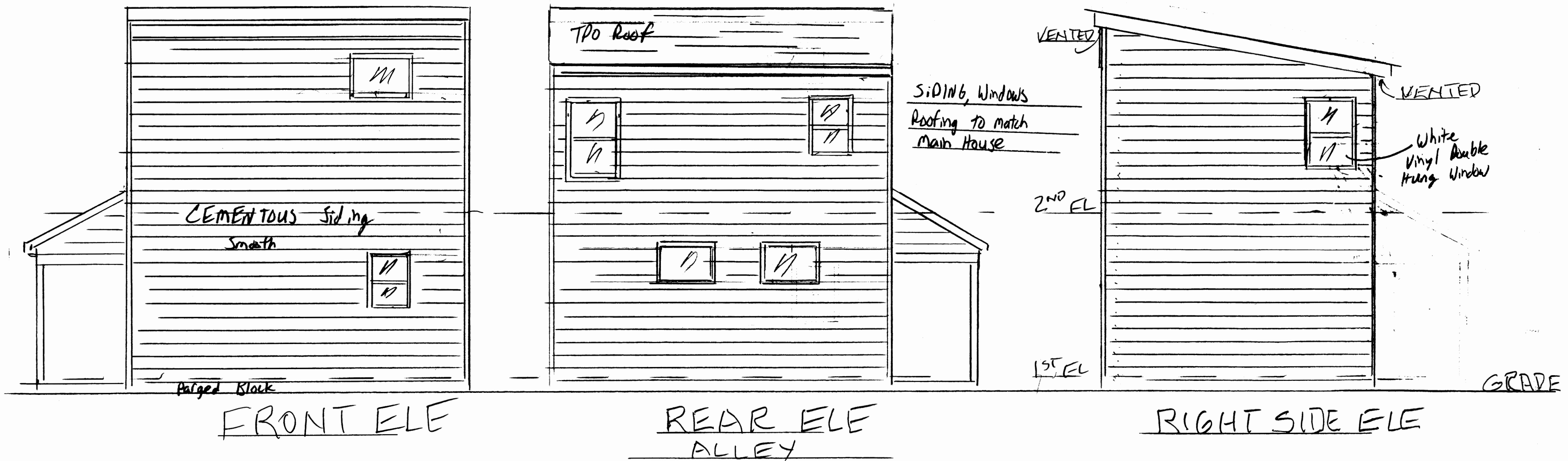
Summary

In summary, the applicant is enthusiastically seeking approval for the construction of four single-family attached dwellings and an ADU on the Property. This proposal represents an ideal, small-scale urban development for this location. The SUP is consistent with current planning guidance applicable to the neighborhood and the City at large. In exchange, the quality assurances conditioned through the SUP would guarantee the construction of higher quality dwellings than might otherwise be developed by right. This would contribute to the vibrancy of the block through the provision of traditional neighborhood design that is consistent with the historic development pattern of the surrounding neighborhood.



