

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 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 2515 Rear Hanover Avenue and identified as Tax Parcel No. W000-1122/029 in the 2020 records of the City Assessor, being more particularly shown on a survey entitled “Plat of Property Situated East of W. Robinson Street and South of Hanover Ave., City of Richmond, Virginia,” prepared by Steven B. Kent & Associates, P.C., and dated June 30, 2011, 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 single-family detached dwelling, storage, a parking area, and a community garden, hereinafter referred to as “the Special Use,” substantially as shown on the plans entitled “Carriage House Rehabilitation/Adaptive Reuse, 2515 Rear Hanover Avenue, Richmond, Virginia 23220,” prepared by 510 Architects, dated December 14, 2017, and last revised August 27, 2020, hereinafter referred to 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 single-family detached dwelling and storage within an existing brick building, existing storage shed, parking area, and community garden, substantially as shown on the Plans. The dwelling [~~may~~] shall not be used for short-term rental purposes.

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

(c) Elevations, building materials, and site improvements shall be substantially as shown on the Plans. The existing brick building and storage shed shall remain as brick.

(d) The parking area shall contain [~~up to~~] five off-street parking spaces, substantially as shown on the Plans, for use by residents of the block bound by Hanover Avenue, North Davis Avenue, Grove Avenue, and North Robinson Street.

(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) No permit implementing the Special Use shall be issued until written evidence that the Director of Public Works, the Chief of Police, and the Chief of Fire and Emergency Services have confirmed that the alley access to the Property for all-weather travel by public and emergency vehicles is appropriate in accordance with applicable laws and regulations has been submitted to the Zoning Administrator.

(g) Prior to the issuance of any certificate of occupancy for the Special Use, the Owner shall submit a request to name the primary alley access to the Property in accordance with sections 8-7 through 8-10 of the Code of the City of Richmond (2015), as amended, and such alley shall be named pursuant to sections 8-7 through 8-10 of the Code of the City of Richmond (2015), as amended.

(h) Occupancy of the dwelling shall be limited to four persons.

(i) The second floor of the dwelling shall be limited to storage use only.

(j) All windows and doors on the north elevation of the dwelling are to be fire-rated, subject to the requirements of the Virginia Department of Historic Resources.

§ 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. Storm or surface water shall not drain onto abutting properties.

(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) Upon completion of underground utilities installation and renovations, the existing cobblestone alley shall be repaired to existing or better condition, in accordance with the requirements of the Department of Public Works.

(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 (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.

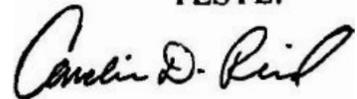
(f) When the privileges granted by this ordinance terminate and the special use permit granted hereby becomes null and void, whether as a result of the Owner relinquishing this special use permit in a writing addressed to the Director of Planning and Development Review or otherwise, use of the Property 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 with 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

RECEIVED
By Barbara Fore at 3:12 pm, Nov 20, 2020

City of Richmond

2020-175
900 East Broad Street
2nd Floor of City Hall
Richmond, VA 23219
www.richmondgov.com

RECEIVED
By Barbara Fore at 2:15 pm, Dec 04, 2020

Item Request File Number: PRE.2020-351

O & R Request

DATE: November 13, 2020 **EDITION:** 1

TO: The Honorable Members of City Council

THROUGH: The Honorable Levar M. Stoney, Mayor (Mayor, by Request)
(This is no way reflects a recommendation on behalf of the Mayor.) 

THROUGH: Lenora G. Reid, Acting Chief Administrative Officer 

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 2515 Rear Hanover Avenue for the purpose of a single-family detached dwelling, upon certain terms and conditions.

ORD. OR RES. No. _____

PURPOSE: To authorize the special use of the property known as 2515 Rear Hanover Avenue for the purpose of a single-family detached dwelling, upon certain terms and conditions.

