INTRODUCED:

AN ORDINANCE No. 2025-091

To authorize the special use of the property known as 814 North 32nd Street for the purpose of up to three single-family attached dwellings, upon certain terms and conditions.

Patron – Mayor Avula (By Request)

Approved as to form and legality by the City Attorney

PUBLIC HEARING: MAY 27 2025 AT 6 P.M.

WHEREAS, the owner of the property known as 814 North 32nd Street, which is situated in a R-6 Single-Family Attached Residential District, desires to use such property for the purpose of up to three single-family attached dwellings, which use, among other things, is not currently allowed by sections 30-412.4, concerning lot area and width, density, and unit width, and 30-412.5, concerning yards, 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 property known as 814 North 32nd Street and identified as Tax Parcel No. E000-0725/007 in the 2025 records of the City Assessor, being more particularly shown on a survey entitled "Sketch Showing the Division of Lot 3, Block 'A', Section '5', 'East Payne Square,' in the City of Richmond, VA.," prepared by Virginia Surveys, and dated July 5, 2024, a copy of which is attached to and made a part of this ordinance, hereinafter referred to as "the Property," is hereby permitted to be used for the purpose of up to three single-family attached dwellings, hereinafter referred to as "the Special Use," substantially as shown on the plans entitled "Sketch Showing the Division of Lot 3, Block 'A', Section '5', 'East Payne Square,' in the City of Richmond, VA.," prepared by Virginia Surveys, and dated July 5, 2024, and "814 N 32nd ST.," prepared by River Mill Development, and dated October 2, 2024, hereinafter referred to, collectively, as "the Plans," copies of which are attached to and made a part of this ordinance.

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

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

(a) The Special Use of the Property shall be as up to three single-family attached dwellings, substantially as shown on the Plans.

(b) No fewer than three off-street parking spaces shall be provided for the Special Use, substantially as shown on the Plans.

(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 a building permit for the Special Use, the establishment of up to three 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.

(c) The Owner shall make improvements within the right-of-way, including the installation of two street trees along North 32nd Street, 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, (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, 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.

DATE:	March 13, 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 814 North 32 nd Street for the
	purpose of up to three single-family attached dwellings, upon certain terms and
	conditions.

ORD. OR RES. No.

PURPOSE: The applicant is requesting a Special Use Permit to authorize the construction of three single-family attached dwellings. Requirements regarding unit width and side yards setbacks cannot be met. A Special Use Permit is therefore required.

BACKGROUND: The property is located in the Church Hill North Neighborhood on North 32nd Street between O Street and N Street. The property is currently a 7,147 square foot (0.164 acres) parcel of land improved with a 2-story single-family dwelling. The City's Richmond 300 Master Plan designates a future land use for the subject property as 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" (Richmond 300, p. 56).

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-6 - Residential (Single Family Attached). The area is generally residential some nearby institutional uses.

The proposed density is three units upon 0.164 acres or 18 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; Ordinance to be considered by the Planning Commission on May 20, 2025

FISCAL IMPACT: \$300 Application Fee

DESIRED EFFECTIVE DATE: Upon adoption

REQUESTED INTRODUCTION DATE: April 28, 2025

CITY COUNCIL PUBLIC HEARING DATE: May 27, 2025

REQUESTED AGENDA: Consent

RECOMMENDED COUNCIL COMMITTEE: Planning Commission, May 20, 2025

AFFECTED AGENCIES: Office of Chief Administrative Officer; Law Department (for review

of draft ordinance)

RELATIONSHIP TO EXISTING ORD. OR RES.: None

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

STAFF: Alyson Oliver, Planner, Land Use Administration (Room 511) 646-3709





Department of Planning and Development Review Land Use Administration Division 900 E. Broad Street, Room 511 Richmond, Virginia 23219 (804) 646-6304 <u>http://www.richmondgov.com/</u>

Application is hereby submitted for: (check one)

- \Box special use permit, new
- special use permit, plan amendment
- □ special use permit, text only amendment

Project Name/Location

Property Address:		_Date:_
Parcel I.D. #:	Fee:	
Total area of affected site in acres:		

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

Zoning

Current Zoning:

Richmond 300 Land Use Designation:

Proposed Use

(Please include a detailed description of the proposed use in the required applicant's report)
Lot division and construction of three new single-family attached dwellings
Existing Use:

Is this property subject to any previous land use cases?



