INTRODUCED: September 27, 2021

AN ORDINANCE No. 2021-280

To authorize the special use of the property known as 3310 Richmond-Henrico Turnpike for the purpose of a single-family detached dwelling, upon certain terms and conditions.

Patron – Mayor Stoney (By Request) Ms. Trammell and Mr. Jones

Approved as to form and legality by the City Attorney

PUBLIC HEARING: NOV 8 2021 AT 6 P.M.

WHEREAS, the owner of the property known as 3310 Richmond-Henrico Turnpike, which is situated in a R-5 Single-Family Residential District, desires to use such property for the purpose of a single-family detached dwelling, which use, among other things, is not currently allowed by sections 30-410.4, concerning lot area and width, and 30-410.5, 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:	9	NOES:	0	ABSTAIN:	
ADOPTED:	DEC 13 2021	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 3310 Richmond-Henrico Turnpike and identified as Tax Parcel No. N000-1258/012 in the 2021 records of the City Assessor, being more particularly shown on a survey entitled "Survey and Plat of the Northern 18.0' of Lot 5, Block 8 of the Plan of Providence Park in the City of Richmond, VA," prepared by Davison Land Surveying and Mapping, and dated January 28, 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 a single-family detached dwelling, hereinafter referred to as "the Special Use," substantially as shown on the plans entitled "New 2-Story, Single-Family Detached Residence in the Providence Park Neighborhood of Richmond, 3310 Richmond Henrico Trnpk. House, 3310 Richmond Henrico Turnpike, Richmond, Virginia 23222," prepared by Chris Wolf Architecture, PLLC, and dated May 7, 2021, 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, substantially as shown on the Plans.

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(b) No less than one parking space shall be provided on the Property, which shall be accessed from the alley to the rear of the Property.

(c) All building materials and elevations shall be substantially as shown on the Plans.

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

§ 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:

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(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

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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 or the certificate of occupancy 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: Camelin D. Rind City Clerk



City of Richmond

Item Request File Number: PRE.2021.797 900 East Broad Street 2nd Floor of City Hall Richmond, VA 23219 www.rva.gov

RECEIVED

By CAO Office at 1:51 pm, Aug 30, 2021 2021-426

O & R Request **EDITION:**1 8/26/2021 **DATE:** TO: The Honorable Members of City Council THROUGH: The Honorable Levar M. Stoney, Mayor (Patron: Mayor, by Request) (This in no way reflects a recommendation on behalf of the Mayor.) THROUGH: J.E. Lincoln Saunders, Acting Chief Administrative Officer THROUGH: Sharon L. Ebert, Deputy Chief Administrative Officer for Economic Development and Planning Kevin J. Vonck, Acting Director, Department of Planning and Development Review King J. Vonk FROM: RE: To authorize the special use of the property known as 3310 Richmond-Henrico Turnpike 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 3310 Richmond-Henrico Turnpike for the purpose of a single-family detached dwelling, upon certain terms and conditions

REASON: The subject property is located in the R-5 Single-Family Residential zoning district. Single-family detached dwellings are permitted uses in this zoning provided that certain lot feature requirements are met. The lot does not meet the area or width requirement. Therefore a special use permit amendment is 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 October 18, 2021 meeting.

BACKGROUND: The 2,340 square foot subject property is located midblock on the western side of Richmond-Henrico Turnpike between Hazelhurst Avenue and Pollock Street. This vacant parcel is in the Providence Park neighborhood.

The proposal calls for the construction of a single-family detached dwelling. A minimum lot width of 50 feet and an area of at least 6,000 square is required for a single-family dwelling in the R-5 Single-Family Residential District. Lots of this approximate size configuration are located on the block.

The Richmond 300 Master Plan recommends Residential Uses for the property. The development style in this designation calls for *houses on medium-sized and large-sized lots in a largely auto-dependent environment*. *Homes are setback from the street. Future developments continue and/or introduce a gridded street pattern to increase connectivity. Future single-family housing, accessory dwelling units, duplexes, and small multi-family residential buildings are built to a scale and design that is consistent with existing buildings.*

The proposed two-story structure will be a traditional urban design that is complementary to the surrounding dwellings on the block and in the neighborhood.

All properties surrounding the subject property are located within the same R-5 Single-Family Residential zoning district. Within the area of the subject property, properties are improved with single-family detached dwellings.