REASON: The applicant is requesting a Special Use Permit which would allow for the adaptive re-use of an existing garage into a single-family dwelling within an R-6 Single-Family Attached Residential District. The proposed use is not currently allowed by section 30-610.1 of the Code of the City of Richmond 2020, regarding public street frontage, 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 January 4, 2020, meeting.

BACKGROUND: The property is located in the Fan neighborhood of the Near West Planning District on an internal alleyway between Robinson and Davis Streets. The property is currently improved with a 1,200 sq. ft. detached garage. The application is to adapt the garage into a two-bedroom, single-family detached dwelling.

The City of Richmond's current Master Plan designates a future land use category for the subject property as Single Family Residential at Medium densities. Primary uses for this category "...are single family and two family dwellings, both detached and attached, at densities of 8 to 20 units per acre. Includes residential support uses such as schools, places of worship, neighborhood parks and recreation facilities, and limited public and semi-public uses. Typical zoning classifications that may accommodate this land use category: R-5A, R-6 and R-7. (City of Richmond Master Plan, 133)

The City of Richmond's draft *Richmond 300* Master Plan designates a future land use for the subject property as Destination Mixed-Use. This category is viewed to include higher density, transit-oriented development encouraged on vacant or underutilized sites. New development should be urban in form, may be of larger scale than existing context, and, where relevant, should pay special attention to the historic character of the existing context. Development should enhance the public realm and create a sense of place. Many buildings are vertically mixed use. Developments continue or introduce a gridded street pattern to increase connectivity. In terms of mobility, this land use includes pedestrian, bicycle, and transit access are prioritized and accommodated. Bike parking is provided. Driveway entrances are required to be of alleys whenever possible; new driveways are prohibited on priority and principal street frontages. Surface parking is prohibited as a principal use; when surface parking is provided as an accessory use, it should be located to the rear of buildings and screened. Parking requirements are reduced to allow more market-based parking strategies, including shared parking. Primary Uses include: Retail, office, personal service, multi-family residential, cultural, and open space. Secondary Uses include Institutional and government.

The current zoning for this property is R-6 (Single Family Attached Residential). All adjacent properties are located within the same R-6 Residential Zone. A mix of residential densities, with several commercial uses on nearby Robinson Street, are present in the area.

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: December 14, 2020

CITY COUNCIL PUBLIC HEARING DATE: January 11, 2021

REQUESTED AGENDA: Consent

RECOMMENDED COUNCIL COMMITTEE: None

CONSIDERATION BY OTHER GOVERNMENTAL ENTITIES: City Planning Commission,
January 4, 2021

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 (Room 511) 646-5734



Application for **SPECIAL USE PERMIT**

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

Application is hereby submitted for: (check one)

- special use permit, new
- special use permit, plan amendment
- special use permit, text only amendment

Project Name/Location

Property Address: 2515 REAR HANOVER Date: 8/10/20
 Tax Map #: W000122079 Fee: _____
 Total area of affected site in acres: NA

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

Zoning

Current Zoning: R-6
 Existing Use: STORAGE

Proposed Use

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

RESIDENTIAL - ONE APARTMENT UNIT
 Existing Use: CARPORT

Is this property subject to any previous land use cases?

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

Applicant/Contact Person:

ROBERT J. ADAMS
 Company: _____
 Mailing Address: 2120 HANOVER AVE
 City: RICHMOND State: VA Zip Code: 23220
 Telephone: (804) 240-3755 Fax: _____
 Email: BOB@HEADVISORS.NET

Property Owner:

VNO INTO LLC
 If Business Entity, name and title of authorized signer: ROBERT J. ADAMS

(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: 2120 HANOVER AVE
 City: RICHMOND State: VA Zip Code: 23220
 Telephone: (804) 240-3755 Fax: _____
 Email: BOB@HEADVISORS.NET

Property Owner Signature:

All names, addresses, telephone number and signatures of all owners of the property are required. Please attach all these items as needed. If a legal representative signs for a public 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 a full description.

