

INTRODUCED: July 24, 2023

AN ORDINANCE No. 2023-231

To authorize the special use of the property known as 3024 P Street for the purpose of up to two mixed-use multifamily dwellings, with off-street parking, upon certain terms and conditions.

Patron – Mayor Stoney (By Request)

Approved as to form and legality
by the City Attorney

PUBLIC HEARING: SEPT 11 2023 AT 6 P.M.

WHEREAS, the owner of the property known as 3024 P Street, which is situated in a R-6 Single-Family Attached Residential District, desires to use such property for the purpose of up to two mixed-use multifamily dwellings, with off-street parking, which use, among other things, is not currently allowed by section 30-412.1, concerning permitted principal uses, 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 congestion in streets, roads, alleys and other public ways and places in the area involved, will not

AYES: 8 NOES: 0 ABSTAIN: _____

ADOPTED: SEP 11 2023 REJECTED: _____ STRICKEN: _____

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 3024 P Street and identified as Tax Parcel No. E000-0628/017 in the 2023 records of the City Assessor, being more particularly shown on a survey entitled “Boundary Survey for 3024 P Street, Richmond, VA,” prepared by Nyfeler Associates, and dated December 20, 2021, 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 two mixed-use multifamily dwellings, with off-street parking, hereinafter referred to as “the Special Use,” substantially as shown on the plans entitled “3024 P Street,” prepared by Johannas Design Group, and dated October 24, 2022, 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 up to two mixed-use multifamily dwellings, with off-street parking, substantially as shown on the Plans. Notwithstanding the previous sentence, any of the buildings comprising the Special Use may exclusively contain dwelling units. The first floor of any building of the Special Use may contain a principal use permitted on a corner lot under section 30-419.3(a) of the Code of the City of Richmond (2020), as amended, which use shall not preclude use of the same floor for dwelling units.

(b) No less than three off-street parking spaces shall be provided on the Property, substantially as shown on the Plans. The parking spaces shall be at the rear of the Special Use and accessible from the public alley to the rear of the Property.

(c) The Special Use shall include bicycle parking for a minimum of four bicycles, substantially as shown on the Plans.

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

(e) Signs on the Property shall be limited to signs permitted in all districts pursuant to section 30-505 of the Code of the City of Richmond (2020), as amended, and signs permitted in the R-63 Multifamily Urban Residential District, pursuant to section 30-507.1 of the Code of the City of Richmond (2020), as amended. Internally illuminated signs shall not be permitted.

(f) A side yard requirement of at least five feet from the property line of the abutting property, substantially as shown on the Plans, shall be required when used for the Special Use. No front yard, rear yard, or street side yard shall be required.

(g) The Special Use shall be subject to the requirements of sections 30-419.4, concerning permitted accessory uses and structures, 30-419.5, concerning lot area and width, 30-419.7, concerning usable open space, 30-419.8, concerning lot coverage, 30-419.10, concerning height, and 30-419.11, concerning building façade fenestration, of the Code of the City of Richmond (2020), as amended.

§ 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, including the installation of two street trees, 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 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, 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.

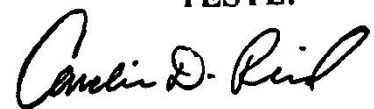
(e) The privileges granted by this ordinance may be revoked pursuant to the provisions of sections 30-1050.7 through 30-1050.11 of the Code of the City of Richmond (2020), as amended, and all future amendments to such laws. Failure to comply with the terms and conditions of this ordinance shall constitute 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 730 calendar days following the date on which this ordinance becomes effective. If either the application for the building permit is not made within the time period stated in the previous sentence or the building permit terminates under any provision of the Virginia Statewide Building Code, this ordinance and the special use permit granted hereby shall terminate and become null and void.

§ 7. **Effective Date.** This ordinance shall be in force and effect upon adoption.