If **Yes**, please list the Ordinance Number:

Applicant/Contact Person: _____

No

Company:	
Mailing Address:	
City:	State: Zip Code:
Telephone: _()	Fax: _()
Email:	

Property Owner:

lf	Business	Entity.	name	and	title	of	authorized	sianee

(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:		
City:	_ State:	Zip Code:
Telephone: _()	_ Fax: _()
Email:		

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. **Faxed or photocopied signatures will not be accepted.**

NOTE: Please attach the required plans, checklist, and a check for the application fee (see Filing Procedures for special use permits)

APPLICANT'S REPORT

July 11th, 2024

Special Use Permit Request 814 N 32nd Street, Richmond, Virginia Map Reference Number: E000-0725/007

Submitted to:	City of Richmond
	Department of Planning and Development Review
	Land Use Administration
	900 East Broad Street, Suite 511
	Richmond, Virginia 23219
Submitted by:	Baker Development Resources
	530 East Main Street, Suite 730
	Richmond, Virginia 23219

Introduction

The property owner is requesting a special use permit (the "SUP") for 814 N 32nd Street (the "Property"). The SUP would authorize the construction of three single-family attached dwellings on the Property. While the single-family attached use is permitted by the underlying R-6 Single Family Residential zoning district, some of the underlying feature requirements cannot be met, and therefore, the SUP is required.

Existing Conditions

SITE DESCRIPTION AND EXISTING LAND USE

The Property is located on the western line of N 32nd Street between N and O Streets and is referenced by the City Assessor as tax parcel E000-0725/007, is approximately 56 feet wide by 126 feet deep and contains approximately 7,147 square feet of lot area. The Property is currently improved with a split level single-family dwelling constructed in 1985. Access is provided by means of a north-south alley located to the rear of the Property.



The properties in the area contain a range of dwellings and uses. Immediately to the north is a parking lot for the 31st Street Baptist Church which is located to the rear. To the south lie single-family attached and detached dwellings while further south, at the corner of N and 32nd Street lie four three-story dwellings approved by SUP 2018. Nearby properties contain residential, institutional, public open-space, and commercial uses.

EXISTING ZONING

The Property and those in the immediate area are zoned R-6 Single-Family Attached Residential. To the northeast lies a R-48 Multifamily Residential District while further south, past M Street, lies an R-63 Multifamily Urban Residential District.

TRANSPORTATION

Located 400 feet from the Property, less than a two-minute walk, is the 31st and O Street bus stop which serves the 12 bus line which runs every 30 minutes and connects with the Pulse BRT providing connectivity throughout the City. The Property is also located .2 miles from the 4 bus lines which is considered a high-frequency line running every 15 minutes.

MASTER PLAN DESIGNATION

The Richmond 300 Master Plan (the "Master Plan") suggests "Neighborhood Mixed-Use" for the Property. This land use category is described as "existing or new highly-walkable urban neighborhoods that are predominantly residential." The Master Plan suggests this future land use designation allow for a variety of housing types that are consistent with the scale, density, and design of what exists in the vicinity. Single-family dwellings are a primary use in the Neighborhood Mixed-Use designations which also encourages that developments reinforce a gridded street pattern to increase connectivity. Single-family dwellings are the contemplated primary use in the Residential future land use designation (p. 54).

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:

- <u>Page 109</u> (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).
- <u>Page 136</u> (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).
- <u>Page 159</u> (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).
- <u>Page 86</u> (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"

• <u>Page 100</u> (High Quality Places Chapter), Objective 4.1, to "create and preserve highquality, distinctive, and well-designed neighborhoods and nodes throughout the City," as the request introduces thoughtfully designed new construction in a manner not otherwise assured by-right.

Proposal

PROJECT SUMMARY

The proposed development includes the construction of three single-family attached dwellings.

PURPOSE OF REQUEST

The subject Property is a single legal lot of record and has a width of roughly 57 feet along N 32nd Street and contains approximately 7,147 square feet of lot area. According to the 1924 Sanborn Map the block was historically developed with a denser configuration of dwellings. The applicant would like to subdivide the Property into a total of three lots and construct three single-family attached dwellings, similar to the original lot pattern of the area.



The underlying R-6 district permits the single-family attached dwelling use. The three proposed lots would have lot widths ranging from 18.47' to 19.67' and lot areas ranging from approximately

2,347 to 2,483 square feet. Although the proposed lot areas would meet the underlying R-6 zoning regulations, the unit width for the exterior dwellings and side yard setback for units in a series (10') would not be met. Therefore, a SUP is required in order to permit the development.

The proposed lot areas are compatible with other lots in the vicinity and allow for the efficient use of the Property. This request would allow for the redevelopment of the Property in keeping with the original lot pattern and the character of the area.

In exchange for the SUP, this request will better ensure a high-quality market rate infill development. The overall project would be appropriately dense and efficient. It would be consistent with the use permitted by-right by the underlying zoning. At the same time, it would remain respectful to the historical lot pattern in the vicinity thereby remaining consistent with the predominant character of the area. Finally, the quality assurances conditioned through the SUP would guarantee a higher quality development than might otherwise be developed by right.