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: September 27, 2021

CITY COUNCIL PUBLIC HEARING DATE: November 8, 2021

REQUESTED AGENDA: Consent

RECOMMENDED COUNCIL COMMITTEE: None

CONSIDERATION BY OTHER GOVERNMENTAL ENTITIES:

City Planning Commission October 18, 2021

AFFECTED AGENCIES: Office of Chief Administration 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: David Watson, Senior Planner, Land Use Administration, 804-646-1036



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: 3310 Richmond Henrico Tumpike	_Date <u>_</u> /_
Tax Map #: N0001258012 Fee: 300	
Total area of affected site in acres: 0.054	

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

Zoning

Current Zoning: R-5

Existing Use: vacant residential lot

Proposed Use

(Please include a detailed description of the proposed use in the required applicant's report) one (1) single-family detached dwelling

Existing Use: vacant residential lot

Is this property subject to any previous land use cases?

Yes

If Yes, please list the Ordinance Number:

Applicant/Contact Person: Mark Baker / Charlie Wilson

Company: Baker Development Resources		· · · · · · · · · · · · · · · · · · ·
Mailing Address: 1519 Summit Avenue, Suite 102		
City: Richmond	State: VA Z	ip Code: 23230
Telephone: (804) 874-6275	Fax: _()	· · · · · · · · · · · · · · · · · · ·
Email: markbaker@bakerdevelopmentresources.com, charlie@ba	kerdevelopmentresources.com	

Property Owner: Nest Builders LLC

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: 2317 Carrington Street

City: Richmond	_ State: <u>VA</u> _ Zip Code: <u>23223</u>
Telephone: (804) 698-9142	Fax: _()
Email: info@nestbuildersdevelopmentco.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)

SUP Application | Last Revised September 7, 2018 | CITY OF RICHMOND 1



_{Date:} 2/19/2021

APPLICANT'S REPORT

February 19, 2021

Special Use Permit Request 3310 Richmond Henrico Turnpike, Richmond, Virginia Map Reference Number: N000-1258/012

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 1519 Summit Ave, Suite 102 Richmond, Virginia 23230

Introduction

The property owner is requesting a special use permit (the "SUP") for 3310 Richmond Henrico Turnpike (the "Property"). The SUP would authorize the construction of a single-family detached dwelling on the Property. As proposed, some of the features do not conform to the underlying R-5 zoning feature requirements applicable to the Property.

Existing Conditions

SITE DESCRIPTION AND EXISTING LAND USE

The Property is located on the west side of Richmond Henrico Turnpike between Hazlehurst Avenue to the north and Pollock Street to the south. The Property is referenced by the City Assessor as tax parcel N000-1258/012. The Property is roughly 18 feet wide by 130 feet in depth and contains approximately 2,340 square feet in lot area. The lot is currently unimproved, giving the appearance of a "missing tooth" in the block. Access is provided by a north-south alley at the rear of the Property.



Applicant's Report 3310 Richmond Henrico Turnpike

The properties in the vicinity are primarily developed with single-family dwellings. The dwellings in the area consist of mixture of housing styles and materials. The dwellings within the subject block consist of both single- and two-story dwellings in a range of designs including a single-story frame dwelling immediately to the south and a two-story Italianate dwelling immediately to the north.

EXISTING ZONING

The Property is zoned R-5 Single-Family Residential, which permits the proposed single-family detached dwelling use. The surrounding properties to the north, south, east, and west are also zoned R-5. The R-5 district requires a lot area of not less than 6,000 square feet and width of not less than 50 feet for single-family dwellings.

Due to the historic lot pattern in the area, existing single-family dwellings are typically nonconforming with regard to some combination of lot area, lot width and yard requirements. The existing lot and proposed dwelling would be consistent with this development pattern. However, as the proposed development does not meet R-5 lot area and lot width requirements, and the side yard requirement would not be met along the northern property line, a special use permit is required.

MASTER PLAN DESIGNATION

The Richmond 300 Plan (the "Master Plan") recommends "Residential" for the Property. The primary development style described in the Master Plan for this designation consists of "houses on medium-sized and large-sized lots in a largely auto-dependent environment. Homes are setback from the street. Future developments continue and/or introduce a gridded street pattern to increase connectivity. Future single-family housing, accessory dwelling units, duplexes, and small multi-family residential buildings are built to a scale and design that is consistent with existing buildings." There are also a variety of general housing goals contained in the Master Plan High-Quality Places chapter that are applicable to the request. These goals include, among other things:

- Ensure that building materials are durable, sustainable, and create a lasting addition to the built environment, and provide maximum adaptability for environmental change, change of use, and efficiency.
- Allow and encourage a variety of architectural styles.
- Implement urban design and architecture strategies that maintain and enhance the unique character of Richmond's residential districts.

