

DEPARTMENT OF
PLANNING AND DEVELOPMENT REVIEW
BOARD OF ZONING APPEALS

November 16, 2018

1406 Bainbridge Street, LLC 1711 Reymet Road Richmond, Virginia 23237

Janet King, Senior Vice President R J Smith Construction Inc. 1711 Reymet Road Richmond, Virginia 23237

To Whom It May Concern:

RE: CASE NO. 47-18

You are hereby notified that the Board of Zoning Appeals will hold a public hearing on Wednesday, December 5, 2018 at 1:00 p.m. in the 5th floor conference room, City Hall, 900 East Broad Street, to consider an application for a building permit to construct a multi-family dwelling building at 1406 BAINBRIDGE STREET (Tax Parcel Number S000-0153/012), located in an R-63 (Multi-Family Urban Residential District).

Please be advised that the applicant or the applicant's representative must be present at the hearing. The Board of Zoning Appeals Rules of Procedure provides that in the case of an application for a variance or a special exception, the applicant, proponents or persons aggrieved under §15.2-2314 of the Code of Virginia, shall be permitted a total of six (6) minutes each to present their case. The Board of Zoning Appeals will withhold questions until the conclusion of the respective presentations.

Finally, when you submitted your application to the zoning office you were given an handout entitled, Suggestions for Presenting Your Case to the Board, which indicated that you should discuss your request with your neighbor(s) and neighborhood

BZA CASE NO. 47-18 Page 2 November 16, 2018

association(s) prior to appearing before the Board of Zoning Appeals. Contact information for civic group(s) can be found by navigating to the Civic Group webpage of the City's website at http://www.richmondgov.com/PlanningAndDevelopmentReview/civicassociationgroupin formation.aspx. Once there, you can search for your property using the interactive map. A dialogue box will provide you with the names of all civic groups within which your property may lie. Once you have those group names, simply scroll down the page to the appropriate group(s) to find the contact information for each.

Please be advised that if you fail to discuss your request with your neighbors and neighborhood association(s), you should anticipate that your case will be continued until the Board's next regularly scheduled meeting. Please note that the Board's Rules of Procedure require payment of a \$150.00 continuance fee if the applicant must request a continuance for the reason that the applicant failed to discuss their case with their neighbors and neighborhood association(s). Please contact your neighborhood association to determine their meeting schedule. Be sure you allow yourself enough time to talk to all concerned parties prior to the hearing before the Board. For your convenience a list of the property owner(s) which have been identified based on the City Assessor's records as being located within a 150' radius of subject property is being provided to you (see attachment).

If you have any questions regarding the Board's procedures or any issue involving presentation of your case, please feel free to contact me.

Very truly yours,
Ray W- Benow

Roy W. Benbow, Secretary Phone: (804) 240-2124

Fax: (804) 646-5789

E-mail: Roy.Benbow@richmondgov.com

cc: Zoning Administrator

Notice of this meeting is being sent to the persons whom the Board of Zoning Appeals believes to be property owners in the immediate vicinity of the property concerned in this application. This notice is for their information only, and there is no need for them to appear unless they so desire. The Board will, however, welcome such views as any persons care to express during the hearing on this application.

1312 Bainbridge Street LLC 1711 Reymet Rd N Chesterfield VA 23237 1319 Hull Street LLC Attn: Janet King 1711 Reymet Rd Richmond VA 23237 1400 Bainbridge LLC 10997 Brookhollow Ct Glen Allen VA 23059

1401 Hull Street LLC 1711 Reymet Rd Richmond VA 23237 1405 Hull Street LLC 1711 Reymet Rd Richmond VA 23237 1423 Hull LLC Po Box 6 Chesterfield VA 23832

Bahen Andrew M & Theresa C & Thomas F Cunningham 12001 Deerhill Rd Midlothian VA 23112 Brown Jessica 1416 Bainbridge St Richmond VA 23224 Bullock William 1413-15 Hull St Richmond VA 23224

Bullock William 1417 Hull St Richmond VA 23224 Cousins Victoria A 4310 Dorest Road Richmond VA 23234 Dawan Ameen & Mattie E 3712 Crutchfield St Richmond VA 23225

Grossman David A & Fuselier Erin E 1412 Bainbridge St Richmond VA 23224 Hawash Aly & Elkattan Fathy Hawash 1321 Porter St Richmond VA 23224 Hawash Mohamed A 1407 Hull St Richmond VA 23224

Maury Senior Retirement Village Lp 1411 Bainbridge St Richmond VA 23224 Miley Matthew L & Mark L 1323 Bainbridge St Richmond VA 23224 Turner Samuel 2201 Hull St Richmond VA 23224

Urban Development Assoc LLC 205 N 19th St Richmond VA 23223

Vice Milton 1417 1/2 Hull St Richmond VA 23224 Property: 1406 Bainbridge St Parcel ID: S0000153012

Parcel

Street Address: 1406 Bainbridge St Richmond, VA 23224-0

Alternate Street Addresses: 1408 Bainbridge St

: 1404 Bainbridge St

Owner: 1406 BAINBRIDGE STREET LLC

Mailing Address: 1711 REYMET RD, RICHMOND, VA 23837

Subdivision Name: NONE

Parent Parcel ID:

Assessment Area: 352 - Bainbridge/Manchester/Blackwell North Property Class: 101 - R Single Family Vacant (R1-R7)

Zoning District: R-63 - Residential (Multi-family Urban)

Exemption Code: -

Current Assessment

Effective Date: 01/01/2018 Land Value: \$22,000

Improvement Value:

Total Value: \$22,000 Area Tax: \$0

Special Assessment District: None

Land Description

Parcel Square Feet: 9151.05

Acreage: 0.21

Property Description 1: 0059.04X0155.00 0000.210 AC

State Plane Coords(?<#>): X= 11788420.272373 Y= 3714728.426566

Latitude: 37.52046253 , Longitude: -77.44664231

Description

Land Type: Residential Lot A

Topology: Level
Front Size: 59
Rear Size: 155
Parcel Square Feet: 9151.05

Acreage: 0.21

Property Description 1: 0059.04X0155.00 0000.210 AC

Subdivision Name: NONE

State Plane Coords(?<#>): X= 11788420.272373 Y= 3714728.426566

Latitude: 37.52046253, Longitude: -77.44664231

Other

Street improvement: Paved

Sidewalk: Yes

Assessments

Assessment Year	Land Value	Improvement Value	Total Value	Reason
2019	\$54,000	\$0	\$54,000	Reassessment
2018	\$22,000	\$0	\$22,000	Reassessment
2017	\$22,000	\$0	\$22,000	Reassessment
2016	\$22,000	\$0	\$22,000	Reassessment
2015	\$22,000	\$0	\$22,000	Reassessment
2014	\$22,000	\$0	\$22,000	Reassessment
2013	\$22,000	\$0	\$22,000	Reassessment
2012	\$22,000	\$0	\$22,000	Reassessment
2011	\$22,000	\$0	\$22,000	CarryOver
2010	\$22,000	\$0	\$22,000	Reassessment
2009	\$22,000	\$0	\$22,000	Reassessment
2008	\$22,000	\$0	\$22,000	Reassessment
2007	\$18,000	\$0	\$18,000	Reassessment
2006	\$10,500	\$0	\$10,500	Reassessment
2005	\$9,100	\$0	\$9,100	Reassessment
2004	\$7,000	\$0	\$7,000	Reassessment
2003	\$7,000	\$0	\$7,000	Reassessment
2002	\$7,000	\$0	\$7,000	Reassessment
1998	\$3,500	\$0	\$3,500	Not Available

-Transfers

Transfer Date	Consideration Amount	Grantor Name	Deed Reference	Verified Market Sale Description
09/21/2018	\$0	SMITH R J CONSTRUCTION INC	ID2018- 19694	2 - INVALID SALE-Relation Between Buyer/Seller
01/26/2018	\$93,500	TALD INC	ID2018- 1692	2 - INVALID SALE-Special Financing/Terms, etc.
11/29/1988	\$0	TALD INC & CAUDLE VICTOR E SR EST	ID186- 1045	2 - INVALID SALE-Relation Between Buyer/Seller
07/07/1987	\$0	CAUDLE DELPHIA L & VICTOR E SR EST	ID132- 1070	2 - INVALID SALE-Relation Between Buyer/Seller
06/14/1986	\$0	CAUDLE VICTOR E SR	IW83-653	2 - INVALID SALE-Relation Between Buyer/Seller

-Planning

Master Plan Future Land Use: DT-GUA

Zoning District: R-63 - Residential (Multi-family Urban)

Planning District: Old South

Traffic Zone: 1172
City Neighborhood Code: MNCH
City Neighborhood Name: Manchester

Civic Code: 3009

Civic Association Name: Manchester Alliance

Subdivision Name: NONE

City Old and Historic District:

National historic District: Manchester Residential and Commercial

Neighborhoods in Bloom:

Redevelopment Conservation Area: Old Manchester (Southern Gateway)

Economic Development

Care Area: -

Enterprise Zone:

Environment

100 YEAR Flood Plain Flag: Contact the Water Resources Division at 646-7586.

500 YEAR Flood Plain Flag: N

Resource Protection Flag: Contact the Water Resources Division at 646-7586.

Wetland Flag: N

Census

Census Year	Block	Block Group	Tract
2000	2004	0603002	060300
1990	302	0603003	060300

Schools

Elementary School: Blackwell
Middle School: Thompson
High School: Armstrong

Public Safety

Police Precinct: 1
Police Sector: 112
Fire District: 13
Dispatch Zone: 160A

Public Works Schedules

Street Sweep: TBD Leaf Collection: TBD Refuse Collection: Tuesday

Bulk Collection:

Government Districts

Council District: 6
Voter Precinct: 609
State House District: 69
State Senate District: 16
Congressional District: 4

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RICHMOND BOARD OF ZONING APPEALS APPLICATION FORM



THE RICHMOND ZONING ADMINISTRATION OFFICE ROOM 110, CITY HALL, 900 EAST BROAD STREET RICHMOND, VIRGINIA 23219 (804) 646-6340