August 10, 2020

City of Richmond
Department of Planning and Review
Land Use Administration
900 East Broad Street
Room 511
Richmond, VA 23219

Re: Proposed Special Use Permit – Applicant's Report
Property Owner Vino Tinto LLC

Dear Reviewer:

Please accept this statement of justification for a Special Use Permit on the property at 2515 Hanover Avenue Rear ("Subject Property").

The Subject Property is zoned R-6 Residential (Single Family Attached). The surrounding properties on Hanover Avenue and Grove Avenue are also zoned R-6 as well as R-48 Residential (Multifamily), with the properties on North Robinson Street zoned B-1 Business.

The Subject Property currently has a 47'-4" x 32' brick masonry garage /carriage house and an adjacent storage shed that have been vacant for some time. These structures were constructed approximately in 1910. They are referenced as contributing structures in the Fan District Historic District nomination. The remainder of the lot is an open lot that is currently not utilized.

The proposed development plan is to rehabilitate the existing brick masonry garage structure with the use of Historic Tax Credits to create one two-bedroom apartment for lease on the lower level. The upper level / attic area will remain in use as storage. The accessory building will continue to be used for storage.

The remainder of the lot is proposed for three distinct uses: outdoor space for use by the occupants of the residential unit, five parking spaces directly accessed by the main alley to service the residential unit and to be made available for off-street parking for residents of Hanover and Grove; and an area to be developed as garden plots for residents in the area. We have already had interest from several neighbors regarding the potential for garden plots.

See attached drawings of the proposed Site Plan, Floor Plans, Exterior Elevations and Exterior Photos.

It is the owner's intention to develop the residential unit in conformance with the requirements for federal and state historic tax credits. The owner has begun the process of applying for credits through the Virginia Department of Historic Resources. It

is the owner's intention to preserve the exterior architectural features of the building consistent with the Secretary of the Interior's Standards.

For the following reasons, as defined in the City of Richmond Zoning Ordinance (the "Zoning Ordinance"), this application for special use is submitted:

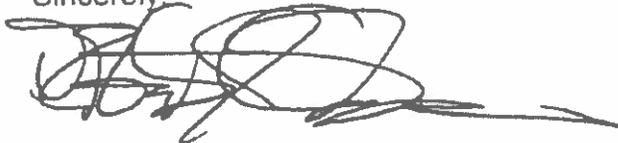
The Subject Property is zoned for use as an accessory building to the current frontage buildings as governed by section R-6 30-412.2. The owner is proposing one dwelling units on this lot.

The property does not have named street frontage.

In accordance with Section 30-1050.1, please accept the following information:

- Off-street / off-alley parking will be provided on-site in excess of what is required for units as to not burden the existing street parking with additional need.
- Attached are several documents showing recent market statistics for the area of the Subject Property. These charts show the trending property values, active listings and average days on market for the area. These statistics demonstrate the need for more Fan/ Museum District housing. The Fan District is one of the strongest residential markets in the City. The addition of a residential unit in this area is consistent with the Richmond 300 Plan which contemplates increased residential density in the City. This project, through the improvement of an historic structure, will likely have a positive impact on both the desirability and marketability of the surrounding properties.

