

INTRODUCED: May 26, 2020

AN ORDINANCE No. 2020-126

To authorize the special use of the property known as 420 North 26th Street for the purpose of two single-family detached dwellings, upon certain terms and conditions.

Patron – Mayor Stoney (By Request)

Approved as to form and legality
by the City Attorney

PUBLIC HEARING: JUN 22 2020 AT 6 P.M.

WHEREAS, the owner of the property known as 420 North 26th Street, which is situated in a R-63 Multifamily Urban Residential District, desires to use such property for the purpose of two single-family detached dwellings, which use, among other things, is not currently allowed by sections 30-419.5, concerning lot area and width, and 30-710.1(a)(1), concerning parking requirements, of the Code of the City of Richmond (2015), as amended; and

WHEREAS, in accordance with section 17.11 of the Charter of the City of Richmond (2018), 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: 8 NOES: 0 ABSTAIN: _____

ADOPTED: JUN 22 2020 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 (2015), 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 420 North 26th Street and identified as Tax Parcel No. E000-0384/007 in the 2020 records of the City Assessor, being more particularly shown on a survey entitled “(Physical Survey & Proposed Division), Survey and Map of 420 N. 26th Street, in the City of Richmond, Virginia,” prepared by Frederick A. Gibson & Associates, P.C., and dated November 20, 2018, a copy of which is attached to and made a part of this ordinance, hereinafter referred to as “the Property,” is hereby permitted to be used for the purpose of two single-family detached dwellings, hereinafter referred to as “the Special Use,” substantially as shown on the plans entitled “418 & 420 N 26th St.,” prepared by River Mill Development, and dated November 10, 2018, and “418 N 26th St.,” prepared by River Mill Development, and dated July 16, 2019, hereinafter referred to together 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 two single-family detached dwellings, substantially as shown on the Plans.

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

(c) All building materials, elevations, and site improvements shall be substantially as shown on the Plans, unless otherwise approved by the Commission of Architectural Review prior to the issuance of a building permit for the Property.

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

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

(f) Prior to the issuance of any certificate of occupancy for the Special Use, the establishment of two residential lots, substantially as shown on the survey referenced in section 2 of this ordinance, shall be accomplished by obtaining approval from the City of the division of the existing lot into two lots and by recording the appropriate plats 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 (2015), 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 (2015), 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.

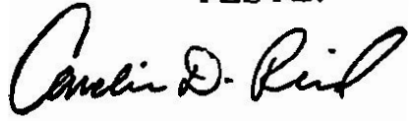
(e) The privileges granted by this ordinance may be revoked pursuant to the provisions of sections 30-1050.7 through 30-1050.11 of the Code of the City of Richmond (2015), as

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 (2015), 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.

A TRUE COPY:
TESTE:

City Clerk

City of Richmond

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

Item Request

File Number: PRE.2020.046

O & R Request

DATE: April 27, 2020

EDITION: I

TO: The Honorable Members of City Council

THROUGH: The Honorable Levar M. Stoney, Mayor (By Request)
(This in no way reflects a recommendation on behalf of the Mayor.)  5/21/2020

THROUGH: Lenora G. Reid, Acting Deputy Chief Administrative Officer  5/1/2020

THROUGH: Sharon L. Ebert, Deputy Chief Administrative Officer for Economic
Development and Planning 

FROM: Mark A. Olinger, Director, Department of Planning and Development Review 

RE: To authorize the special use of the property known as 420 North 26th Street for the purpose of two single-family detached dwellings, upon certain terms and conditions.

ORD. OR RES. No. _____

PURPOSE: To authorize the special use of the property known as 420 North 26th Street for the purpose of two single-family detached dwellings, upon certain terms and conditions.

REASON: The applicant is proposing to construct a single-family detached dwelling and rehabilitate a single-family detached dwelling, after dividing the property. Under current R-63 Multi-Family Urban Residential zoning standards, the proposal would not meet lot area or off-street parking requirements. A Special Use Permit is therefore required.

RECOMMENDATION: In accordance with the requirements of the City Charter and the Zoning Ordinance, the City Planning Commission will review this request and make a recommendation to City Council. This item will be scheduled for consideration by the Commission at its June 15, 2020 meeting.

BACKGROUND: The subject property consists of a .092 acre (4,026 SF) parcel improved with a one-story dwelling built, per city tax assessment records, in 1890. The property is a part of the Church Hill neighborhood in the East Planning District and is also located in the Church Hill North City Old & Historic District.

The City of Richmond's Master Plan designates the subject property for Mixed Use Residential land uses which include single-, two-, and multi-family dwellings, live/work units and neighborhood serving commercial uses developed in a traditional urban form. These commercial uses are limited in location, type and scale and are intended to provide for the convenience of urban neighborhood residents within walking distance, to respect the primary residential character of the neighborhood and to avoid traffic, parking, noise and other impacts that typically result from uses that draw patrons from outside the neighborhood. Typical zoning classification that may accommodate this land use category: R-63 and R-8. (City of Richmond, Master Plan).

The current zoning for the subject property is R-63 Multi-Family Urban Residential and surrounding properties are within the same R-63 District. A mix of single-, two-, and multi-family residential, vacant, commercial, mixed-use, and institutional land uses are present in the vicinity.

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

FISCAL IMPLICATIONS: Staff time for processing the request; preparation of draft ordinance; and publishing, mailing and posting of public notices.

