INTRODUCED: July 24, 2023

AN ORDINANCE No. 2023-229

To authorize the special use of the property known as 1524 National Street for the purpose of one single-family detached dwelling and one two-family dwelling, upon certain terms and conditions.

Patron – Mayor Stoney (By Request)

Approved as to form and legality by the City Attorney

PUBLIC HEARING: SEPT 11 2023 AT 6 P.M.

WHEREAS, the owner of the property known as 1524 National Street, which is situated in a R-5 Single-Family Residential District, desires to use such property for the purpose of one single-family detached dwelling and one two-family dwelling, which use, among other things, is not currently allowed by sections 30-410.4, concerning lot area and width, and 30-410.5, concerning yards, 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:	8	NOES:	0	ABSTAIN:	
		_			
ADOPTED:	SEP 11 2023	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 1524 National Street and identified as Tax Parcel No. E000-2813/012 in the 2023 records of the City Assessor, being more particularly shown on a survey entitled "Sketch Showing the Division of No. 1524 National Street in the City of Richmond, VA.," prepared by Virginia Surveys, dated January 4, 2023, and last revised February 10, 2023, 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 one single-family detached dwelling and one two-family dwelling, hereinafter referred to as "the Special Use," substantially as shown on the plans entitled "Sketch Showing the Division of No. 1524 National Street in the City of Richmond, VA.," prepared by Virginia Surveys, dated January 4, 2023, and last revised February 10, 2023, and "1524-1/2 National St," prepared by RH Designs LLC, and dated February 13, 2023, 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 one single-family detached dwelling and one two-family dwelling, substantially as shown on the Plans.
 - (b) One parking space per dwelling unit shall be provided on the Property.

- (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.
- (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 a building permit for the Special Use, the establishment of 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) 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

(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.

laws or regulations.

§ 7. **Effective Date.** This ordinance shall be in force and effect upon adoption.

A TRUE COPY:

TESTE.

City Clerk





City of Richmond

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

Master

File Number: Admin-2023-0218

File ID: Admin-2023-0218 Type: Request for Ordinance or Status: Regular Agenda

Resolution

Version: 2 Reference: In Control: Planning

Commission

Department: Cost: File Created: 04/26/2023

Subject: Final Action:

Title: To authorize the special use of the property known as 1524 National Street for the

purpose of

two single-family detached dwellings, upon certain terms and conditions.

Internal Notes:

Code Sections: Agenda Date: 06/26/2023

Indexes: Agenda Number:

Patron(s): Enactment Date:

Attachments: Admin-2023-0218 - Application Documents, Enactment Number:

Admin-2023-0218 - Draft Ordinance, Letter of

support.pdf

Contact: Introduction Date:

Drafter: David.Watson@rva.gov **Effective Date:**

Approval History

Version	Seq#	Action Date	Approver	Action	Due Date
2	1	5/26/2023	Matthew Ebinger	Approve	5/30/2023
2	2	5/29/2023	Kevin Vonck	Approve	6/2/2023
2	3	5/29/2023	Kris Daniel-Thiem - FYI	Notified - FYI	
2	4	5/30/2023	Sharon Ebert	Approve	6/6/2023
2	5	5/30/2023	Alecia Blackwell - FYI	Notified - FYI	
2	6	5/30/2023	Caitlin Sedano - FYI	Notified - FYI	
2	7	5/30/2023	Jeff Gray - FYI	Notified - FYI	
2	8	6/1/2023	Lincoln Saunders	Approve	6/1/2023
2	9	6/8/2023	Mayor Stoney (By Request)	Approve	6/5/2023
Notes:	Wrong Sto	oney account Kit Hag	en		
2	10	6/21/2023	Mayor Stoney	Approve	6/16/2023

History of Legislative File

Ver- Acting Body:	Date: Action:	Sent To:	Due Date:	Return	Result:
sion:				Date:	

Text of Legislative File Admin-2023-0218

Title

To authorize the special use of the property known as 1524 National Street for the purpose of two single-family detached dwellings, upon certain terms and conditions.