PROJECT DETAILS

When complete, each of the dwellings would be two stories in height and have been designed as a modern version of the traditional townhome form found in the city. The outer units would include approximately 1,716 square feet of finished floor area and consist of three bedrooms and two and a half bathrooms. The proposed floor plans are modern and efficient, designed to meet the needs of families in today's market. The first floor includes an open dining room, living room, and kitchen area. Additionally, the second floor includes a primary bedroom with ensuite bathroom along with two additional bedrooms which share a bathroom. The inner unit would include approximately 1,994 square feet of finished floor area and consist of three bedrooms and two and a half bathrooms. The proposed floorplans are modern and efficient and designed to add another option to prospective homebuyers. 6' deep full-width front porches would engage the street and provide usable outdoor living space for each unit.

All new dwellings would be clad in quality building materials including cementitious lap siding in order to ensure durability. The proposed dwelling's massing and architectural style is designed to be compatible with nearby dwellings and is consistent with the historical homes found in the neighborhood. One off-street parking space is provided for each unit.

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 special use permit for high-quality conversion of the existing dwelling will not impact the safety, health, morals and general welfare of the nearby neighborhoods.

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

The proposed special use permit will not result in significant traffic impacts to nearby residential neighborhoods. The negligible traffic generation related to the proposed dwellings and the proposed off-street parking will result in no 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 special use permit is consistent with the historical lot pattern and density in the vicinity and will not tend to over crowd the land or create an undue concentration of population.

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

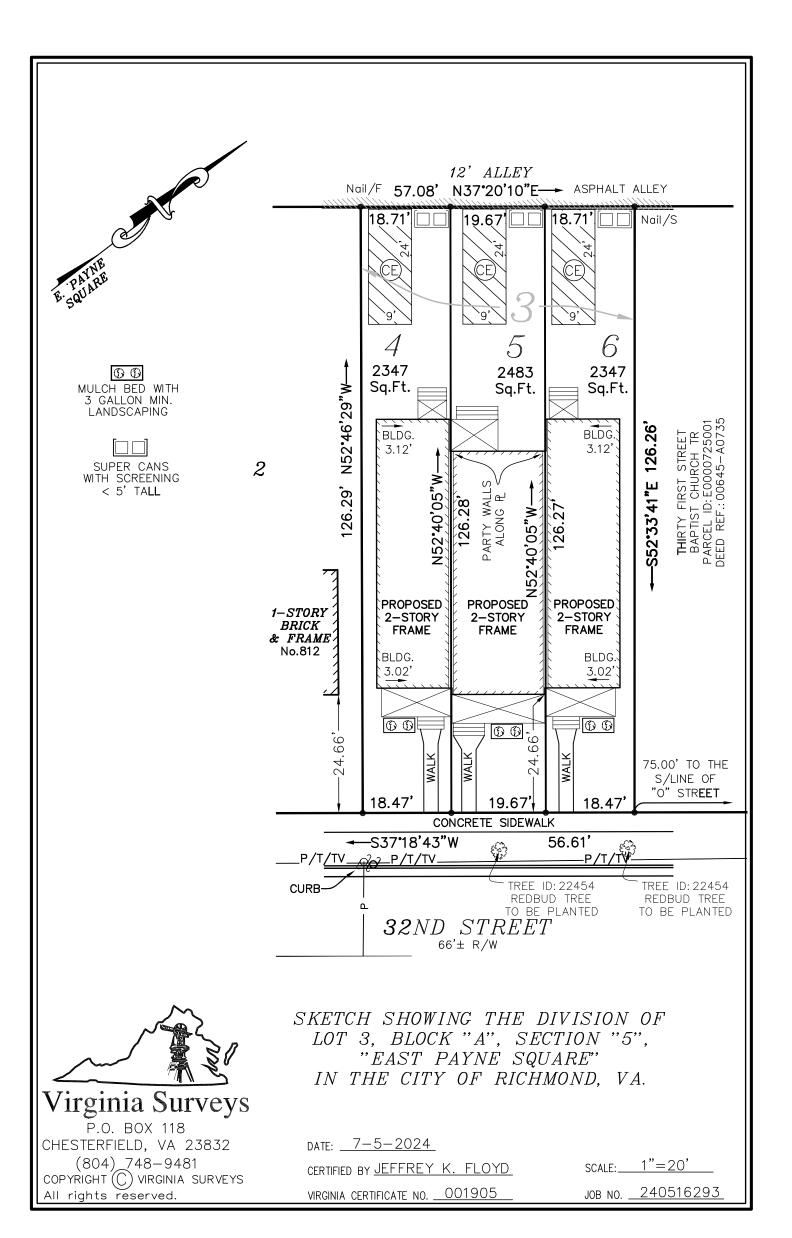
The special use permit would not adversely affect the above referenced City services. To the contrary, the proposal would provide positive fiscal (tax) benefits that would enhance the City's ability to provide these services to the proposed development.

