

INTRODUCED: June 10, 2024

AN ORDINANCE No. 2024-172

To authorize the special use of the property known as 308 Oak Lane for the purpose of a single-family detached dwelling, with driveway access to the street exceeding nine feet in width, upon certain terms and conditions. (1st District)

Patron – Mayor Stoney (By Request)

Approved as to form and legality
by the City Attorney

PUBLIC HEARING: JULY 22 2024 AT 6 P.M.

WHEREAS, the owner of the property known as 308 Oak Lane, which is situated in a R-1 Single-Family Residential District, desires to use such property for the purpose of a single-family detached dwelling, with driveway access to the street exceeding nine feet in width, which use, among other things, is not currently allowed by section 30-402.8, concerning driveways from streets, 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 308 Oak Lane and identified as Tax Parcel No. W020-0136/005 in the 2024 records of the City Assessor, being more particularly shown on a survey entitled “Plat Showing Improvements on a Portion of Lot 62 & Lot 63, Plan of ‘Hampton Gardens’, Known as No. 308 Oak Lane, in the City of Richmond, Virginia.,” prepared by McKnight & Associates, dated October 25, 2023, 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, with driveway access to the street exceeding nine feet in width, hereinafter referred to as “the Special Use,” substantially as shown on the plans entitled “Bridges Residence, 308 Oak Lane, Richmond, VA 23226,” prepared by Menlo Architecture, dated November 17, 2023, and last revised December 12, 2023, and hereinafter referred to as “the Plans,” a copy of which is 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, with driveway access to the street exceeding nine feet in width, substantially shown on the Plans.

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

§ 4. **Supplemental Terms and Conditions.** This special use permit is conditioned on

the following supplemental terms and conditions:

(a) All required final grading and drainage plans, together with all easements made necessary by such plans, must be approved by the Director of Public Utilities prior to the issuance of the building permit.

(b) Storm or surface water shall not be allowed to accumulate on the land. The Owner, at its sole cost and expense, shall provide and maintain at all times adequate facilities for the drainage of storm or surface water from the Property so as not to adversely affect or damage any other property or public streets and the use thereof.

(c) Facilities for the collection of refuse shall be provided in accordance with the requirements of the Director of Public Works. Such facilities shall be located or screened so as not to be visible from adjacent properties and public streets.

(d) Any encroachments existing, proposed on the Plans or contemplated in the future shall require separate authorization and shall be subject to the applicable provisions of the Code of the City of Richmond (2020), as amended, and all future amendments to such laws.

(e) 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 Zoning Administrator is authorized to issue a certificate of zoning compliance for the Special Use subject to the terms and conditions set forth in this ordinance. An application for the certificate of zoning compliance shall be made within 730 calendar days following the date on which this ordinance becomes effective. If the application for the certificate of zoning compliance is not made within the time period stated in the previous

sentence, this ordinance and the special use permit granted herby shall terminate and become null and void.

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

APPROVED AS TO FORM:

CITY ATTORNEY'S OFFICE



City of Richmond

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

Master

File Number: Admin-2024-0408

File ID: Admin-2024-0408

Type: Request for Ordinance or Resolution

Status: Regular Agenda

Version: 2

Reference:

In Control: City Clerk Waiting Room

Department:

Cost:

File Created: 05/02/2024

Subject:

Final Action:

Title: [Empty box]

Internal Notes:

Code Sections:

Agenda Date: 06/10/2024

Indexes:

Agenda Number:

Patron(s):

Enactment Date:

Attachments: Admin-2024-0408_308 Oak Lane_AATF Ordinance, Admin-2024-0408_308 Oak Lane Supporting Documents

Enactment Number:

Contact:

Introduction Date:

Drafter: David.Watson@rva.gov

Effective Date:

Related Files:

