

March 3, 2020

BY E-MAIL

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Mr. Jonathan Brown
City of Richmond
Department of Planning and Development Review
Land Use Administration Division, Room 511
City Hall, 900 East Broad Street
Richmond, Virginia 23219
Jonathan.Brown@richmondgov.com

Re: Special Use Permit Amendment: 1620 Park Avenue

Dear Jonathan:

This updated letter shall serve as the Applicant's Report accompanying the application for a Special Use Permit (the "SUP") in order to authorize an existing multi-family dwelling at 1620 Park Avenue (the "Property") for four (4) dwelling units instead of the currently existing five (5) units. The Property is located on the north side of Park Avenue between North Lombardy Street and North Allen Avenue and is identified as Parcel No. W000-0666/048 in the City Assessor's records. The current owner purchased the building in 2017 with the belief that it was a legal five-unit multi-family dwelling and with the intention of renovating the five dwelling units. It was not until work toward that end was pursued through the permitting process that the owner was made aware of an issue with the occupancy of the building.

The Property is zoned R-6 and is occupied by a building that was constructed in 1910 as a two-family dwelling. Research suggests that the building was converted to four (4) dwelling units at some point between 1942 and 1955 and then to five dwelling units as early as 1955. The R-6 zoning classification does not currently permit multi-family dwellings. The R-6 zoning classification that existed prior to 1976, at the time of the establishment of current multi-family use, did allow multi-family dwellings. However, the feature requirements associated with prior zoning classifications applicable to the property would not have permitted the current configuration as five dwelling units at any time after 1942. As a result, despite nearly 60 years of the Property being occupied as five (5) dwelling units, that use is not deemed to be nonconforming (grandfathered) and a special use permit is required in order for four (4) dwelling units to be provided.

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The existing building includes approximately 4,876 square feet of finished floor area on two floors. The units are configured as a two-bedroom unit and three-bedroom unit on the first floor and a one-bedroom unit and one four bedroom unit on the second floor. This request would allow for the substantial renovation of the existing units. This renovation, including the remodel of kitchens and baths, would update the dwellings as desirable, high-quality, market-rate dwelling units.

The use of the Property as a four (4) unit multi-family dwelling would require four (4) parking spaces under normal zoning. Due to the fact that the building occupies a majority of the lot no parking has historically been provided on the site. Two parking spaces would be deemed to be nonconforming (grandfathered) for the use of the property based on the fact that the property was constructed as a two-family dwelling prior to zoning requirements. The owner proposes the parking language attached as Exhibit A in response to neighbor comments and review of the proposal. This would satisfy the normal zoning requirement for parking in conjunction with the existing nonconforming spaces.

The surrounding properties are also zoned R-6. The properties to the north across an east west alley are occupied by religious/institutional uses and a surface parking area related to the Grace Covenant Presbyterian and First English Evangelical Lutheran Churches that are the subjects of a number of special use permit and Board of Zoning Appeals approvals. The property to the east is occupied by a multi-family dwelling containing 12 condominium units. Further to the east lie several single-family dwellings and the aforementioned parking garage, which was authorized by a special use permit and serves the One Monument Avenue multi-family dwelling development. The properties to the west and south are generally occupied by single-family dwellings, but also include a mixed-use building with two dwellings and a ground floor restaurant, also authorized by a special use permit.

The Master Plan Land Use Plan, generally recommends “Single-Family Medium Density” for the subject and surrounding properties. However, there is additional specific text guidance contained elsewhere in the Master Plan that is supportive of the request. The Near West chapter recognizes higher density residential as being appropriate in the vicinity to the extent that it already exists. Near West chapter Guiding Land Use Principals suggest that, in terms of land use, “most of what currently exists is correct and appropriate.” More specifically, as it relates to the Fan, the Near West chapter Land Use Policies and Strategies state that “[the Fan] is identified on the Land Use Plan map as appropriate for the continuation of a wide range of residential uses (with varying housing styles and residential densities)” The same section indicates that “while the Land Use Plan map does not provide specific details regarding the exact location of each type and density of residential and commercial uses, it is intended to reflect the importance of maintaining such a mix in this urban residential neighborhood.” Finally, the request is consistent with a variety of general housing goals contained in the Master Plan Neighborhoods and Housing chapter. These goals include, among other things, a desire for neighborhoods to provide a variety of housing choices while remaining culturally and economically diverse.

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The following are factors indicted 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 surrounding community. The proposed SUP is consistent with the recommendations of the Master Plan as it would maintain the desirable existing mix of residential uses/densities for this urban residential neighborhood. The proposed use has existed in a configuration with more residential units for approximately 60 years and would be substantially rehabilitated as a result of this request.

- ***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 in the area involved. There would be no change to the existing use of the Property.

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

The Property has been developed and will be rehabilitated 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 impact the existing building configuration which has been in place for nearly 60 years and will not tend to over crowd the land or create an undue concentration 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 proposed SUP would not adversely affect the above referenced City services. To the contrary, the SUP would help insure the continued viability of the Property. The use being requested has existed for nearly 60 years and certainly will not create any additional impact on such City services.

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

The proposed SUP will not impact the existing building configuration and will not impact the light and air available to adjacent properties. The existing building's configuration on the site has remained unchanged since 1910, is consistent with other properties in the vicinity, and would not be modified as a part of this request.

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In addition, the owner agrees to the following:

- 1) Apartment 2: After the completion of the second floor apartments renovation, the applicant will remove the cross-hatched wall, as shown on the attached plans (the “Plans”), in Apartment 2 so there will be no third bedroom in such Apartment 2;
- 2) Apartment 4: A closet and portions of a wall will be removed in the Living Room in Apartment 4 as shown on the Plans so the Living Room cannot be used as a fourth bedroom; and
- 3) Management: The Property will be managed by a professional Richmond-area property manager.

This request is consistent with the Master Plan guidance related to the property and meets the Charter requirements related to the approval of a special use permit. The request would permit the renovation of the existing five-unit multi-family dwelling – a use that has existed for nearly 60 years and which is part of the existing fabric of the neighborhood. The proposed rehabilitation would provide for updated, high-quality, market rate dwelling units without any new or additional impact to the surrounding properties. In doing so, the request would upgrade the Property while maintaining the existing desirable variation in housing style and density in the vicinity and providing for continued economic diversity in housing options within the neighborhood. Finally, the provision of off street parking spaces – and limitation of parking permits – would bring the property in line with zoning standards and help mitigate any impact on parking related to the existing dwelling units.

Thank you for your time and consideration of this request. Please let me know if you have any questions.

Sincerely,



Mark Kronenthal

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Exhibit A

Proposed Parking Language

No off-street parking shall be required for the property; provided, however, that for as long as the property is located within any residential restricted parking district established pursuant to Chapter 27, Article VI, Division 3 of the Code of the City of Richmond (2015), as amended, each lease for each dwelling unit authorized by this ordinance shall include language that restricts applications by tenants to the City for parking permits such that the aggregate total of parking permits for all dwelling units on the property is no more than four (4). The Owner shall (i) enforce such lease language, (ii) submit to the Zoning Administrator a copy of each lease for each dwelling unit upon full execution thereof, and (iii) notify the Zoning Administrator upon the termination of any tenant's lease.

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