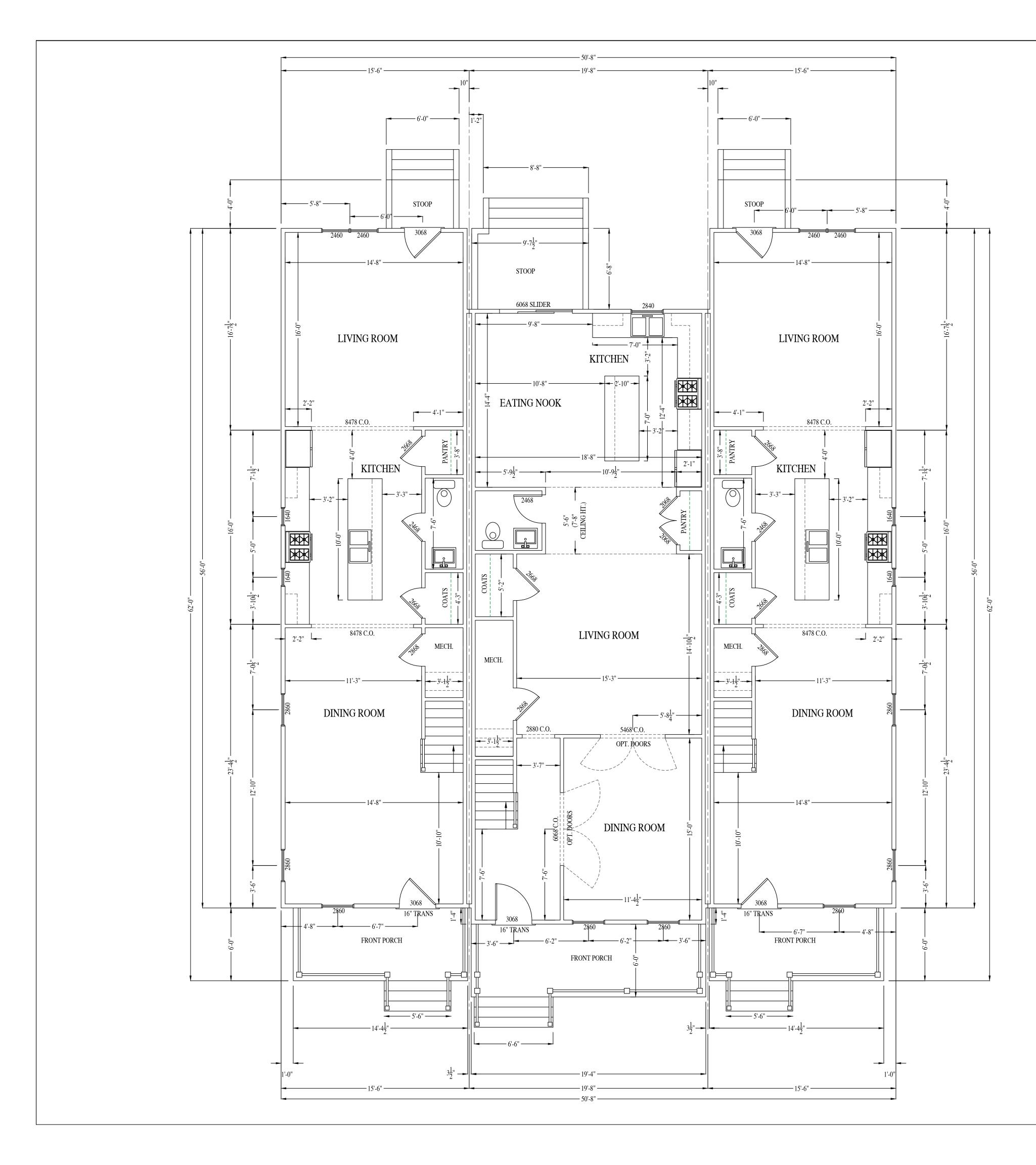
• Interfere with adequate light and air.

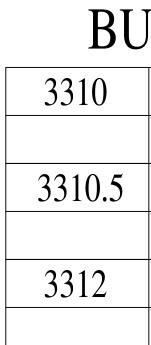
The light and air available to the subject and adjacent properties will not be affected. The proposed buildings are of compatible massing and spacing to the existing dwellings in the vicinity, which are in many cases attached. The proposed development will not interfere with the provision of adequate light and air to the adjacent buildings.

