



City Of Richmond, Virginia
Office of the City Clerk

Request to Withdraw Legislation

Paper Number:

Ord. No. 2023-108

Chief Patron:

Mayor Levar M. Stoney (By Request)

Introduction Date:

March 27, 2023

Chief Patron Signature:

09/08/2023

For Office Use Only

Attestation:

Effective Date:

9/11/2023

INTRODUCED: March 27, 2023

AN ORDINANCE No. 2023-108

To authorize the special use of the property known as 910 Parrish Street for the purpose of two single-family detached dwellings, upon certain terms and conditions.

Patron – Mayor Stoney (By Request)

Approved as to form and legality
by the City Attorney

PUBLIC HEARING: APR 24 2023 AT 6 P.M.

WHEREAS, the owner of the property known as 910 Parrish Street, which is situated in a R-5 Single-Family Residential District, desires to use such property for the purpose of two single-family detached dwellings, which use, among other things, is not currently allowed by sections 30-410.4, concerning lot area and width, 30-410.5, concerning yards, and 30-410.6, concerning lot coverage, 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

AYES: _____ NOES: _____ ABSTAIN: _____

ADOPTED: _____ REJECTED: _____ STRICKEN: _____

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 910 Parrish Street and identified as Tax Parcel No. W020-0061/025 in the 2023 records of the City Assessor, being more particularly shown on a survey entitled “Map Showing the Division of No.910 [sic] Parrish Street in the City of Richmond, VA.,” prepared by Virginia Surveys, and dated August 5, 2022, 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 two single-family detached dwellings, hereinafter referred to as “the Special Use,” substantially as shown on the plans entitled “910A & 910B Parrish Street,” prepared by Arcdev Studio, dated August 31, 2022, and last revised December 20, 2022, and entitled “Map Showing the Division of No.910 [sic] Parrish Street in the City of Richmond, VA.,” prepared by Virginia Surveys, and dated August 5, 2022, hereinafter referred to, collectively, 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 two single-family detached dwellings, substantially as shown on the Plans.

(b) No less than two 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 two stories, substantially as shown on the Plans.

(d) All building materials, elevations, and site improvements, including landscaping, shall be substantially as shown on the Plans. A different siding color shall be used for each dwelling.

(e) All mechanical equipment serving the Property shall be located or screened so as not to be visible from any public right-of-way.

(f) Prior to the issuance of any building permit for the Special Use, the establishment of up to two residential lots, substantially as shown on the Plans, shall be accomplished by obtaining the necessary approvals from the City and recording the appropriate plats and deeds among the land records of the Clerk of the Circuit Court of the City of Richmond.

§ 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) The Owner shall make improvements within the right-of-way, including the installation of four street trees, substantially as shown on the Plans, which improvements may be completed in one or more phases as approved by the Director of Public Works. All improvements and work within the public right-of-way shall be (i) completed in accordance with the requirements of the Director of Public Works, (ii) considered completed only upon written confirmation by the Director of Public Works that such improvements and work are in accordance with such requirements, and (iii) transferred to the City, following the written confirmation by the Director of Public Works, pursuant to a transfer of interest document approved as to form by the City Attorney and accepted by the Chief Administrative Officer or the designee thereof on behalf of the City. The Chief Administrative Officer or the designee thereof, for and on behalf of the City, is hereby authorized to accept, in the manner for which this subsection provides, all improvements and work required by and meeting the requirements of this subsection. The final certificate of occupancy shall not be issued for the Property until all requirements of this subsection are fully satisfied.

(f) 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.

(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

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 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.



City of Richmond

Item Request File Number: PRE.2022.0588

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

O & R Request

DATE: February 14, 2023

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

RE: To authorize the special use of the property known as 910 Parrish Street, for the purpose of
two single-family detached dwellings, upon certain terms and conditions.

ORD. OR RES. No. ____

PURPOSE: To authorize the special use of the property known as 910 Parrish Street, for the purpose of
two single-family detached dwellings, upon certain terms and conditions.

REASON: The applicant is requesting a Special Use Permit to authorize two single-family detached
dwellings within an R 5 Single-Family Residential District. While the use is permitted, the property is to be
split into two individual parcels which subsequently would not meet the current lot area and width, front
yard, side yard, and lot coverage requirements for single family dwellings within the R-5 Zone. 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.

BACKGROUND: The property is located in the Westhampton neighborhood at the corner of Parrish and
Marian Streets. The property is currently a 5,516 sq. ft., (.12 acre), unimproved parcel of land. The City's

Richmond 300 Master Plan designates a future land use for the subject property as Neighborhood Mixed Use, which is defined 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.”