Proposal

PROJECT SUMMARY

The request would permit the construction of a single-family detached dwelling on the Property.

PURPOSE OF REQUEST

The Property consists of a single lot of record that, while narrow, is consistent with lots in the vicinity and of similar width to lots immediately adjacent to the south. The applicant would like to construct a single-family detached dwelling on the Property. The R-5 district does permit detached single-family dwellings; however, the required lot width and area cannot be met by the proposed lot. In addition, the as the lot is 18' in width, relief is requested from the side yard setback along the northern property line in order to allow for the construction of a wider home. The R-5 district would require a 3-foot side yard; a side yard of 8 inches is proposed. Therefore, a SUP is required in order to permit the proposed development.

The single-family detached dwelling would be two stories in height with a full-width front porch in order to remain consistent with other residential buildings in the vicinity in terms of both scale and character. The dwelling would contain 1,456 square feet of floor area and consist of two bedrooms and 2 $\frac{1}{2}$ baths in a modern and livable floor plan with upstairs bedrooms with en suite bathrooms. To ensure quality, the building would be clad in cementitious lap siding. An on-site parking space is proposed for the dwelling, which would be located to the rear of the dwelling and accessed by the rear alley.

In exchange for the SUP, the intent of this request is to ensure an appropriate infill development and a high-quality homeownership opportunity, which is consistent with the Land Use Designation and other guidance found in the Master Plan.

Findings of Fact

The following are factors indicated 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 for high-quality infill construction 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 SUP will not result in significant traffic impacts to nearby residential neighborhoods. The negligible traffic generation and off-street parking space for the dwelling will create 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 SUP 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 proposed SUP would not adversely affect the above referenced City services.

• 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 in the vicinity. As a result, this request will not interfere with the provision of adequate light and air to the adjacent buildings.

Summary

The applicant is enthusiastically seeking approval for the construction of a high quality, single-family dwelling on the Property. This proposal represents an ideal, small-scale urban infill development for this location. In exchange for the approval, the quality assurances conditioned through the SUP would guarantee the construction of a higher quality dwelling than might otherwise be developed by right in the vicinity. This would contribute to the overall vibrancy of the block though the provision of an appropriate urban form and use that is consistent with the historic development pattern and surrounding neighborhood.