Approval History

Version	Seq #	Action Date	Approver	Action	Due Date
2	1	5/21/2024	Matthew Ebinger	Approve	5/23/2024
2	2	5/21/2024	Kris Daniel-Thiem - FYI	Notified - FYI	
2	3	5/21/2024	Kevin Vonck	Approve	5/28/2024
2	4	5/21/2024	Alecia Blackwell - FYI	Notified - FYI	
2	5	5/22/2024	Sharon Ebert	Approve	5/23/2024
2	6	5/22/2024	Caitlin Sedano - FYI	Notified - FYI	
2	7	5/29/2024	Jeff Gray	Approve	5/24/2024
2	8	5/30/2024	Lincoln Saunders	Approve	5/31/2024
2	9	5/31/2024	Mayor Stoney	Approve	6/4/2024

History of Legislative File

Ver- sion:	Acting Body:	Date:	Action:	Sent To:	Due Date:	Return Date:	Result:
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Text of Legislative File Admin-2024-0408

City of Richmond
Intracity Correspondence

O&R Transmittal

DATE: May 21, 2024

TO: The Honorable Members of City Council

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

THROUGH: J.E. Lincoln Saunders, Chief Administrative Officer

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

RE: To authorize the special use of the property known as 308 Oak Lane for the purpose of a single-family detached dwelling, with driveway access to the street exceeding nine feet in width, upon certain terms and conditions.

ORD. OR RES. No.

PURPOSE: To authorize the special use of the property known as 308 Oak Lane for the purpose of a single-family detached dwelling, with driveway access to the street exceeding nine feet in width, upon certain terms and conditions.

BACKGROUND: The subject property is in the R-1 Single-Family Residential District and the zoning ordinance prohibits driveways greater than nine feet in width. The proposed reconfigured driveway will have two points of access and will have a total width greater than nine feet. Therefore, a Special Use Permit is requested. The .445-acre subject property is located on the western side of Oak Lane between Grove Avenue and Harlan Circle. The property is not serviced by an alley.

COMMUNITY ENGAGEMENT: The Hampton Gardens Civic Association was contacted regarding this proposal and subsequently expressed support.

STRATEGIC INITIATIVES AND OTHER GOVERNMENTAL: The City's Richmond 300 Master Plan designates the property for Residential uses which consists primarily of single-family houses on large- or medium-sized lots more homogeneous in nature.

FISCAL IMPACT: The Department of Planning and Development Review does not anticipate any impact to the City's budget for this or future fiscal years.

DESIRED EFFECTIVE DATE: Upon adoption

REQUESTED INTRODUCTION DATE: June 10, 2024

CITY COUNCIL PUBLIC HEARING DATE: July 22, 2024

REQUESTED AGENDA: Consent

RECOMMENDED COUNCIL COMMITTEE: Planning Commission, July 16, 2024

AFFECTED AGENCIES: Office of Chief Administrative Officer, Law Department

RELATIONSHIP TO EXISTING ORD. OR RES.: None

ATTACHMENTS: Application Supporting Documents

STAFF: Matthew J. Ebinger, Planning Supervisor - Land Use Administration 804-646-6308

David Watson, Senior Planner, Land Use Administration, 804-646-1036

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/LocationProperty Address: 308 Oak Lane Date: _____Tax Map #: W0200136005 Fee: \$300Total area of affected site in acres: 0.445(See **page 6** for fee schedule, please make check payable to the "City of Richmond")**Zoning**Current Zoning: R-1Existing Use: Single-family detached**Proposed Use**

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

Modify existing drivewayExisting Use: Single-family detached

Is this property subject to any previous land use cases?

Yes

No

If Yes, please list the Ordinance Number: _____

Applicant/Contact Person: Will Gillette / Mark BakerCompany: Baker Development ResourcesMailing Address: 530 East Main Street, Suite 730City: Richmond State: VA Zip Code: 23219Telephone: (804) 874-6275 Fax: ()Email: markbaker@bakerdevelopmentresources.com**Property Owner:** Bridges Clifton Lee Jr and Allison Sewell

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: 308 Oak LaneCity: RICHMOND State: VA Zip Code: 23226Telephone: () Fax: ()

Email: _____

Property Owner Signature: Allison BridgesDocuSigned by:
Allison BridgesThe 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

November 14th, 2023

*Special Use Permit Request
308 Oak Lane, Richmond, Virginia
Map Reference Number: W020-0136/005*

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 308 Oak Lane (the "Property"). The SUP would authorize the modification of the existing driveway to include a new curb cut on the Property. While a driveway is a permitted use in the underlying R-1 Single-Family zoning district, the addition of a second apron constitutes a second driveway, and the policy of the Zoning Administration Office does not permit more than one driveway on a lot devoted to a dwelling use. Therefore, a SUP is required to permit the proposed improvement.