Body

O & R Request

DATE: May 26, 2023 **EDITION:** 1

TO: The Honorable Members of City Council

THROUGH: The Honorable Levar M. Stoney, Mayor (Patron: Mayor, by Request)

(This in 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 1524 National 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 1524 National Street for the purpose of two single-family detached dwellings, upon certain terms and conditions.

REASON: The subject property is located in the R-5 Single-Family Residential District where single-family dwellings are permitted uses provided certain lot feature requirements are met. The proposal to subdivide the property creates two lots that do not meet these requirements. Therefore, a Special Use Permit is requested.

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 .161 acre subject property is located on the northern side of National Street between near the intersection with Salem Street. The property is serviced by an alley that runs along the rear property line.

The subject property, as well as the other properties on the block, is improved with a single-family dwelling.

The City's Richmond 300 Master Plan designates the property for Residential uses which consists primarily of single-family houses on large- or medium-sized lots more homogeneous in nature.

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: The Department of Planning and Development Review does not anticipate any impact to the City's budget for this or future fiscal years.

BUDGET AMENDMENT NECESSARY: None

REVENUE TO CITY: \$300 application fee

DESIRED EFFECTIVE DATE: Upon adoption

REQUESTED INTRODUCTION DATE: June 26, 2023

CITY COUNCIL PUBLIC HEARING DATE: July 24, 2023

REQUESTED AGENDA: Consent

RECOMMENDED COUNCIL COMMITTEE: None

CONSIDERATION BY OTHER GOVERNMENTAL ENTITIES: City Planning Commission July 17, 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: Ordinance Draft, Application Form, Applicant's Report, Plans, Survey

STAFF: David Watson, Senior Planner, Land Use Administration, 804-646-1036

.. Recommended Action

Key Issues:

Retain on Consent Agenda Move to Regular Agenda Refer Back to Committee Remove from Council Agenda

Strike Withdrawn ---- Continue to:



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/

Project Name/Location		
roperty Address: 1524 National Street		Date <u>:</u>
ex Map #: <u>E0002813012</u> Fee: <u>\$300</u>		<u></u>
otal area of affected site in acres: <u>.161</u>		
See page 6 for fee schedule, please make check payable to t	he "City of Richmond")	
Zoning		
Current Zoning: R-5		
xisting Use: Single Family Detached Dwelling		
Proposed Use		
Please include a detailed description of the proposed use in	the required applicant's repor	t)
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NOTE: Please attach the required plans, checklist, and a check for the application fee (see Filing Procedures for special use permits)

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.

APPLICANT'S REPORT

February 14th, 2023

Special Use Permit Request 1524 National Street, Richmond, Virginia Map Reference Number: E000-2813/012

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

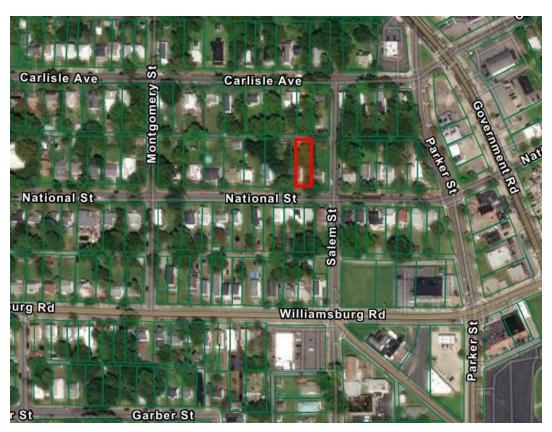
Introduction

The property owner is requesting a special use permit (the "SUP") for 1524 National Street (the "Property"). The SUP would authorize the division of the Property in order to construct one (1) single-family detached dwelling on the newly created parcel. While the single-family detached use is permitted by the underlying R-5 Single-Family Residential zoning district, some of the R-5 feature requirements cannot be met, and therefore, a SUP is required.

Existing Conditions

SITE DESCRIPTION AND EXISTING LAND USE

The subject property is located on the north side of National Street between Salem Street to the east and Montgomery Street to the west. The subject property is referenced by the City Assessor as tax parcel E000-2813/012 and is currently occupied by a single-family dwelling. The Property is originally Lot 14 and part of Lot 15 of the original Belmont subdivision and is approximately 50 feet in width by 140 feet in depth, containing approximately 7,000 square feet of lot area.



