

INTRODUCED: January 12, 2026

AN ORDINANCE No. 2026-027

To authorize the special use of the properties known as 2708 Nine Mile Road, 2718 Nine Mile Road, and 2720 Nine Mile Road for the purpose of a mixed-use building, upon certain terms and conditions. (7<sup>th</sup> District)

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Patron – Mayor Avula (By Request)

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Approved as to form and legality  
by the City Attorney

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PUBLIC HEARING: FEB 9 2026 AT 6 P.M.

WHEREAS, the owner of the properties known as 2708 Nine Mile Road, 2718 Nine Mile Road, and 2720 Nine Mile Road, which are situated in a B-2 Community Business District, desires to use such properties for the purpose of a mixed-use building, which use, among other things, is not currently allowed by sections 30-436.3, concerning yards, and 30-436.5, concerning height, 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: \_\_\_\_\_ NOES: \_\_\_\_\_ ABSTAIN: \_\_\_\_\_

ADOPTED: \_\_\_\_\_ 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 properties known as 2708 Nine Mile Road, 2718 Nine Mile Road, and 2720 Nine Mile Road and identified as Tax Parcel Nos. E000-0864/037, E000-0864/032, and E000-0864/030, respectively, in the 2026 records of the City Assessor, being more particularly shown on a survey entitled “Boundary Survey, #2708, #2718, #2720 Nine Mile Road, City of Richmond, Virginia,” prepared by Shadrach & Associates LLC, and dated June 2, 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 a mixed-use building, hereinafter referred to as “the Special Use,” substantially as shown on the plans entitled “Sprout School – Nine Mile Road,” prepared by Poole & Poole Architecture, LLC, with the drawings entitled “Multifamily – Building Type 1 – Front Elevation,” “Multifamily – Building Type 1 – Left Elevation,” “Multifamily – Building Type 1 – Back Elevation,” and “Multifamily – Building Type 1 – Right Elevation” dated September 5, 2025, and the drawings entitled “First Floor Plan – Sprout School,” “Second Floor Plan – Residential (10 Units),” “Third Floor Plan – Residential (10 Units),” and “Fourth Floor Plan – Residential” dated October 31, 2025, and “Sprout School – Nine Mile Road,” prepared by Gradient, dated June 18, 2025, and last revised on August 28, 2025, hereinafter referred to, collectively, as “the Plans,” copies of which are attached to and made a part of this ordinance.

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

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

- (a) The Special Use of the Property shall be as a mixed-use building, substantially as shown on the Plans.
- (b) The height of the Special Use shall not exceed four stories, substantially as shown on the Plans.
- (c) All building materials, elevations, and site improvements, including landscaping, shall be substantially as shown on the Plans.
- (d) Signs on the Property shall be limited to signs permitted in the B-2 Community Business District, pursuant to section 30-514 of the Code of the City of Richmond (2020), as amended.
- (e) 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) The Owner shall make improvements within the right-of-way substantially as shown on the Plans, which improvements may be completed in one or more phases as approved by the Director of Public Works. All improvements and work within the public right-of-way shall be (i) completed in accordance with the requirements of the Director of Public Works, (ii) considered completed only upon written confirmation by the Director of Public Works or the designee thereof that such improvements and work are in accordance with such requirements, and (iii) transferred to the City, following the written confirmation by the Director of Public Works or the designee thereof, pursuant to a transfer of interest document approved as to form by the City Attorney and accepted by the Chief Administrative Officer or the designee thereof on behalf of the City. The Chief Administrative Officer or the designee thereof, for and on behalf of the City, is hereby authorized to accept, in the manner for which this subsection provides, all improvements and work required by and meeting the requirements of this subsection. The final certificate of occupancy shall not be issued for the Property until all requirements of this subsection are fully satisfied.

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

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

- (a) No permit implementing this special use permit shall be approved until satisfactory evidence has been presented to the Zoning Administrator that any delinquent real estate taxes applicable to the Property have been paid.
- (b) The Owner shall be bound by, shall observe and shall comply with all other laws, ordinances, rules and regulations applicable to the Property, except as otherwise expressly provided in this ordinance.
- (c) Words and phrases used in this ordinance shall be interpreted to have the meanings ascribed to them by section 30-1220 of the Code of the City of Richmond (2020), as amended, unless the context clearly indicates that a different meaning is intended.
- (d) Notwithstanding any other provision of law, this special use permit is being approved due, in part, to the mitigating effects of each and every condition attached hereto; consequently, if any portion of this ordinance is determined to be invalid for any reason by a final, non-appealable order of any Virginia or federal court of competent jurisdiction, the invalidity shall cause the entire ordinance to be void and of no further effect from the effective date of such order.
- (e) The privileges granted by this ordinance may be revoked pursuant to the provisions of sections 30-1050.7 through 30-1050.11 of the Code of the City of Richmond (2020), as amended, and all future amendments to such laws. Failure to comply with the terms and conditions of this ordinance shall constitute a violation of section 30-1080 of the Code of the City of Richmond (2020), as amended, and all future amendments to such law, or any other applicable laws or regulations.

