INTRODUCED: November 14, 2022

AN ORDINANCE No. 2022-341

To authorize the special use of the property known as 4337 Shackleford Road for the purpose of a two-family detached dwelling, upon certain terms and conditions.

Patron – Mayor Stoney (By Request)

Approved as to form and legality by the City Attorney

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PUBLIC HEARING: DEC 12 2022 AT 6 P.M.

WHEREAS, the owner of the property known as 4337 Shackleford Road, which is situated in a R-4 Single-Family Residential District, desires to use such property for the purpose of a two-family detached dwelling, which use, among other things, is not currently allowed by section 30-408.1 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 create hazards from fire, panic or other dangers, will not tend to overcrowding of land and cause

AYES:	9	NOES:	0	ABSTAIN:	
ADOPTED:	DEC 12 2022	REJECTED:		STRICKEN:	
		_		_	

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 4337 Shackleford Road and identified as Tax Parcel No. C009-0950/101 in the 2022 records of the City Assessor, being more particularly shown on a survey entitled "Plat showing two new parcels, 4331 Shackleford Road and 4337 Shackleford Road, Walley Dorsey, Jr., Manchester District, City of Richmond," prepared by C.E. Duncan & Associates, Inc., and dated March 24, 2019, 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 two-family detached dwelling, hereinafter referred to as "the Special Use," substantially as shown on the plans entitled "Attached Four Square Homes, 4337A and 4337B Shackleford Road, Richmond, VA 23234," prepared by Penn & Co., dated April 3, 2022, and last revised September 27, 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 a two-family detached dwelling, substantially as shown on the Plans.
- (b) No fewer than four off-street parking spaces shall be provided for the Special Use, substantially as shown on the Plans.
 - (c) The height of the Special Use shall not exceed the height as shown on the Plans.

- (d) All building materials, elevations, and site improvements, including landscaping, shall be substantially as shown on the Plans.
- (e) All mechanical equipment, including heating, ventilation, and air conditioning units, 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.

When the privileges granted by this ordinance terminate and the special use permit (f)

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.

Implementation. The Commissioner of Buildings is authorized to issue a building § 6.

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: Janelin D. Rind

City Clerk

6



2022-266



City of Richmond

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

Item Request File Number: PRE.2022.0404

O & R Request

DATE: October 17, 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

To authorize the special use of the property known as 4337 Shackleford Road for the

RE: purpose of a two-family detached dwelling, upon certain terms and conditions.

ORD. OR RES. No.

PURPOSE: To authorize the special use of the property known as 4337 Shackleford Road for the purpose of a two-family detached dwelling, upon certain terms and conditions.

REASON: The applicant is requesting a Special Use Permit to authorize construction of duplex within an R-4 Single Family Residential District. The proposed is not a permitted principal use within the R-4 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. A

BACKGROUND: The property is located in the Walmsley neighborhood on Shackleford Road between Angus and Vial Roads. The property is currently a 10,200 sq. ft. (.234 acre) parcel of land.

File Number: PRE.2022.0404

The City's Richmond 300 Master Plan designates a future land use for the subject property as Residential which is defined as "Neighborhood consisting primarily of single family houses on large or medium sized lots more homogeneous in nature." Primary Uses: Single family houses, accessory dwelling units, and open space.

Secondary Uses: Duplexes and small multifamily buildings (typically 3 10 units), institutional, and cultural. Secondary uses may be found along major streets (p. 54)

The current zoning for this property is R-4 Single Family Residential. All adjacent properties are located within the same R-4 Residential Zone. The area is primarily single family residential, with some multifamily residential present in the vicinity. The proposed density is approximately 9 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: \$300 application fee

DESIRED EFFECTIVE DATE: Upon adoption

REQUESTED INTRODUCTION DATE: November 14, 2022

CITY COUNCIL PUBLIC HEARING DATE: December 12,2022

REQUESTED AGENDA: Consent

RECOMMENDED COUNCIL COMMITTEE: None

CONSIDERATION BY OTHER GOVERNMENTAL ENTITIES: Planning Commission December 5, 2022

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: Draft Ordinance, Application Form, Applicant's Report, 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.richmoragov.com/