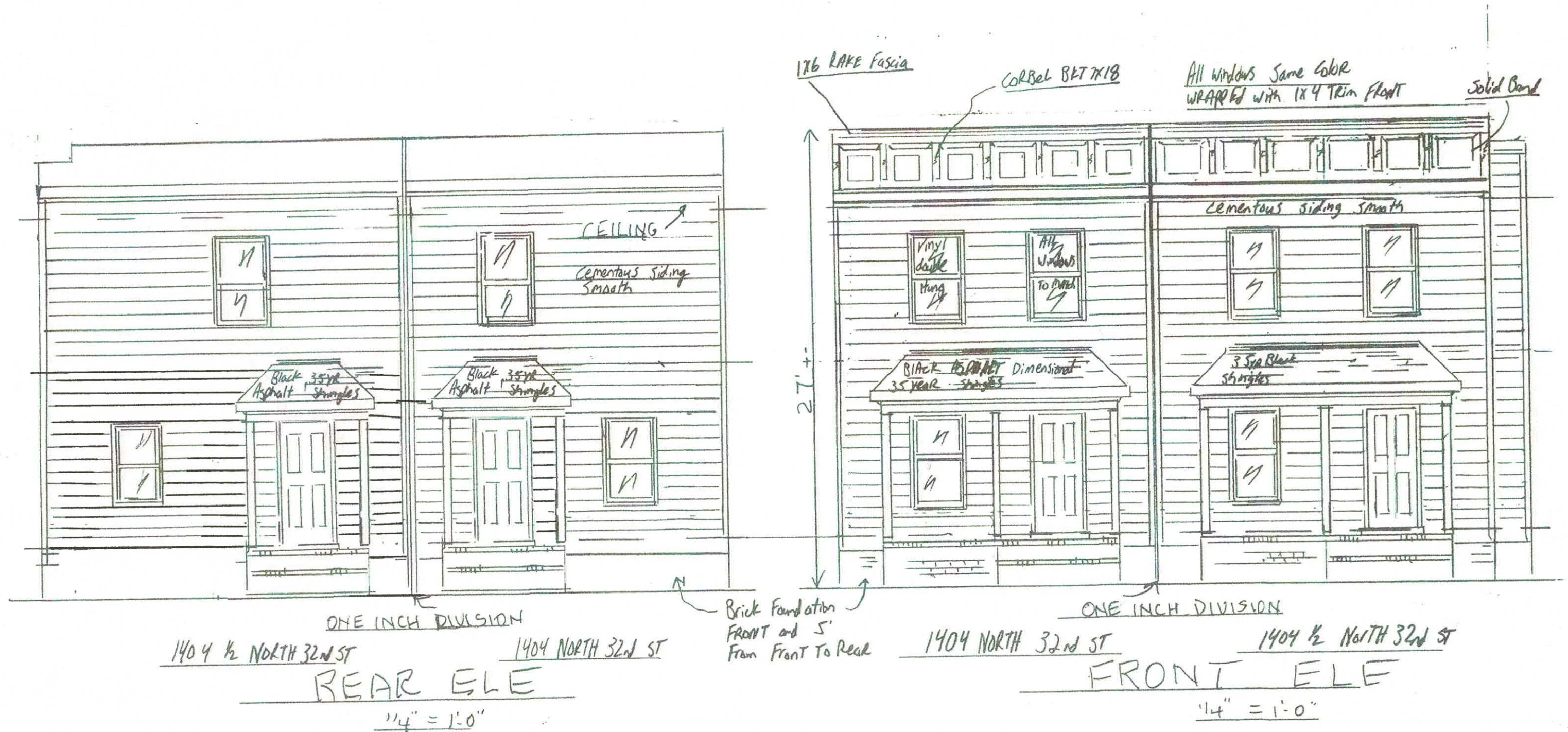
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1404 N 32nd Plans