BUDGET AMENDMENT NECESSARY: No

REVENUE TO CITY: \$300 application fee

DESIRED EFFECTIVE DATE: Upon adoption

REQUESTED INTRODUCTION DATE: May 26, 2020

CITY COUNCIL PUBLIC HEARING DATE: June 22, 2020

REQUESTED AGENDA: Consent

RECOMMENDED COUNCIL COMMITTEE: None

CONSIDERATION BY OTHER GOVERNMENTAL ENTITIES: City Planning Commission
June 15, 2020

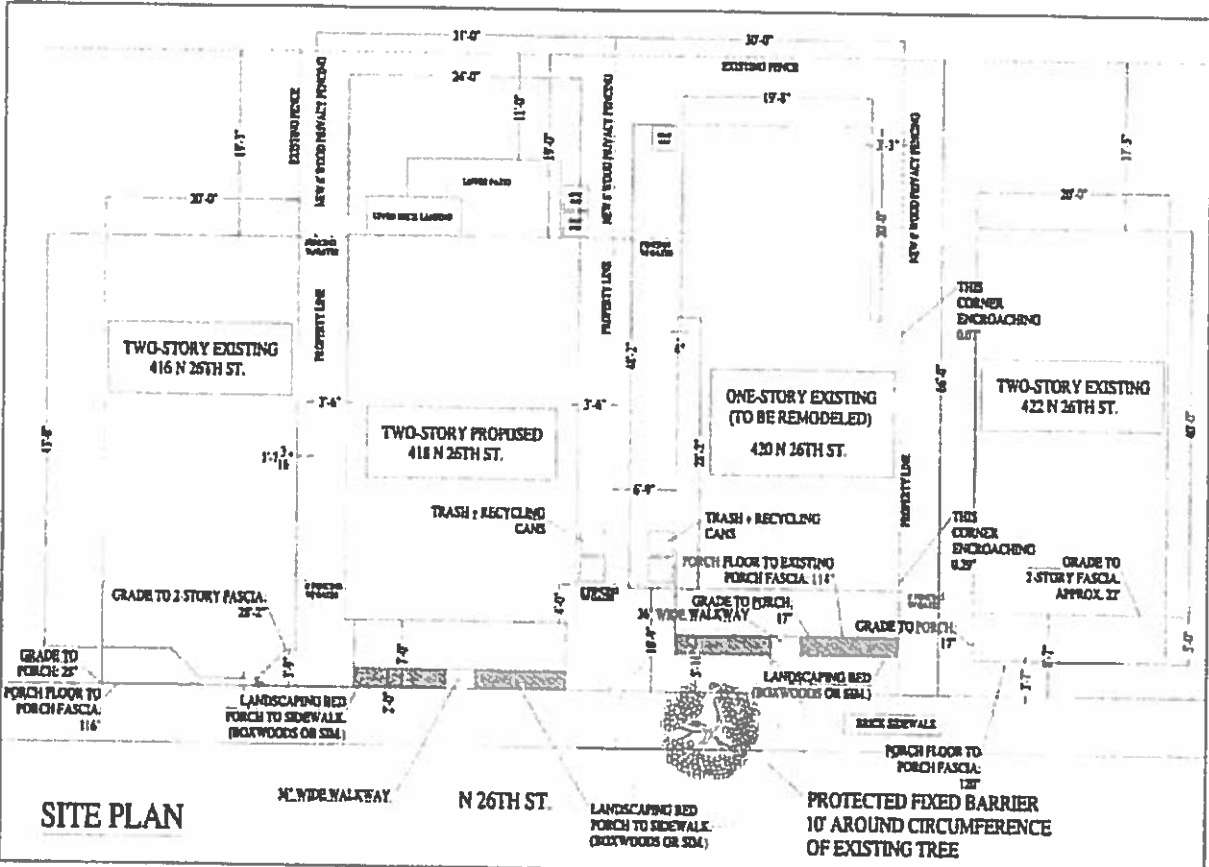
AFFECTED AGENCIES: Office of Chief Administrative Officer
Law Department (for review of draft ordinance)

RELATIONSHIP TO EXISTING ORD. OR RES.: None

REQUIRED CHANGES TO WORK PROGRAM(S): None

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

STAFF: Jonathan Brown, Senior Planner, Land Use Administration 804-646-5734



SITE PLAN

418 & 420 N 26TH ST
RIVER MILL DEVELOPMENT
ARCHITECT: [unreadable]

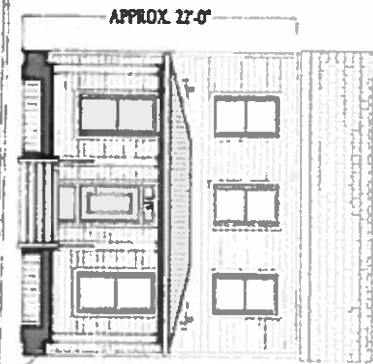
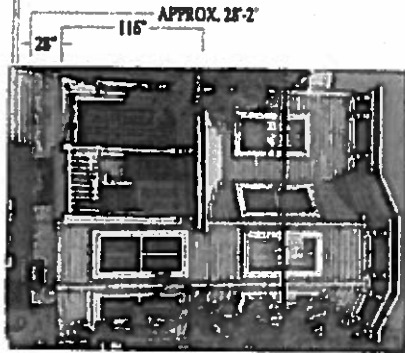
REVISIONS	
NO.	DESCRIPTION

SCALE
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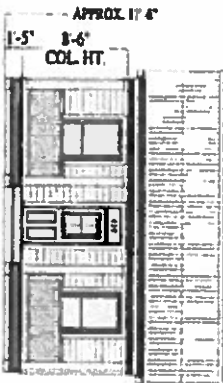
DATE
 11-20-11

SHEET
 A1.0

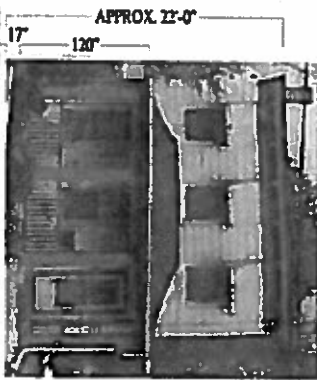
RIVER MILL DEVELOPMENT



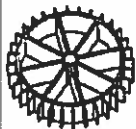
APPROX. 28'-2" TOTAL HT.