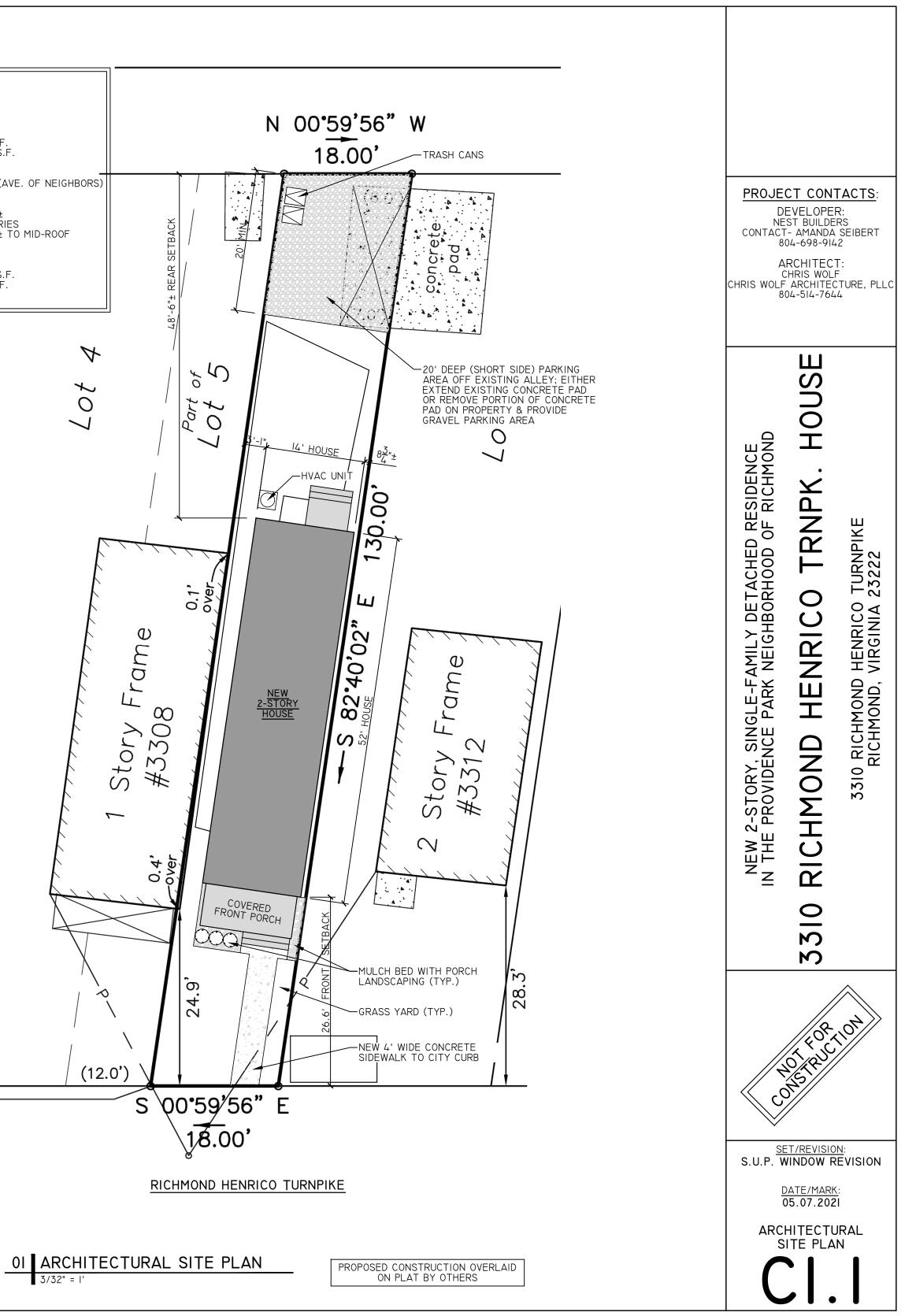
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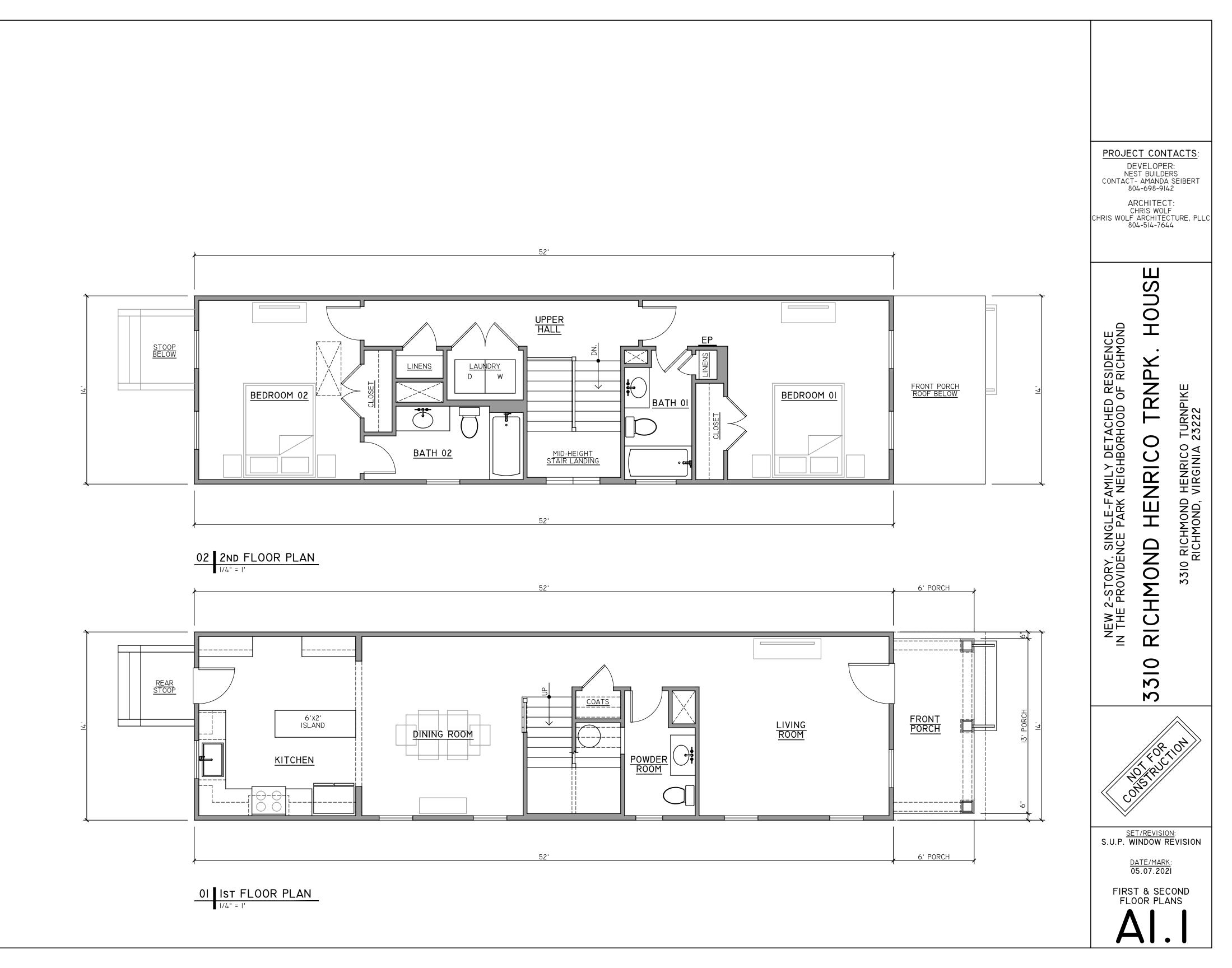
3310 RICHMO