TO BE COMPLETED BY THE APPLICANT				
PROPERTY				
	bridge Street, LLC	PHONE: (Home)		
ADDRESS: 1711 Reyr	net Road	FAX: () (Work) ()		
Richmond.	Virginia 23837	E-mail Address:		
PROPERTY OWNER'S	S			
REPRESENTATIVE:	Janet King, Senior Vice President	PHONE: (Home) ((Mobile) (804) 400-7820		
(Name/Address)	R J Smith Construction Inc.	FAX: () (Work) (804) 714-3450 ext. 102		
	1711 Reymet Road			
	Richmond, VA 23837	E-mail Address: janetking@rjsmithcos.com		
	TO BE COMPLETED BY	Y THE ZONING ADMINSTRATION OFFICE		
PROPERTY ADDRESS (E	S) 1406 Bainbridge Street			
TYPE OF APPLICATION:	VARIANCE ☐ SPECIAL EX	CEPTION OTHER		
ZONING ORDINANCE SE	CCTION NUMBERS(S): <u>30-300 & 30-419.6 (1)</u>			
APPLICATION REQUIRE	D FOR: A building permit to construct a mult	i-family dwelling building.		
TAX PARCEL NUMBER(S	5): <u>\$000-0153/012</u> ZONING DISTRI	ICT: R-63 (Multi-family Urban Residential)		
		l (setback) requirement is not met. In no case shall a front yard with a depth of greater than		
fifteen feet (15') be permitted; 19.89' is proposed.				
DATE REQUEST DISAPPROVED: October 18, 2018 FEE WAIVER: YES □ NO: ⊠				
DATE FILED: October 18, 2018 TIME FILED: 1:00 p.m. PREPARED BY: Rich Saunders RECEIPT NO. BZAR-043809-2018				
AS CERTIFIED BY: W.C. (ZONING ADMINSTRATOR)				
I BASE MY APPLICATION ON:				
SECTION 17.20 PARAGRAPH(S) OF THE CHARTER OF THE CITY OF RICHMOND				
SECTION 15.2 -2309.2 ☑ OF THE CODE OF VIRGINIA [OR]				
SECTION 1040.3 PARAGRAPH(S) OF THE ZONING ORDINANCE OF THE CITY OF RICHMOND				
TO BE COMPLETED BY APPLICANT				
I have received the handouts, Suggestions for Presenting Your Case to the Board & Excerpts from the City Charter				
I have been notified that I, or my representative, must be present at the hearing at which ply request will be considered.				
SIGNATURE OF OWNER OF AUTHORIZED AGENT: Jack July Date: 10/5/18				
*** TO BE COMPLETED BY THE SECRETARY TO THE BOARD OF ZONING APPEALS ***				
CASE NUMBER:	CASE NUMBER: 47-18 HEARING DATE: December 5, 2018 AT 1:00 P.M.			

BOARD OF ZONING APPEALS CASE NO. 47-18 150' Buffer

APPLICANT(S): 1406 Bainbridge Street, LLC

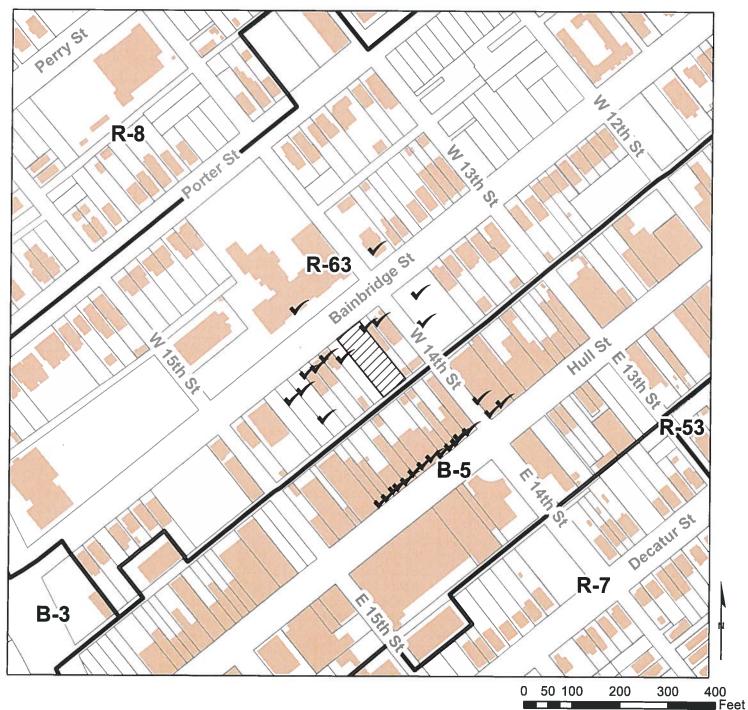
PREMISES: 1406 Bainbridge Street

(Tax Parcel Number S000-0153/012)

SUBJECT: A building permit to construct a multi-family dwelling building.

REASON FOR THE REQUEST: Based on Sections 30-300 & 30-419.6(1) of the Zoning Ordinance for the reason that:

The front yard (setback) requirement is not met.