Application is hereby submitted for: (check one) special use permit, new		
special use permit, plan amendment		
☐ special use permit, text only amendment		
— special are permit, text only amendment		
Project Name/Location		
Property Address: 4337 SHACKLEFORD ROAD RICHMOND, VA 23234		Date: 3-25-2022
Tax Map #: C0090950101 Fee: \$300		
Total area of affected site in acres: 2342		
(See page 6 for fee schedule, please make check payable to the "City of	Richmond")	
Zoning Current Zoning: R-4 RESIDENTIAL (SINGLE FAMILY)		
Existing Use: VACANT		
Proposed Use (Please include a detailed description of the proposed use in the required a CONSTRUCT SINGLE FAMILY ATTACHED TWO STORY HOMES FOR RENTAL		ERTIES
Existing Use: VACANT		
Is this property subject to any previous land use cases? Yes No If Yes, please list the Ordinance Number:		
TOOL D DELIVER ST.		
Applicant/Contact Person: JESSE R. PENN, III, MEM, EIT		
Company: PENN & COMPANY, LLC		
Mailing Address: 10921 PARKSHIRE LANE	State: VA	Zip Code: 23233
Oicy:	Fax: ()	Zip Code. 20200
Telephone: _(703)728-5779 Email: jpenn@pennandco.com	- dx()_	
Email. jpernæpernandos.com		
Property Owner: DOMUSARDUS, LLC		
If Business Entity, name and title of authorized signee: AC &	STEPHANIE CATEDR	AL
II Business Entity, harrie and title of datherized signes.		
(The person or persons executing or attesting the execution of this Applicashe has or have been duly authorized and empowered to so execute or atte	ation on behalf of the est.)	e Company certifies that he or
Mailing Address: 10878 WILLOW HILL COURT		
City: CHESTERFIELD	State: VA	Zip Code: 23832
oitj:	Fax: ()	
Email: loscatedrals@verizon.net		
d l	1	
Property Owner Signature: Modern Cated	rul f-	
The names, addresses, telephone numbers and signatures of all owners of	the property are requ	uired. 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.

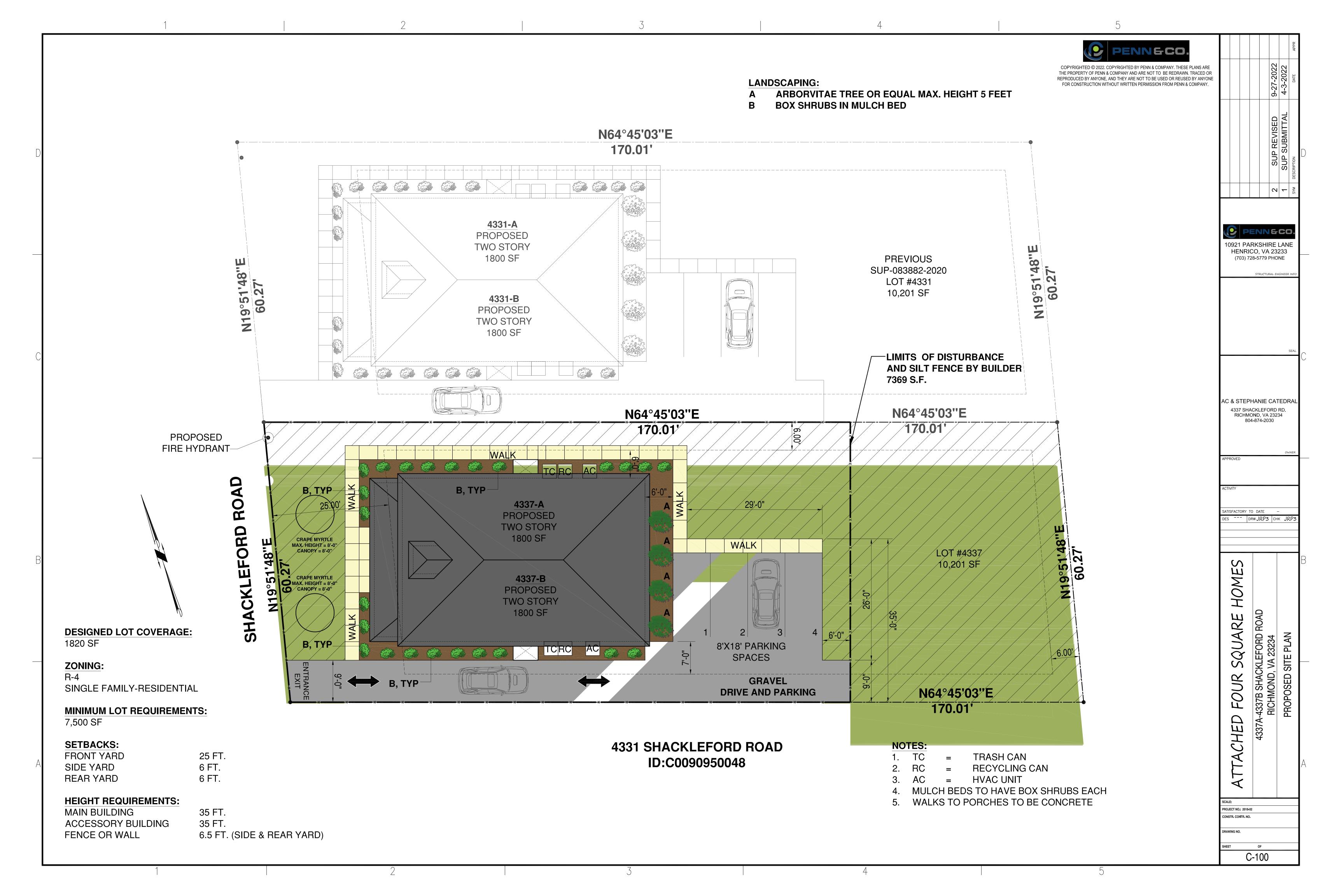
NOTE: Please attach the required plans, checklist, and a check for the application fee (see Filing Procedures for special use permits)