Existing Conditions

SITE DESCRIPTION AND EXISTING LAND USE

The subject property is located on the western side of Oak Lane between Grove Avenue and Harlan Circle. The Property is referenced by the City Assessor as tax parcel W020-0136/005 and is currently improved with an owner-occupied single-family detached dwelling. The Property is approximately 100 feet in width and contains roughly 19,389 square feet of lot area.



The properties in the immediate vicinity are developed primarily with single-family residential uses.

EXISTING ZONING

The Property and those immediately surrounding it are located within the R-1 Single Family Residential District. Beyond that, to the west are properties zoned R-4 Single Family Residential and to the east are properties zoned R-5 Single Family Residential. Lastly, to the north are properties Zoned RO-1 Residential Office District and R-2 Single Family Residential.

MASTER PLAN DESIGNATION

The request is consistent with the Richmond 300 Master Plan (the "Master Plan"), which suggests "Residential" for the Property. 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. This designation also encourages developments to reinforce a gridded street pattern in order 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:

- Page 86 (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"
- Page 100 (High Quality Places Chapter), Objective 4.1, to "create and preserve high-quality, 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 SUP would authorize the expansion of the existing driveway and a new apron along Oak Lane.

PURPOSE OF REQUEST

The Property is of a typical size and configuration for the area. The owner is proposing to add an additional driveway apron and alter the current driveway configuration to construct a U-shaped driveway on the property, similar to many other homes in the vicinity. While a driveway is a permitted within the underlying zoning district, the addition of a second apron constitutes a second driveway, and the policy of the Zoning Administration Office does not permit more than one driveway on a lot devoted to a dwelling use. Therefore, a SUP is required in order to permit the alteration to the driveway.

PROJECT DETAILS

When complete, the existing cobble apron and asphalt driveway would be resurfaced, and a new asphalt driveway and cobble apron would be installed. The new driveway would chart a reverse U shape across the front yard and include a cobble border inset in front of the landing of the existing dwelling. In exchange for the SUP, the intent of this request is to more efficiently utilize the Property to create a high-quality driveway for the current resident.

Findings of Fact

The following are factors indicated in Section 17.11 of the Charter and Section 114-1050.1 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 an additional driveway 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 proposed driveway modification will create no congestion on streets, roads, alleys or any other public right of way.

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

The proposed special use permit will be developed in a manner consistent 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 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.

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

The special use permit would not interfere with the provision of adequate light and air to the adjacent buildings.