TO:

Members of the BZA Board

FROM:

Janet King, 1406 Bainbridge Street, LLC; 804-400-7820

DATE:

October 22, 2018

RE:

Request for BZA approval to grant an exception to a 15' setback to allow a 19.89' setback for proposed new construction at 1406 Bainbridge Street; Application of

ordinance Sec. 30-1040.3

Members of the Board. Thank you for your review. Respectfully submitted.

The basis for the request is to setback the subject property (1406 Bainbridge Street) to align with the existing front elevation of the adjacent duplex to the East (1402 Bainbridge Street).

There are three main reasons for the request:

(1) TO PRESERVE & MAINTAIN THE EXISTING HISTORICAL URBAN STREETSCAPE IN THE 1400 BLOCK of BAINBRIDGE. (Manchester Historic District).

On the attached aerial view of the 1400's, you will see the setbacks on the even side of the 1400's block range from 15' to 20' with one exception, 1412. Setbacks on the odd side relate to one property at 1411 Bainbridge Street, which is approximately ½ of the block (Maury Senior Retirement). That property's closest setback is at 21' at the bump out at the corner of Bainbridge/14th to 25' at the Bainbridge entrance to 30' to the main building.

Please note the major exception to the existing streetscape is 1412 Bainbridge (blue SF) at 9'.

Property Background:

The lot is 3 consolidated mid block parcels purchased from the City via public auction. We believe the highest and best use is a 9 unit multifamily 3-storied structure that looks like 3 attached row houses. This project is "by-right" and outside of the POD process.

Two Applicable Zoning Ordinances

- a) R63 zoning permits a **15' maximum front yard setback**, however all but one of the existing buildings on the block is equal to or greater than the **15'** setback. We believe siting the new infill structure proud of the existing predominate streetscape building facade is not appropriate and would significantly alter the existing architectural charm and historic fabric.
- b) Section 30-630.2 Exceptions to required front yards on lots where adjacent main buildings exist. States in:
 - "(b) (2) On any lot in an R or RO district where the adjacent building has a front yard greater than required by district regulations, a building or addition thereto erected on such lot may project in front of the adjacent building not more than one foot for each four feet of distance between the newly erected building or addition and the adjacent building. This subsection shall

not be construed to permit a front yard less than the minimum required by the district regulations or to require a front yard greater than 100 feet in depth."

It appears the R63 zoning (2006) ordinance came into being after Sec. 30-630.2 (1993, & 2004) and contradict each other on the front yard requirement. All other residential zonings require a setback, but R63 does not in an effort to support mixed-use.

- Ignoring the existing and predominate street face can be detrimental to a neighborhood.
- (2) ENGINEERING FEASIBILITY ANALYSIS HARDSHIPS (3).

ELEVATION (1):

Please see the attached drawing that shows the West Elevation of the adjacent property (1402). The 1406 subject property has a 3:1 slope and to drop to the finished floor to accommodate a 5' shift forward would expose the West elevation of 1402 by 1.65' feet and would create structural deficiencies for the neighbor.

RETAINING WALL (2):

Much detailed design has gone into locating the building on this site both horizontally and vertically. The existing buildings on either side of the subject property have finished floor elevations above 98.0. The elevation on the sidewalk in front of this site is 93.66. In order to nestle the building into the streetscape and provide positive drainage along the side yard setbacks as to not impact the adjacent existing building foundation, we need the finished floor to be set as designed.

Additionally, we would be required to build at 1.65" retaining wall (see arrow at the front porch line) all the way across the front of the property, excluding stairs, which would further deteriorate from the existing streetscape.

DRAINAGE (3):

New construction is under current stormwater management regulations. In order to meet engineering standards, the retention basin is located in the front yard of the property. It won't fit if we move the subject 5' forward. We have included additional analysis regarding the "whys" at the very end of this memo under "Engineering Data Continued."

(3) TO BE GOOD NEIGHBORS.

Our 1402 Bainbridge Street neighbors do not want their property obstructed by our property. They are very concerned about the towering over (massing) of our building over theirs and our property blocking their views from the porches.

Adjacent neighbors/Community Association Support

Please find attached support letters from the adjacent property owner to the West (Urban Development Associates, LLC) and to the East (Andy & Theresa Bahen & Tom Cunningham). We will request support from the Manchester Alliance and foresee approval of same.

ENGINEERING DATA CONTINUED....

The existing buildings were constructed prior to the requirement to provide stormwater management on the site to control the Post-Development stormwater runoff to Pre-Development runoff rates (ie, Stormwater Management). For this development, we are required to collect the runoff from the site and detain it on site. We have chosen underground piping as the method of runoff detention. In the site stormwater utility analysis we evaluated the two closest connection points for the detention piping to connect to the City's combined sewer service (CSS) piping – In Bainbridge Street and in 14th Street. There is no existing storm sewer in the alley. In order to make the connection through the alley to 14th Street, we would need to cross existing gas and water lines as well as disrupt use of the alley in this area for an extended period of time for construction. This directly affects the adjacent properties that have garages or parking off the alley. This routing also has a greater cost impact to the project as it is a much farther run of 15" concrete storm sewer that would be required by DPU Water Resources.