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

§ 6. **Implementation.** The Commissioner of Buildings is authorized to issue a building permit substantially in accordance with the Plans for the Special Use subject to the terms and conditions set forth in this ordinance. An application for the building permit shall be made within 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.



# City of Richmond

## Intracity Correspondence

### O&R Transmittal

**DATE:** December 3, 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:** Odie Donald II, 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 properties known as 2708 Nine Mile Road, 2718 Nine Mile Road, and 2720 Nine Mile Road for the purpose of a mixed-use building, upon certain terms and conditions.

**ORD. OR RES. No.** \_\_\_\_\_

**PURPOSE:** The applicant is requesting a Special Use Permit to authorize a mixed-use building within a B-2 Community Business zoning district. While mixed-use buildings are permitted uses, the proposed does not meet the requirements for front yard depth, within section 30-436.3, and building height, within section 30-436.5 of the Code of the City of Richmond. A Special Use Permit is therefore required.

**BACKGROUND:** The properties are located at 2708, 2718, and 2720 Nine Mile Road, in the Woodville neighborhood. The properties are a combined currently a 39,170 sq. ft., (.9 acre), vacant, parcels of land. The City's Richmond 300 Master Plan designates a future land use for the subject property as Community Mixed Use, which is defined as cluster "...of medium-density, walkable commercial and residential uses that provide neighborhood services to nearby residential communities and sometimes feature regional attractions."

Intensity: Buildings generally ranging from two to six stories, based on street widths and depending on the historic context and stepping down in height adjacent to residential areas, as necessary. New buildings that are taller than historical buildings should step back from the build-to line after matching the height of the predominant cornice line of the block. Primary Uses: Retail/office/personal service, multi-family residential, cultural, and open space. Secondary Uses: Single-family houses, institutional, and government.

The current zoning for this property is B-2 (Community Business) zoning district. Properties along Nine Mile Road are located within the same B-2 zones, while properties to the northwest and southeast are equally distributed between zones R-5 Single-Family and R-6 Single-Family Attached. The corridor is primarily mixed-uses.

**COMMUNITY ENGAGEMENT:** The 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:** \$3,600 application fee.

**DESIRED EFFECTIVE DATE:** Upon adoption

**REQUESTED INTRODUCTION DATE:** January 12, 2026

**CITY COUNCIL PUBLIC HEARING DATE:** February 9, 2026

**REQUESTED AGENDA:** Consent

**RECOMMENDED COUNCIL COMMITTEE:** Planning Commission, February 3, 2026

**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, Map

**STAFF:** Jonathan Brown, Senior Planner, Land Use Administration (Room 511) 646-5734



**CITY OF RICHMOND, VA**  
**Department of Planning and Development Review**  
**Land Use Administration Division**  
900 East Broad Street, City Hall - Room 511, Richmond, Virginia 23219

**AUTHORIZATION FROM PROPERTY OWNER**

**TO BE COMPLETED BY THE APPLICANT**  
Applicant must complete ALL items

HOME/SITE ADDRESS: 208 E Grace St APARTMENT NO/SUITE \_\_\_\_\_

APPLICANT'S NAME: Lory Markham EMAIL ADDRESS: \_\_\_\_\_

BUSINESS NAME (IF APPLICABLE): Markham Planning

SUBJECT PROPERTY OR PROPERTIES: 2708-20 Nine Mile Road

**APPLICATION REQUESTED**

- Plan of Development (New or Amendment)
- Wireless Plan of Development (New or Amendment)
- Special Use Permit (New or Amendment)
- Rezoning or Conditional Rezoning
- Certificate of Appropriateness (Conceptual, Administrative Approval, Final)
- Community Unit Plan (Final, Preliminary, and/or Amendment)
- Subdivision (Preliminary or Final Plat Correction or Extension)

**TO BE COMPLETED BY THE AUTHORIZED OWNER**  
Owner must complete ALL items

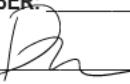
Signing this affidavit acknowledges that you, as the owner or lessee of the property, authorize the above applicant to submit the above selected application/s on your behalf.