Intensity: Building heights are generally two to four stories. Buildings taller than four stories may be found along major streets. Parcels are generally between 1,500 and 5,000 sq. ft. Primary Uses: Single family houses, accessory dwelling units, duplexes, small multi-family buildings (typically 3 to 10 units), and open space. Secondary Uses: Large multifamily buildings (10+units), retail/office/personal service, institutional, cultural, and government. (p. 56)

The current zoning for this property is R-5 Single-Family Residential District. All adjacent and nearby properties are located within the same R-5 Urban Residential Zone. The area is generally single family residential, with some small, neighborhood commercial uses present to the south along Patterson Avenue. The density of the proposed units is two units upon .12 acres or 16 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: March 13, 2023

CITY COUNCIL PUBLIC HEARING DATE: April 10, 2023

REQUESTED AGENDA: Consent

RECOMMENDED COUNCIL COMMITTEE: None

CONSIDERATION BY OTHER GOVERNMENTAL ENTITIES: Planning Commission
April 3, 2023

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.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: 910 Parrish Street Date: _____

Tax Map #: W0200-061/025 Fee: \$300

Total area of affected site in acres: 0.127

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

Zoning

Current Zoning: R-5

Existing Use: Vacant

Proposed Use

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

Lot division and construction of two (2) new single-family detached dwellings

Existing Use: Vacant

Is this property subject to any previous land use cases?

Yes

☐

No

☒

If Yes, please list the Ordinance Number: _____

Applicant/Contact Person: Will Gillette / 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: ArcDev Studio LLC

If Business Entity, name and title of authorized signee: John Wilson

(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: 505 N 24th Street

City: Richmond State: VA Zip Code: 23223

Telephone: (718) 541-7030 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

August 19th, 2022

*Special Use Permit Request
910 Parrish Street, Richmond, Virginia
Map Reference Number: W020-0061/025*

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:

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 910 Parrish Street (the “Property”). The SUP would authorize the construction of two (2) new single-family detached dwellings on the currently vacant parcel. While the single-family detached use is permitted by the underlying R-5 Single Family Residential zoning district, some of the applicable feature requirements cannot be met, and therefore, the SUP is required.

Existing Conditions

SITE DESCRIPTION AND EXISTING LAND USE

The Property is located on the western line of Parrish Street, south of its intersection with Marian Street. It is referenced by the City Assessor with the tax parcel numbers of W020-0061/025. The parcel at 910 Parrish Street consists of one lot of the original Westwood Subdivision, is roughly 61 feet wide by 90 feet in depth, and contains approximately 5,516 square feet of lot area.



The surrounding properties consist of generally small lots, ranging in size, which are developed with single-family dwellings. To the south lies a commercial corridor along Patterson Avenue. To the north of the subject property are properties located outside of the City of Richmond in Henrico County. The Property owner also owns the parcel located

adjacent to the south at 908.5 Parrish Street which is to be developed, by-right, with a dwelling which is consistent with what is proposed at 910 Parrish Street.

EXISTING ZONING

The Property and all properties in the immediate vicinity are zoned R-5 Single Family Residential, which permits the proposed single-family detached dwellings. Many properties in the vicinity do not conform to the R-5 feature requirements for lot area or lot width. Adjacent land to the north, within Henrico County, is also zoned for single-family residential use.

MASTER PLAN DESIGNATION

The Richmond 300 Master Plan (the “Master Plan”) suggests “Residential” 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 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. In the High-Quality Places and Inclusive Housing chapters, there are number of supporting objectives, such as:

- 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.
- Increase the number of Richmonders living in a development pattern that encourages density and reduces dependency on single-occupancy vehicles. (Thriving Environment).

Proposal

PURPOSE OF REQUEST

The Property owner is proposing to divide the parcel at 910 Parrish Street and to construct a new single-family detached dwelling on each of the parcels. While the single-family use is permitted by the underlying R-5 zoning district, certain feature requirements, including

lot width and area cannot be met. The proposed lot size and dwelling design are in keeping with the adjacent property at 908.5 Parrish Street which is 30 feet in width and will be developed by-right with a dwelling of similar design to what is proposed by the SUP. In exchange for the SUP, the intent of this request is to ensure a high-quality, market rate home ownership opportunity that is consistent with the goals of the Master Plan while remaining compatible with the overall historic fabric of the neighborhood.