	PROJECT CONTACTS: DEVELOPER: NEST BUILDERS CONTACT- AMANDA SEIBERT 804-698-9142 ARCHITECT: CHRIS WOLF CHRIS WOLF ARCHITECTURE, PLLC 804-514-7644
estory, single-family detached residence providence park neighborhood of richmond ND HENRICO TRNPK. HOUSE 3310 Richmond Henrico Turnpike Richmond, virginia 23222	NEW 2-STORY, SINGLE-FAMILY DETACHED RESIDENCE IN THE PROVIDENCE PARK NEIGHBORHOOD OF RICHMOND RICHMOND HENRICO TRNPK. HOUSE 3310 RICHMOND HENRICO TURNPIKE 3310 RICHMOND, VIRGINIA 23222
DRAWING INDEX DRAWINGS NO. SHEET TITLE C3 GOVER SHEET C1. CHTHECTURAL SITE FLAN'S ZONING INFORMATION AI.1 TIRST & SECOND FLOOR PLANS I2.1 FRONT & LEFT SIDE FLEVATIONS & EXTERIOR MATERIAL SCHEDULE A2.2 FRAR & ROHT SIDE FLEVATIONS	SION OF SHEET SION OF SHEET COVER SHEET COVER SHEET COVER SHEET COVER SHEET