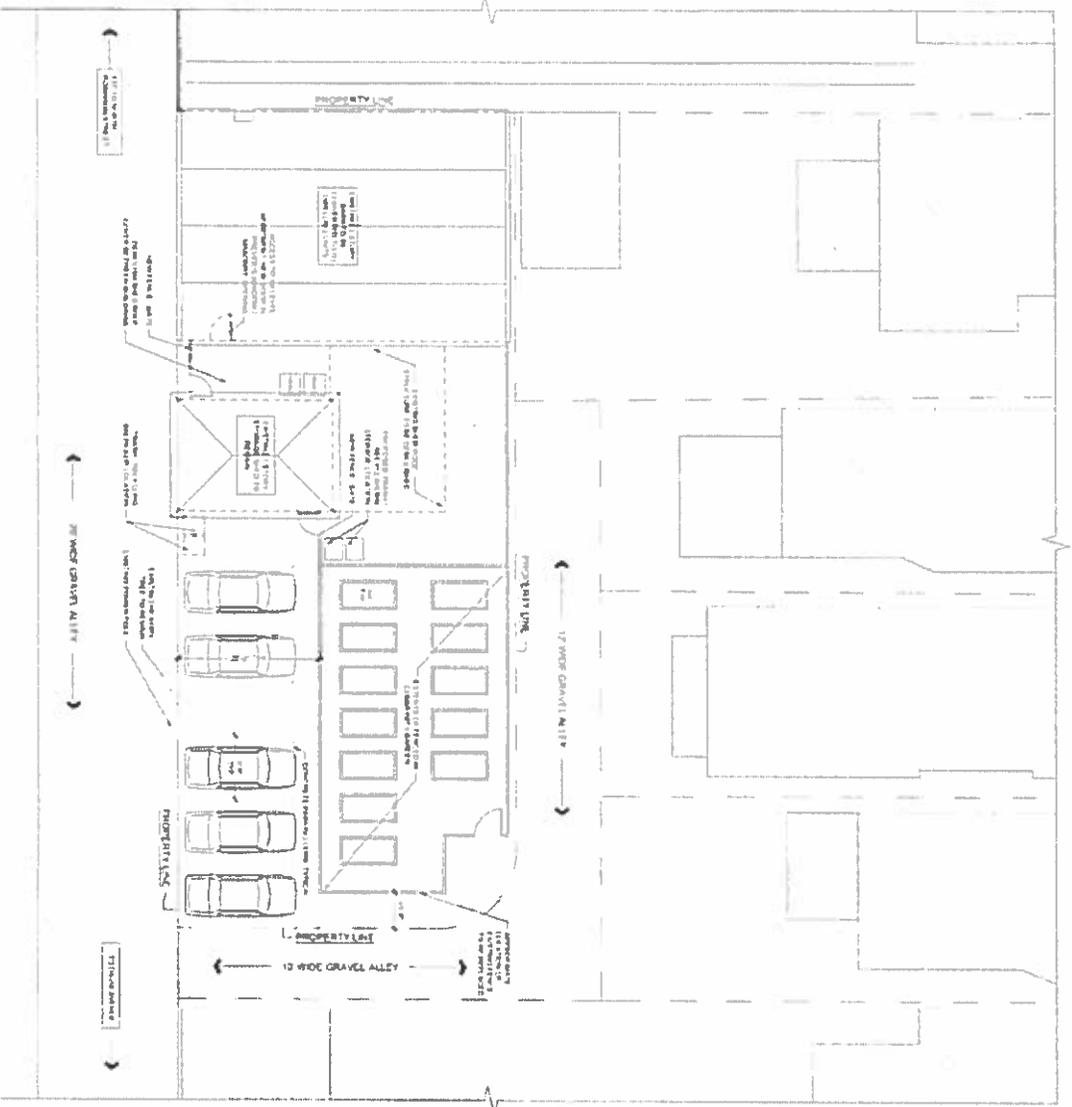
Sincerely,

A handwritten signature in black ink, appearing to read "Robert J Adams", with a long horizontal flourish extending to the right.