PROJECT DETAILS/DESIGN

When complete, the proposed dwelling at 910 Parrish Street would be two-stories in height and contain three bedrooms and two-and-one-half bathrooms. The dwelling would be of a modern design that is consistent with the proposed dwelling being built by-right at 908.5 Parrish Street. The proposed floor plan is modern and efficient, and designed to meet the needs of the market. The new dwelling includes a master bedroom with en-suite bathroom and walk-in closet. Front and rear covered porches provide additional living area for future inhabitants. Care was taken in the design and siting of the dwelling to ensure compatibility with other homes in the neighborhood and that all other zoning standards would be met.

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 dwellings 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 and normal side yard setbacks would be met. 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 two high-quality, single-family detached dwellings on the Property. This proposal represents an ideal infill development for this location and the creation of additional housing stock within the City. In exchange for the approval, the quality assurances conditioned through the SUP would guarantee the construction of a higher quality dwelling. This would contribute to the overall vibrancy of the neighborhood and would be consistent with the historic development pattern of surrounding neighborhood and the goals set forth in the Richmond 300 Master Plan.

SUP APPLICATION

910A & 910B PARRISH STREET

910A & 910B PARRISH ST
RICHMOND, VA 23226



8/31/2022
REVISED 10/07/2022
REVISED 12/20/2022

2

LANDSCAPE KEY NOTES

1. SMALL SHRUB IN MULCHED BED

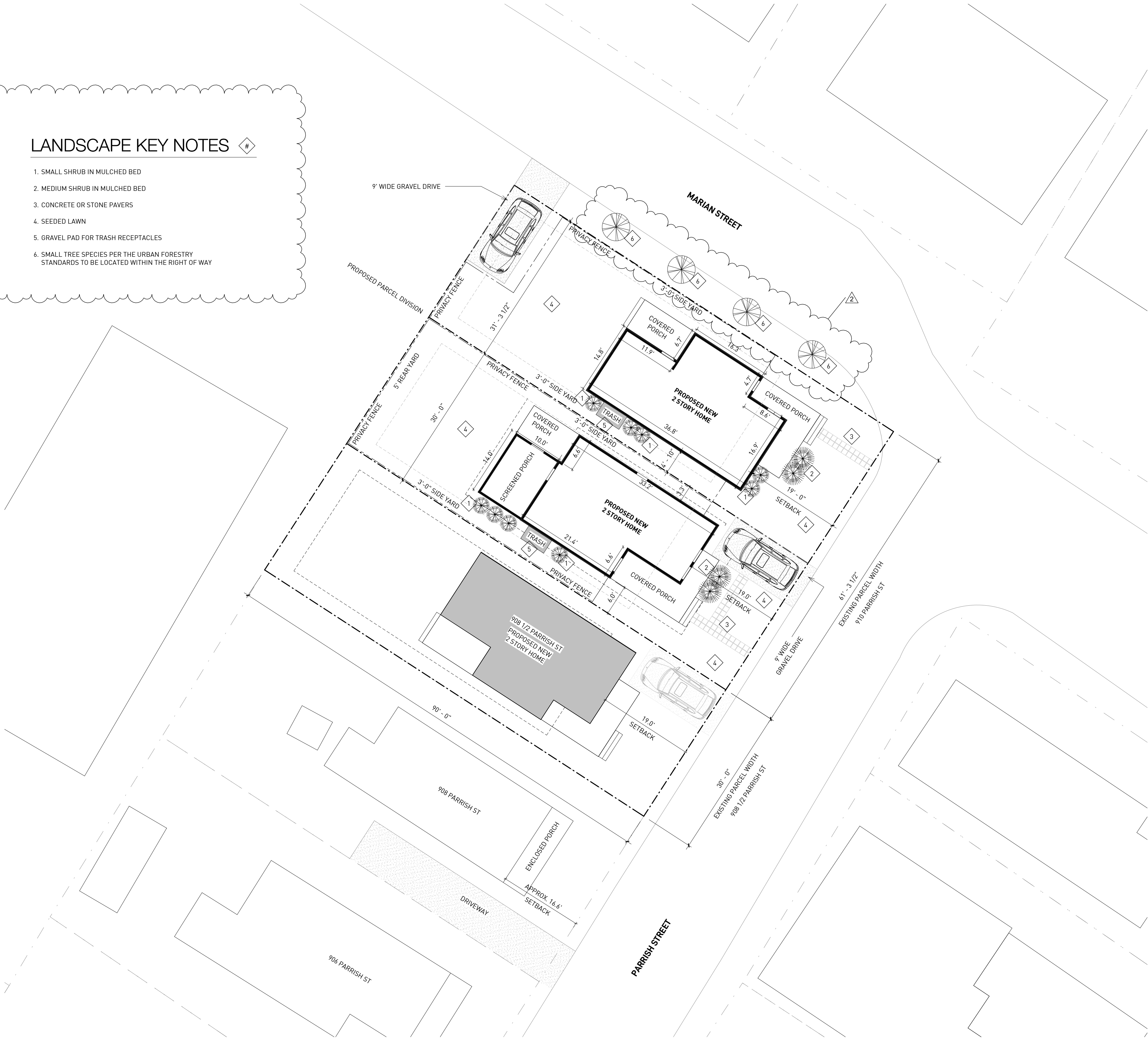
2. MEDIUM SHRUB IN MULCHED BED

3. CONCRETE OR STONE PAVERS

4. SEEDED LAWN

5. GRAVEL PAD FOR TRASH RECEPTACLES

6. SMALL TREE SPECIES PER THE URBAN FORESTRY STANDARDS TO BE LOCATED WITHIN THE RIGHT OF WAY



Site
1" = 10'-0"