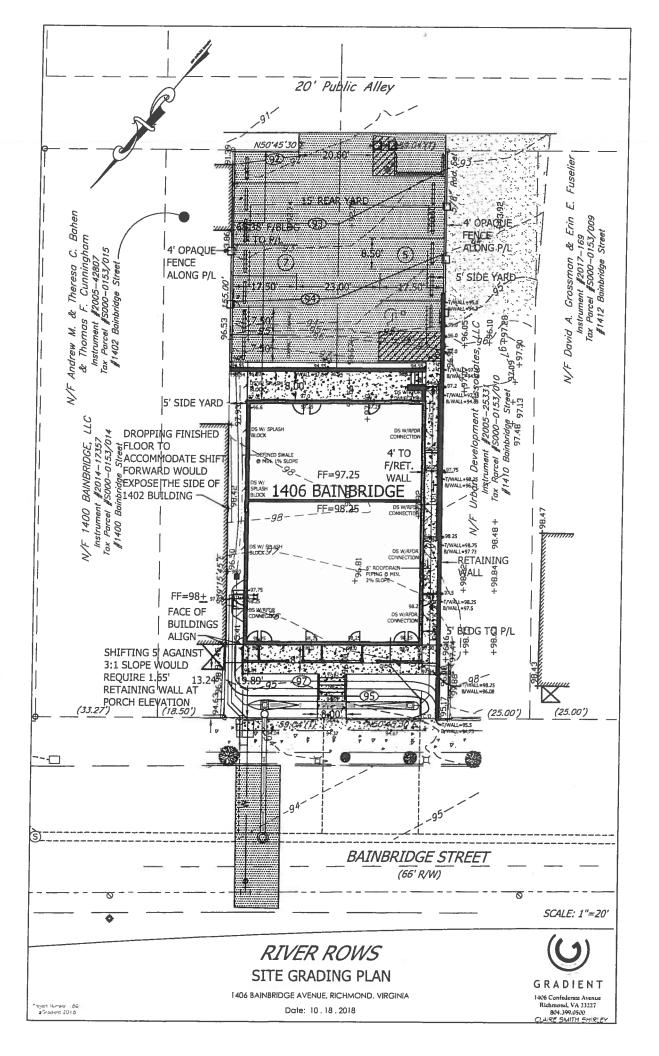
Connection to the combined sewer in Bainbridge Street creates much less of an impact on the neighbors as well as being closer to the project site and eliminates the need for crossing other existing utilities.

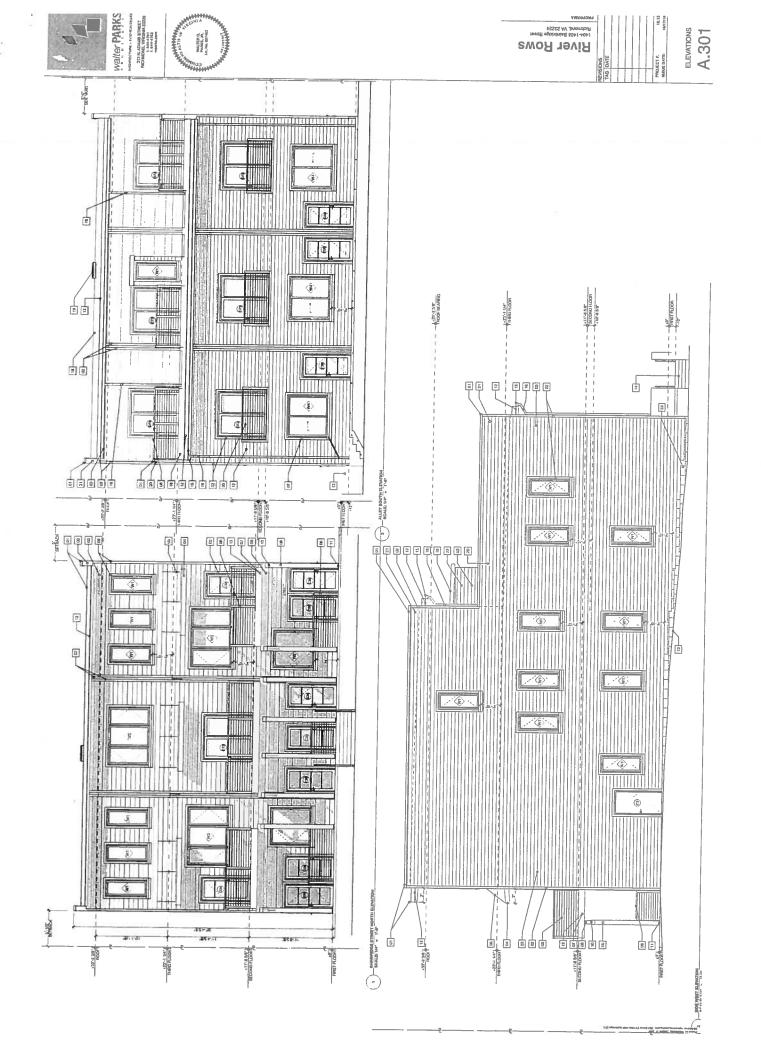
Regarding the street frontage, in order for the underground stormwater management piping to connect to the CSS in Bainbridge, we need to provide a flatter area just behind the sidewalk for drop inlets and the manhole outlet structure. If the building is required to be pushed 5' closer to the street, a 1.65' high retaining wall across the base of the porch will be required. This look will be incongruous with the adjacent properties that have a green space above it sloped up to the porch elevation.