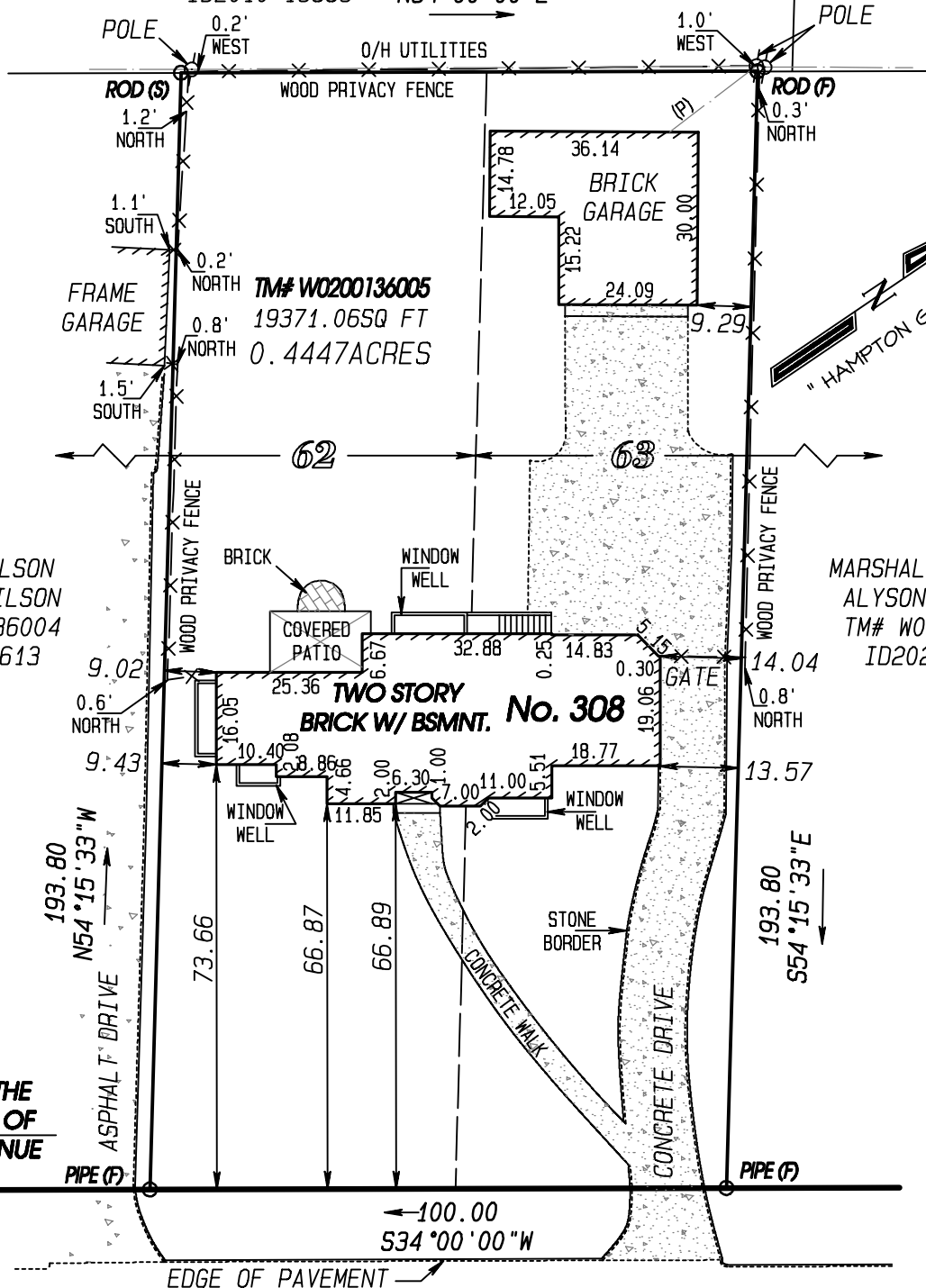
Summary

In summary, we are enthusiastically seeking approval for the construction of a U-shaped driveway. This Special Use Permit proposal represents a small-scale improvement for this location that is mindful of its surroundings. In exchange for the SUP, the quality assurances and conditions related to the installation of a new driveway apron would guarantee the construction of a U-shaped driveway that meets the needs of the Property owner and adds value to their property.

NOTES: THIS PROPERTY IS LOCATED IN F.E.M.A. FLOOD ZONE "X".

CURRENT OWNER: CLIFTON LEE BRIDGES, JR. & ALLISON SEWELL ID2014-12563

CHURCHILL G. BOWLES
KARIN A. BOWLES
TM# W0200136015 100.00
ID2010-19885 N34°00'00"E



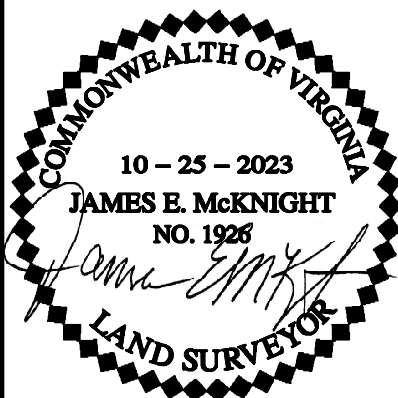
STEPHEN WILSON
LAURA K. WILSON
TM# W0200136004
ID2000-15613

MARSHALL S. CROFT
ALYSON G. CROFT
TM# W0200136006
ID2021-12431

OAK LANE

50' R/W

PLAT SHOWING IMPROVEMENTS ON A PORTION OF LOT 62 & LOT 63, PLAN OF "HAMPTON GARDENS", KNOWN AS No. 308 OAK LANE, IN THE CITY OF RICHMOND, VIRGINIA.