A003
SITE PLAN



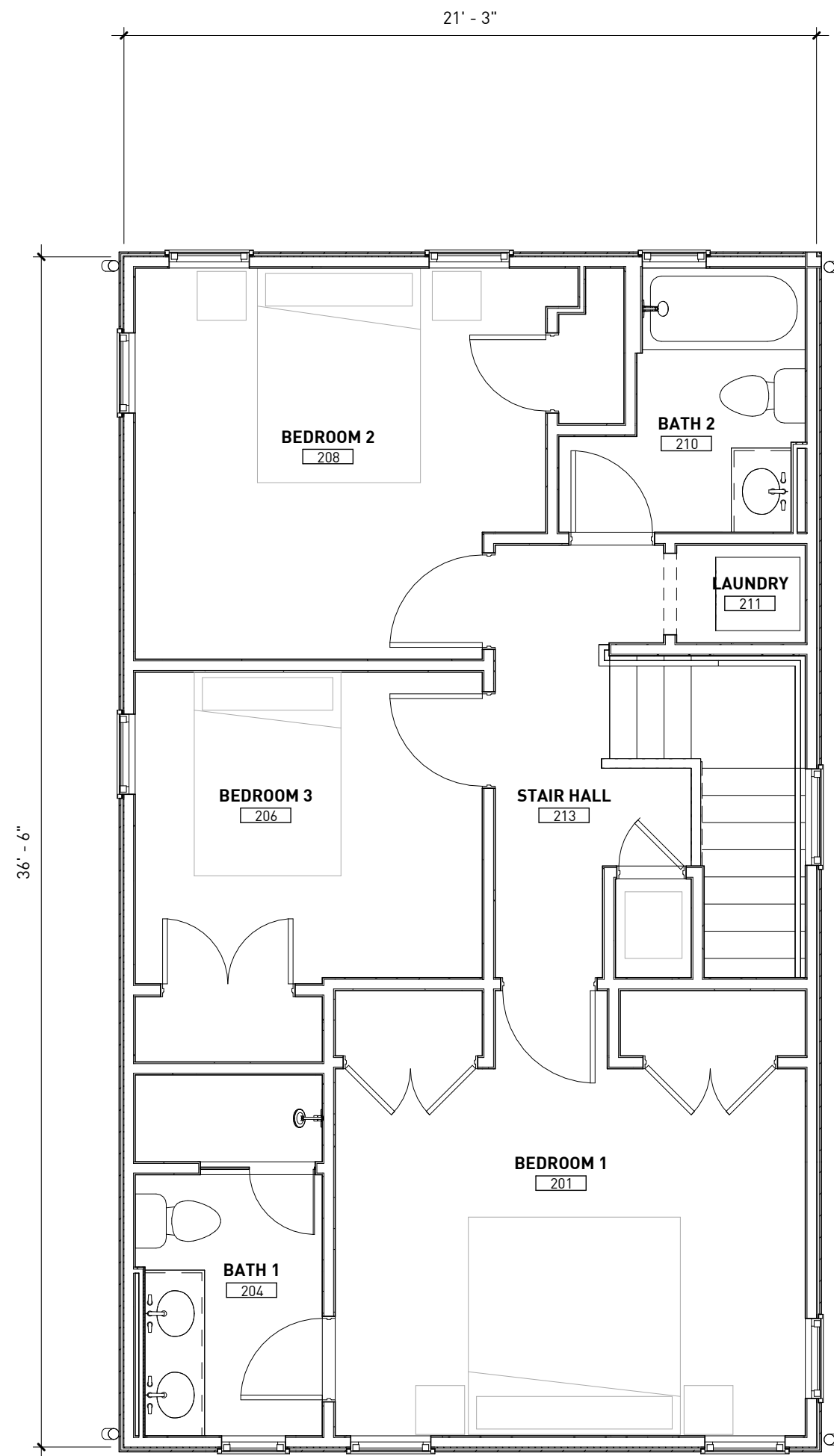
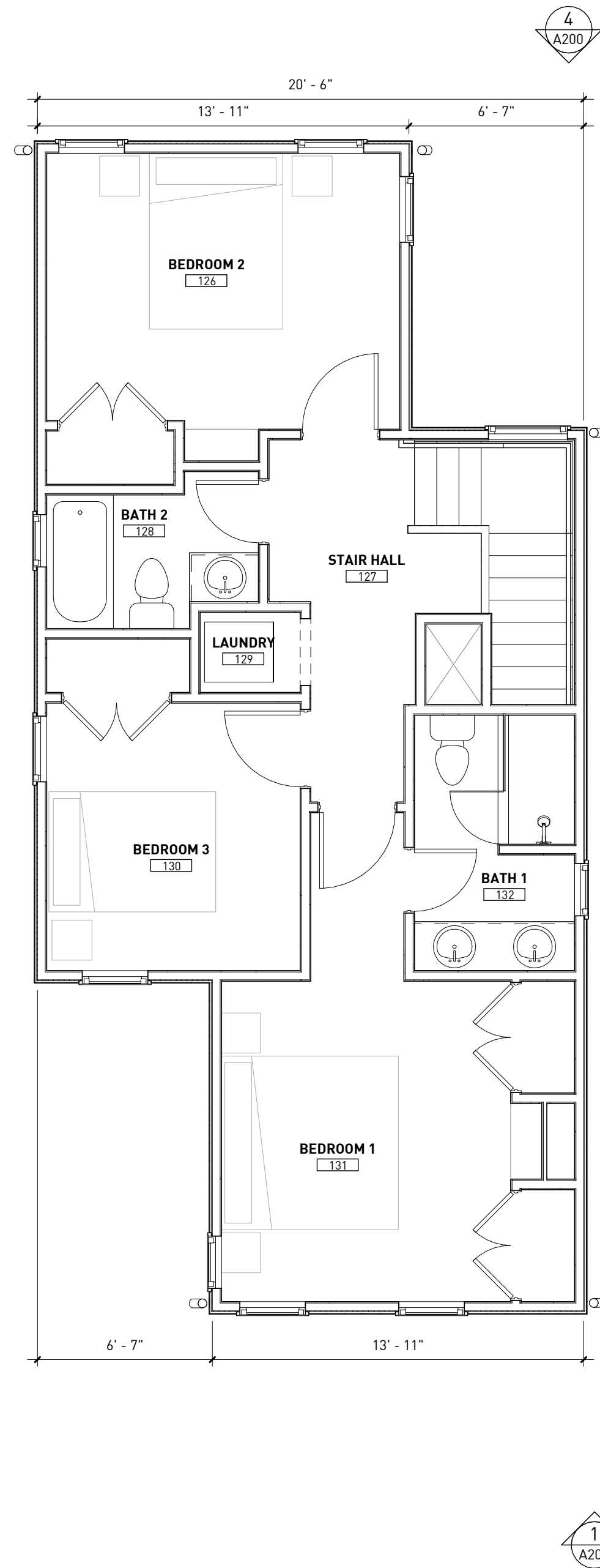
718-541-7030