Robert J Adams
Vino Tinto LLC

Enclosures: Schematic design, Site plan, Notice letter to Neighbors, Market Data

CARRIAGE HOUSE



ARCHITECTURAL SITE PLAN

LOCATION MAP



PROJECT INFORMATION

PROJECT NAME: CARRIAGE HOUSE REHABILITATION | ADAPTIVE REUSE
 ADDRESS: 2515 REAR HANOVER AVENUE, RICHMOND, VA 23226
 CLIENT: [REDACTED]
 ARCHITECT: [REDACTED]
 DATE: [REDACTED]

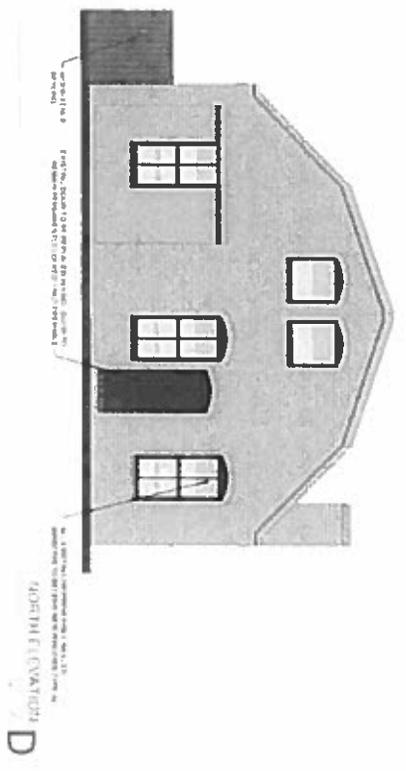
DRAWING INDEX

- 1. SITE PLAN
- 2. FLOOR PLAN
- 3. ELEVATION
- 4. SECTION
- 5. DETAIL

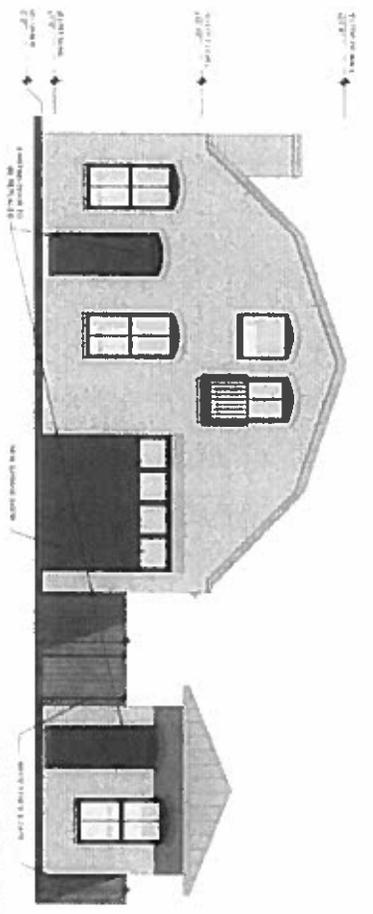
A1 PROJECT INFORMATION & ARCHITECTURAL SITE PLAN