**A TRUE COPY:
TESTE:**



City Clerk



City of Richmond

RECEIVED
By City Attorney's Office at 10:06 am, Dec 09, 2022

RECEIVED
By CAO Office at 8:27 am, Nov 16, 2022

2022-302

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

Item Request File Number: PRE.2022.0474

O & R Request

DATE: November 14, 2022

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: J.E. Lincoln Saunders, Chief Administrative Officer

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

FROM: Kevin J. Vonck, Director, Department of Planning and Development Review

RE: To authorize the special use of the property known as 3024 P Street for the
purpose of a mixed-use building, with off-street parking, upon certain terms and conditions.

ORD. OR RES. No. ____

PURPOSE: To authorize the special use of the property known as 3024 P Street for the purpose of a
mixed-use building, with off-street parking, upon certain terms and conditions.

REASON: The applicant is requesting a Special Use Permit for the purpose of mixed-use building
including three residential units and ground floor commercial, with off street parking, within an R-6 Single
Family Attached Residential Zoning District. Such uses are not permitted in this district. 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.

BACKGROUND: 3024 P Street is currently improved with a 4,031 sq. ft. residential building, constructed
in 1920, situated on a 11,847 sq. ft. (.27 acre) parcel of land. The property is located in the Church Hill
North neighborhood, between Q and P Streets.

The City's Richmond 300 Master Plan designates a future land use for the subject property as Neighborhood Mixed Use which are 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."

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 Single Family Attached Residential District. Adjacent properties are located within the same R-6 District with small areas of R-48 Multi Family and B-2 Community Business Districts to the South and West, respectively. The density of the proposed development, overall, is approximately 11 units per acre.

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: \$1,800 application fee

DESIRED EFFECTIVE DATE: Upon adoption

REQUESTED INTRODUCTION DATE: December 12, 2022

CITY COUNCIL PUBLIC HEARING DATE: January 9, 2023

REQUESTED AGENDA: Consent

RECOMMENDED COUNCIL COMMITTEE: None

CONSIDERATION BY OTHER GOVERNMENTAL ENTITIES: City Planning Commission
January 3, 2023

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: Application Form, Applicant's Report, Draft Ordinance, 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: 3024 P Street Date: 6/8/2022
 Tax Map #: E0000628017 Fee: \$ 1800
 Total area of affected site in acres: +/- 0.272 acres

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

Zoning

Current Zoning: R-6

Existing Use: 2 unit residential

Proposed Use

(Please include a detailed description of the proposed use in the required applicant's report)
mixed use - residential and 1st floor corner lot commercial - reference applicant's report.

Existing Use: residential

Is this property subject to any previous land use cases?

Yes

No

If Yes, please list the Ordinance Number: BZA 1955, 1960, 2001;
(Note: City GIS attaches Ordinance 2004-154-149 to this property but it references a different address.)

Applicant/Contact Person: Anne Durkin

Company: Johannas Design Group
 Mailing Address: 1901 W Cary Street
 City: Richmond State: VA Zip Code: 23220
 Telephone: (804) 358-4993 Fax: (804) 358-8211
 Email: anne@johannasdesign.com

Property Owner: Nadine Taylor

If Business Entity, name and title of authorized signee: _____

(The person or persons executing or attesting the execution of this Application on behalf of the Company certifies that he or she has or have been duly authorized and empowered to so execute or attest.)

Mailing Address: 128-12 238th Street
 City: Rosedale State: NY Zip Code: 11422
 Telephone: (917) 480-1234 Fax: ()
 Email: nadzwadz@icloud.com

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)



JOHANNAS design group
1901 West Cary Street
Richmond Virginia 23220

P. 804.358.4993
F. 804.358.8211
W. johannasdesign.com

**SUP Application Report
For the existing property
At 3024 P Street**

In 2020 Nadine Taylor purchased the property at the Northwest corner of 31st and P Streets, 3024 P Street. Currently the property has two residences - a 2,870 square foot 3 bedroom apartment on the first floor, and a 716 square foot studio apartment on the second floor.



The Church Hill North Historic District nomination document notes the property as a Commercial Building ca. 1890.

The current zoning is R-6. The owner is requesting a Special Use Permit for future uses and development of the property to be as allowed for R-63 zoning. It is evident that the building was designed for a ground floor commercial use, and the owner would like to reestablish that contribution to the life of the neighborhood.