The properties in the immediate vicinity are developed with a mix of uses. Most properties are developed with single-family dwellings, although some multi-family exists to the

northeast across Government Rd. Additionally, to the east between Parker Street and Government Rd there are a number of commercial uses.

EXISTING ZONING

The Property and those to the north, south, east, and west are zoned R-5 Single-Family Residential. To the east are properties located within the B-2 Community Business District. Moving northeast are properties zoned R-48 Multifamily Residential.

MASTER PLAN DESIGNATION

The request is consistent with the Richmond 300 Master Plan (the "Master Plan"), which 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 developments to reinforce a gridded street pattern in order to increase connectivity. Single-family dwellings are the contemplated primary use in the Residential future land use designation (p. 54). In addition, the property is located within the Fulton Neighborhood Node which encourages growth that preserves the character of the surrounding single-family neighborhoods.

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."
 - o 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. "

- 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.

TRANSPORTATION

The Property is located near Parker Street and Williamsburg Road which are serviced by the 56 and 4B lines respectively and provide connection to the west toward Downtown and on to the VCU Medical Center and to the southeast toward Darbytown and into Henrico.

Proposal

PROJECT SUMMARY

The proposed development includes the division of the parcel and the construction of one single-family detached dwelling on the newly created lot.

PURPOSE OF REQUEST

The Property consists of a single lot of record which is described as Lot 14 and part of Lot 15 from the original Belmont subdivision and is approximately 50 feet wide and contains 7,000 square feet of lot area. The owner is dividing the lot and building a new single-family detached dwelling with a zero-lot line on the west side of the property in order to provide a larger side yard setback for the adjacent property to the east. As the proposal does not meet some of the feature requirements prescribed by the underlying R-5 zoning district, including lot area and width along with the requisite side yards, a special use permit is required.

In exchange for the SUP, the intent of this request is to ensure the development of a highquality infill dwelling. The overall project will remain respectful to the historic development pattern in the vicinity thereby remaining consistent with the predominant character of the area. Also, the quality assurances conditioned through the SUP will guarantee a higher quality development and better neighborhood compatibility than might otherwise be guaranteed with a by right development.

PROJECT DETAILS

When complete, the new single family detached dwelling would be two stories in height and is intended to be consistent with the historic development pattern found throughout the neighborhood. The dwelling would contain three bedrooms and two- and one-half bathrooms, totaling approximately 1,889 square feet of floor area. The exterior would be clad in quality building materials including cementitious lap siding in order to ensure durability. A covered full-width front porch would engage the street and provide usable outdoor living space for future occupants. The proposed dwelling's massing and architectural style is designed to be compatible with nearby dwellings and is consistent with the historical homes found in the neighborhood.

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 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 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 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 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. Furthermore, the provision of a full-width front porch will provide additional usable outdoor space. 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 the proposed single-family detached dwelling. The building has been thoughtfully designed to provide an appropriate, high-quality residence in the neighborhood. The request offers compatibility with the City's Master Plan in terms of use and would upgrade the Property while remaining respectful to the historic development pattern in the vicinity thereby remaining consistent with the predominant character of the area. The proposed development would help encourage a pedestrian friendly traditional streetscape in the block and contribute to the vibrancy of the block though the addition street life in the form of a street-oriented front porch. Finally, the quality assurances conditioned through the SUP would guarantee a higher quality development than might otherwise be developed by right.