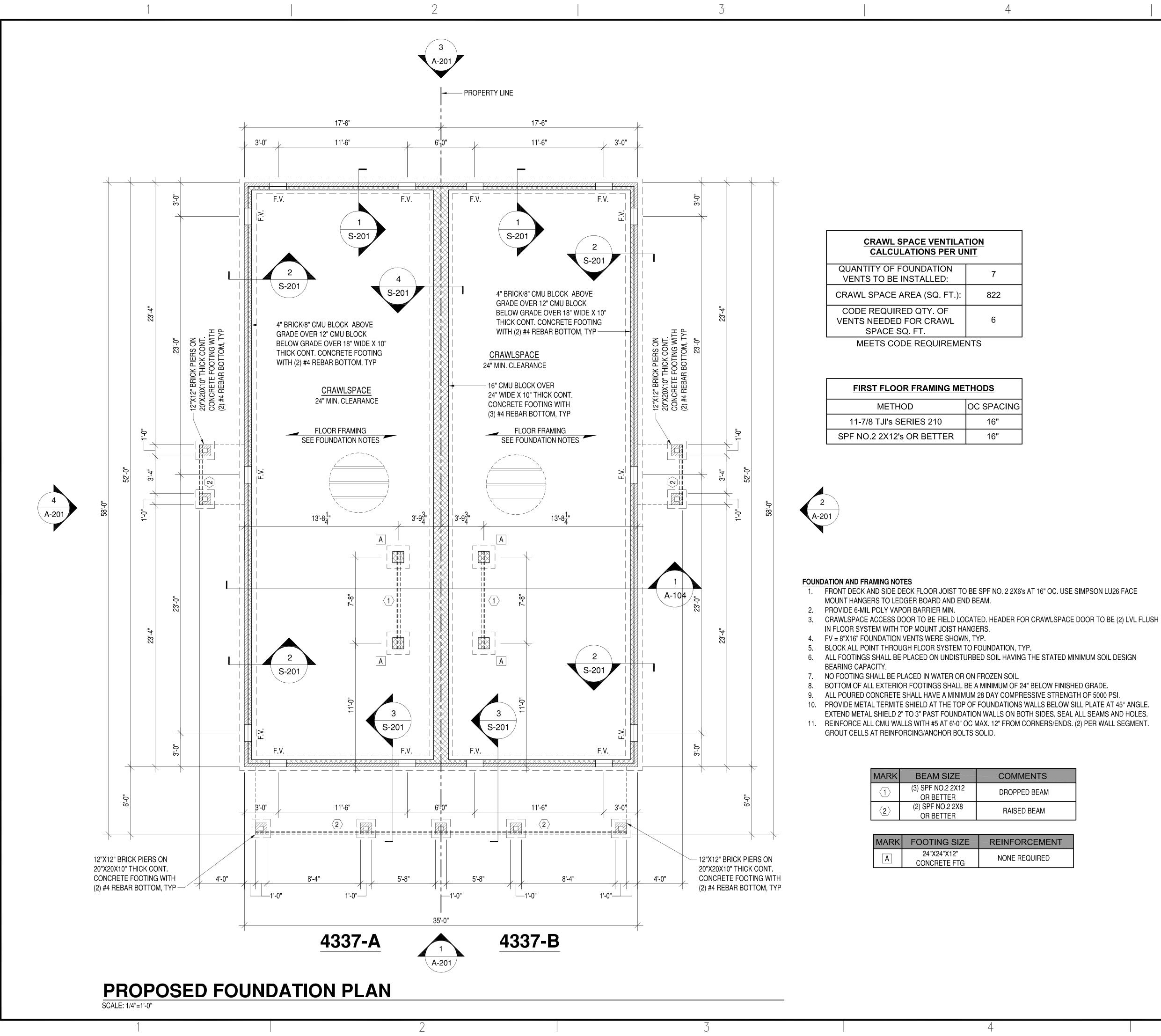
3. Applicant's Report

The applicant, Domusardus, LLC intends to build a pair of attached single-family two-story homes on the property at 4337 Shackleford Rd that will be used as rental investment properties. 4337 Shackleford Rd will remain vacant for future development. Domusardus, LLC has been creating affordable rental housing in the Richmond metro area, as well as in the surrounding counties for the past 17 years. The opportunity to turn this single large site into two affordable units aligns with the goals of Richmond City, as well as Domusardus, LLC's work plan to increase their portfolio in the rental housing market.

Both homes on the newly subdivided lot will be built at a density and architectural style in character with the neighborhood. Domusardus, LLC plans to hire a certified Class A contractor to make sure the project is completed on time and under budget while meeting the highest level of quality. The development and maintenance of high-quality affordable rental housing is beneficial to safety, health and general welfare of a given community. These new units are sited near existing apartment complexes on Walmley Blvd, so the proposed density would not be out of character for the area. Additionally, the Richmond 300 plan has designated this neighborhood for residential use, meaning that the development of high quality tight-knit and denser residential homes aligns with the future land use for this area. The opportunity to develop two quality, affordable units on this site contributes to the overall health of the community and aligns with city planning goals as well as high demand for rental homes in this exact area.

Driveways per unit will be provided to avoid unnecessary congestion in streets and public ways. The neighborhood has generally low amounts of vehicular traffic. The construction of the proposed attached homes will be fully code compliant and inspected by city officials throughout the process, thus avoiding hazards from fire, panic, and other dangers. The attached single-family homes would have a footprint not exceeding 30% of the total lot size, and would each be occupied by one household, avoiding undue concentration of population or overcrowding of land. All setbacks will conform with code. The homes will have elevations exceeding that of the neighboring buildings, but will ultimately not interfere with adequate light and air in the neighborhood.







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- FRONT DECK AND SIDE DECK FLOOR JOIST TO BE SPF NO. 2 2X6's AT 16" OC. USE SIMPSON LU26 FACE

- BOTTOM OF ALL EXTERIOR FOOTINGS SHALL BE A MINIMUM OF 24" BELOW FINISHED GRADE.
- PROVIDE METAL TERMITE SHIELD AT THE TOP OF FOUNDATIONS WALLS BELOW SILL PLATE AT 45° ANGLE.
- EXTEND METAL SHIELD 2" TO 3" PAST FOUNDATION WALLS ON BOTH SIDES. SEAL ALL SEAMS AND HOLES.

		,
MARK	BEAM SIZE	COMMENTS
1	(3) SPF NO.2 2X12 OR BETTER	DROPPED BEAM
2	(2) SPF NO.2 2X8 OR BETTER	RAISED BEAM

MARK	FOOTING SIZE	REINFORCEMENT
Α	24"X24"X12" CONCRETE FTG	NONE REQUIRED

PENN&CO. 10921 PARKSHIRE LANE HENRICO, VA 23233 (703) 728-5779 PHONE

AC & STEPHANIE CATEDRAL 4337 SHACKLEFORD RD. RICHMOND, VA 23234

804-874-2030

SATISFACTORY TO DATE

DRW JRP3 CHK JRP

MOH SQUARE 4337B SHACKLEFORD ROAD RICHMOND, VA 23234 FOUR

CHED

CONSTR. CONTR. NO.