Summary

In summary we are enthusiastically seeking approval for the construction of the proposed singlefamily attached dwellings. The buildings have been thoughtfully designed in order to provide appropriate, high quality market rate infill development. The request offers compatibility with the City's Master Plan in terms of use. The request would contribute to the ongoing revitalization of the neighborhood, upgrading the Property while maintaining a desirable variation in housing style and density in the vicinity and providing for continued economic diversity in housing options within the neighborhood. The proposed development would provide for respectful development that is consistent with the objectives of the Master Plan. It would respectfully encourage a pedestrian friendly traditional urban streetscape in the block. The proposed design is historically appropriate and would contribute to the vibrancy of the block with street-oriented front porches. The appropriate urban form would give the property the much-desired traditional neighborhood design which is appropriate to this area of the City. Finally, the quality assurances conditioned through the SUP would guarantee a higher quality development than might otherwise be developed by right.

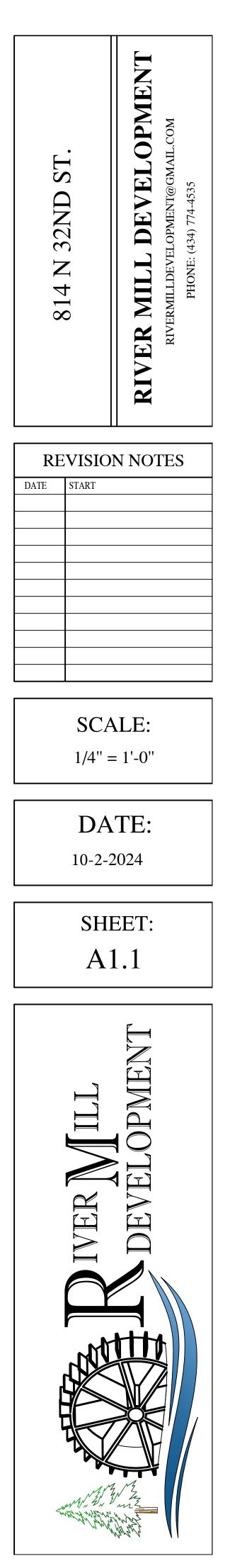




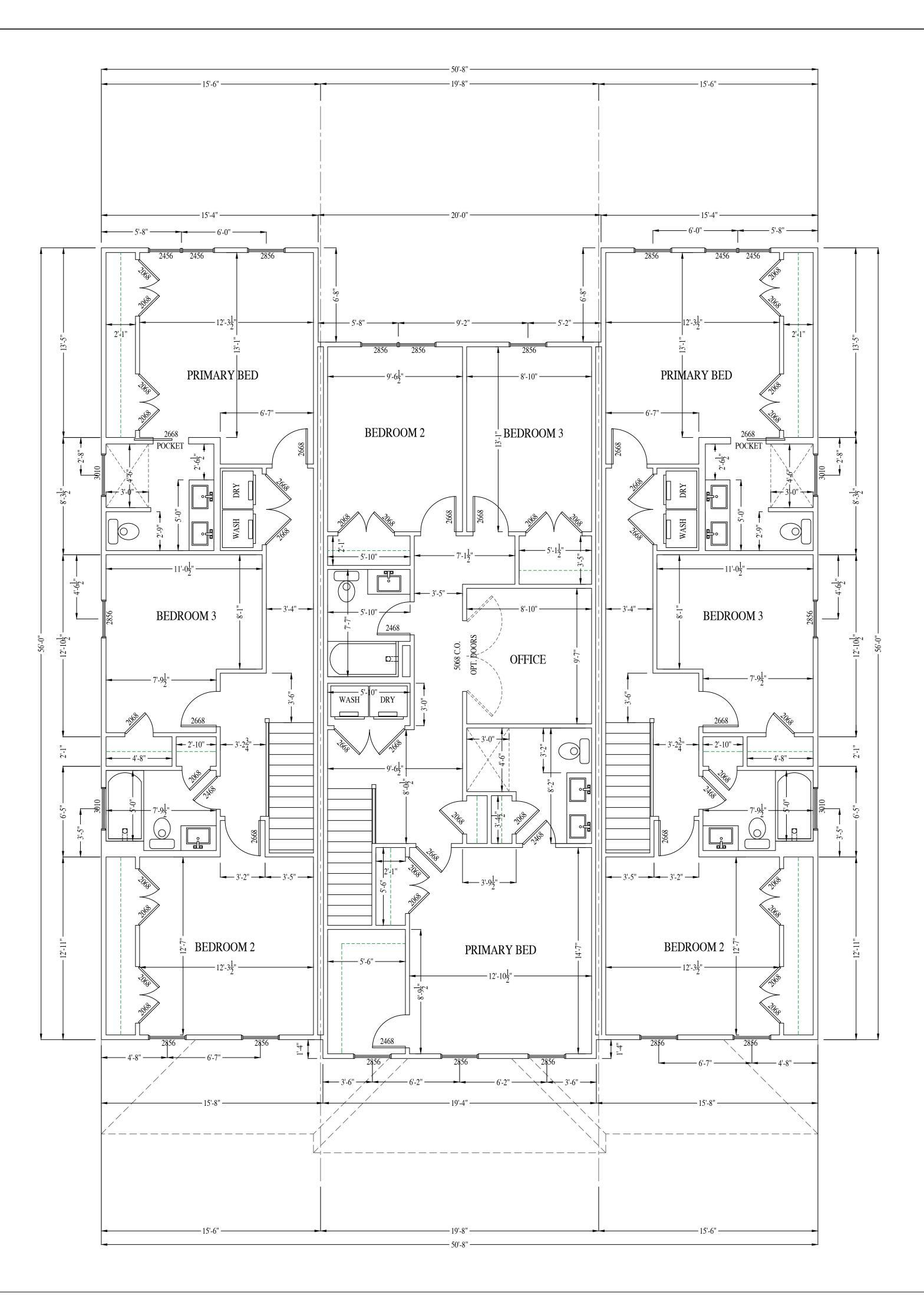


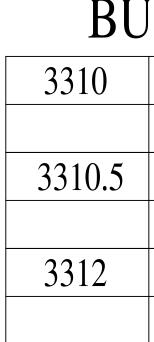
BUILDING INFORMATION

1ST FL. HEATED S.F.	858
2ND FL. HEATED S.F.	858
1ST FL. HEATED S.F.	997
2ND FL. HEATED S.F.	997
1ST FL. HEATED S.F.	858
2ND FL. HEATED S.F.	858