910A & 910B PARRISH STREET
910A & 910B PARRISH ST
RICHMOND, VA 23226

SUP APPLICATION

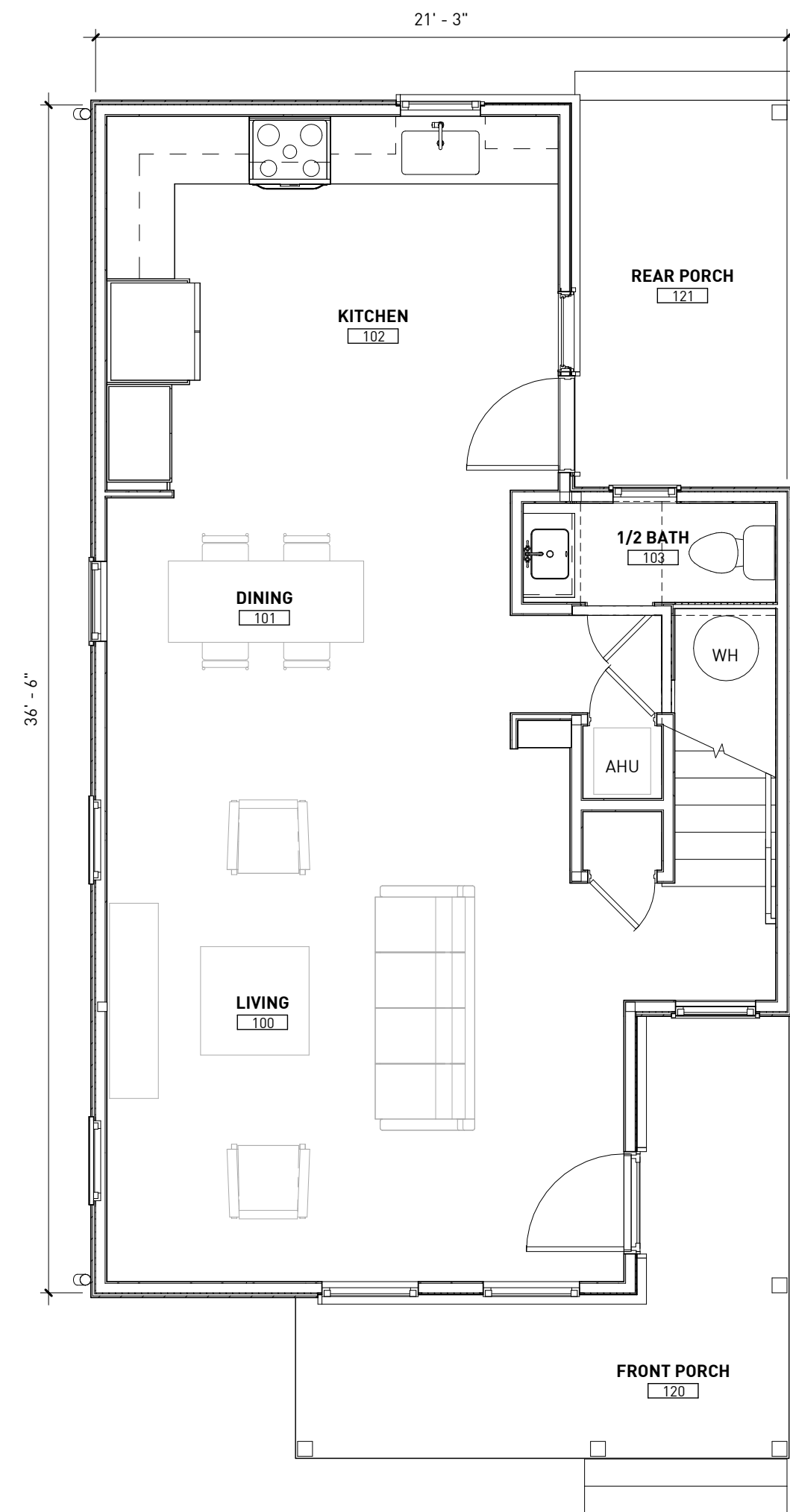
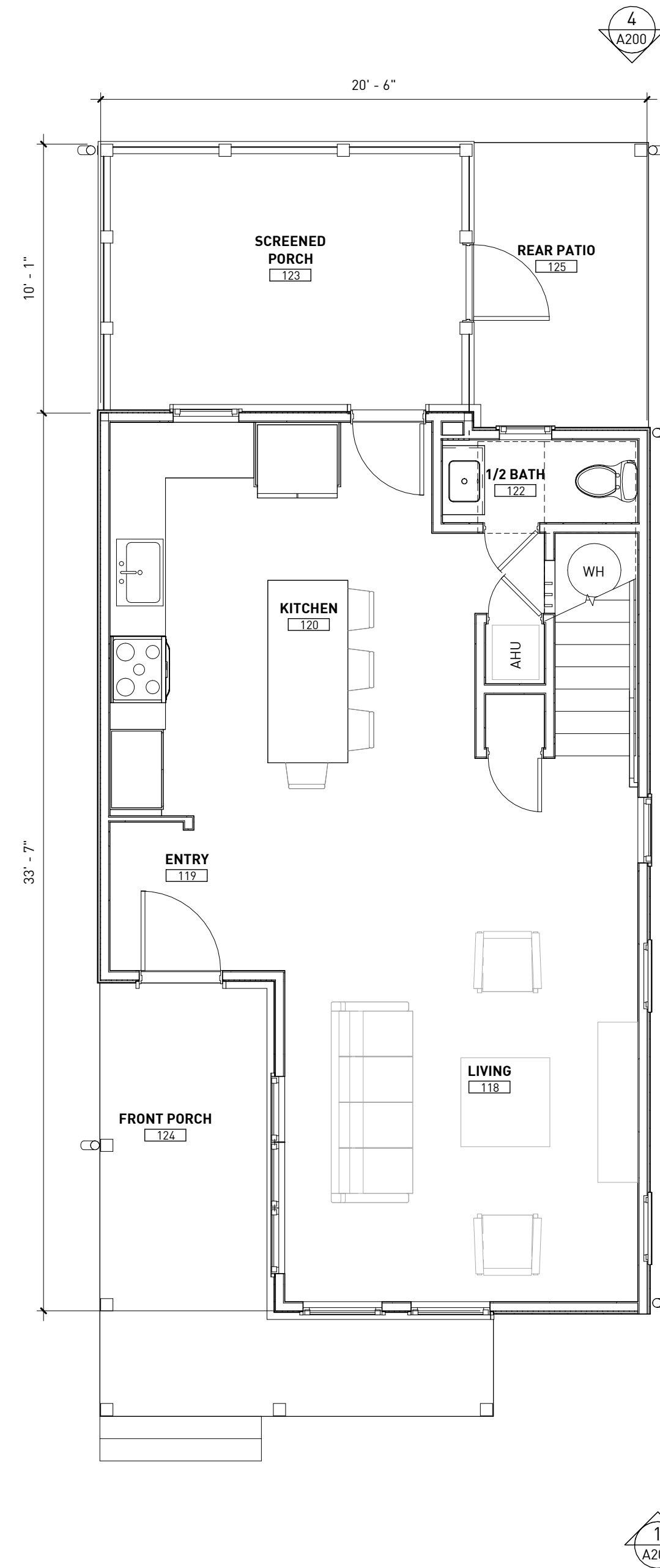
8/31/2022