Richmond 300 A Guide for Growth

Future Land Use Map

3024 P Street is in 'Neighborhood Mixed-Use'. Some highlights of Neighborhood Mixed-Use that apply:

- ... highly-walkable urban neighborhoods that are predominantly residential with a small, but critical, percentage of parcels providing retail, office, personal service.
- In historic neighborhoods, small-scale commercial uses exist today or should be allowed to reestablish.
- Pedestrian, bicycle, and transit access are prioritized and accommodated. The property is on Bus Route 12.

Great Streets and Street Typologies Map

Both P Street and 31st Street are highlighted as Major Mixed-Use Streets

Diverse Economy

- Support rezonings in alignment with the Future Land Use Plan
- 3024 P Street is in an Enterprise Zone
- Increase the number and support the growth of small businesses, start-ups, and women-owned and minority-owned businesses. The Owner is a woman of color and is interested in supporting small, minority, and woman-owned businesses.

In conclusion, the approval of this Special Use Permit Application will allow the Owner to have limited commercial tenant(s) that provide services and day-to-day convenience needs of the neighborhood as outlined in the R-63 Section of the Zoning Ordinance. The regulations permit corner commercial uses that are limited in location, type and scale. The Special Use Permit will better position the Owner for reinvestment in the property and to strengthen the neighborhood.

The proposed special use will not:

1. Be detrimental to the safety, health, morals and general welfare of the community involved.
2. Tend to create congestion in streets, roads, alleys and other public ways and places in the area involved.
3. Create hazards from fire, panic or other dangers.
4. Tend to overcrowd the land and cause an undue concentration of population.
5. Adversely affect or interfere with public or private schools, parks, playgrounds, water supplies, sewage disposal, transportation or other public requirements, conveniences and improvements.
6. Interfere with adequate light and air.

We have had one meeting with the neighbors to discuss the project, have reached out to the Church Hill Central Civic Association, and have been in email conversation with Jodi Dubyoski and David Herring of the Church Hill Association.

Thank you for your consideration,

Anne Durkin

REQUIRED PARKING:

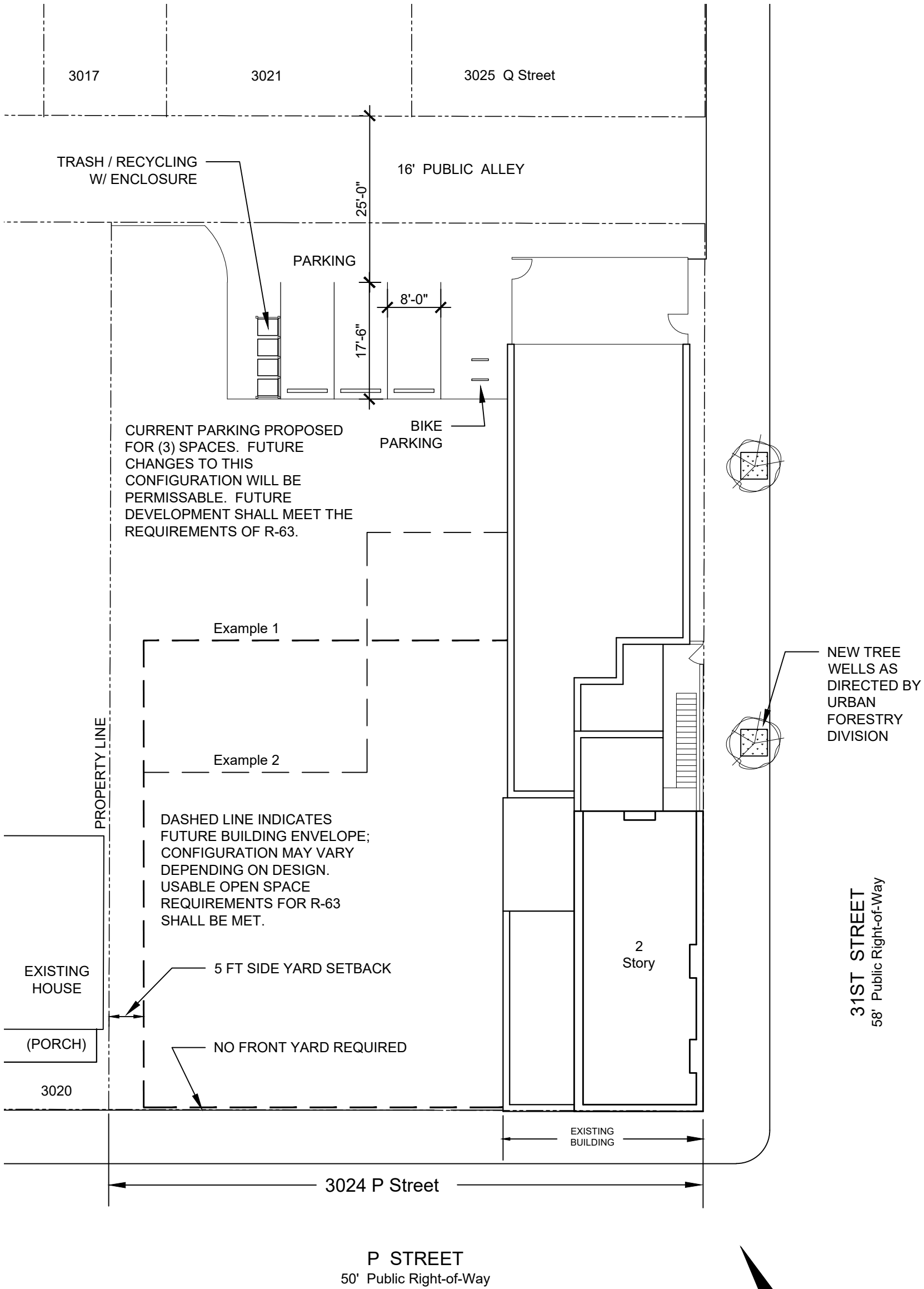
1 SPACE PER DWELLING UNIT

PARKING PROVIDED FOR UP TO 3 DWELLING UNITS

WITH < 4 DWELLING UNITS, NO TYPE 'A' OR 'B' ACCESSIBLE UNITS REQUIRED;

THEREFORE NO HANDICAP ACCESSIBLE PARKING REQUIRED.

BUSINESS USE GROUP < 1500 SF: NO OFF-STREET PARKING REQUIRED.



CURRENT PARKING PROPOSED FOR (3) SPACES. FUTURE CHANGES TO THIS CONFIGURATION WILL BE PERMISSABLE. FUTURE DEVELOPMENT SHALL MEET THE REQUIREMENTS OF R-63.

DASHED LINE INDICATES FUTURE BUILDING ENVELOPE; CONFIGURATION MAY VARY DEPENDING ON DESIGN. USABLE OPEN SPACE REQUIREMENTS FOR R-63 SHALL BE MET.

EXISTING HOUSE
(PORCH)
3020

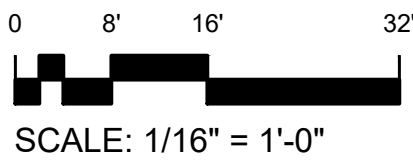
5 FT SIDE YARD SETBACK
NO FRONT YARD REQUIRED