GRADE TO PORCH FLOOR
MEASUREMENT.
(MATCHING 416N 25TH)



CONCEPTUAL STREET VIEW PLAN



RIVER MILL
DEVELOPMENT

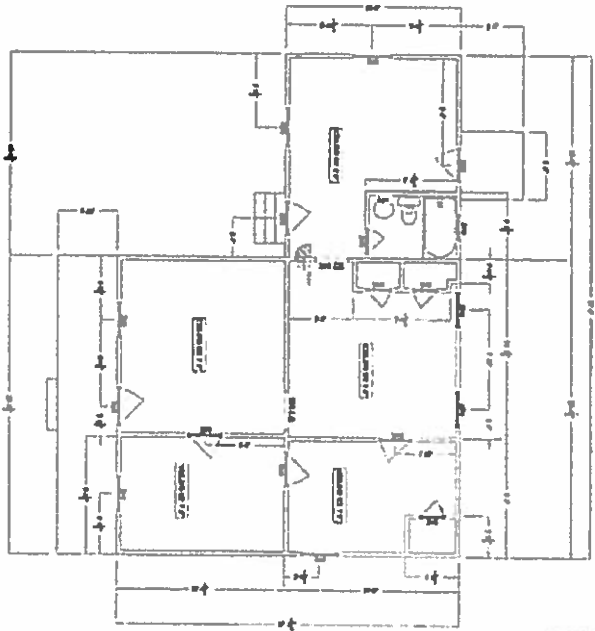
SHEET:
A1.1

DATE:
11/18/18

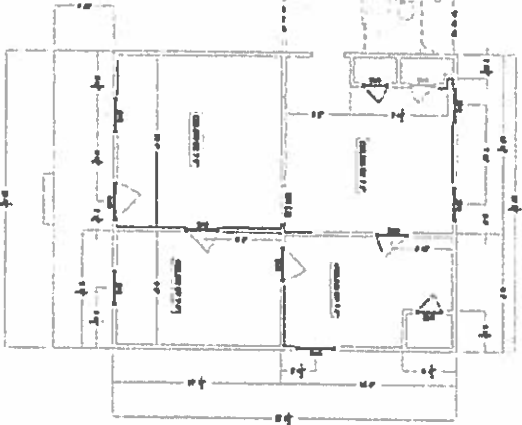
SCALE:
1/8" = 1'-0"

REVISION NOTES	
NO.	DATE

418 & 420 N 26TH ST.
RIVER MILL DEVELOPMENT
418 & 420 N 26TH ST. ST. LOUIS, MO 63108



EXISTING FLOOR PLAN



DEMOLITION PLAN



SHEET
A2.1

DATE
11.10.18

SCALE:
1/8" = 1'-0"

NO.	REVISION/NOTES

420 N 26TH ST
RIVER MILL DEVELOPMENT
SHEETS LISTED IN ORDER OF DRAWING

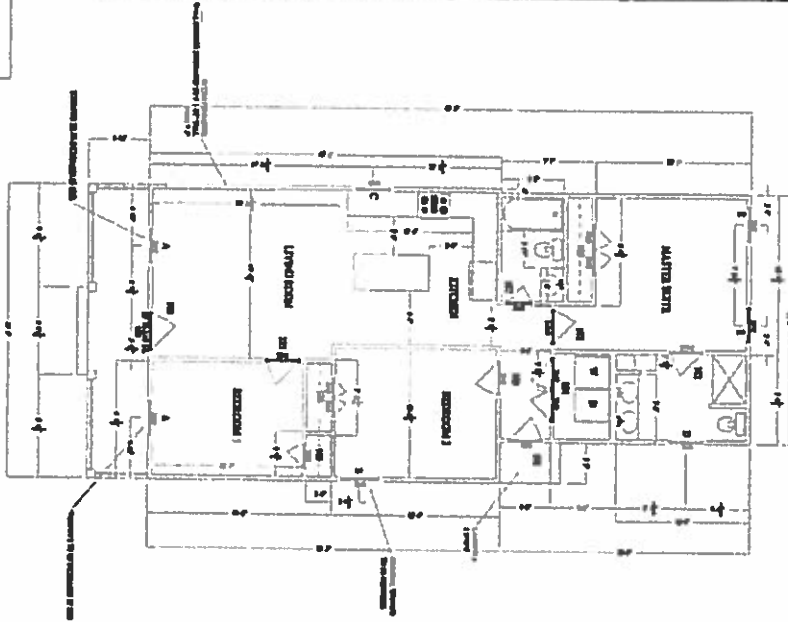


DOOR SCHEDULE

SI	WIDTH	HEIGHT	TYPE	DESCRIPTION	QTY
01	3'-0"	6'-6"	EXTENSION	SLIP-RESISTANT FIBERGLASS 1" R/T GLASS	1
02	3'-0"	6'-6"	EXTENSION	SLIP-RESISTANT FIBERGLASS	1
03	3'-0"	6'-6"	EXTENSION	WOOD	1
04	3'-0"	6'-6"	EXTENSION	WOOD	1
05	3'-0"	6'-6"	EXTENSION	WOOD	1
06	3'-0"	6'-6"	EXTENSION	WOOD	1
07	3'-0"	6'-6"	EXTENSION	WOOD	1
08	3'-0"	6'-6"	EXTENSION	WOOD	1
09	3'-0"	6'-6"	EXTENSION	WOOD	1
10	3'-0"	6'-6"	EXTENSION	WOOD	1

WINDOW SCHEDULE

SI	WIDTH	HEIGHT	TYPE	TOY VALUE	SFT. VALUE	QTY
A	3'-0"	6'-6"	SHOULDER	CLASS 1	CLASS 1	1
B	3'-0"	6'-6"	SHOULDER	CLASS 1	CLASS 1	1
C	3'-0"	6'-6"	SHOULDER	CLASS 1	CLASS 1	1
D	3'-0"	6'-6"	SHOULDER	CLASS 1	CLASS 1	1
E	3'-0"	6'-6"	SHOULDER	CLASS 1	CLASS 1	1
F	3'-0"	6'-6"	SHOULDER	CLASS 1	CLASS 1	1
G	3'-0"	6'-6"	SHOULDER	CLASS 1	CLASS 1	1
H	3'-0"	6'-6"	SHOULDER	CLASS 1	CLASS 1	1
I	3'-0"	6'-6"	SHOULDER	CLASS 1	CLASS 1	1
J	3'-0"	6'-6"	SHOULDER	CLASS 1	CLASS 1	1



PROPOSED FLOOR PLAN
 1ST FLOOR HEATED SQ. FOOTAGE: 1843 SQ. FT.