REVISIONS
2. UF COMMENT RESPONSE 12.20.22



LEVEL 2
1/4" = 1'-0"

2



LEVEL 1
1/4" = 1'-0"

1

A100
PLANS



718-541-7030

910A & 910B PARRISH STREET
910A & 910B PARRISH ST
RICHMOND, VA 23226

8/31/2022

SUP APPLICATION

REVISIONS



FRONT - LOOKING NORTHWEST 2



FRONT - LOOKING SOUTHWEST 3



907 PARRISH 5
1/4" = 1'-0"

REVISIONS
1 SUP COMMENT RESPONSE 10.7.22

910A & 910B PARRISH STREET
910A & 910B PARRISH ST
RICHMOND, VA 23226

SUP APPLICATION

8/31/2022

A200
EXTERIOR VIEWS

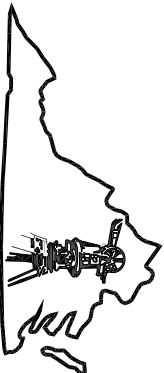


©2022

718-541-7030

This is to certify to the PURCHASER/OWNER shown hereon, and his TITLE INSURER and Lender, that on 8-5-2022 I made an Accurate survey of the premises shown hereon and that there are no easements or encroachments visible on the ground other than those shown hereon. This survey has been made without the benefit of a title search and is subject to any uses recorded and unrecorded and other pertinent facts in which a title search may disclose. Copies of this plat without the certifying surveyor's seal with an original signature are INVALID.

This property IS NOT within a FEMA Floodway Hazard as shown on Comm. Panel # 5101290009D
Zone: "X" DATED: 4-2-2009



