



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: _____

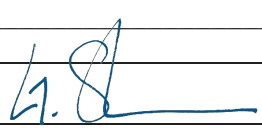
(The person or persons executing or attesting the execution of this Application on behalf of the Company certifies that he or she has or have been duly authorized and empowered to so execute or attest.)

Mailing Address: _____

City: _____ State: _____ Zip Code: _____

Telephone: _() _____ Fax: _() _____

Email: _____

Property Owner Signature: 

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 11th, 2022

*Special Use Permit Request
423 N 33rd Street, Richmond, Virginia
Map Reference Number: E000-0884/031*

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 423 N 33rd Street (the “Property”). The SUP would authorize the construction of one single-family attached dwelling on the Property to be attached to the existing dwelling at 421 N 33rd Street. While the single-family attached dwelling use is permitted by the underlying R-8 Urban Residential zoning district, some of the underlying feature and requirements cannot be met and, therefore, the SUP is required.

Existing Conditions

SITE DESCRIPTION AND EXISTING LAND USE

The Property is located on the eastern side of North 33rd Street between E Marshall and E Clay Streets. The Property is currently vacant and is referenced by the City Assessor as tax parcel E000-0884/031. The Property is roughly 26.6 feet wide by 124 feet in depth and contains approximately 2,405 square feet of lot area. Access is provided at the rear of the Property by means of a north-south alley.



The subject block contains primarily single-family attached and detached dwellings, though a SUP was recently approved at the adjacent parcel to the south to permit a first-floor office use. Properties in the area consist of a range of uses. Along with single- and two-family dwellings, within two blocks of the Property multifamily, commercial, institutional, and government uses can be found.

EXISTING ZONING

The Property is currently zoned R-8 Urban Residential. The surrounding properties are also zoned R-8 with properties further to the south, at the intersection of N 33rd and E Marshall Streets, being zoned R-63 Single-Family Residential and UB Urban Business. B-1 and R-6 zoning districts can also be found within the neighborhood.

MASTER PLAN DESIGNATION

The Richmond 300 Master Plan (the “Master Plan”) suggests “Neighborhood Mixed-Use” for the Property. The Master Plan describes this land use designation as “existing or new highly-walkable urban neighborhoods that are predominantly residential with a small, but critical, percentage of parcels providing retail, office, personal service, and institutional uses.” Recommended development styles are described as featuring “a variety of building types that are close to one another and create a unified street wall. The building size, density, and zoning districts for these areas vary depending on historical densities and neighborhood characteristics. Single-family, two-family, and small multi-family buildings are contemplated as the primary uses in these areas.”

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 14.5 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,” as the request introduces thoughtfully designed new construction in a manner not otherwise assured by-right.

Proposal

PROJECT SUMMARY

The SUP would authorize the construction of a new, single-family attached dwelling on the vacant parcel. The side yard setback adjacent to 421 N 33rd Street and height requirement are not met and therefore, a SUP is required.

PURPOSE OF REQUEST

The applicant would like to construct a new single-family dwelling on the Property which would be attached to the existing dwelling at 421 N 33rd. Given the lot's narrow width and the siting of the adjacent dwellings, both of which lie on the adjacent lot lines, the Property owner is proposing to construct a three-story dwelling on the site to meet the needs of today's market. While three story dwellings can be found throughout the Church Hill neighborhood, and the dwelling has been designed with a set-back third floor to appear as a two-story dwelling from the street, a SUP is needed as the underlying R-8 zoning district only allows three story dwellings when less than 60 percent of the dwellings in the block are three stories or taller. Furthermore, as the proposed dwelling will extend beyond the existing dwelling it is attaching to at 421 N 33rd, a side yard waiver is needed to allow the third floor of the dwelling to extend upwards along the southern lot line. All other R-8 zoning requirements, including the side yard requirement adjacent to 423 N 33rd Street and the provision for off-street parking are met by the proposed design.

In exchange for the SUP, the intent of this request is to ensure a high-quality infill development. This is consistent with the Richmond 300 Master Plan. It would also be consistent with the uses permitted by-right by the underlying zoning. Furthermore, the quality assurances conditioned through the SUP would guarantee a higher quality development than might otherwise be developed by right.

PROJECT DETAILS

The proposed dwelling would be three stories in height and is consistent with the historic development pattern, which includes a variety of architectural styles. The third floor would be set back and the building design would utilize a false mansard roof at the second story in order to

achieve the appearance of a two-story building from the street. This design has been utilized elsewhere in the neighborhood including projects which have received Certificates of Appropriateness from the Commission of Architectural review in City Old and Historic Districts.

The dwelling would include approximately 2,347 square feet of finished floor area and consist of four bedrooms and three-and-one half bathrooms. The proposed floor plans are modern and efficient and designed to meet the needs of families in today's market. The dwelling has been designed with a floorplan which offers a modern and open living area and kitchen on the first floor. Two bedrooms and a full bathroom will be located on the second floor. The third floor is stepped back to allow for a forward-facing outdoor terrace which is accessible from an interior loft. The primary bedroom will be located at the rear of the third floor and will contain a large closet and en-suite bathroom.

The new dwelling would be clad in cementitious lap siding in order to ensure quality and consistency in appearance with many other dwellings in the vicinity. A full width front porch and a roof deck is included in the design and would provide additional outdoor living space for the occupants. An off-street parking space is proposed for the dwelling which will be accessible from the rear alley.

Findings of Fact

The following are factors indicted 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 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 use would be limited in size, type and scale to avoid any traffic or parking concerns.

- ***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 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 proposed 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.

Summary

In summary we are enthusiastically seeking approval for the construction of a new, single-family attached dwelling on the Property. The SUP represents an ideal, small-scale urban infill development for this location. In exchange for the SUP, the quality assurances conditioned therein would guarantee the construction of a quality residence consistent with Master Plan guidance. This would contribute to the overall vibrancy of the block through the provision of an appropriate urban form and use that is consistent with the existing dwellings in the surrounding neighborhood.