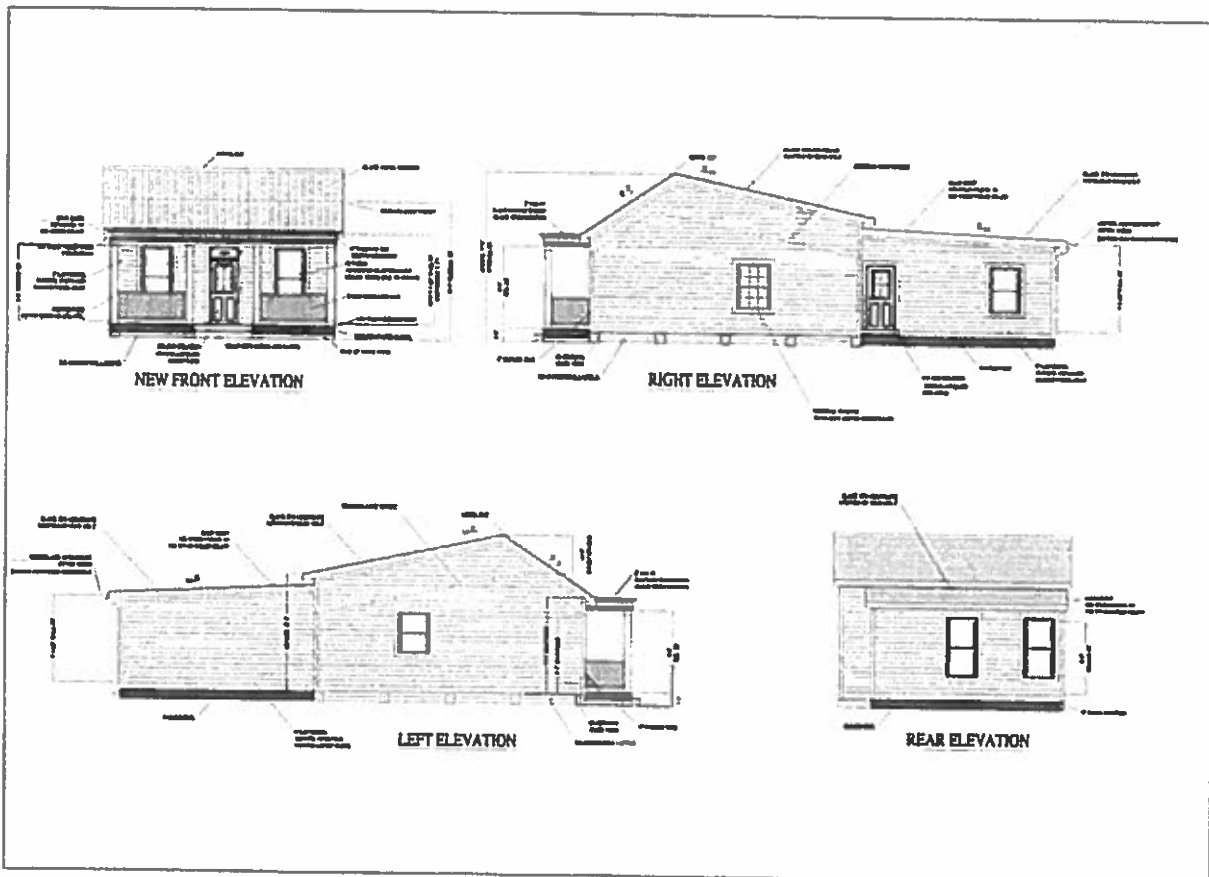
SHEET: A22
 DATE: 11-10-11

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

REVISION NOTES

NO.	DATE	DESCRIPTION

420 N 26TH ST.
RIVER MILL DEVELOPMENT
1000 HILLTOP DRIVE, SUITE 100, RIVER MILLS, NC 27155



421 N 20TH ST
RIVER MILL DEVELOPMENT

PROJECT SHEET

NO.	DATE

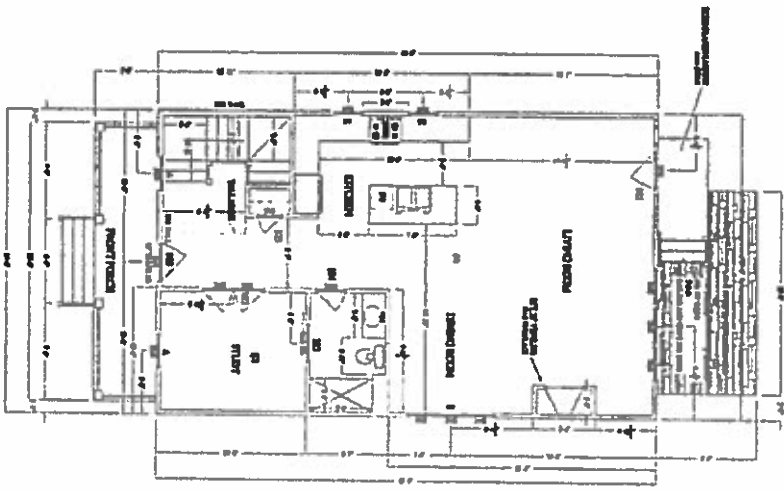
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DATE
11-20-18