PROPERTY OWNER: Eleven Eleven 25th LLC

PROPERTY OWNER ADDRESS: PO Box 7959, Richmond VA 23223

PROPERTY OWNER EMAIL ADDRESS: \_\_\_\_\_

PROPERTY OWNER PHONE NUMBER: 804-356-2052

Property Owner 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.



July 9, 2025

Mr. Kevin Vonck, Acting Director  
Department of Planning & Development Review  
900 East Broad Street, Suite 511  
Richmond, VA 23219  
[kevin.vonck@richmondgov.com](mailto:kevin.vonck@richmondgov.com)

RE: Applicant's Report for Special Use permit at 2708-20 Nine Mile Road

Dear Mr. Vonck

Please accept this letter as the Applicant's Report for the request for a Special Use Permit (SUP) at 2708-20 Nine Mile Road:

Address	Tax Parcel ID	Acreage	Existing Zoning	Ownership
2708 Nine Mile Rd	E0000864037	0.16	B-2	RRHA
2718 Nine Mile Rd	E0000864032	0.41	B-2	RRHA
2720 Nine Mile Rd	E0000864030	0.32	B-2	RRHA

With this application, the property owner is petitioning the City Council for a SUP to waive the height and setback requirements of the B-2 Community Business District.

#### *Property*

The subject properties are three parcels located in the City's Woodville Neighborhood on Nine Mile Road between N 27<sup>th</sup> and N 28<sup>th</sup> Streets. The parcels are zoned B-2 Community Business and combine for approximately 0.90 acres in land area. The properties are currently improved with a 2,850 square feet, one-story multifamily building.

Surrounding properties to the east and west along Nine Mile Road are properties located in the B-2 district. The Richmond Community Hospital is located to the south across Nine Mile Road. Properties to the north are predominantly single-family residences located in an R-5 Single-Family Residential District.

#### *Zoning Regulations & Proposal*

The subject properties are located in the B-2 Community Business District which permits a variety of commercial and dwelling uses. The property owner is proposing to construct a 12,178 square feet building for mixed use. The proposed building will be four stories. The first level will be used as the

location for the Sprout School day nursery. The upper levels will be 30 multifamily dwellings featuring one, two, and three-bedroom units. A parking area with 34 spaces will be provided for the uses of the building.

The property owner is requesting a Special Use Permit to authorize the height of the building and setbacks as proposed. Under normal requirements, building height is limited to 35 feet. A building height of approximately 51 feet is proposed. In addition, the B-2 requires a minimum front yard setback of 25 feet and side yard setback of 10 feet when the side lot line abuts an R district property. A front yard setback of 7 feet and a side yard setback of 9.75 feet are proposed.

#### ***Richmond 300 Master Plan***

The property is designated for future land use as Community Mixed Use by Richmond 300. These areas are clusters of medium-density, walkable commercial and residential uses that provide neighborhood services to nearby residential communities and sometimes feature regional attractions.

In Community Mixed Use areas, primary uses are Retail/office/personal service, multi-family residential, cultural, and open space. Ground floor uses engage with, and enliven, the street. Monolithic walls are discouraged, while windows, doors, storefronts, and other features that allow transparency and interaction between building and street are encouraged.

#### ***City Charter Conditions***

We trust that you will agree with us that the potential development of the site under the proposal would support the efforts to develop the properties in a manner consistent with the Master Plan; and that the Special Use Permit meets the City Charter considerations to be observed in the alteration of zoning regulations.

Thank you for your consideration of this application. Please feel free to contact me at [REDACTED] or (804) 248-2561 if you have any questions or require additional materials to process the application.

Very Truly Yours,



Lory Markham

Enclosures

cc: The Honorable Cynthia I. Newbille, 7<sup>th</sup> District Council Representative  
Alyson E. Oliver, Secretary to the City Planning Commission



## Sprout School - Nine Mile Road

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June 09, 2025

Legal References:

RICHMOND REDEVELOPMENT AND HOUSING AUTHORITY

#2708:

Instrument No. 2021-16919  
Parcel ID: E000-0864/037  
(Lots 2,3 - Block 3)

#2718:

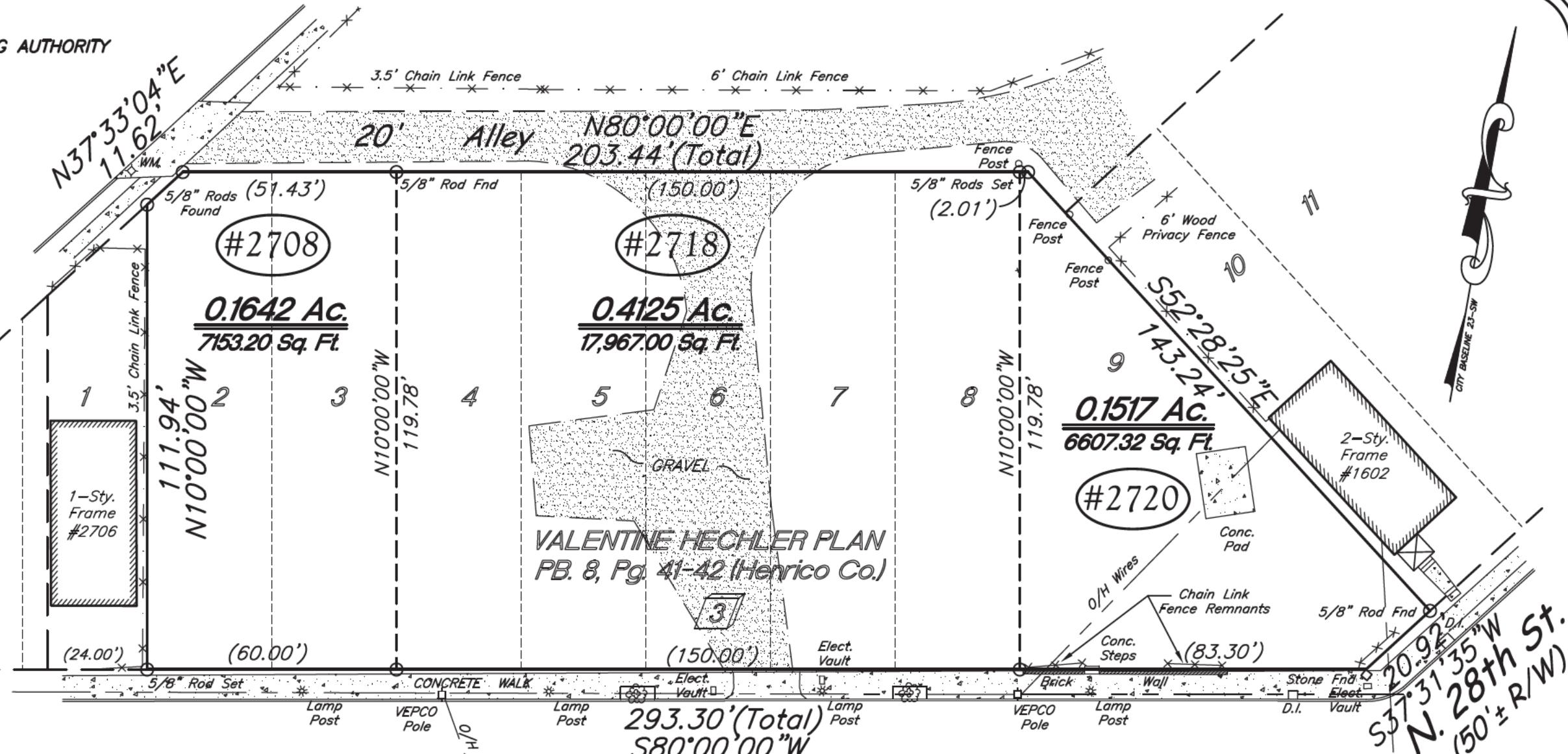
Instrument No. 2010-12496  
Parcel ID: E000-0864/032  
(Lots 4,5,6,7,8 - Block 3)

#2720:

Instrument No. 2020-24245  
Parcel ID: E000-0864/030  
(Lot 9 - Block 3)

N. 27th St.  
(50' ± R/W)

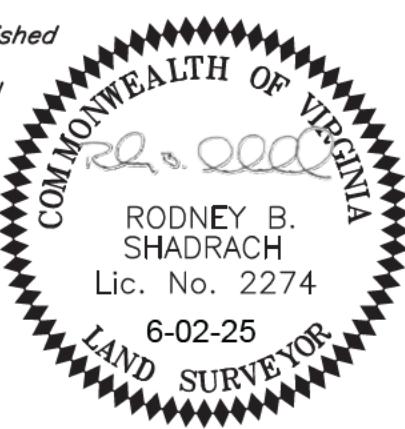
1  
1-Sty. Frame #2706  
3.5' Chain Link Fence  
11.62' N37°33'04"E  
(98.38') Stone Fnd  
O/H Wires  
5/8" Rod Set  
(24.00')  
(60.00')  
CONCRETE WALK  
Lamp Post  
VEPCO Pole  
O/H Wires  
20' Alley N80°00'00"E  
203.44' (Total)  
5/8" Rod Fnd (51.43')  
11.94' N10°00'00"W  
119.78' M  
150.00' (150.00')  
Elect. Vault  
293.30' (Total)  
S80°00'00"W