2 Story

NEW TREE WELLS AS DIRECTED BY URBAN FORESTRY DIVISION

31ST STREET
58' Public Right-of-Way

P STREET
50' Public Right-of-Way



3024 P STREET

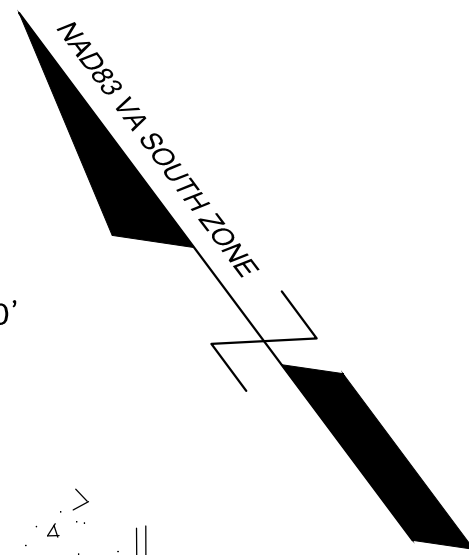
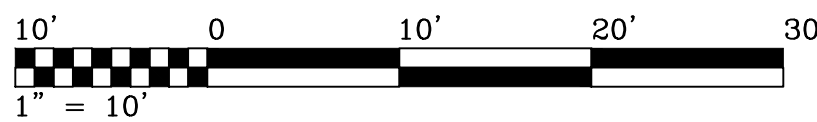
SHEET TITLE	SUP SITE PLAN
PROJECT NO.	2136
DATE	10/24/2022
SHEET NO.	SUP

LEGEND

- ⊙ IRON ROD FOUND
- SIGN
- ⊙ LIGHT POLE
- ⊙ POWER POLE
- ⊙ EM ELECTRIC METER
- ⊙ WM WATER METER
- ⊙ GM GAS METER
- ⊙ GV GAS VALVE

- — — — — PROPERTY LINE
- x — x — FENCELINE
- E — — — OVERHEAD UTILITY LINE
- — — — — BUILDING OVERHANG
- [Hatched Box] BUILDING LINE
- [Brick Pattern] CONCRETE
- [Brick Pattern] BRICK
- [Gravel Pattern] GRAVEL

THIS BOUNDARY SURVEY WAS CREATED WITHOUT THE BENEFIT OF A TITLE REPORT. EASEMENTS AND RIGHT OF WAY TAKES MAY EXIST THAT ARE NOT SHOWN.



IRON ROD FOUND DISTURBED
S78° 51' 20"W
0.15
FROM CORNER

16' PUBLIC ALLEY

N36° 39' 59"E
16.08
TIE LINE

S53° 20' 01"E
24.75
S53° 20' 01"E
64.25

2.63'
PUBLIC ALLEY ENCROACHES

3.79'

17.73'

3.52'
PUBLIC ALLEY ENCROACHES

3.16'

FENCE GATE
(TYPICAL)

BUILDING CLEAR OF LINE

SAM J. & ROSA H. BROWN
D.B. 683A, PG. 16
PARCEL ID: E0000628021

48.99'

1.38'
OVERHANG ENCROACHES

31ST STREET
58' PUBLIC R.O.W.

1.40'
CONCRETE WALL ENCROACHES

N36° 42' 03"E
133.00

3024 P STREET
NADINE W. TAYLOR
DEED REFERENCE: 20-21931
PARCEL ID: E0000628017
+/- 0.272 ACRES

0.16'
BUILDING ENCROACHES

0.22'
BRICK STEP ENCROACHES

0.07'
WINDOW SILL ENCROACHES

3.12'
ABUTTER'S CONCRETE WALKWAY ENCROACHES

GM

3.21'

3.44'

COVERED PORCH

3.74'
ABUTTER'S FENCE ENCROACHES

FENCE CLEAR OF LINE
0.10'

BUILDING CLEAR OF LINE

BUILDING ENCROACHES

OVERHANG ENCROACHES

1.25'
BUILDING ENCROACHES

1.21'
BRICK STEP ENCROACHES

0.28'
WINDOW SILL ENCROACHES

0.32'
BUILDING ENCROACHES

0.24'
FENCE ENCROACHES

28.66

60.42

N53° 20' 01"W

0.10'

0.24'

1.32'

1.40'

0.07'

0.05'

0.66'

0.62'

P STREET
50' PUBLIC R.O.W.

OVERHANG ENCROACHES

RAMP

CURB INLET

**BOUNDARY SURVEY
FOR 3024 P STREET
RICHMOND, VA**



NYFELER ASSOCIATES
LAND SURVEYING & MAPPING
619 W CARY ST. RICHMOND, VA 23220
804-277-4231 www.nyfelerassociates.com

SHEET NO.: 1 OF 1

DATE: 12/20/2021

SCALE: 1" = 10'

JOB NUMBER: 21196

DRAWN BY: KAH

APPROVED BY: GLN