A-100



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	EXTERIOR DOOR SCHEDULE						
MARK	DESCRIPTION	WIDTH	HEIGHT	OPERATION	HARDWARE	NOTES	
DR01	FRONT ENTRY	3'-0"	6'-8"	SINGLE SWING DOOR	01	1/2 LITE STEEL DOOR WITH 14" TRANSOM	
DR02	SIDE ENTRY	3'-0"	6'-8"	SINGLE SWING DOOR	01	1/2 LITE STEEL DOOR WITH 14" TRANSOM	

DOOR NOTES:

- 1. GENERAL CONTRACTOR SHALL VERIFY ALL DOOR SCHEDULE INFORMATION PRIOR TO ORDERING DOORS AND FRAMES.
- 2. ALL EXTERIOR DOORS SHALL BE PROVIDED WITH WEATHERSTRIPPING AND THRESHOLD.
- ALL SWING DOORS SHALL BE PROVIDED WITH HINGE-OR WALL-MOUNTED DOOR STOPS.
 ALL GLASS IN DOORS AND TRANSOMS SHALL BE TEMPERED.

DOOR HARDWARE SETS:

1. (3) HINGES, ENTRY HANDLE LOCK SET, DEAD BOLT.

WINDOW SCHEDULE							
MARK	DESCRIPTION	WIDTH	HEIGHT	HEADER HEIGHT	NOTES		
SH01	SINGLE HUNG	3'-0"	6'-0"	SEE PLAN	VINYL 3 OVER 1		
SH02	SINGLE HUNG	3'-0"	5'-0"	SEE PLAN	VINYL 3 OVER 1		
SH03	SINGLE HUNG	3'-0"	3'-0"	SEE PLAN	VINYL 3 OVER 1		

OC SPACING

16"

WINDOW NOTES:

- 1. GENERAL CONTRACTOR SHALL VERIFY ALL WINDOW SCHEDULE INFORMATION PRIOR TO
- ORDERING WINDOWS AND FRAMES.
- 2. ALL WINDOWS NOMINAL. GENERAL CONTRACTOR TO VERIFY ACTUAL SIZES AND FRAMING
- REQUIREMENTS WITH WINDOW MANUFACTURER.

METHOD

11-7/8 TJI's SERIES 210

SPF NO.2 2X12's OR BETTER

- 3. SECOND FLOOR WINDOWS REQUIRED FOR EMERGENCY EGRESS SHALL MEET THE REQUIREMENTS OF IRC R310.1, GENERALLY 20" MIN. CLEAR WIDTH, 24" MIN. CLEAR HEIGHT, AND 5.7 SQUARE FEET NET CLEAR OPENING.
- 4. NO WINDOW GLAZING SHALL BE WITHIN 18" OF FINISH FLOOR.

SECOND FLOOR FRAMING METHODS

5. SAFETY GLAZING SHALL BE TEMPERED.

<u>ABRREVIATIONS</u>

DW	DISHWASHER
EP	ELECTRIC PANEL
S&R	SHELF AND ROD
SH#	SINGLE HUNG WINDOW
SH	SHELF
SHR	SHOWER
WC	WALL CABINET
HWH	HOT WATER HEATER
W	WASHER
D	DRYER

STAIR RISERS NOT TO EXCEED 8 1/4" PER CODE. TREADS TO BE 9" MIN. WITH 1" NOSING.
HANDRAILS & PICKETS:
36" HIGH HANDRAILS @ ALL STAIRS. 36" RAILING @ ALL BALCONIES. PICKETS SPACED TO NOT ALLOW A 4" SPHERE TO PASS THROUGH.
LABEL DRYER VENT LENGTH ON DUCT
ALL DRYWALL TO BE 1/2" EXCEPT GARAGE CEILING TO BE 5/8" TYPE X
(FE) = FIRE EXTINGUISHER TO BE LOCATED IN CABINET UNDER KITCHEN SINK

