



## 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: \_\_\_\_\_ Date: \_\_\_\_\_

Tax Map #: \_\_\_\_\_ Fee: \_\_\_\_\_

Total area of affected site in acres: \_\_\_\_\_

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

### Zoning

Current Zoning: \_\_\_\_\_

Existing Use: \_\_\_\_\_

### Proposed Use

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

Existing Use: \_\_\_\_\_

Is this property subject to any previous land use cases?

Yes ☐ No ☐ If Yes, please list the Ordinance Number: \_\_\_\_\_

### Applicant/Contact Person:

Company: \_\_\_\_\_

Mailing Address: \_\_\_\_\_

City: \_\_\_\_\_ State: \_\_\_\_\_ Zip Code: \_\_\_\_\_

Telephone: \_(\_\_\_\_\_)\_\_\_\_\_ Fax: \_(\_\_\_\_\_)\_\_\_\_\_

Email: \_\_\_\_\_

### Property Owner:

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: \_\_\_\_\_

City: \_\_\_\_\_ State: \_\_\_\_\_ Zip Code: \_\_\_\_\_

Telephone: \_(\_\_\_\_\_)\_\_\_\_\_ Fax: \_(\_\_\_\_\_)\_\_\_\_\_

Email: \_\_\_\_\_

Property Owner Signature: Chloe Semones (Guhl)

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

*August 10<sup>th</sup>, 2022*

Revised: October 20<sup>th</sup>, 2022

*Special Use Permit Request*

*2113 North Avenue, Richmond, Virginia*

*Map Reference Number: N000-0449/011*

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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

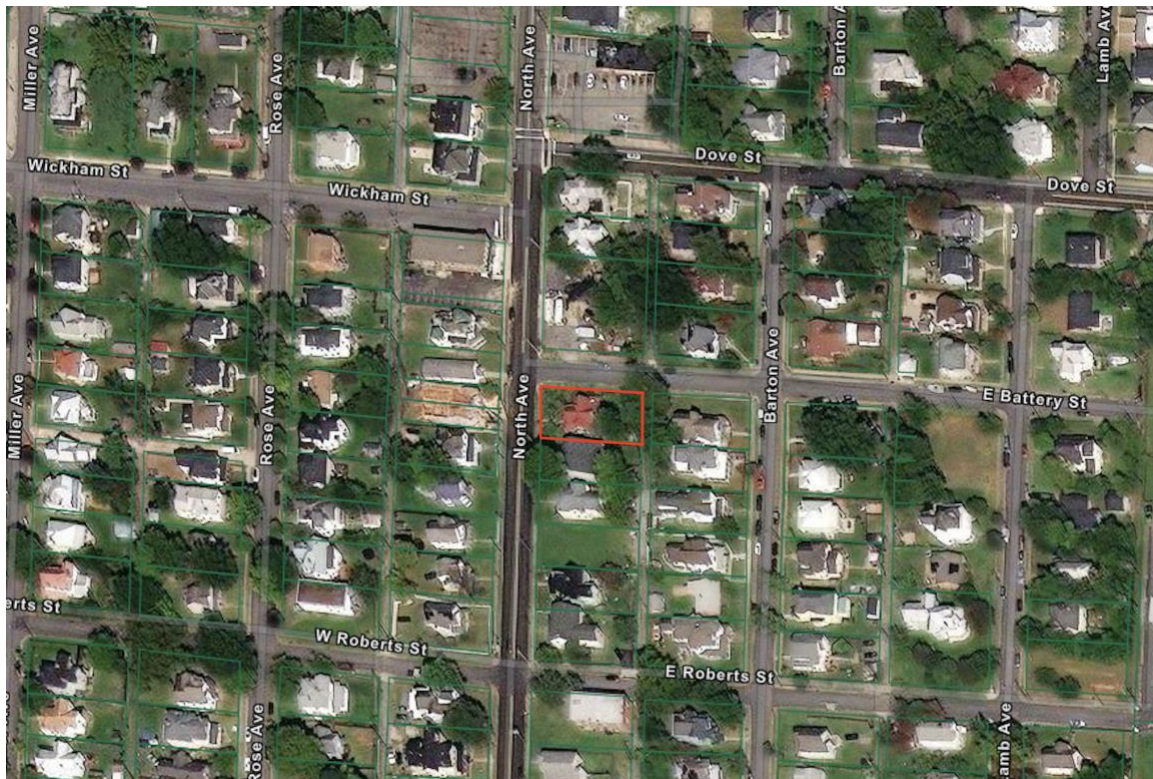
## Introduction

The Property owner is requesting a special use permit (the "SUP") for 2113 North Avenue (the "Property") in order to construct a two-story detached garage with an accessory dwelling unit on the second floor. While the accessory structure is permitted by the underlying R-6 Single-Family Residential District, the accessory dwelling unit located within is not, and therefore, a SUP is required.