Notes:

1. The subject property is not located within the limits of the 100 Year Flood Plain Boundary as defined by The Federal Insurance Administration Map #510129-0042-D effective date: April 2, 2009 (Zone X).
2. This survey plat represents a current and accurate field transit survey of the premises shown hereon. Date of last physical survey: May 28, 2025.
3. This survey was made without the benefit of a Title Report and therefore there may be encumbrances which are not reflected hereon.

I hereby certify that this boundary survey, to the best of my professional knowledge and belief, is correct and complies with the minimum procedures and standards established by the Virginia State Board of Architects, Professional Engineers, Land Surveyors and Certified Landscape Architects.



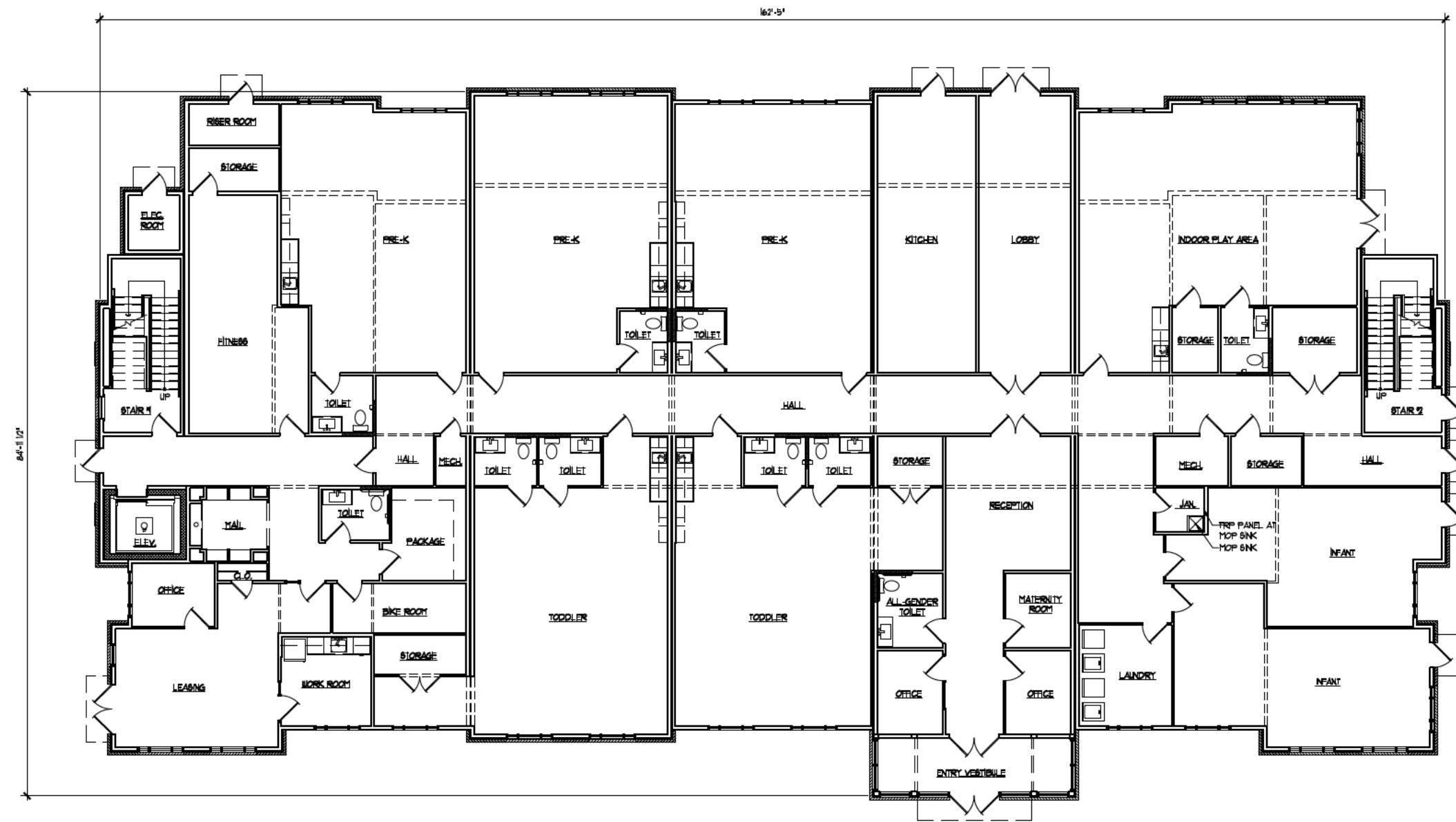
Boundary Survey  
#2708, #2718, #2720 Nine Mile Road  
City of Richmond, Virginia  
Date: June 2, 2025