WE APPRECIATE YOUR REVIEW OF OUR REQUEST. Thank you.

ATTACHMENTS:

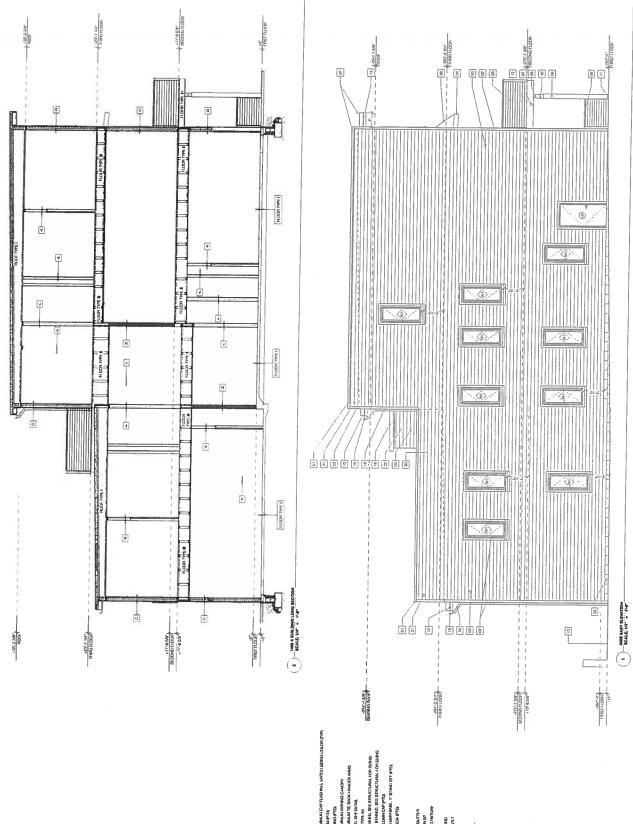
- Checklist
- Application
- BZA Guidelines
- Survey dated 10-18-18 noting setbacks relative to the subject property and adjacent property to the East (1402)
- Elevations dated 10-17-18
- Floor Plans dated 10-17-18
- Aerial view of 1400's block with setbacks noted including the major exception at 1412
- Close up front elevation view of the West Elevation of 1402 and engineering information to support the hardship
- Support letters