= CARBON MONOXIDE DETECTOR

= SMOKE DETECTOR

=	900	S
=	900	S
=	1800	S
	=	= 900

FRONT PORCH = 100 SF

PLAN AND FRAMING NOTES

- 1. ALL WINDOW AND DOOR HEADERS TO BE (2) 2X6'S WITH (1) JACK STUDS UNLESS OTHERWISE NOTED.
- 2. INTERIOR DOORS IN CLOSE PROXIMITY TO A PERPENDICULAR WALL ON THE HINGE SIDE TO MAINTAIN 4" CLEAR FROM JAMB TO ADJACENT PERPENDICULAR WALL SURFACE. COORDINATE THIS DIMENSION WITH DOOR SURROUND TRIM.
- 3. CLOSET DOORS (SINGLE AND DOUBLE TYPE) ARE TO BE CENTERED WITHIN THE CLOSET THEY SERVE,
- 4. DOOR SIZES PROVIDED AND WINDOWS DIMENSIONED ARE NOMINAL. COORDINATE ROUGH FRAMING OPENING SIZES WITH WINDOW AND DOOR MANUFACTURER/INSTALLERS REQUIREMENTS AND CLEARANCES.
- 5. PROVIDE WOOD BLOCKING IN 2X4 FRAMING AT ALL BUILT-IN CABINETRY LOCATIONS. REQUIRED GRAB BAR
- LOCATIONS, CLOSET SHELVING, AND WALL MOUNTED TV LOCATIONS.
- 6. CLOSETS AND OTHER SURFACES NOT CALLED OUT OTHERWISE HAVE FLOOR, WALL, AND CEILING MATERIALS AND FINISHES TO MATCH THE SPACE THEY ARE ACCESSED FROM. REFER TO PLANS FOR ANY INTERRUPTION OF FLOORING BETWEEN THESE SPACES.