30 0 30 60 90  
Scale: 1" = 30'

Shadrach & Associates LLC

LAND SURVEYING  
430 Southlake Blvd., Suite 10-B • Richmond, Virginia 23236  
Phone: (804)379-9300 • rod@shadrachsurveys.com

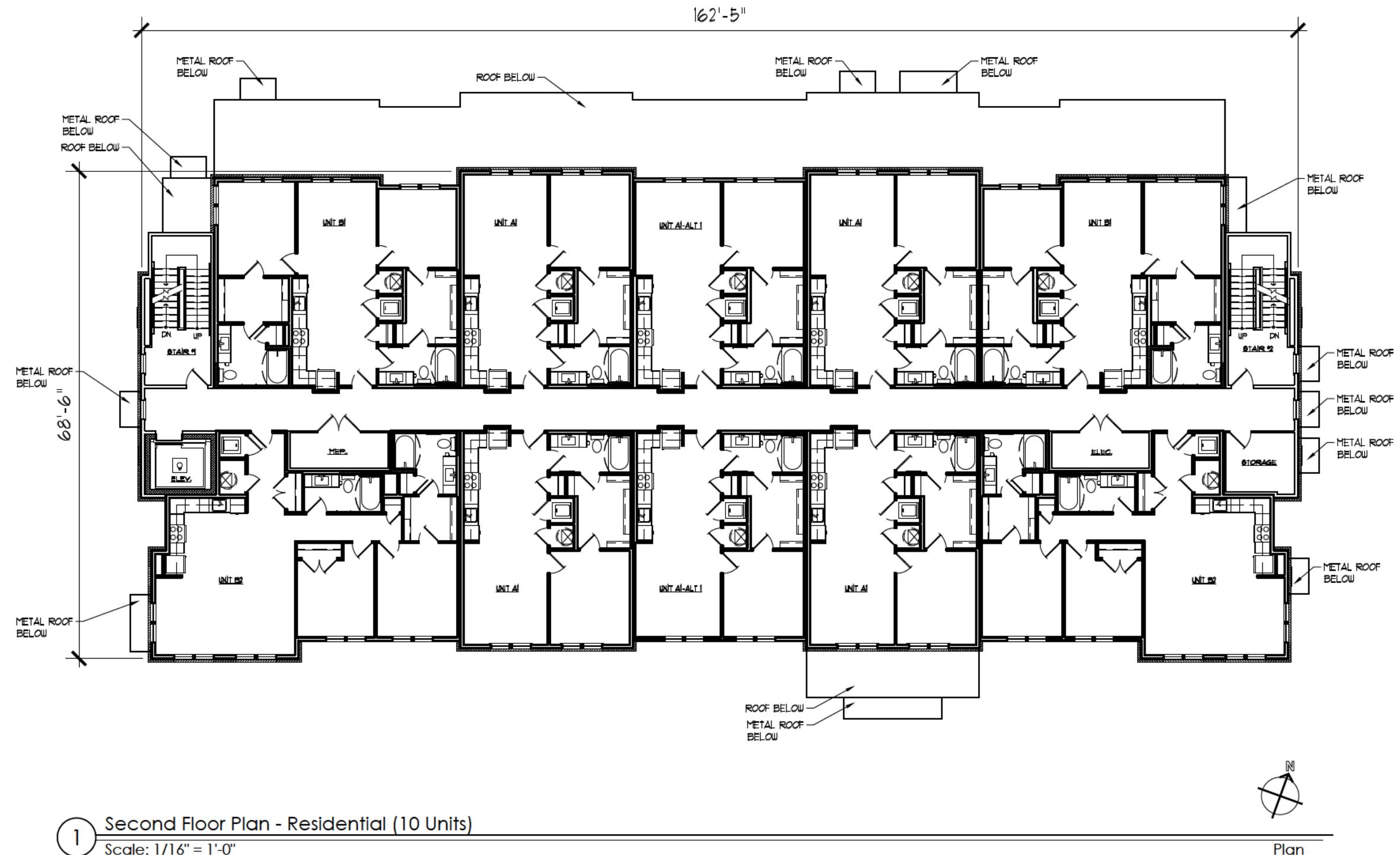