THIS IS TO CERTIFY THAT ON OCTOBER 25, 2023, I MADE AN ACCURATE FIELD SURVEY OF THE PREMISES SHOWN HEREON; THAT THERE ARE NO ENCROACHMENTS BY IMPROVEMENTS EITHER FROM ADJOINING PREMISES OR FROM SUBJECT PREMISES UPON ADJOINING PREMISES, OTHER THAN AS SHOWN HEREON. THIS SURVEY IS BEING FURNISHED WITHOUT BENEFIT OF A TITLE REPORT. PREMISES SHOWN HEREON IS SUBJECT TO EASEMENTS OF RECORD OR OTHERWISE. TO THE BEST OF MY KNOWLEDGE AND BELIEF, THIS PLAT COMPLIES WITH THE MINIMUM STANDARDS ESTABLISHED BY THE VIRGINIA STATE BOARD OF ARCHITECTS, PROFESSIONAL ENGINEERS, AND LAND SURVEYORS. SCALE: 1" = 30'



McKNIGHT & ASSOCIATES, P.C.

LAND SURVEYORS PLANNERS

201 TWIN RIDGE LANE
RICHMOND, VIRGINIA 23235
TELEPHONE (804) 320-2646

JOB NUMBER: 87042208

REVISION	DATE
1 DRIVEWAY REV 1	12.12.2023
2	
3	
4	
5	
6	






NOTES:
1. ALL DIMENSIONS SHOWN ARE TO F.O. STUD UNLESS OTHERWISE NOTED.