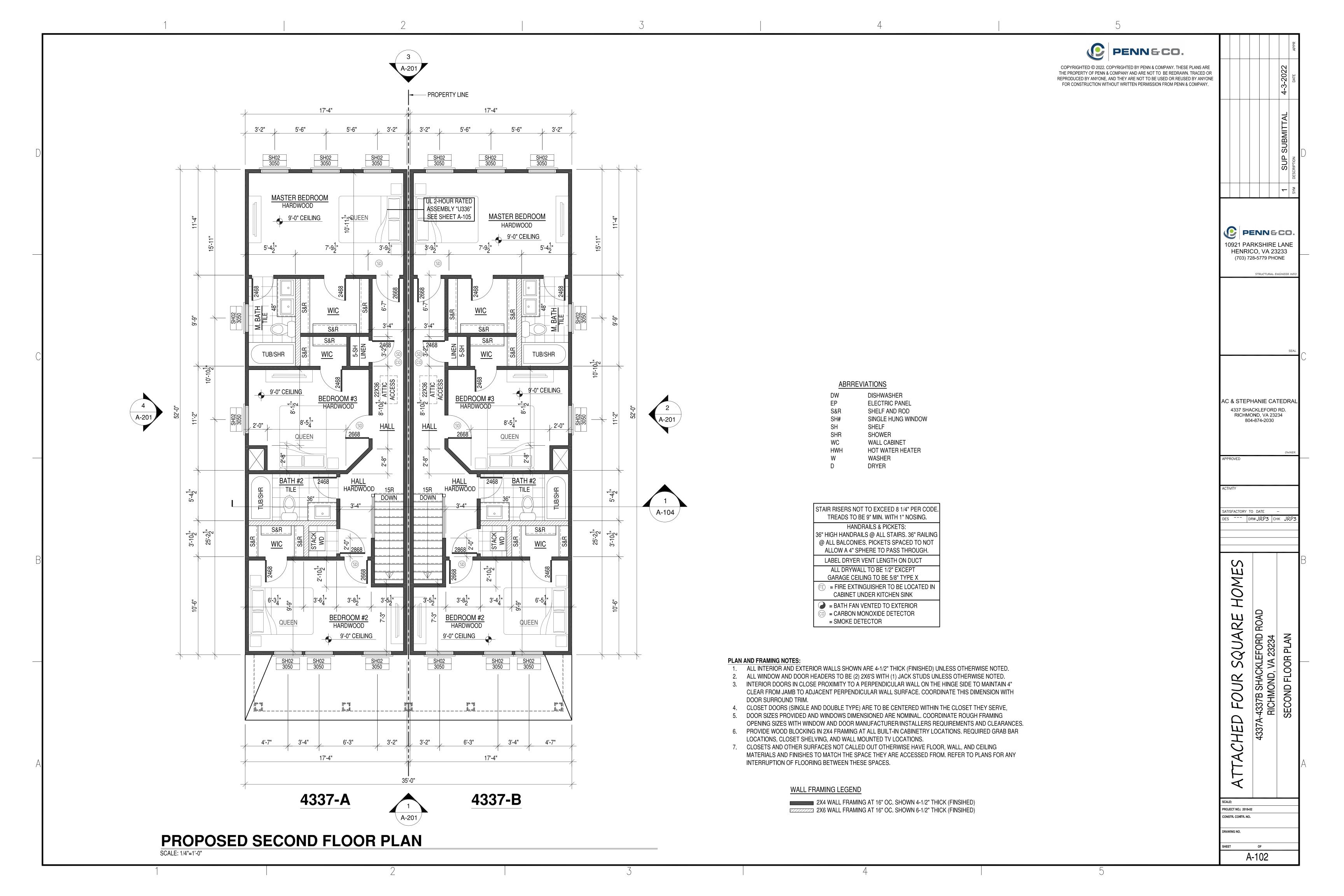
WALL FRAMING LEGEND

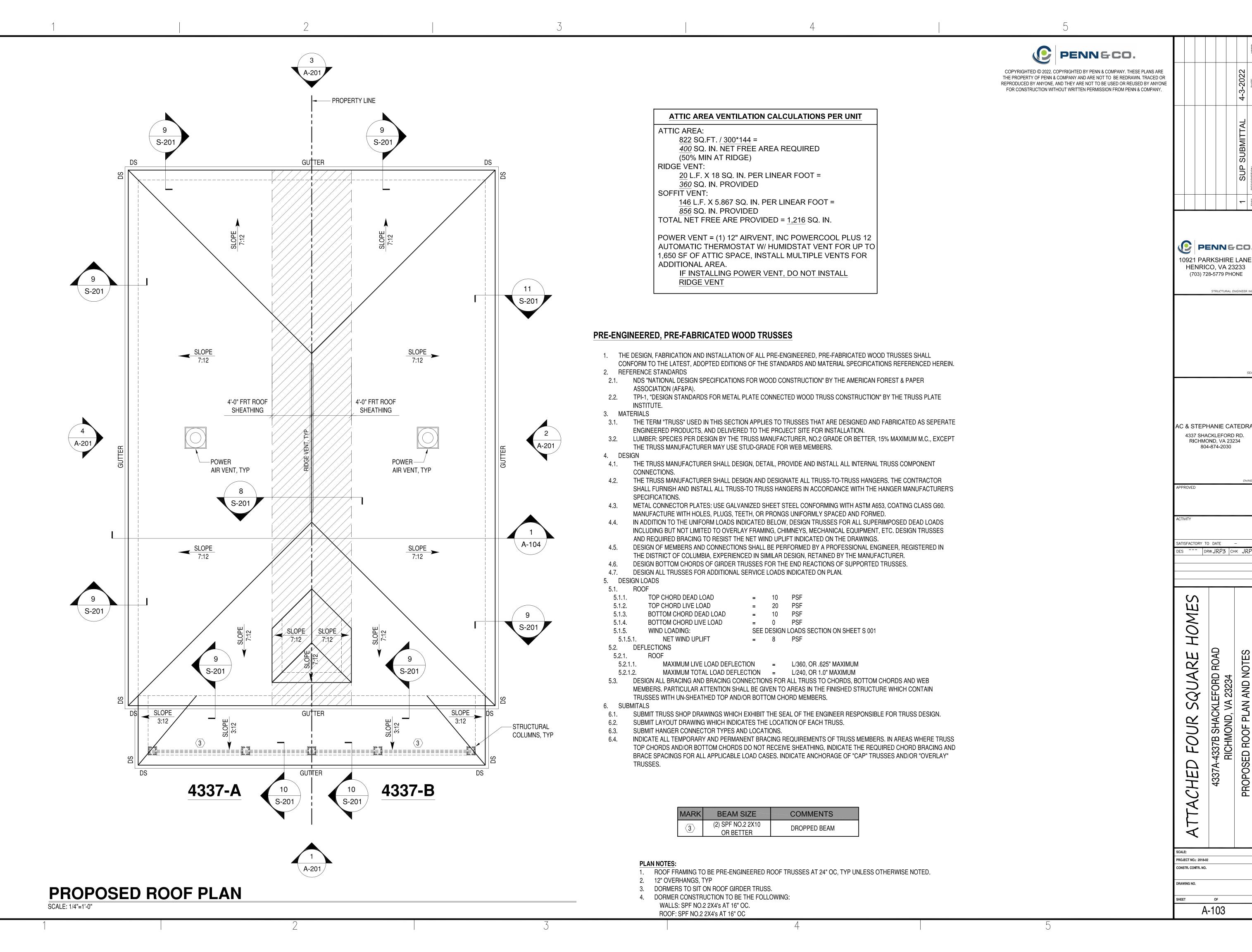
2X4 WALL FRAMING AT 16" OC. SHOWN 4-1/2" THICK (FINSIHED)
2X6 WALL FRAMING AT 16" OC. SHOWN 6-1/2" THICK (FINSIHED)

