



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)

- [x] special use permit, new
[] special use permit, plan amendment
[] special use permit, text only amendment

Project Name/Location

Property Address: 815 N 33rd Street Date: 05/29/2019
Tax Map #: E0000880022 Fee: 300
Total area of affected site in acres: 0.207

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

Zoning

Current Zoning: R-6

Existing Use: (1) Single Family Detached Dwelling

Proposed Use

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

(4) single family attached dwellings, configured as two attached pairs

Existing Use: (1) Single Family Detached Dwelling

Is this property subject to any previous land use cases?

Yes No
[] [x] If Yes, please list the Ordinance Number:

Applicant/Contact Person: Mark Baker

Company: Baker Development Resources
Mailing Address: 11 S. 12th Street, Suite 500
City: Richmond State: VA Zip Code: 23219
Telephone: (804) 874-6275 Fax:
Email: markbaker@bakerdevelopmentresources.com

Property Owner: Kyle H Johnston

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: PO Box 4917
City: Richmond State: VA Zip Code: 23220
Telephone: (270) 779-8468 Fax:
Email: kylejohnston@gmail.com

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)



May 29th, 2019

Mr, Matthew Ebinger
City of Richmond
Department of Planning and Development Review
Land Use Administration Division, Room 511
City Hall, 900 East Broad Street
Richmond, Virginia 23219

Re: Special Use Permit: 815 N 33rd Street

Dear Matthew:

I am representing Kyle H. Johnston in an application for a special use permit for the property known as 815 N 33rd Street, identified as Tax Parcel E-000-0880/022 (the "Property"). The Property is located on the eastern side of North 33rd Street between O Street and N Street. The special use permit would permit the Property to be subdivided and the construction of four single-family attached dwellings.

The Property is 75' wide by 120.16' deep, is exceptionally large for the area, containing approximately 9,012 square feet of lot area. The Property is currently improved with a single-story, single-family detached dwelling. The owner would like to redevelop the Property with four single-family attached dwellings, configured as two pairs. This configuration would require 19' of lot width per dwelling, consisting of a minimum 16' unit width and 3' side yard setback. This would result in a total of 76' of lot width to accommodate the four dwelling units. In order to address the deficiency in width, the unit width would be reduced by 5" to 15'-7". As the minimum unit width would not be met, a special use permit is required. All other zoning requirements would be met.

The Property and the surrounding properties to the south, north, and west in the vicinity are zoned R-6 Single-Family Attached Residential, which generally permits single-family detached, single-family attached, and two-family detached residences subject to certain feature requirements. The properties to the east, across the alley to the rear of the Property, are zoned R-5. The Master Plan recommends "Single-Family (medium density)" for the Property. The Master Plan describes this land use category as follows: "Primary uses are single-family and two-family dwellings, both detached and attached, at densities of 8 to 20 units per acre... Typical zoning classifications that may accommodate this land use category: R-5A, R-6 and R-7."

The proposed single-family attached dwellings would be two stories in height and of an urban row house design. The dwelling would contain approximately 2,286 square feet of finished floor area and would include three bedrooms and 2 ½ baths. Covered full-width front and rear porches are proposed. The dwelling's floor plan is modern with open living areas and includes a master bedroom complete with en suite master bath and walk-in closet.

The proposed development is consistent in character with other development in the vicinity. Based on the historic lot pattern, many lots in the vicinity are nonconforming with regard to lot area, lot width or unit width for attached dwellings in a series. This request would meet all zoning requirements but the required unit width, which is only deficient 5". In all other regards, the proposal meets the zoning requirements applicable to the Property including the provision of on-site parking.

In exchange for the SUP, the intent of this request is to ensure the construction of four high-quality, for sale dwellings. The proposal would be consistent with the historic development pattern in the greater area. The project is also consistent with the recommendations of the Master Plan Land Use Plan in terms of both use and density. By permitting the proposed development, the SUP would allow for the sale of the proposed high-quality single-family attached dwellings as home ownership opportunities, while addressing additional objectives of the Master Plan, including:

- The desire for new and better-quality housing that is targeted to home owners
- The desire for increased opportunities for residential development
- The recognition that the vast majority of opportunities for new development are located in the context of existing neighborhoods
- The recognition of the difficulty that an older/aging housing stock represents in the market where new convenience/easy maintenance is desired.

The following are factors indicted 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 will not impact the safety, health, morals and general welfare of the nearby community. The proposed site improvements and density are consistent or compatible with the lot pattern existing in the vicinity. The development of this underutilized property as proposed in conjunction with the high quality/benefits provided by the SUP will provide positive impacts in terms of health, welfare, etc.

- ***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 will easily be handled by the existing road network. Off-street parking is proposed on site and will alleviate any potential impacts due to additional parking demand. As such, the SUP will not create 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. The request represents a density that is consistent and compatible based on the exiting varied lot pattern in the vicinity.

- ***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. 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 new single-family attached dwellings would meet applicable setback requirements thereby preventing any interference with the provision of light an air.

In summary, the applicant is enthusiastically seeking approval for the construction of four single-family attached dwellings on the Property. This proposal represents an ideal, small-scale urban infill development for this location. The special use permit would not authorize any additional density over that contemplated by the Master Plan or that permitted by the R-6 zoning classification vis-à-vis the lot area requirements. In exchange, the quality assurances conditioned through the SUP would guarantee the construction of a higher quality new single-family dwelling than might otherwise be developed by right. This would contribute to the vibrancy of the block though the provision of traditional neighborhood design that is consistent with the historic development pattern of the surrounding neighborhood.

Thank you for your time and consideration of this request. Please let me know if you have any questions.

Sincerely,



Mark R. Baker

Enclosures

cc: The Honorable Cynthia I. Newbille, Council President