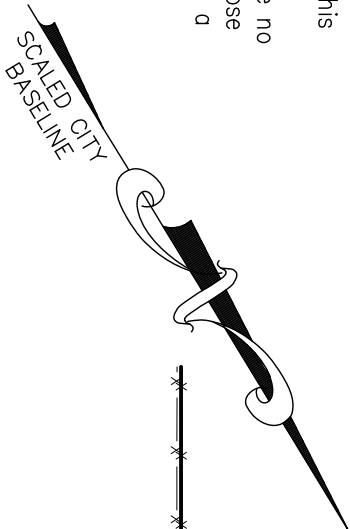
Virginia Surveys

P.O. BOX 118
CHESTERFIELD, VA 23832
(804) 748-9481
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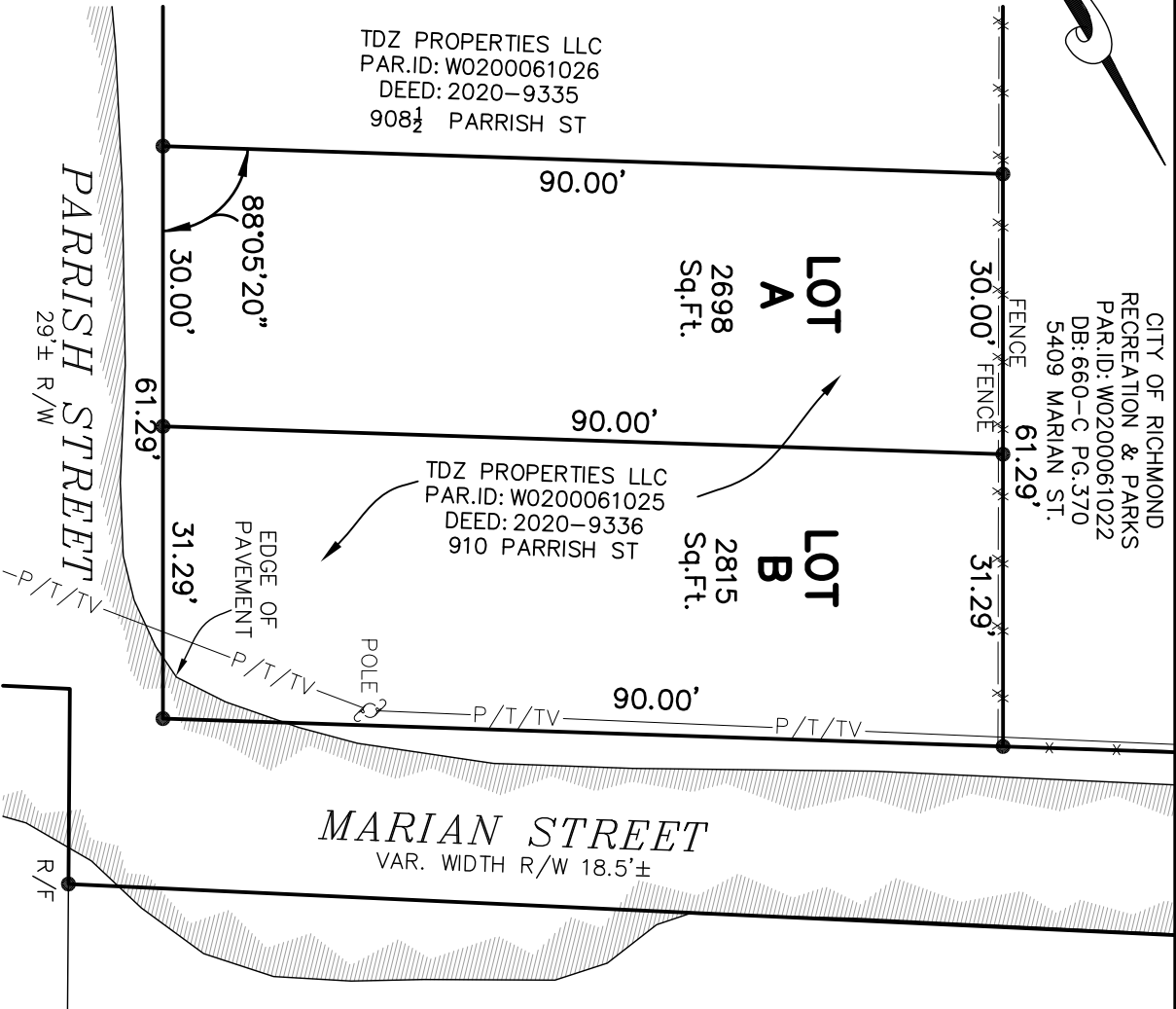


DATE: 8-5-2022
CERTIFIED BY JEFFREY K. FLOYD
VIRGINIA CERTIFICATE NO. 001905

SCALE: 1"=20'
JOB NO. 220715185



CITY OF RICHMOND
RECREATION & PARKS
PAR.ID: W0200061022
DB:660-C PG.370
5409 MARIAN ST.



MAP SHOWING THE DIVISION OF
No.910 PARRISH STREET
IN THE CITY OF RICHMOND, VA.