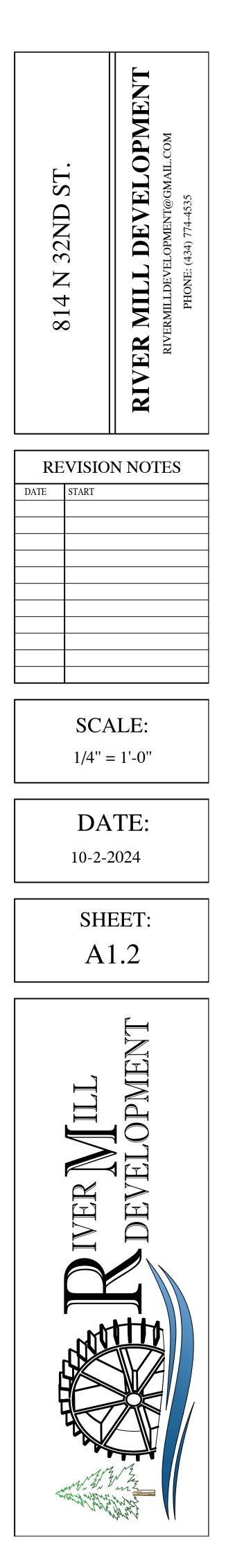
FIRST FLOOR PLAN



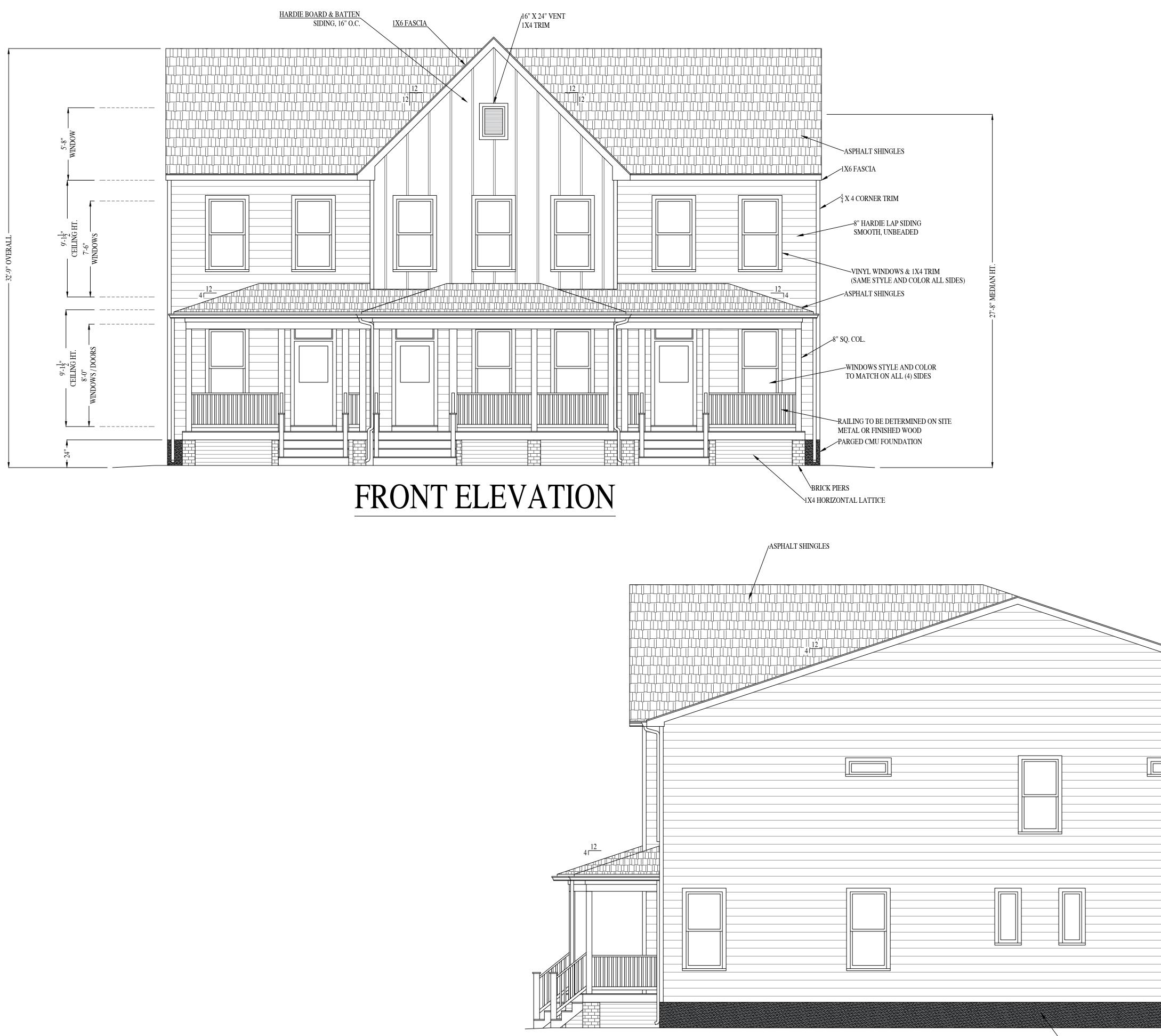


BUILDING INFORMATION

1ST FL. HEATED S.F.	858
2ND FL. HEATED S.F.	858
1ST FL. HEATED S.F.	997
2ND FL. HEATED S.F.	997
1ST FL. HEATED S.F.	858
2ND FL. HEATED S.F.	858