## Existing Conditions

### SITE DESCRIPTION AND EXISTING LAND USE

The subject property is located at the southeastern corner of North Avenue and E Battery Street. The Property is referenced by the City Assessor as tax parcel N000-0449/011 and is currently improved with a detached two-story single-family dwelling located toward the front of the parcel. The Property is 60 feet in width and contains roughly 7,200 square feet of lot area. Access is provided at the rear of the dwelling by means of a north-south alley.



The nearby properties in the neighborhood are developed primarily with residential uses though commercial and institutional uses can also be found in the immediate vicinity along North Avenue. Single-family detached dwellings are the most prevalent residential uses along with two-family and multi-family uses which are also found nearby.

## EXISTING ZONING

The Property and those immediately surrounding it are located within the R-6 Single-Family Attached Residential District. To the west, properties are zoned R-5 Single-Family Residential and while to the north and south lie properties zoned B-2 Community Business and R-53 Multifamily Residential.

## MASTER PLAN DESIGNATION

The Richmond 300 Master Plan (the “Master Plan”) suggests “Residential” use 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 that developments reinforce a gridded street pattern to increase connectivity. Single-family dwellings, **accessory dwelling units**, and open space 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 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.”
- **Amend the Zoning Ordinance to allow accessory dwelling units in all residential zones to allow for in-law apartments.** (Inclusive Housing)
- 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. “
- 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,” as the request introduces thoughtfully designed new construction in a manner not otherwise assured by-right.

## **TRANSPORTATION**

The Property is located along North Avenue which is serviced by the high-frequency 2A, 2B, and 2C bus lines with the closest stop located within 500 feet.

# **Proposal**

## **PROJECT SUMMARY**

The Property owner is proposing to construct a new detached accessory structure at the rear of the Property. The SUP would authorize the construction of the new, two story detached garage at the rear of the Property with the second floor to be configured as an accessory dwelling unit. In order to effectively utilize the rear yard the proposed accessory structure does not meet the R-6 rear yard setback while the accessory dwelling use does not conform to the underlying R-6 Single-Family Attached Residential District zoning requirements applicable to the Property and therefore, a SUP is required.

## **PURPOSE OF REQUEST**

The Property consists of Lot 6 of Block 23 the original Barton Heights Subdivision and is of a typical size and configuration for the area. The owner now proposes to construct a new, one-car detached garage with an accessory dwelling unit on the second story. While the use of accessory structures for small-scale dwelling units is consistent with the goals of the Richmond 300 Master Plan, the proposed use is not permitted by the underlying R-6 zoning regulations, and therefore, a SUP is required in order to permit the proposed development.

In exchange for the SUP, the intent of this request is to provide an additional housing unit within the City. The quality assurances conditioned through the SUP would guarantee a high-quality development and ensure an appropriately scaled use that is compatible with, and complementary to, the surrounding residential neighborhood.

## **PROJECT DETAILS**

The proposed structure would be located at the rear of the Property, behind the existing dwelling. The footprint of the structure is approximately 19.5 feet by 24.5 feet. The ADU would be accessed by an interior stairway to the second story located along the western wall of the garage. Like many dwellings located on corner lots in the City, the garage door opening would be accessed from E Battery Street on the northern portion of the Property.

When complete, the ADU would be approximately 480 square feet in floor area and would be configured as a studio-style dwelling. Care was taken in the design to include generous living space as well as a small, yet functional, kitchen. Ample sunlight will be allowed in the unit through the proposed windows and skylights within the structure. In exchange for the SUP, the intent of this

request is to more efficiently utilize the Property to create a high-quality product in the neighborhood that is in-line with future land use guidance.

## 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 accessory dwelling unit 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 negligible traffic generation will create no congestion on streets, roads, alleys or any other public right of way.

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

The accessory structure 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 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. To the contrary, the proposal would provide positive fiscal (tax) benefits that would enhance the City's ability to provide these services to the proposed development.

- ***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

In summary we are enthusiastically seeking approval for the construction of a detached garage at the rear of the Property with the provision for an accessory dwelling unit in the second floor of the structure. This Special Use Permit proposal represents an ideal, small-scale urban development for this location that is mindful of its surroundings. In exchange for the SUP, the quality assurances and conditions related to the renovation of the structure would guarantee the construction of a new housing type that furthers the realization of recent planning guidance.