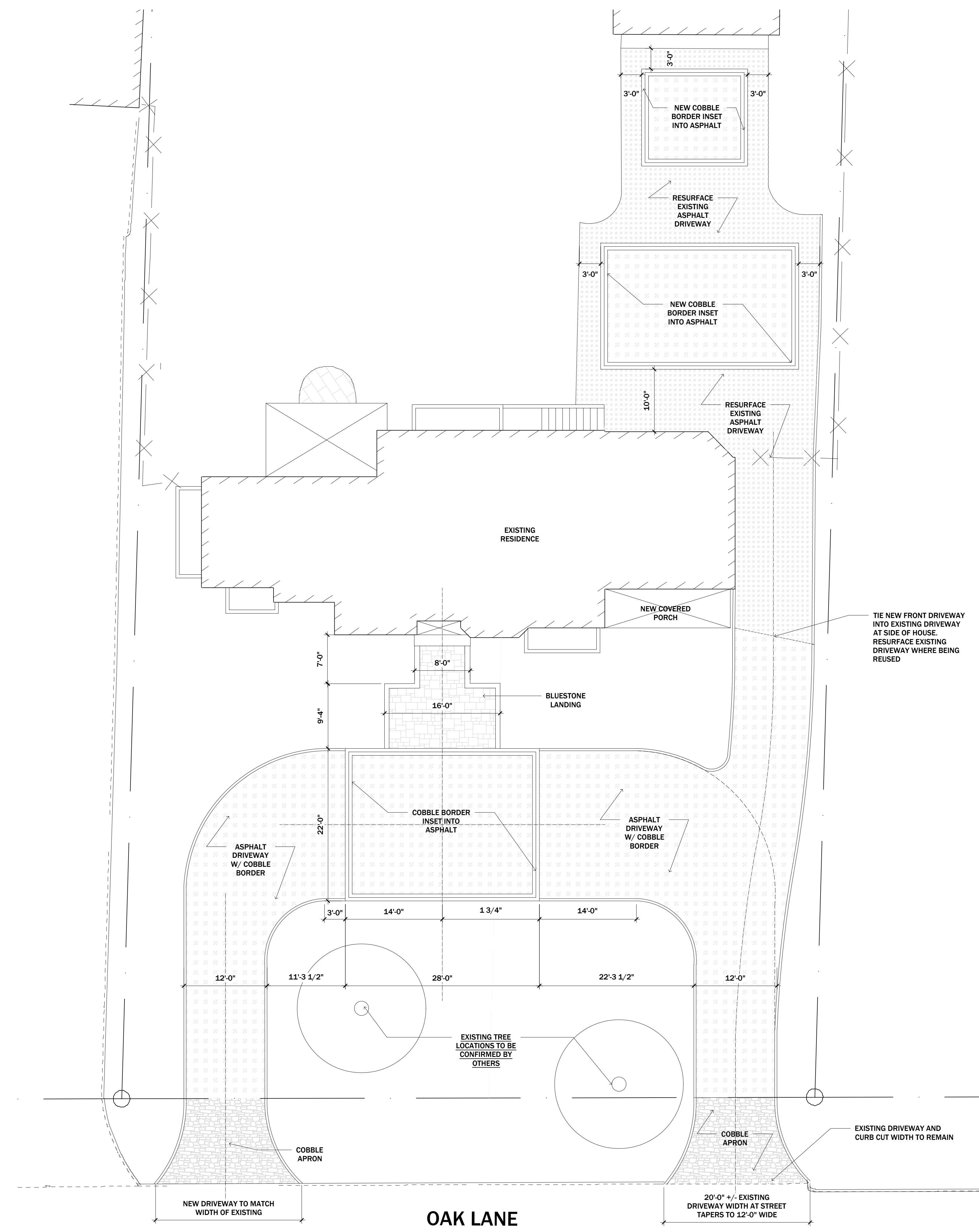
**NOT FOR
CONSTRUCTION**

PROPOSED
SITE PLAN

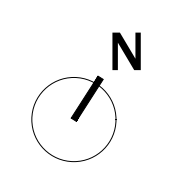
A0.1

LEGEND

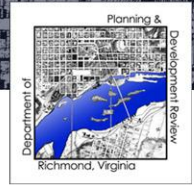
-  PROPERTY LINE
-  SETBACK
-  TO BE REMOVED
-  BUILDING EDGE
-  LIMITS OF DISTURBANCE (2,200 SF)



ARCHITECTURAL SITE PLAN
1/8" = 1'-0" 1



CITY OF RICHMOND
PLANNING AND DEVELOPMENT REVIEW
LAND USE ADMINISTRATION



December 7, 2023

<p>Westhampton Citizens Association Patricia Merrill, President Ginger Bacon, Administrator P.O. Box 8418 Richmond, VA 23226-0418 contact@westhamptoncitizensassociation.com patricia.merrill.rva@gmail.com varuffin@aol.com</p>	<p>Hampton Gardens Association Helen Nunley 405 Harlan Circle Richmond, VA 23226-1634 hnunley@hotmail.com</p>
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Special Use (New)

308 Oak Lane
Richmond, VA 23226
W0200136005
SUP-138868-2023

We have received a Special Use (New) application for the above referenced property, which is located in R-1 Single Family Residential District. The applicant has requested a Special Use (New) permit which would allow driveway modification. Please find enclosed a copy of the Applicant's Report for your review. The petitioner should contact you regarding this proposal, if he has not done so already. The petitioner is:

Mark Baker
530 E Main St Suite 730
Richmond, VA 23219
804-874-6275
markbaker@bakerdevelopmentresources.com

If you have any other questions about this proposal or about the Special Use permit process, please feel free to contact me at 804-646-1036 or David.Watson@Richmondgov.com

Sincerely,

David Watson, AICP
Senior Planner

CC: **Whitney H. Brown**, Liaison for Councilmember Andreas D. Addison



**City of Richmond
Department of Planning
& Development Review**

Special Use Permit

LOCATION: 308 Oak Lane

APPLICANT: Bridges Clifton Lee Jr. and Allison Sewell

COUNCIL DISTRICT: 1

PROPOSAL: To authorize the special use of the property known as 308 Oak Lane for the purpose of a single-family detached dwelling, with driveway access to the street, upon certain terms and conditions

For questions, please contact David Watson at 804-646-1036 or David.Watson@RVA.gov