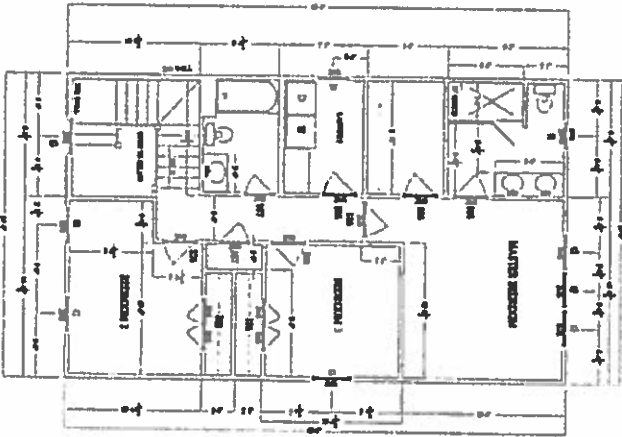
SHEET
A2.3

RIVER MILL DEVELOPMENT

RIVER MILL DEVELOPMENT



FIRST FLOOR PLAN



SECOND FLOOR PLAN

WINDOW SCHEDULE:

ID	TYPE	COMPT	TYPE	TOY MARK	NET MARK	QTY
1	3'0"	6'0"	SHED B/L	CLAW	CLAW	1
2	3'0"	4'0"	TRIAL TRSD	CLAW	CLAW	1
3	3'0"	6'0"	SHED B/L TRSD	CLAW	CLAW	1
4	3'0"	4'0"	SHED B/L TRSD	CLAW	CLAW	1
5	3'0"	4'0"	SHED B/L TRSD	CLAW	CLAW	1
6	3'0"	4'0"	SHED B/L TRSD	CLAW	CLAW	1
7	3'0"	4'0"	SHED B/L TRSD	CLAW	CLAW	1
8	3'0"	4'0"	SHED B/L TRSD	CLAW	CLAW	1
9	3'0"	4'0"	SHED B/L TRSD	CLAW	CLAW	1
10	3'0"	4'0"	SHED B/L TRSD	CLAW	CLAW	1
11	3'0"	4'0"	SHED B/L TRSD	CLAW	CLAW	1
12	3'0"	4'0"	SHED B/L TRSD	CLAW	CLAW	1

ALL GENERAL WINDOW AND DOOR HEADERS TO BE (2) 2X8 MIN. UNLESS OTHERWISE NOTED.
 1ST FLOOR HEATED SQ. FOOTAGE: 960 S.F.
 2ND FLOOR HEATED SQ. FOOTAGE: 154 S.F.

DOOR SCHEDULE:

ID	TYPE	COMPT	TYPE	DESCRIPTION	QTY
1	3'0"	6'0"	SLIPSTICK	ALL PLUTO HINGERS 1" OF TRAIL	1
2	3'0"	6'0"	SLIPSTICK	ALL PLUTO HINGERS 1" OF TRAIL	1
3	3'0"	6'0"	SLIPSTICK	ALL PLUTO HINGERS 1" OF TRAIL	1
4	3'0"	6'0"	SLIPSTICK	ALL PLUTO HINGERS 1" OF TRAIL	1
5	3'0"	6'0"	SLIPSTICK	ALL PLUTO HINGERS 1" OF TRAIL	1
6	3'0"	6'0"	SLIPSTICK	ALL PLUTO HINGERS 1" OF TRAIL	1
7	3'0"	6'0"	SLIPSTICK	ALL PLUTO HINGERS 1" OF TRAIL	1
8	3'0"	6'0"	SLIPSTICK	ALL PLUTO HINGERS 1" OF TRAIL	1
9	3'0"	6'0"	SLIPSTICK	ALL PLUTO HINGERS 1" OF TRAIL	1
10	3'0"	6'0"	SLIPSTICK	ALL PLUTO HINGERS 1" OF TRAIL	1
11	3'0"	6'0"	SLIPSTICK	ALL PLUTO HINGERS 1" OF TRAIL	1
12	3'0"	6'0"	SLIPSTICK	ALL PLUTO HINGERS 1" OF TRAIL	1