CONSTRUCTION NOTS:

FROST DEPTH - 18"
SOIL REPORT FTG DEPTH - 30"
DESIGN WIND SPEED - 90MPH, 3 SECOND GUST
ULTIMATE DESIGN WIND SPEED FOR RISK
CATEGORY II BUILDINGS - 1 15 MPH
SNOW LOAD - 20 PSF
SEISMIC DESIGN CATEGORY - B

OCCUPANCY GROUP - R5
TYPE OF CONSTRUCTION - VB
SQUARE FOOTAGE - 963 IST FLR,
926 2ND FLR
- TOTAL I,889SF

SPRINKLERS: NO STORIES AND HEIGHT - 2 STORY, 24'-4" I A4 ESSEX ROAD
KING WILLIAM VA, 23086
(804) 366-7314

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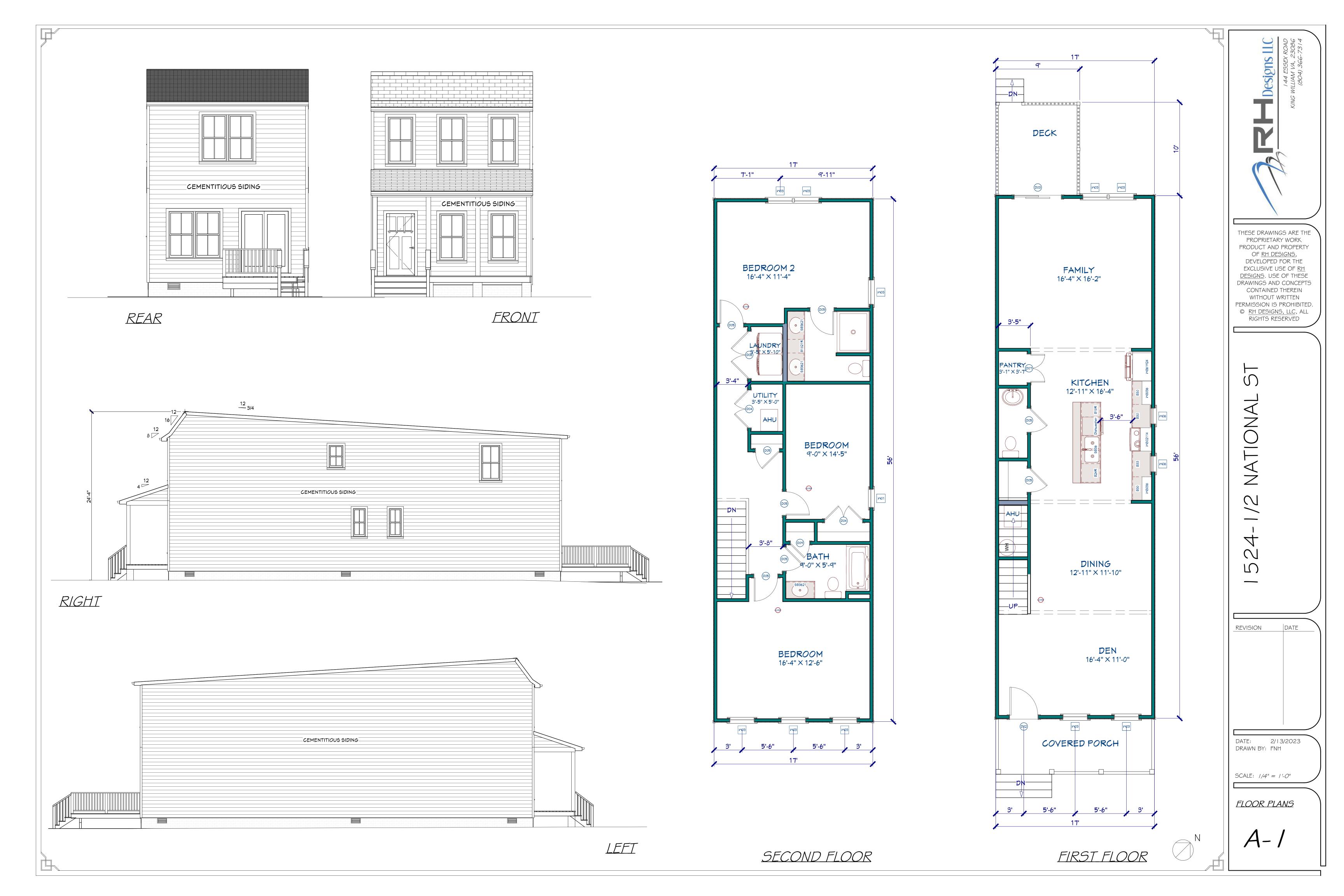
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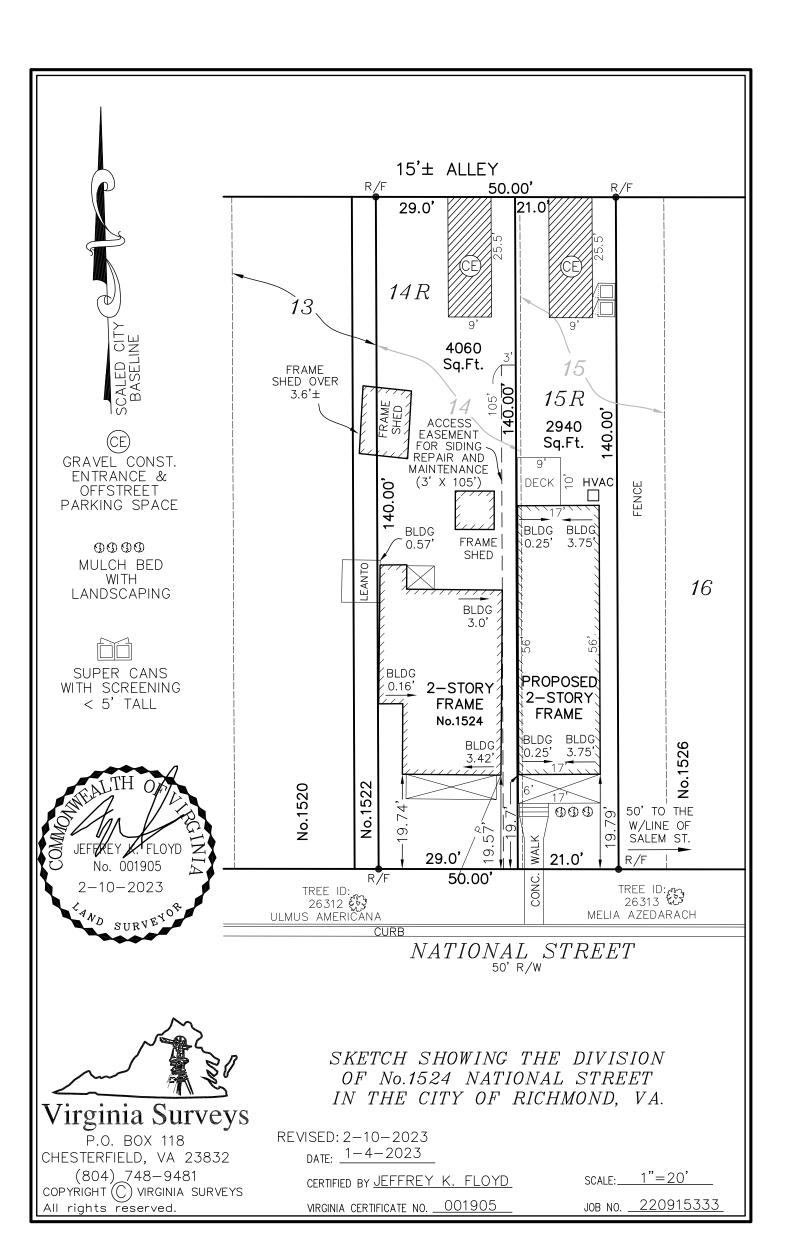
DATE: 2/13/2023 DRAWN BY: FNH

SCALE: NTS

<u>COVER</u>

RH





Watson, David F. - PDR

From: Sherry McDonell <smcdonell@embarqmail.com>

Sent:Tuesday, May 30, 2023 12:33 PMTo:Ebinger, Matthew J. - PDRCc:Watson, David F. - PDRSubject:1524 National Street

CAUTION: This message is from an external sender - Do not open attachments or click links unless you recognize the sender's address and know the content is safe.

Hello,

I am writing because I received a letter from Baker Development Resources concerning 1524 National Street. I am supportive of the project as quality infil development. I look forward to seeing this approved and the subsequent improvement of the neighborhood.

Thank you,

Sherry McDonell Scotchtown Properties, LLC 804-218-8871