CARRIAGE HOUSE
 REHABILITATION | ADAPTIVE REUSE
 2515 REAR HANOVER AVENUE RICHMOND, VIRGINIA 23226

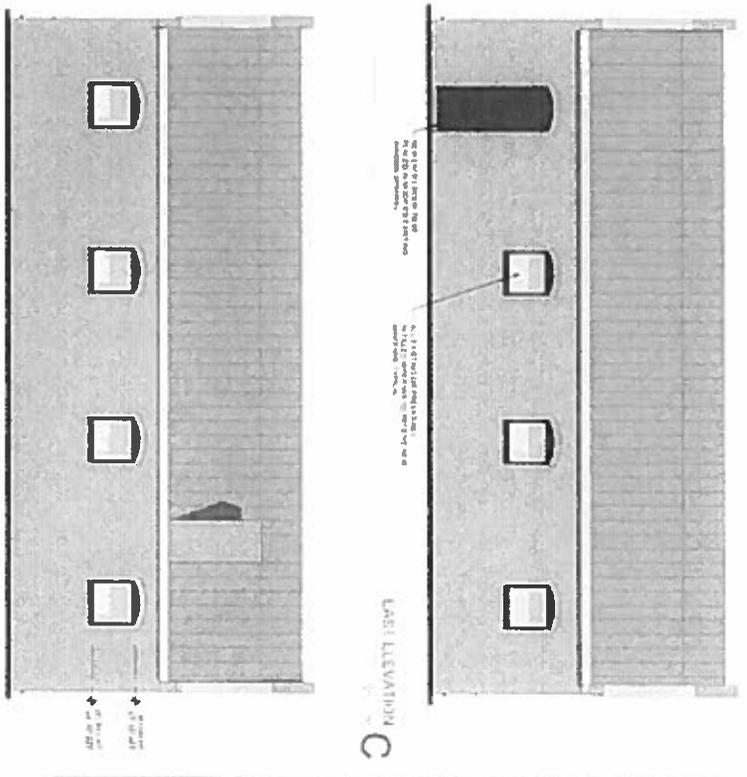




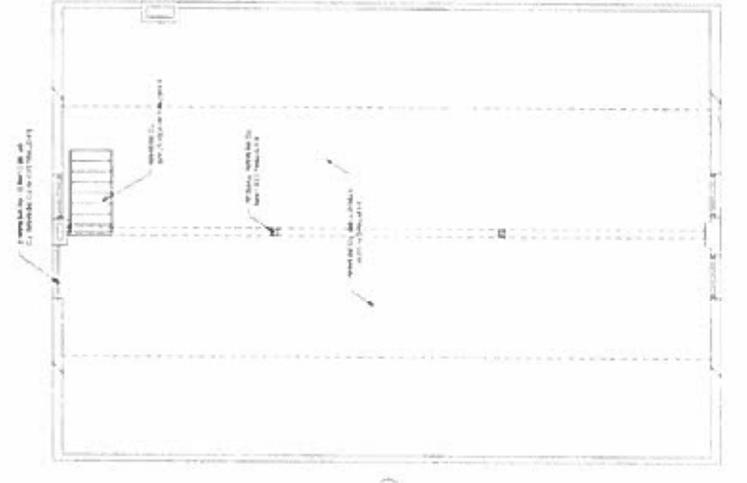
FRONT ELEVATION
D



SIDE ELEVATION
A



REAR ELEVATION
C



FIRST FLOOR PLAN
2



SECOND FLOOR PLAN
1

WEST ELEVATION
B

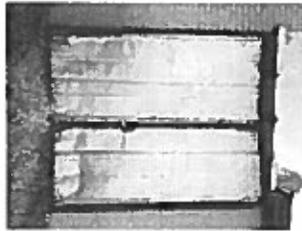
A2 PROPOSED DWELLING UNIT PLAN & EXTERIOR ELEVATIONS