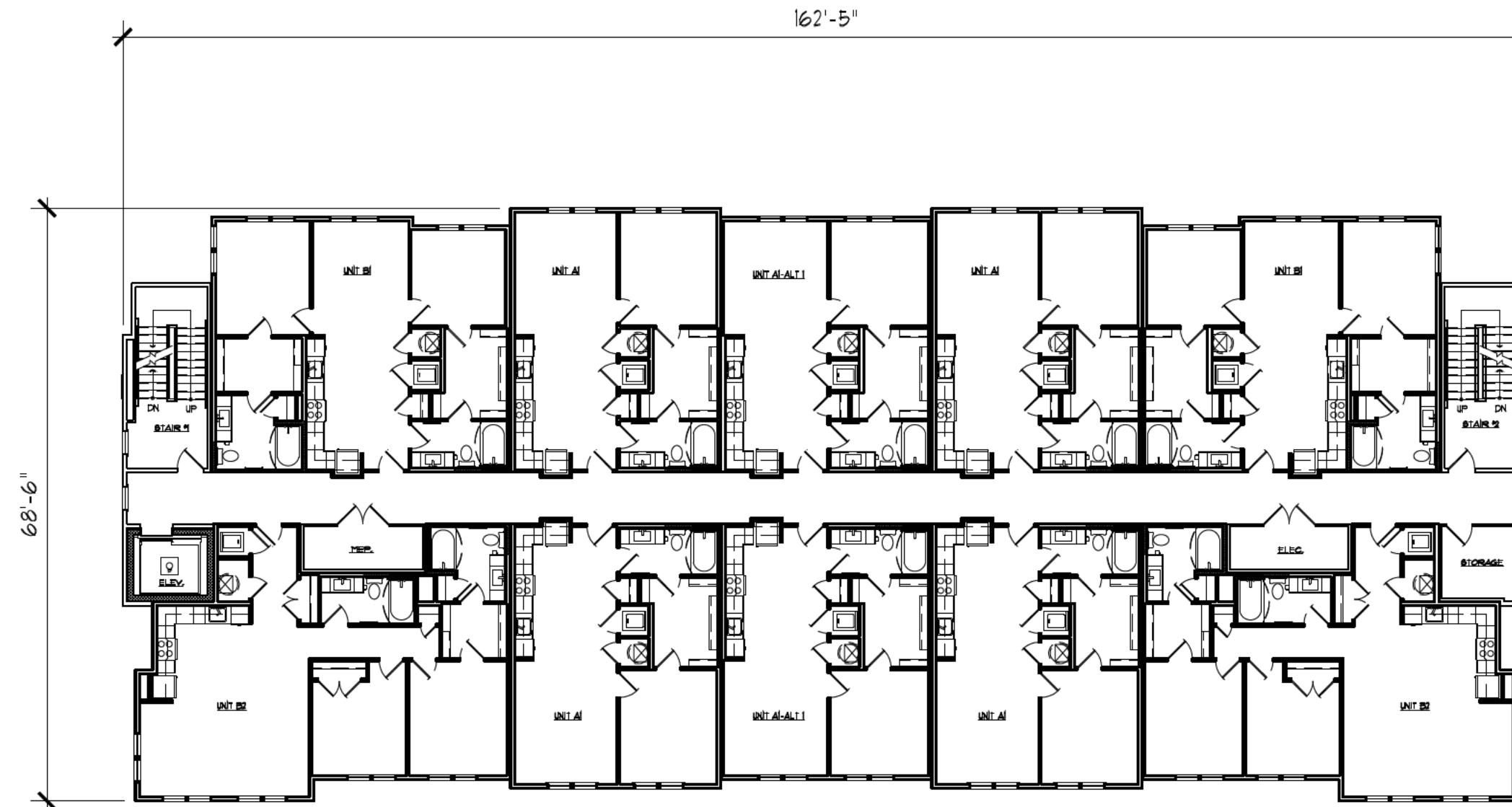


1 First Floor Plan - Sprout School

Scale: 1/16" = 1'-0"

Plan





1 Third Floor Plan - Residential (10 Units)  
Scale: 1/16" = 1'-0"

Scale: 1/16" = 1'-0"