418 N 26TH ST

RIVER MILL DEVELOPMENT



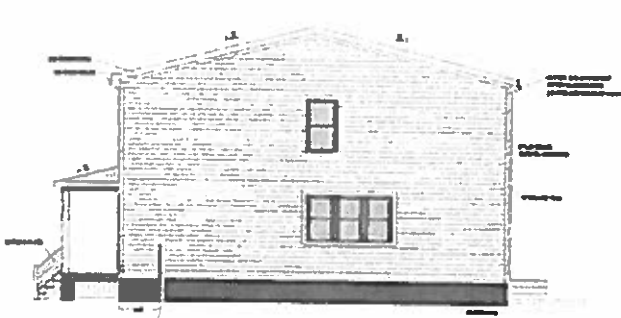
RIVER MILL DEVELOPMENT

SHEET: A3.1

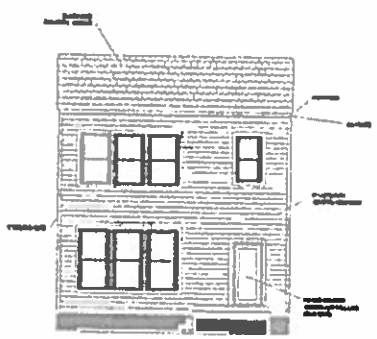
DATE: 7/1/19

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

REVISION NOTES



RIGHT ELEVATION



REAR ELEVATION



FRONT ELEVATION



LEFT ELEVATION

414 N 26TH ST.
 RIVER MILL DEVELOPMENT

REVISION NOTES

NO.	DATE	DESCRIPTION

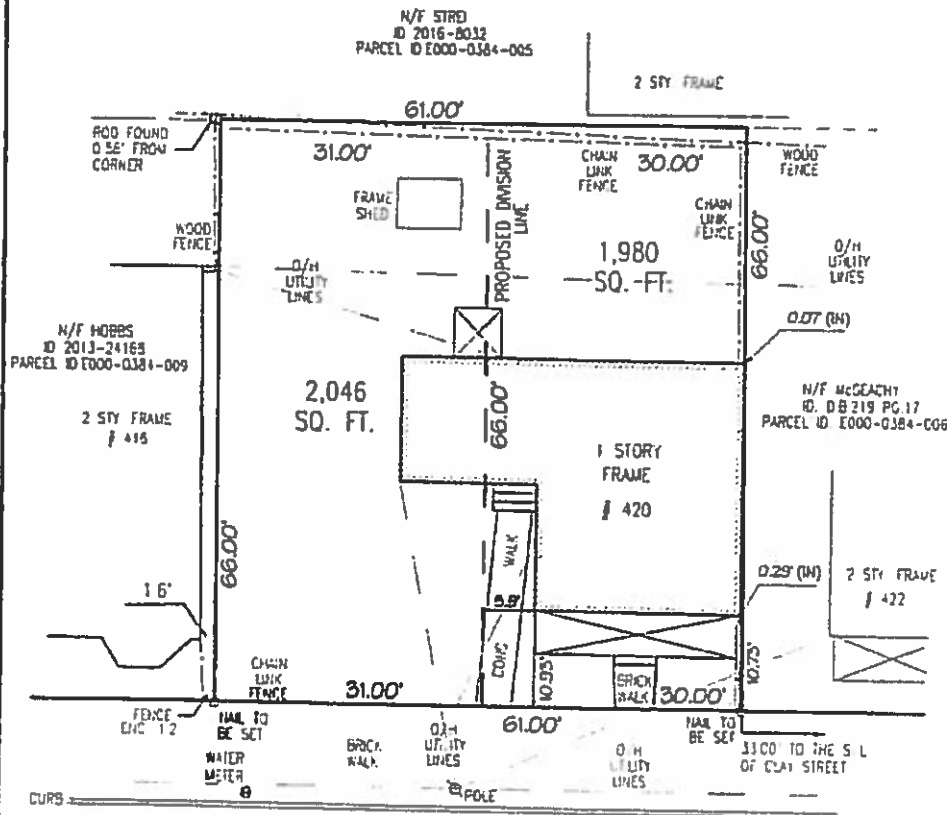
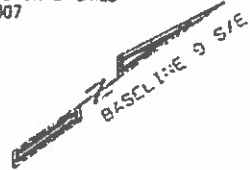
SCALE
 1/4" = 1'-0"

DATE
 7/16/11

SHEET
 A3.2

RIVER MILL DEVELOPMENT

FREDERICK A. GIBSON & ASSOCIATES, P.C. ASSUMES NO LIABILITY REGARDING SUB-SURFACE FEATURES SUCH AS TOXIC WASTE, GARBAGE OR WASTE DISPOSAL AREAS, LANDFILLS, UNDERGROUND STORAGE TANKS, CEMETERIES OR BURIAL SITES, SHRINK/SWELL SOILS, UNDERGROUND WATERWAYS OR UTILITIES
 CURRENT OWNER(S): KYLE H. JOHNSTON INST # 180012034 PARCEL ID E000-0384-007



N. 26TH STREET

66 R/W

**(PHYSICAL SURVEY & PROPOSED DIVISION)
 SURVEY AND MAP OF 420 N. 26TH STREET, IN THE
 CITY OF RICHMOND, VIRGINIA**

SCALE 1" = 15'

THIS IS TO CERTIFY THAT ON NOVEMBER 30, 2018 I MADE A FIELD SURVEY OF THE PREMISES SHOWN HEREON, THAT THERE ARE NO VISIBLE ENCROACHMENTS BY IMPROVEMENTS EITHER FROM ADJOINING PREMISES OR FROM SUBJECT PREMISES UPON ADJOINING PREMISES, OTHER THAN AS SHOWN HEREON. THIS PLAN IS BEING FURNISHED WITHOUT BENEFIT OF A TITLE REPORT. PREMISES SHOWN HEREON IS SUBJECT TO EASEMENTS OF RECORD OR OTHERWISE TO THE BEST OF MY KNOWLEDGE, AND BELIEVE THIS PLAN COMPLIES WITH THE MINIMUM PROCEDURES AND STANDARDS ESTABLISHED BY THE VIRGINIA STATE BOARD OF ARCHITECTS, PROFESSIONAL ENGINEERS, LAND SURVEYORS, AND CERTIFIED LANDSCAPE ARCHITECTS.



**FREDERICK A. GIBSON
 & ASSOCIATES, P.C.**
 LAND SURVEYORS
 11521-G MIDLOTHIAN TURNPIKE
 NORTH CHESTERFIELD, VIRGINIA 23235
 PHONE 804 378-4485 FAX 804 378-4487

LEGEND	
○	IRON ROD FOUND
●	IRON ROD SET
UNLESS OTHERWISE NOTED	
PROJECT # 1107-05 H	



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.richmondva.com/>

SUP-059600-2019

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: 420 N. 28th Street Date: _____

Tax Map #: E0000384007 Fee: 300

Total area of affected site in acres: 0.082

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

Zoning

Current Zoning: R-13

Existing Use: One (1) single-family detached dwelling

Proposed Use

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

Two (2) single-family detached dwellings

Existing Use: One (1) single-family detached dwelling

Is this property subject to any previous land use cases?

Yes No If Yes, please list the Ordinance Number: _____

Applicant/Contact Person: Mark Baker, Charlie Wilson

Company: Baker Development Resources

Mailing Address: 1519 Summit Avenue, Suite 102

City: Richmond State: VA Zip Code: 2320

Telephone: (804) 874-6275 Fax: ()

Email: markbaker@bakerdevelopmentresources.com, charlie@bakerdevelopmentresources.com

Property Owner: Kyle Johnston

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: PO Box 407 PO Box 7095

City: Richmond State: VA Zip Code: 23221

Telephone: (270) 779-8468 Fax: ()

Email: kyljohnston@gmail.com

Property Owner Signature: [Signature]

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)

Introduction

The property owner is requesting a special use permit ("the SUP") for 420 N. 26th Street ("the Property"). The SUP would authorize a lot split and the construction of one (1) single-family detached dwelling on the undeveloped portion of the Property. As proposed, some of the features do not conform to the underlying R-63 feature requirements applicable to the Property.