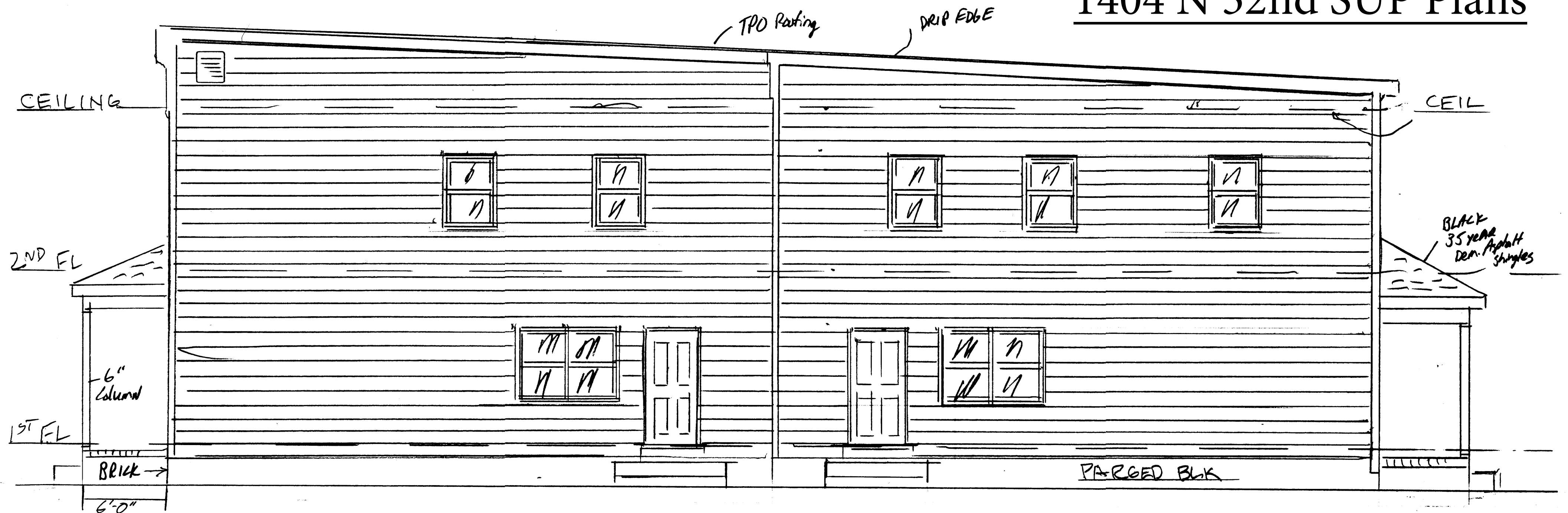


DRAWN BY: JT
FEB 2024
SCALE 1/4" = 1'-0"
Unlimited Renovations LLC

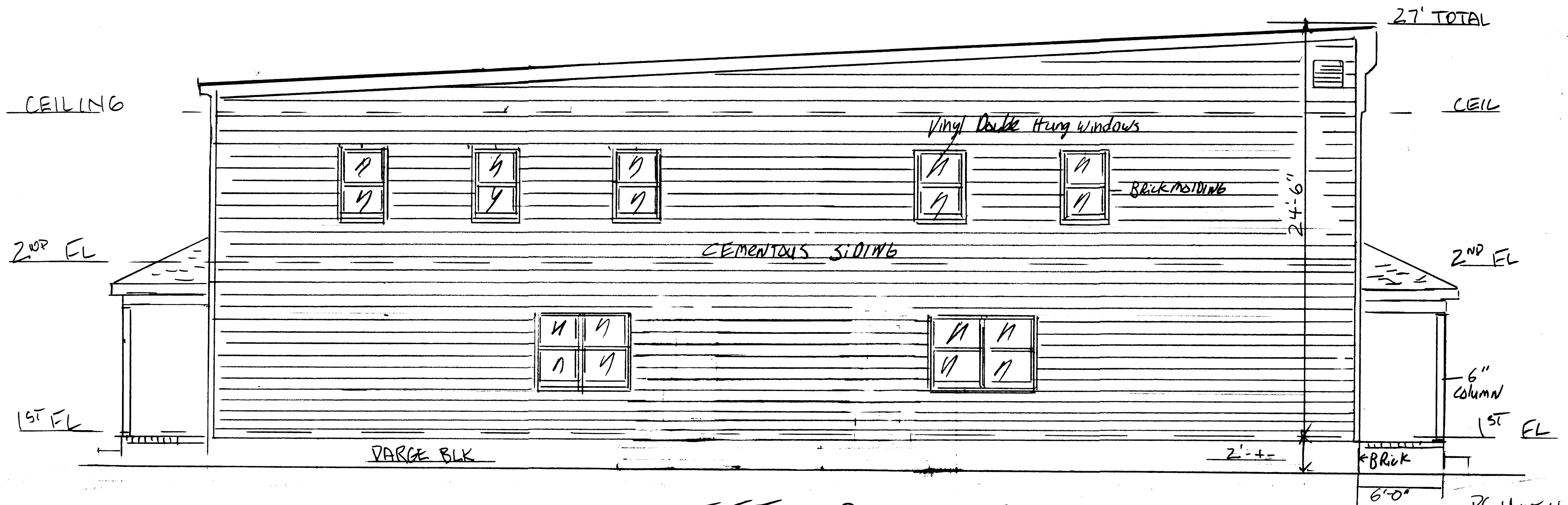
1404 N 32nd SUP Plans