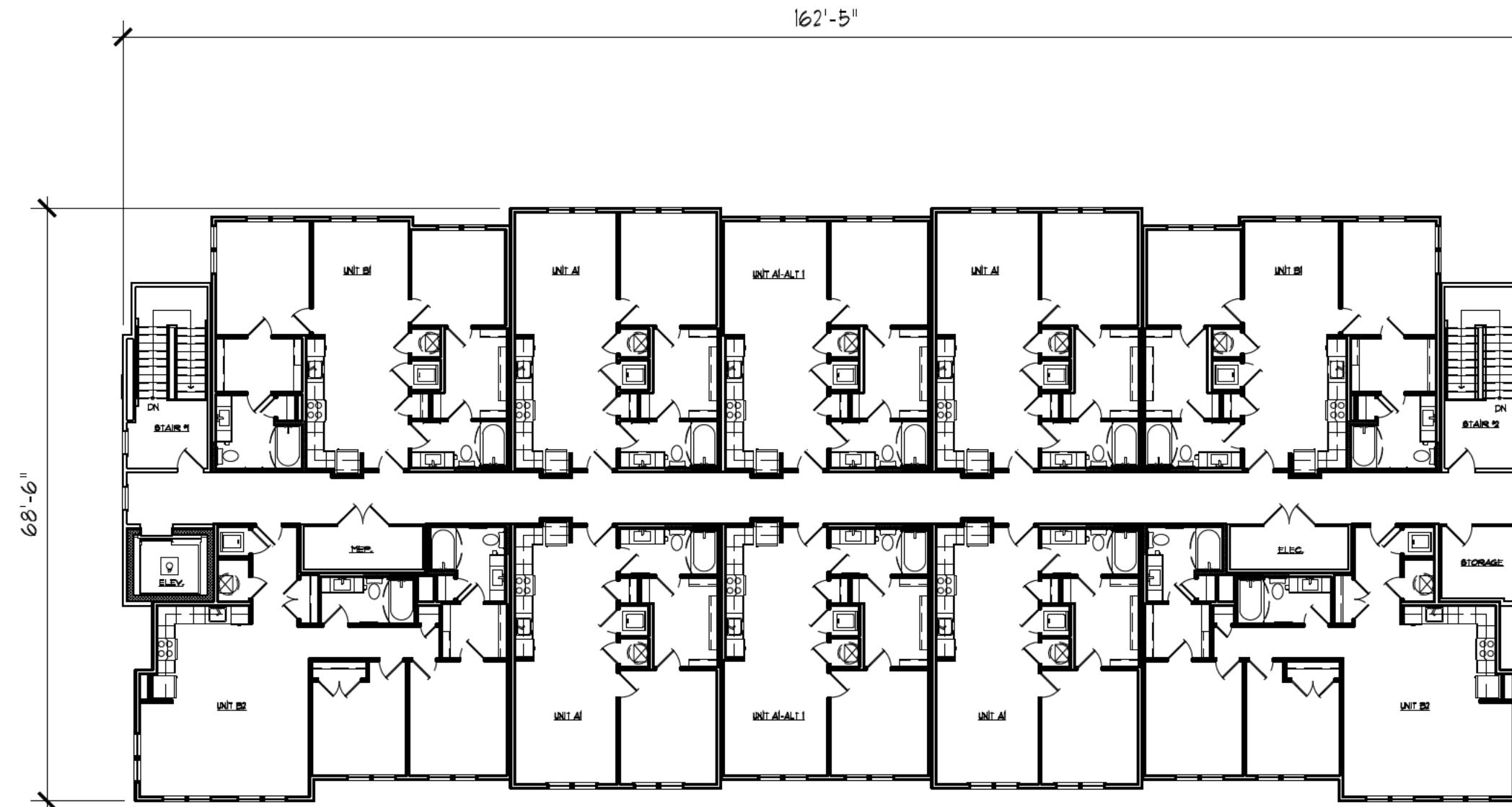
## Plan

Sprout School - Nine Mile Road

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October 31, 2025





1 Fourth Floor Plan - Residential

Scale: 1/16" = 1'-0"



Plan

## Church Hill



4 Multifamily - Building Type 1 - Right Elevation  
Scale: 3/32" = 1'-0"

3 Multifamily - Building Type 1 - Back Elevation  
Scale: 3/32" = 1'-0"



2 Multifamily - Building Type 1 - Left Elevation  
Scale: 3/32" = 1'-0"

1 Multifamily - Building Type 1 - Front Elevation  
Scale: 3/32" = 1'-0"