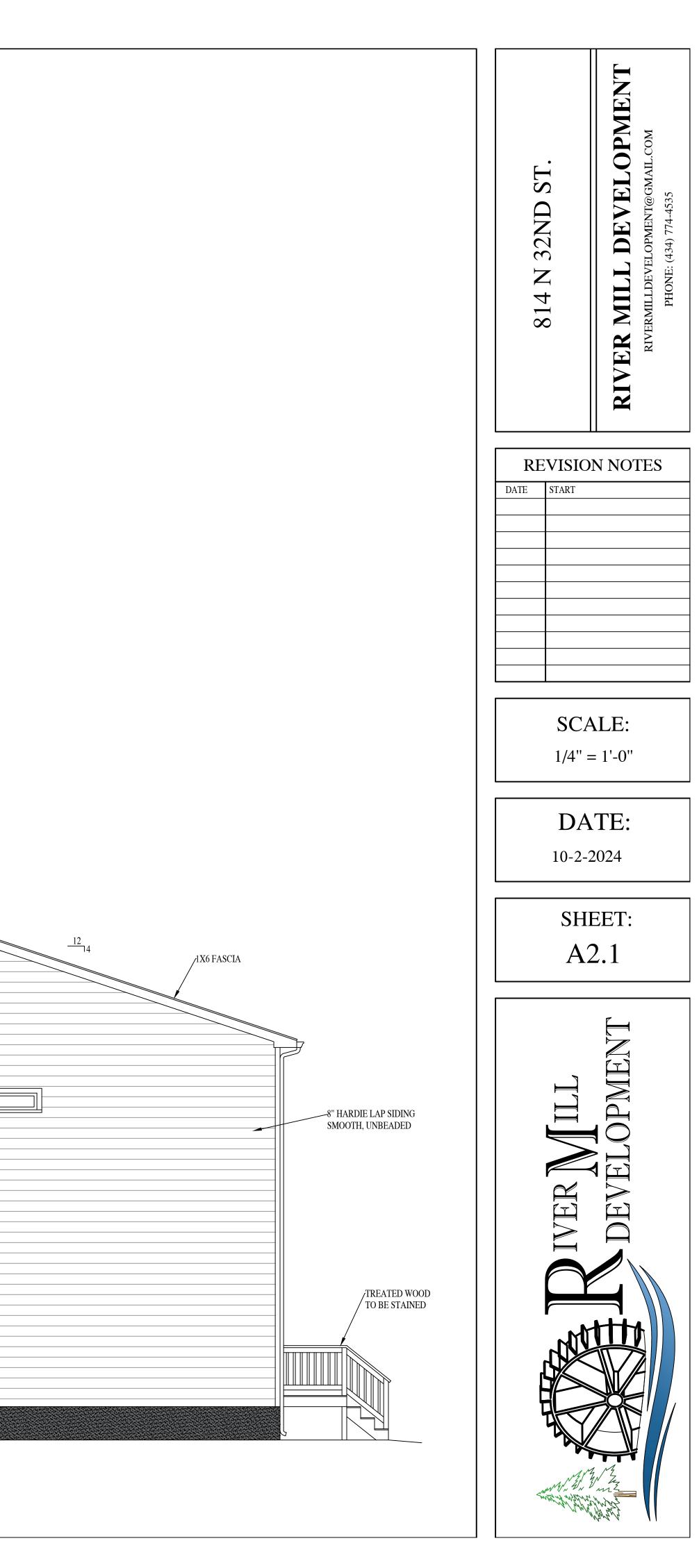


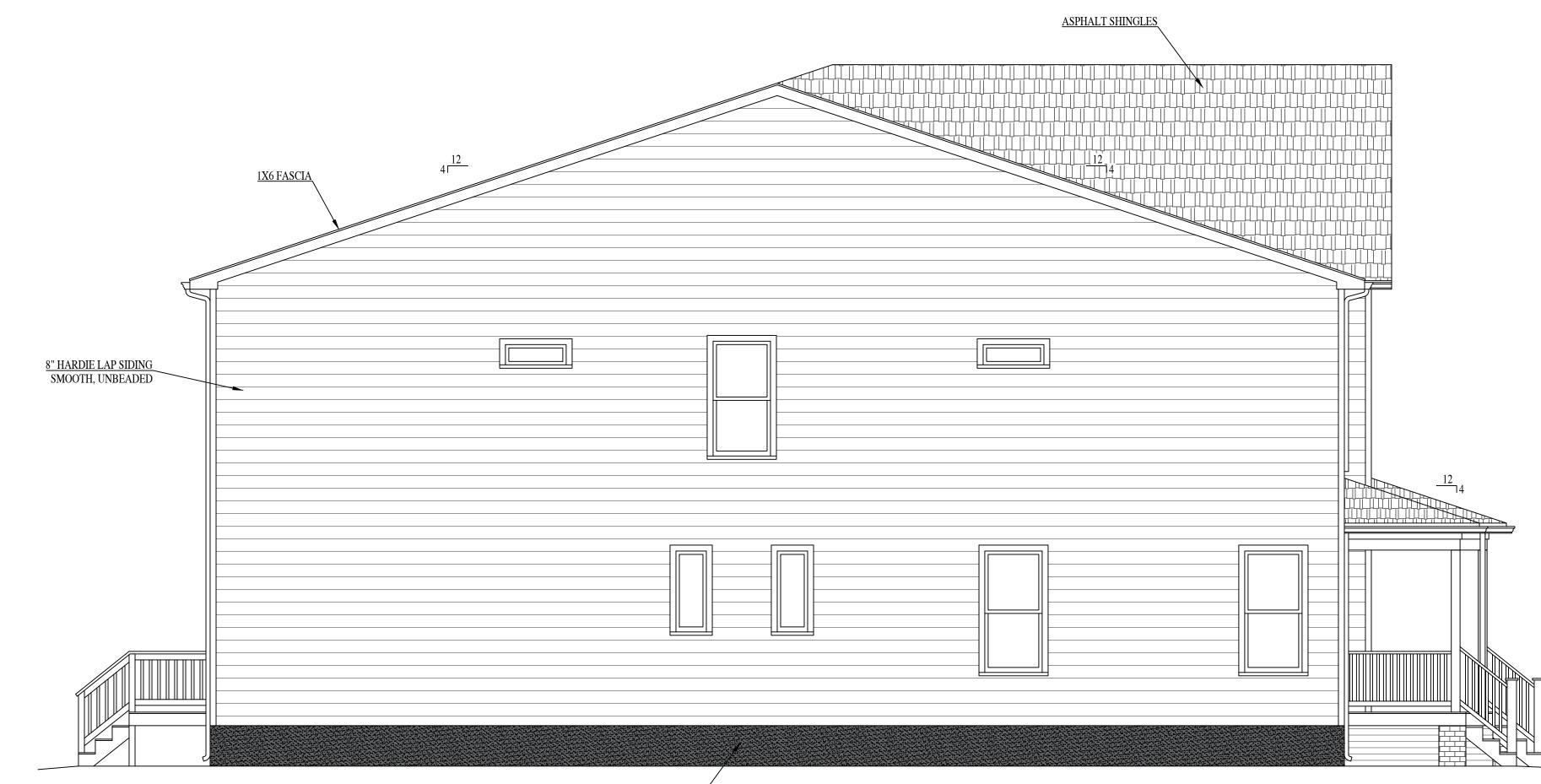
SECOND FLOOR PLAN



RIGHT ELEVATION







PARGED CMU FOUNDATION



REAR ELEVATION

LEFT ELEVATION

