



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: 3336 Cutshaw Avenue  
 Tax Map #: W0001524028 Fee: \$300  
 Total area of affected site in acres: 0.519

Date: 11-16-21

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

**Zoning**

Current Zoning: UB-2

Existing Use: Three two-family dwellings and a parking area

**Proposed Use**

(Please include a detailed description of the proposed use in the required applicant's report)  
Division of the existing property into four separate parcels, three containing a two-family dwelling and one containing the existing parking area.

Existing Use: Three two-family dwellings and a parking area

Is this property subject to any previous land use cases?

Yes

No

If Yes, please list the Ordinance Number: BZA-1975-086, BZA-1958-004

**Applicant/Contact Person:** Mark Baker

Company: Baker Development Resources

Mailing Address: 530 East Main Street, Suite 730

City: Richmond State: VA Zip Code: 23219

Telephone: (804) 874-6275 Fax: ( )

Email: markbaker@bakerdevelopmentresources.com

**Property Owner:** CUTSHAW ONE LLC

If Business Entity, name and title of authorized signee: Jim Kinter

(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: 5809 York Road

City: Richmond State: VA Zip Code: 23226

Telephone: (804) 359-3575 Ext 4 Fax: ( )

Email: jkinter@glcva.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)

# APPLICANT'S REPORT

*November 29, 2021*

*Special Use Permit Request  
3336 Cutshaw Avenue, Richmond, Virginia  
Map Reference Number: W000-1524/028*

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Submitted to:	<b>City of Richmond</b> Department of Planning and Development Review Land Use Administration 900 East Broad Street, Suite 511 Richmond, Virginia 23219
Submitted by:	Mark Baker Baker Development Resources 530 East Main Street, Suite 730 Richmond, VA 23219

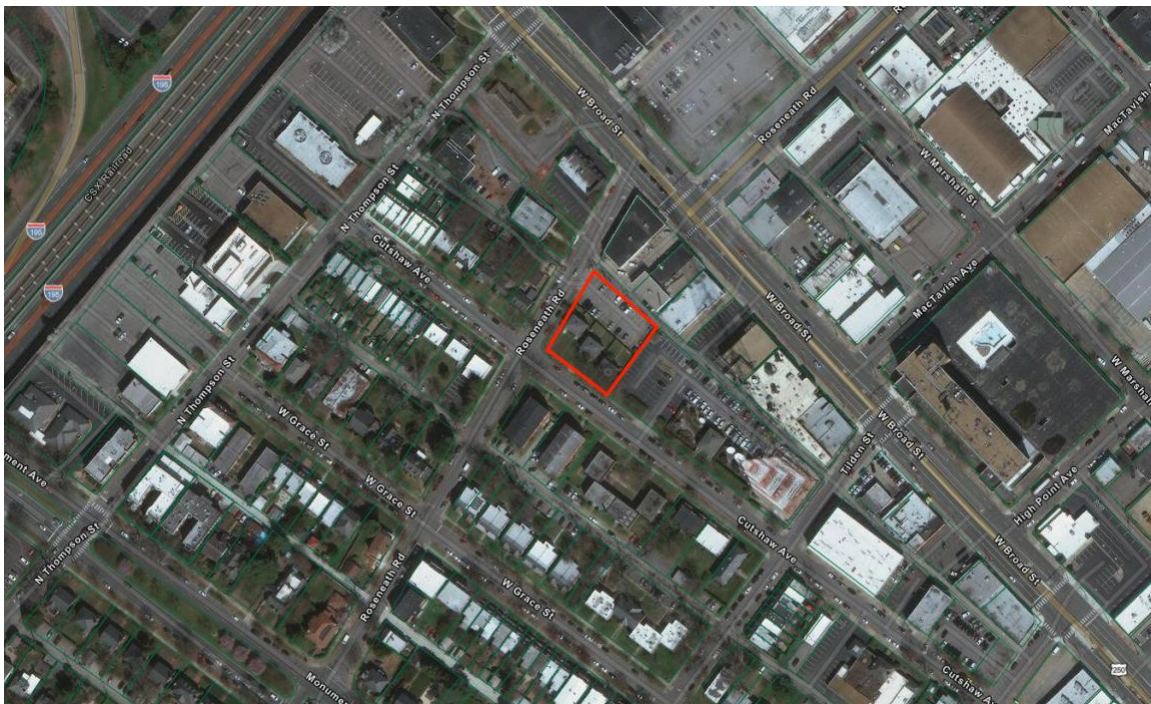
## Introduction

The applicant is requesting a special use permit (the "SUP") for the property known as 3336 Cutshaw Avenue (the "Property"). The SUP would authorize the division of the existing Property into four (4) parcels. Three (3) of the parcels would include existing two-family dwellings and one (1) parcel would include the existing parking lot located on the Property. While the existing parking area and dwellings uses have existed in their current configuration for over fifty years, the dwellings are not permitted by the underlying UB-2 Urban Business District. Therefore, the SUP is required to divide the lot while retaining those uses.

## Existing Conditions

### SITE DESCRIPTION AND EXISTING LAND USE

The Property is located on the north side of Cutshaw Avenue at the northeast corner of its intersection with Roseneath Road. It is referenced by the City Assessor with a tax parcel number of W000-1524/028, is approximately 134 feet in width and 166 feet in depth, and contains roughly 22,607 square feet of lot area. The Property is currently occupied with three two-family dwellings, evenly spaced across the Cutshaw Avenue frontage and a parking area occupying the portion of the Property located to the rear of the dwellings. Access to the parking area is provided from an existing curb cut on Roseneath Road.