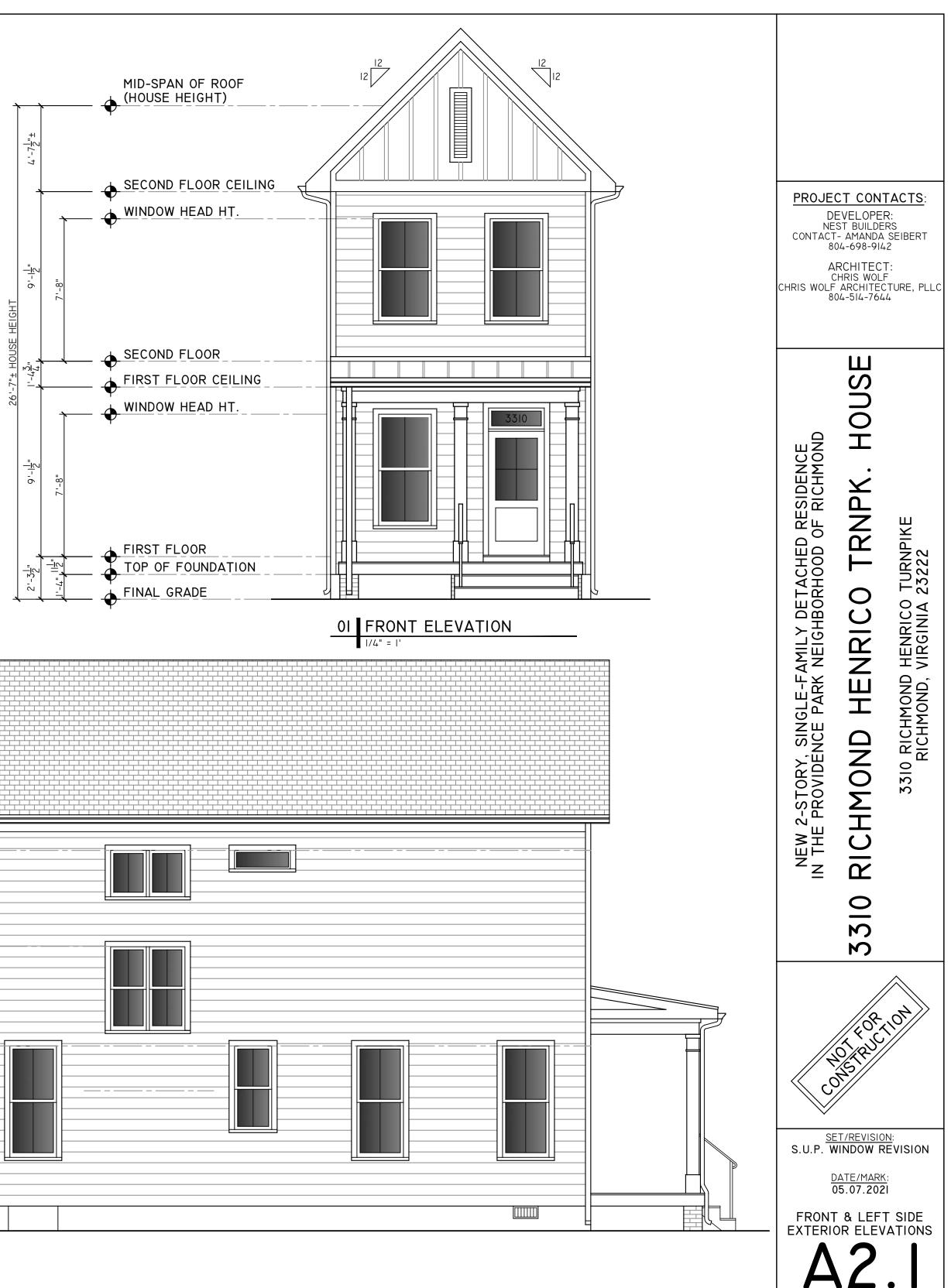
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	ZONING INFORMATION:	
	LOT CURRENTLY ZONED R-5	
	HOUSE CONDITIONED AREA: FIRST FLOOR: SECOND FLOOR: TOTAL CONDITIONED AREA:	728 728 S.F. I,456 S.F.
	SETBACKS/YARDS: FRONT YARD: LEFT SIDE YARD: RIGHT SIDE YARD: REAR YARD: HEIGHT:	26.6' (AVE. OF NE 3'-1" 8"± 48'-6"± 2 STORIES 26'-7"± TO MID-RG
	LOT SIZE & COVERAGE: LOT WIDTH: LOT AREA: LOT COVERAGE: COVERAGE PERCENTAGE:	18' 2,315 S.F. 728 S.F. 32%