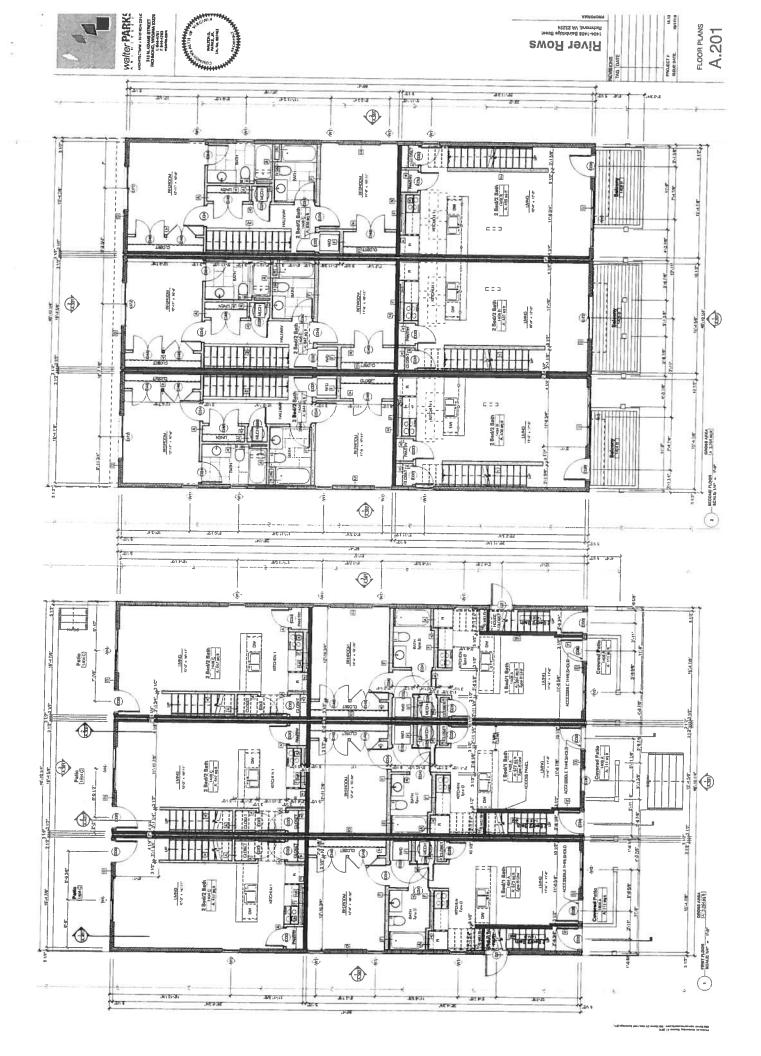


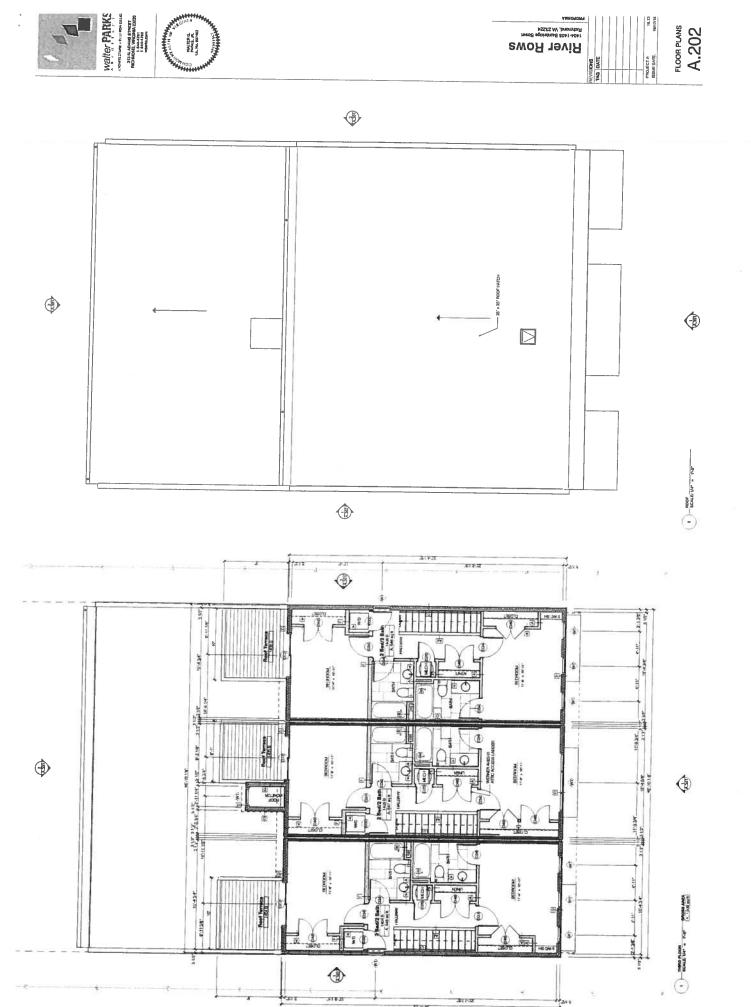


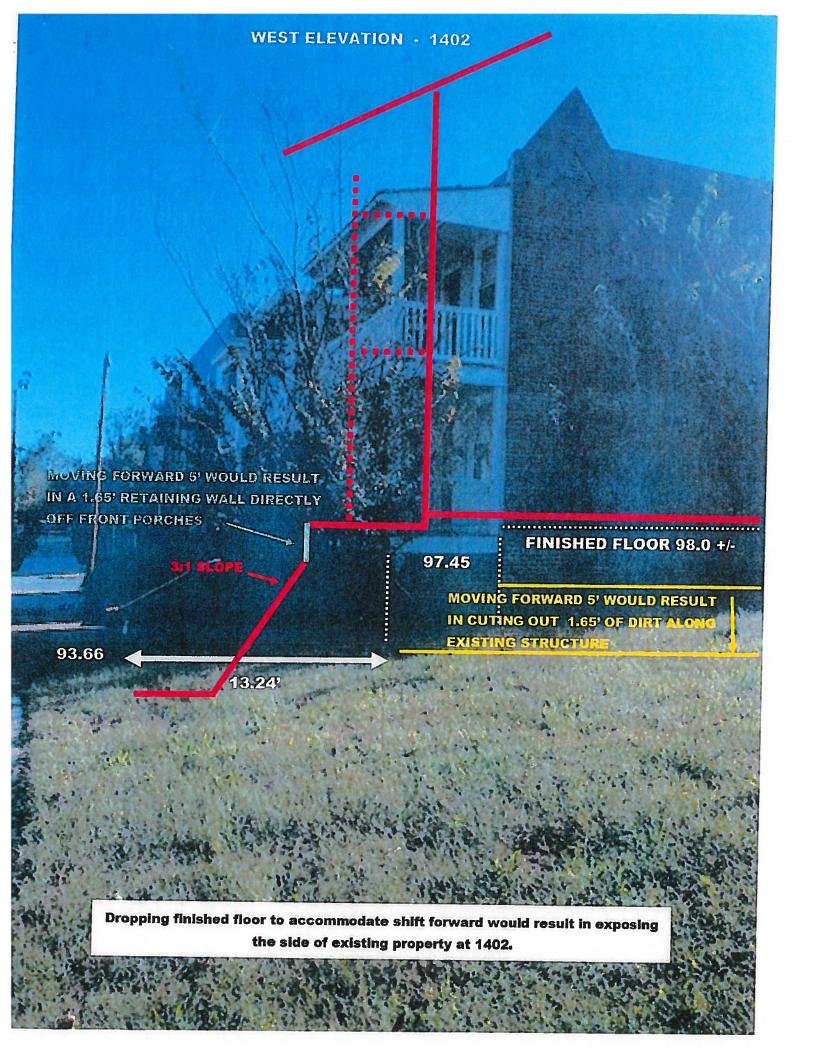
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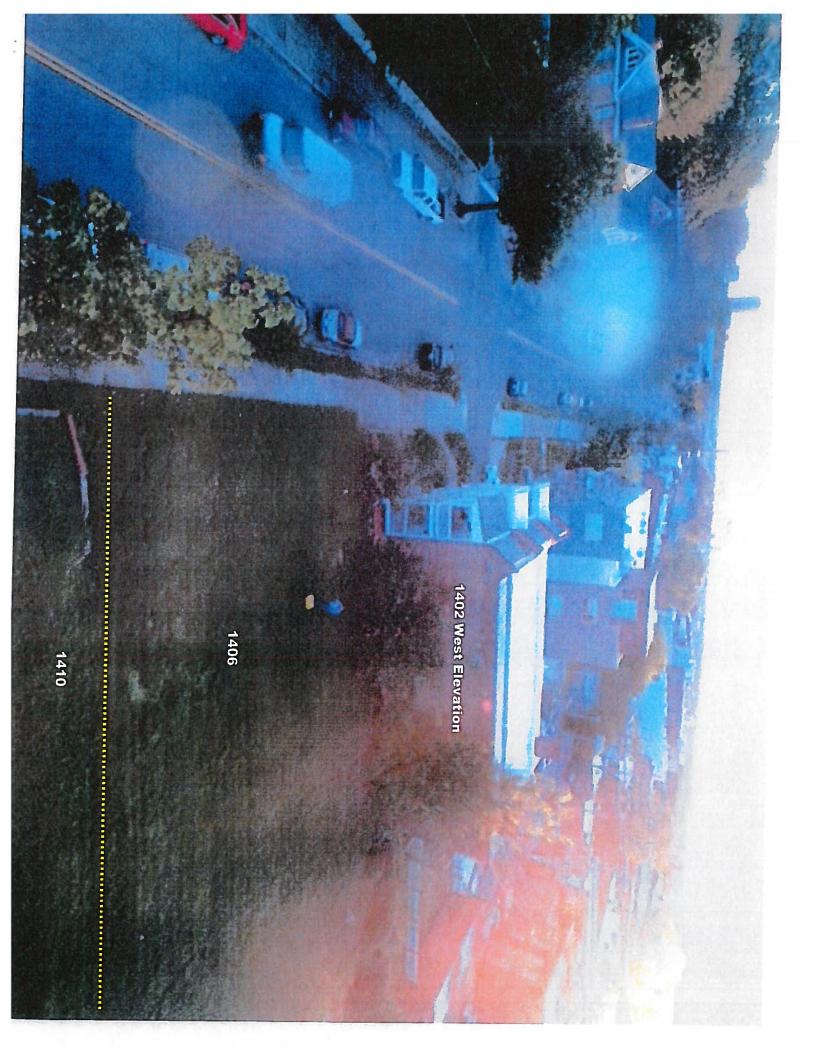














URBAN DEVELOPMENT ASSOCIATES, LLC

116 EAST FRANKLIN STREET RICHMOND, VA 23219

October 22, 2018

Janet King 1406 Bainbridge Street, LLC 1711 Reymet Road Richmond, VA 23237

RE:

Support for BZA Application requesting setback to 19.89' for proposed multifamily project at 1406 Bainbridge Street

Dear Janet:

Urban Development Associates, LLC has reviewed your site survey dated 10/18/18, your elevations dated 10/17/18, your floor plans dated 10/17/18 as well as your streetscape pictures and we are in <u>FULL SUPPORT</u> of 1406 Bainbridge Street, LLC's proposed setback at 19.89' to match your immediate adjacent neighbor's to the East at 1402 Bainbridge Street.

We appreciate your efforts to preserve the existing streetscape of the 1400 block of Bainbridge Street.

If anyone from Zoning or the BZA would like to speak to us, please have him/her reach out to me at 804-321-2471.

Roct

Robin Miller

Owner/Manager

Urban Development Associates, LLC

Janet King 1406 Bainbridge Street, LLC 1711 Reymet Road Richmond, VA 23237

RE:

Support for BZA Application requesting setback to 19.89' for proposed multifamily project at 1406 Bainbridge Street

Dear Janet:

We, Andy Bahen, Theresa Bahen and Tom Cunningham, have reviewed your site survey dated 10/18/18, your elevations dated 10/17/18, your floor plans dated 10/17/18 as well as your streetscape pictures and we are in <u>FULL SUPPORT</u> of 1406 Bainbridge Street, LLC's proposed setback at 19.89' to match ours.

If you were to build in front of our property by 5' (at 15' per ordinance), it would not only tower over ours it would completely block our residents' views from their porches. The sheer scale of your 3-story in front of our 2-story would look awful. We understand there would also be an engineering issue with the grade and that part of our foundation would be exposed, creating a structural issue.

We appreciate your efforts to bring harmony to the existing streetscape and to be a good neighbor to our community and us as adjacent property owners.

If anyone from Zoning or the BZA would like to speak to us, please have him/her reach out to Andy Bahen at 804-378-2323.

Thanks for your efforts!

Thur OBEL.

Sincerely,

Andrew Bahen

Theresa Bahen

Thomas Cunningham