CARRIAGE HOUSE
REHABILITATION | ADAPTIVE REUSE
2515 STAR HANOVER AVENUE | RICHMOND, VIRGINIA 23220





PARKING / COMMUNITY GARDEN LOOKING
NORTHEAST
7



STRUCTURE TO BE DEMOLISHED BETWEEN
BUILDINGS
8



PARKING / COMMUNITY GARDEN LOOKING
SOUTHWEST
4



REAR ALLEY LOOKING EAST
5



REAR ALLEY LOOKING WEST
6



REAR ALLEY LOOKING EAST
1



REAR ALLEY LOOKING EAST
2



REAR ALLEY LOOKING WEST
3

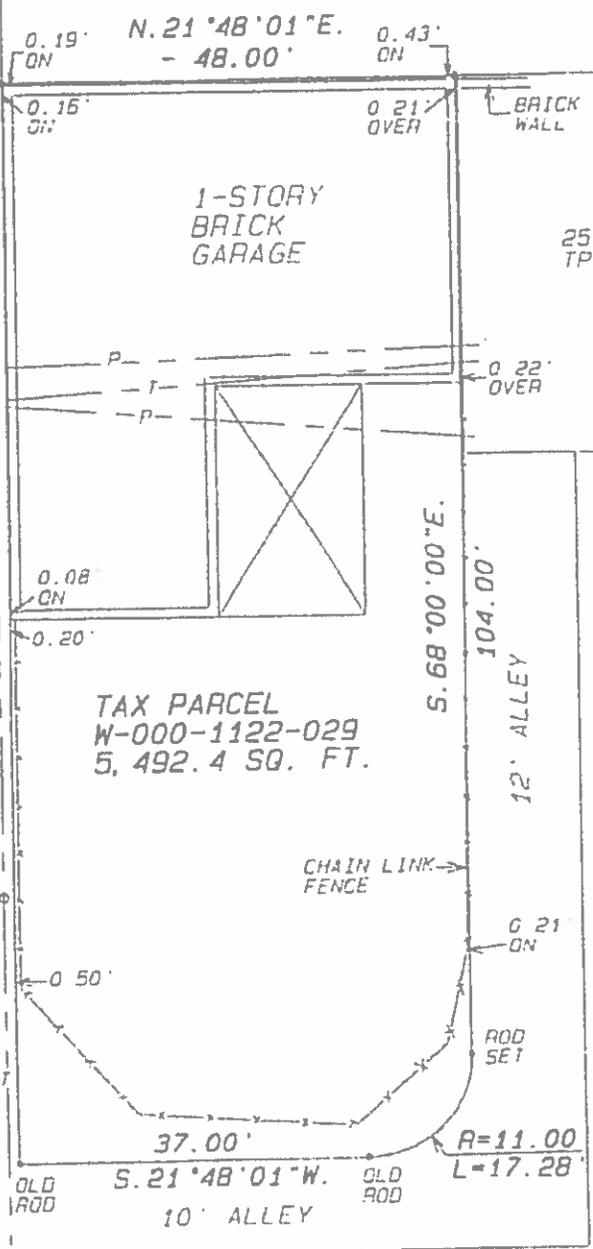
137.50' TC
W. ROBINSON
STREET

2517 HANOVER AVE.
TP W-1122-005

+ - 20' ALLEY

N. 68°00'00"W. - 115.00'

POLE



2515 HANOVER AVE.
TP W-1122-005

NOTE: T= OVERHEAD TELEPHONE LINE
P= OVERHEAD POWER LINE

SEE PLAT BY CHARLES H. FLEET &
ASSOC., DATED DEC. 29, 1975
RECORDED IN DB. 702 PG 1332

NO EASEMENTS WERE PRESENT PER
STEWART TITLE GUARANTY COMPANY'S
COMMITMENT NO. VAH-11018, DATED
APRIL 6, 2011.

NOTE: THIS PROPERTY IS NOT LOCATED
IN A SPECIAL FLOOD HAZARD AREA AS
DESIGNATED BY THE FEDERAL
EMERGENCY MANGEMENT AGENCY.

PLAT OF PROPERTY SITUATED EAST OF W. ROBINSON STREET AND SOUTH OF HANOVER AVE. CITY OF RICHMOND, VIRGINIA JUNE 30, 2011 SCALE: 1"=20'

COMMONWEALTH OF VIRGINIA

Steven B. Kent

Steven B. Kent
CERTIFICATE No. 1686
6-30-11

STEVEN B. KENT & ASSOCIATES, P.C.
LAND SURVEYORS
1521 Brook Road

CERTIFICATION

THIS IS TO CERTIFY THAT WE MADE AN ACCURATE FIELD SURVEY OF THE PREMISES SHOWN HEREON, THAT ALL IMPROVEMENTS AND VISIBLE EASEMENTS ARE SHOWN HEREON, THAT THERE ARE NO ENCROACHMENTS BY IMPROVEMENTS EITHER FROM ADJOINING PREMISES OR FROM SUBJECT PREMISES OTHER THAN SHOWN HEREON

[Signature]

FILED
2011