Existing Conditions

SITE DESCRIPTION AND EXISTING LAND USE

The Property is located on the western side of N. 26th Street between Marshall Street and Clay Street. The Property is referenced by the City Assessor as one parcel (E-000-0384 007). The Property is 61 feet wide, 66 feet deep, and contains 4,026 square feet in lot area. The lot is improved by one (1) single-family detached dwelling that was constructed in 1890, per assessment records. The lot is exceptionally large for the vicinity. The existing dwelling generally occupies the northern half of the Property. A side addition that is not original to the structure projects to the south. But for that addition, the southern portion of the lot is unimproved, giving the appearance of a "missing tooth" in the block. There is no alley to provide rear access within the block. Please see the attached survey titled "Survey and Map of 420 N. 26th Street in the City of Richmond, VA," completed on November 20th, 2019 by Frederick Gibson & Associates, P.C. for greater detail ("Exhibit A")



EXISTING ZONING

The Property is zoned R-63 Multifamily Urban Residential and is located in the Church Hill North Old and Historic District. City Assessor's records indicate the Property contains 4,026 square feet of lot area. The R-63 district permits single-family detached dwellings, provided that the dwellings are located on lots containing at least 3,000 square feet of lot area. Splitting the lot as proposed would create one lot of 2,046 square feet at what would become 418 N 26th Street, and another lot of 1,980 square feet at 420 N 26th Street, each to be occupied by a single-family detached dwelling. In addition, as there is no alley access, off street parking cannot be provided. As the proposed development does not meet R-63 lot area requirements and off street parking requirements, a special use permit is required.

Properties to the north, west, south and east are also zoned R-63 and are predominantly occupied by single-family dwellings, with the exception of a two-family dwelling directly across N. 26th Street from the Property. Within one block of the Property, there is a mix of single-family detached dwellings, single-family attached dwellings, two-family detached dwellings, two-family attached dwellings, and commercial, institutional, and mixed-uses

MASTER PLAN DESIGNATION

The Master Plan recommends Mixed-Use Residential (MUR) for the Property and surrounding land to the north, west, south and east. The proposed single-family detached dwellings are consistent with this recommendation, which generally calls for greater density than is proposed.

Proposal

PURPOSE OF REQUEST



Exhibit A: Existing Dwelling Circa 1955

This request would permit the rehabilitation of the existing dwelling on the Property to today's standards for livability and consistent with its original, historic form (Exhibit A). At the same time, the request would permit the division of the Property, which is exceptionally large and out of character for the area, in order to permit the construction of a second single-family detached dwelling.

The proposed split is consistent with the historic configuration of the Property, which consisted of two lots dating back to at least 1905 (418 and 420 N 26th). According to Sanborne maps, by 1905, both lots had been developed with single-family dwellings (Exhibit B). The existing house was located on the northern most of the two lots (420 N 26th) and was very small at that time. A small addition was added in the rear between 1905 and 1924/25. Also between 1905 and 1925, the dwelling at 418 N 26th was removed/demolished (Exhibit C). The existing dwelling's current "L" shape resulted from an addition that occurred sometime after 1950.