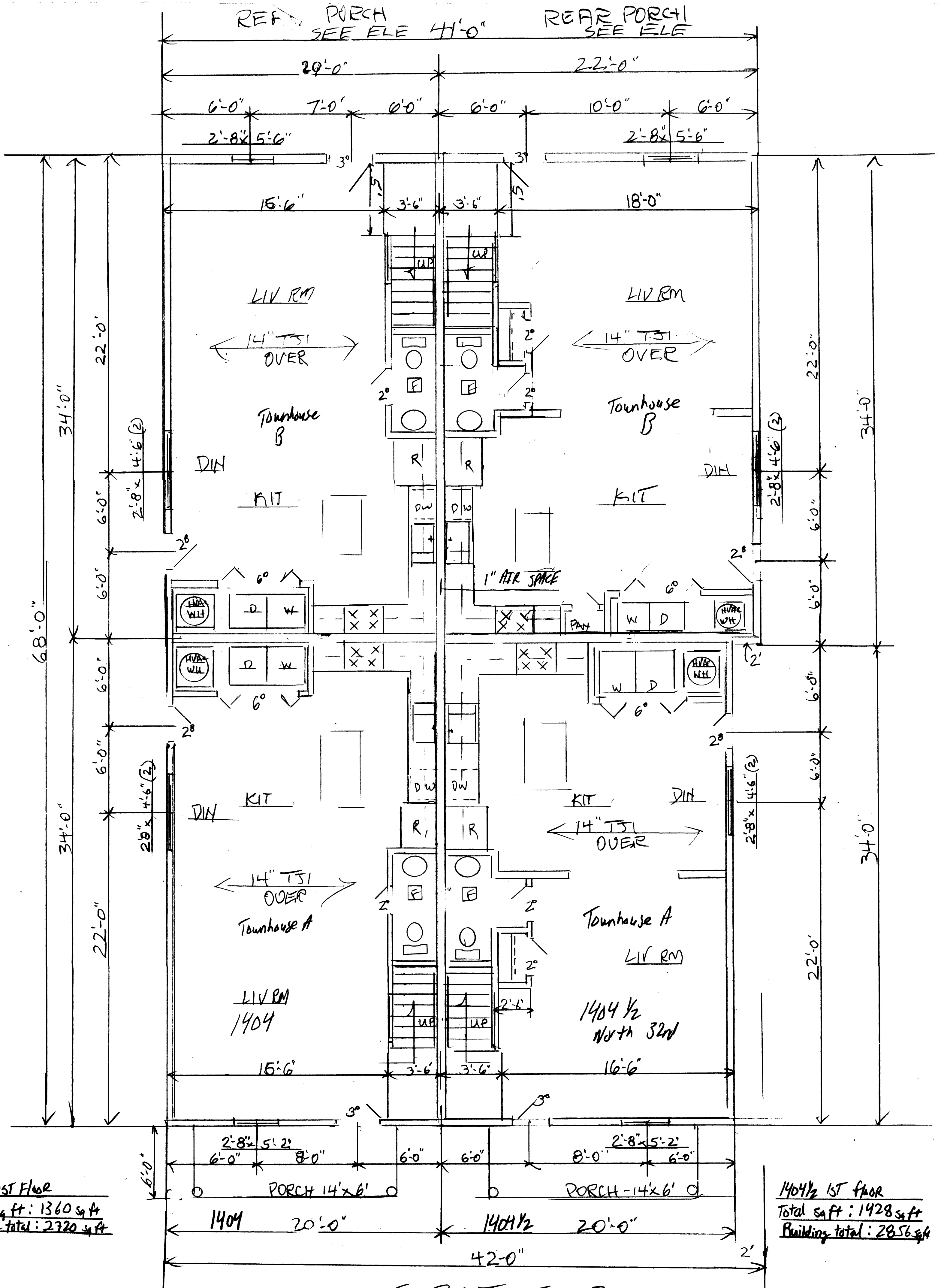
1404 N 32nd SUP Plans



RIGHT SIDE ELE



LEFT SIDE ELE



1404 N 32nd SUP Plans

DRAWN BY: TD
FEB: 2024
Unlimited Renovations LLC

1404 N 32nd SUP Plans