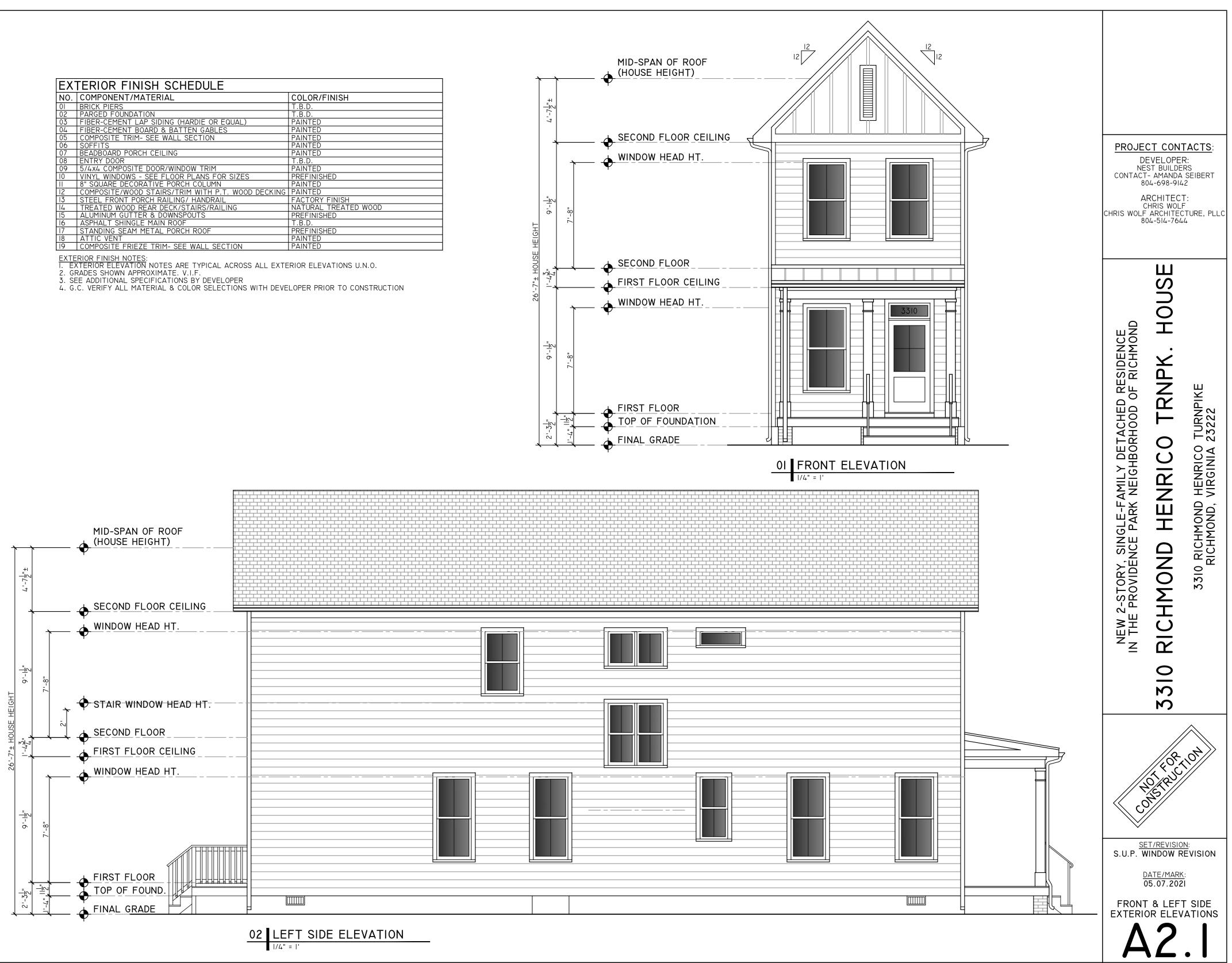
132.00' to the N/L of Pollock Street (formerly Wilson Ave.)



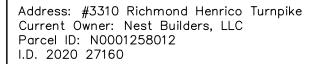


EX.	TERIOR FINISH SCHEDULE	
NO.	COMPONENT/MATERIAL	COLOR/FINISH
01	BRICK PIERS	T.B.D.
02	PARGED FOUNDATION	T.B.D.
03	FIBER-CEMENT LAP SIDING (HARDIE OR EQUAL)	PAINTED
04	FIBER-CEMENT BOARD & BATTEN GABLES	PAINTED
05	COMPOSITE TRIM- SEE WALL SECTION	PAINTED
06	SOFFITS	PAINTED
07	BEADBOARD PORCH CEILING	PAINTED
08	ENTRY DOOR	T.B.D.
09	5/4x4 COMPOSITE DOOR/WINDOW TRIM	PAINTED
10	VINYL WINDOWS - SEE FLOOR PLANS FOR SIZES	PREFINISHED
	8" SQUARE DECORATIVE PORCH COLUMN	PAINTED
12	COMPOSITE/WOOD STAIRS/TRIM WITH P.T. WOOD DECKING	PAINTED
13	STEEL FRONT PORCH RAILING/ HANDRAIL	FACTORY FINISH
4	TREATED WOOD REAR DECK/STAIRS/RAILING	NATURAL TREATED WOOD
15	ALUMINUM GUTTER & DOWNSPOUTS	PREFINISHED
16	ASPHALT SHINGLE MAIN ROOF	T.B.D.
17	STANDING SEAM METAL PORCH ROOF	PREFINISHED
18	ATTIC VENT	PAINTED
19	COMPOSITE FRIEZE TRIM- SEE WALL SECTION	PAINTED









Note: Bearings protracted from City Baseline sheet 41 SW.