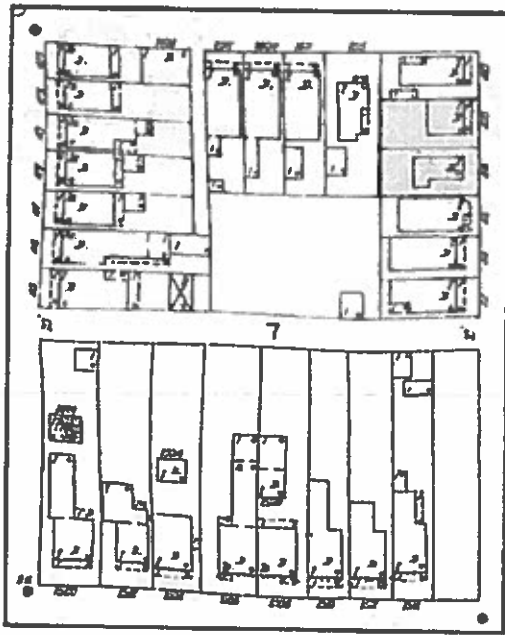


Exhibit B: 1905

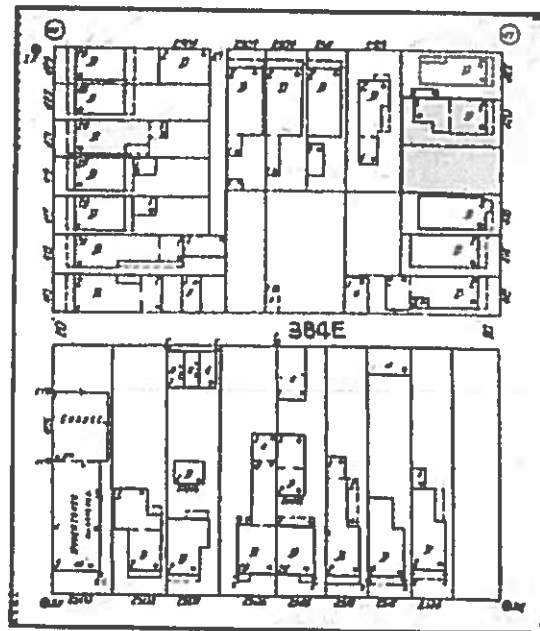


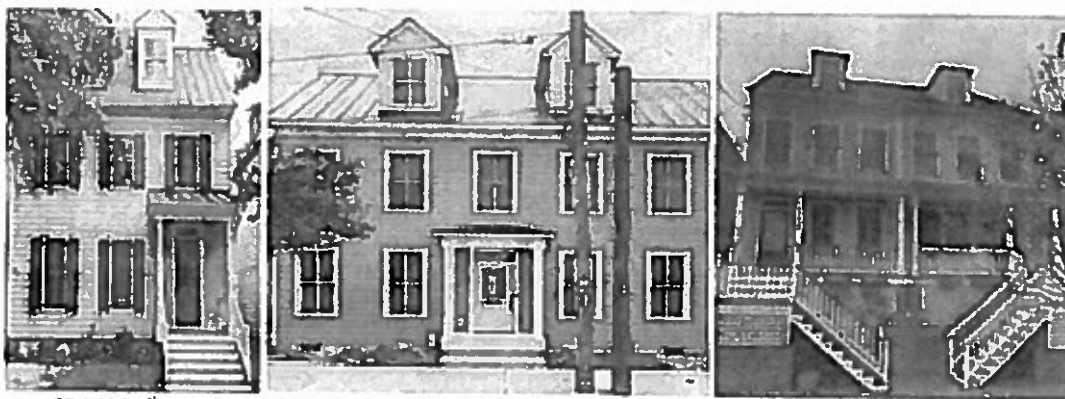
Exhibit C: 1925

The proposed split remains consistent with this historic configuration and is compatible with the existing development pattern in the area. Other lots on this block frontage vary from 23 to 33 feet in width (a 26.55' average) while the Property is 61 feet wide. At 30 and 31 feet in width, the two proposed lots would be consistent with the existing lot pattern in the area while remaining larger than the average in terms of frontage.

In order to permit the split, the post 1950 side addition (approximately 224 square feet) would be removed from the existing dwelling. The existing dwelling would then be renovated consistent with its

original form and the historic district guidelines. A rear addition of approximately 400 square feet is proposed, which would result in an overall floor area of 1,055 square feet of floor area. The dwelling would be configured with 3 bedrooms, 2 baths and an open living area. The modest addition would afford enough floor area to provide a master bedroom suite with en suite bath.

The proposed new single-family detached dwelling would be located on the southern lot at 418 N 26th Street. It would be two stories in height, and would have design elements consistent with other urban rowhouses found in the vicinity (Exhibit E). The primary building material would be cementitious horizontal lap siding with combination brick and parged foundation walls. The new dwelling would contain approximately 1,814 square feet of floor area and would include 3 bedrooms and 2 ½ baths. The dwelling floor plans would be modern and would address the expectations for quality in today's market by including an open floor plan, spacious bedrooms and living areas, an en suite master bath, walk-in closets, and full-width front porch. This proposed dwelling size is consistent with other dwellings in the block which are all two-story dwellings varying from 1,600 to 2,520 square feet of floor area with an average of 1,929 square feet.



634 N 29th Street

628 N 29th Street

513 N 26th Street

Exhibit D: Comparable Elevations

The project's exterior was designed with careful consideration of the historic district guidelines and application has been made for a certificate of appropriateness from the Commission of Architecture Review (CAR). CAR review and the quality assurances conditioned through the SUP would guarantee a higher quality development than would otherwise be afforded for the Property by normal zoning.

In exchange for the SUP, the intent of this request is to create two new high-quality home ownership opportunities (the proposed and rehabilitated dwelling on the site), thereby addressing objectives of the Master Plan, including:

- The desire for new and better-quality housing that is targeted to home owners
- The desire for increased opportunities for residential development
- The recognition that the vast majority of opportunities for new development are located in the context of existing neighborhoods

- The recognition of the difficulty that an older/aging housing stock represents in the market where new convenience/easy maintenance is desired.

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 community. The development of the underutilized portion of the 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 one additional single-family dwelling will be negligible. 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 two dwellings are less dense than might otherwise be permitted in the R-63 zoning. For instance, multi-family dwellings are permitted on lots of 4,000 square feet provided that 1,000 square feet of lot area is provided per unit. That would suggest a density twice what is proposed might be achieved on a similar sized lot. Those same R-63 regulations are designed with the zoning purpose in mind including preventing of the overcrowding of land.

- *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 amendment 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.

420 N. 26th Street
July 31, 2019
Page 7

- *Interfere with adequate light and air.*

The light and air available to the subject and adjacent properties will not be affected. Applicable yard requirements would be met by the proposed dwelling and are compatible with the historic development pattern in the area.

Summary

The applicant is enthusiastically seeking approval for the construction of a single-family dwelling and the renovation of the existing dwelling on the Property as high-quality home ownership opportunities. This proposal represents an ideal, small-scale urban infill development for this location. In exchange for the approval, the quality assurances conditioned through the SUP would guarantee the construction of a higher quality dwelling than might otherwise be developed by right in the vicinity. This would contribute to the overall vibrancy of the block through the provision of an appropriate urban form and use that is consistent with the historic development pattern of the Property and surrounding neighborhood.

From: [Reld, Lenora G. - DCAO Of Finance And Administration](#)
To: [D'Arcy, Beth H. - CAO](#)
Cc: [Gray, Jeff L. - CAO](#)
Subject: Re: Signature Items for week of 4/27 1 of 2
Date: Friday, May 1, 2020 9:05:04 AM

RECEIVED

By Elyse Steele at 10:02 am, May 01, 2020

Good morning,

I approve for the use of my electronic signature on the documents attached to this email.

Please continue to be safe!

Lenora

Sent from my iPhone

On May 1, 2020, at 8:20 AM, D'Arcy, Beth H. - CAO <Beth.Darcy@richmondgov.com> wrote:

Good morning,

Attached are O&R Requests for introduction on 5/26/2020 that require the CAO's signature. Please let me know if you approve the use of your e-signature on these documents.

Thank you,

Beth D'Arcy, MPA

Chief Administrative Office

City of Richmond, Virginia

M: (804) 221-6198

O: (804) 646-2043

<2020-061 O&R - 1201 North 31st Street.pdf>

<2020-060 O&R - 110 North 35th Street.pdf>

<2020-059 O&R - Westover Hills Blvd.pdf>

<2020-065 O&R Request - Agreement and Deed Lease w_ Scripps Media (WTVR).pdf>

<2020-064 O&R - Request Dominion Energy Virginia Right of Way Agreement.pdf>

<2020-063 O&R - 420 N 26th Street.pdf>

<2020-062 O&R - 2109 E Marshall Street.pdf>