Properties in the area are developed with a wide range of uses. One block to the north lies the Broad Street corridor which features commercial uses. To the west, fronting Interstate 195 also lie a range of commercial and office uses. Properties to the south consist of residential uses ranging in intensity from single-family detached to multifamily. At 134 feet in width and containing 22,607 square feet of lot area, the Property is exceptionally large for a residential use with residential dwellings in the area on lots as small as 18 feet in width and generally no more than 60 feet in width.

## **EXISTING ZONING**

The Property, and all properties on the northern block of Cutshaw Avenue between Roseneath Road and Tilden Street, are zoned UB-2 Urban Business District. Properties to the north along the Broad Street corridor fall within the TOD-1 Transit-Oriented Nodal District. Properties immediately to the west and south lie in the R-48 Multifamily Residential District and those further south, beyond W Grace Street, are zoned R-6 Single-Family Attached Residential. Adjacent to the Property, across Cutshaw Avenue, lies the West of the Boulevard Design Overlay District.

## **MASTER PLAN DESIGNATION**

The Richmond 300 Master Plan (the "Master Plan") suggests "Corridor Mixed-Use" for the Property. The Master Plan suggests this future land use designation allow for medium density housing that is consistent with the scale, density, and design of what exists in the vicinity. This designation also encourages that developments reinforce a gridded street pattern to increase connectivity. Multi-family dwellings are the contemplated primary use in the Corridor Mixed-Use future land use designation (p. 54). The Property is also located within the area defined by the Pulse Corridor Plan and is contained in the walkshed for the Cleveland Street Pulse station.

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 109 (Equitable Transportation Chapter), Objective 6.1 to "Increase the number of residents and jobs at Nodes and along enhanced transit corridors in a land development pattern that prioritizes multi-modal transportation options."
  - b. Develop housing at all income levels in and near Nodes and along major corridors (see strategies Goal 14).
- Page 136 (Diverse Economy Chapter), Objective 11.1 to "Increase the areas of appropriately zoned land near various transportation modes and housing to retain, create, and attract employers."
  - d. Encourage the development of a variety of quality housing types to house employees across the economic spectrum (see Goal 14).
- Page 150 (Inclusive Housing Chapter), Objective 14.1 to "Increase city-wide awareness of the importance of integrating housing at all income levels into every residential neighborhood so every household has housing choice throughout the city."

- Page 152 (Inclusive Housing Chapter) (see map on p. 153), Objective 14.4 to “Increase the number of mixed-income communities along enhanced transit corridors.”
- Page 152 (Inclusive Housing Chapter) (see map on p. 153), Objective 14.5 to “Encourage more housing types throughout the city and greater density along enhanced transit corridors and at Nodes (shown in Figure 38 [p.153]) by amending the Zoning Ordinance. “
  - e) Allow the development of middle housing (2- to 4- unit buildings) by-right within 1/2 mile of high-frequency transit stops.
- Page 155 (Inclusive Housing Chapter), Objective 14.8 to “Develop inclusionary and equitable housing options for our gentrifying neighborhoods to prevent involuntary displacement.”
- Page 159 (Thriving Environment Chapter) Objective 15.1 to “Reduce air pollution related to transportation.”
  - a. Increase the number of Richmonders living in a development pattern that encourages density and reduces dependency on single-occupancy vehicles (see Goal 1, Goal 8, Goal 14).
- 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.”

## Proposal

### PURPOSE OF REQUEST

The SUP would permit the division of the Property into four individual parcels. The dwellings are nonconforming in their current configuration and cannot be split into individual lots absent the SUP. The parking area is encumbered by a parking lease and serves the parking needs of the property at 3321 West Broad Street. The SUP would allow the two-family dwellings to be split and sold individually while allowing the parking area to continue to be utilized for parking for the use at 3321 West Broad Street.

In exchange for the SUP, the intent of this request is to retain the existing two-family dwellings which are compatible with the overall historic fabric of the neighborhood. The two-family dwellings would serve as high-quality middle housing that is consistent with the Master Plan. By allowing the two-family dwellings to be marketed individually, the SUP would also allow for greater diversity in housing types while providing affordability in buying options for potential home owners.

## PROJECT DETAILS

The proposed lot split would result in four lots, all of which will retain their existing improvements. The parcels fronting Cutshaw Avenue will each include one of the existing two-family dwellings and contain 4,267 to 4,700 square feet of lot area. The parcel to the rear would include the existing parking area and contain 9,208 square feet of lot area.

The existing two-family dwellings are each two-stories in height and are of a masonry (brick) construction. Each building contains approximately 1,758 square feet of finished floor area per the City of Richmond Assessor. The individual dwelling units are configured as side-by-side dwelling units. Each unit has two bedrooms and one bath on two floors.

## 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 will not impact the safety, health, morals and general welfare of the nearby neighborhoods. The use of the property will remain the same.

- ***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 dwellings are existing and the street network is sufficient to accommodate any negligible traffic generation as well as off-street parking spaces without creating 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 buildings are existing and their siting and setbacks will not be impacted by this approval. As a result, this request will not interfere with the provision of adequate light and air to the adjacent buildings.

## Summary

In summary we are enthusiastically seeking approval for the SUP in order to permit the division of the Property. The SUP would not change the intensity of the use of the Property. However, the division would permit the retention of the existing two-family dwellings, which are compatible with the overall historic fabric of the neighborhood. The two-family dwellings would serve as high-quality middle housing options that are consistent with the recommendations of the Master Plan. The two-family dwellings, which could be marketed individually, would also allow for greater diversity in housing types while providing more affordability as a buying option for potential homeowners.