3 A-201	
PROPERTY LINE 43-0" 17'-4" 17'-4" 8'-8" 5'-6" 3'-2" 5'-6" 8'-8" 8'-8"	
SSR BEDROOM #4 HARDWOOD HARDWOOD SECHART TUBSHR SECHAR	280"
PROPOSED FIRST FLOOR PLAN SCALE: 1/4"=1'-0"	

PENN&CO. 10921 PARKSHIRE LANE HENRICO, VA 23233 (703) 728-5779 PHONE AC & STEPHANIE CATEDRAL 4337 SHACKLEFORD RD. RICHMOND, VA 23234 804-874-2030 SATISFACTORY TO DATE --- DRW JRP3 CHK JRP HOM 4337B SHACKLEFORD ROAD RICHMOND, VA 23234 SQUARE FOUR CHED PROJECT NO.: 2018-02 CONSTR. CONTR. NO. DRAWING NO.

A-101





HENRICO, VA 23233

4337 SHACKLEFORD RD. RICHMOND, VA 23234

ATISFACTORY TO DATE

HOM

SQUARE

FOUR

DRW JRP3 CHK JRP

KLEFORD ROAD VA 23234

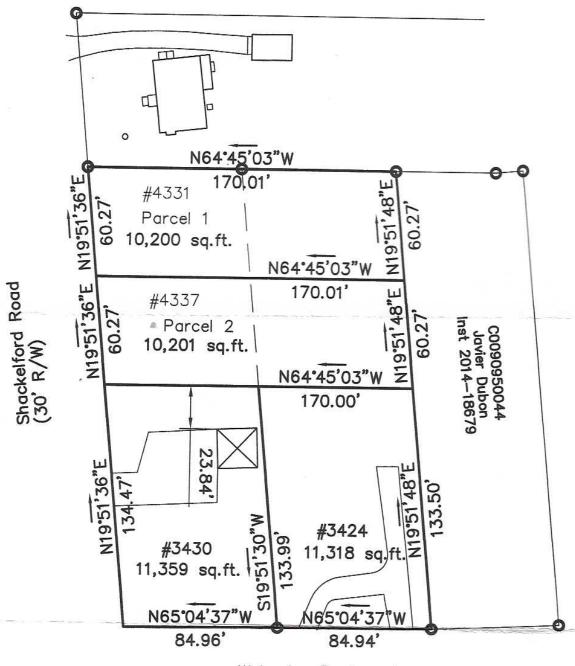
A-103

804-874-2030

(703) 728-5779 PHONE







Walmsley Boulevard (Variable Width R/W)

Plat showing two new parcels 4331 Shackelford Road and 4337 Shackelford Road Walley Dorsey, Jr.

Manchester District
City of Richmond

CARL EDWARD DUNCAN 2013

6-13-2

AND SURVEYOR

C. E. Duncan & Associates, Inc.

2609 Rocky Oak Road

POWHATAN, VIRGINIA 23139
(804) 598-8240 Fax (804) 598-9240

DATE: 3/24/19 | SCALE: 1"=50

DRAWN BY: CED JOB NO.: 15-0497