

INTRODUCED: June 22, 2020

AN ORDINANCE No. 2020-150

To authorize the special use of the property known as 1110 North 20th Street for the purpose of a two-family detached dwelling, upon certain terms and conditions.

Patron – Mayor Stoney (By Request)

Approved as to form and legality
by the City Attorney

PUBLIC HEARING: JUL 27 2020 AT 6 P.M.

WHEREAS, the owner of the property known as 1110 North 20th Street, which is situated in a R-6 Single-Family Attached Residential District, desires to use such property for the purpose of a two-family detached dwelling, which use, among other things, is not currently allowed by section 30-412.4 concerning lot area and width, density, and unit width, of the Code of the City of Richmond (2015), as amended; and

WHEREAS, in accordance with section 17.11 of the Charter of the City of Richmond (2019), 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: 9 NOES: 0 ABSTAIN:

ADOPTED: JUL 27 2020 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 (2015), 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 1110 North 20th Street and identified as Tax Parcel No. E000-0513/006 in the 2020 records of the City Assessor, being more particularly shown on a survey entitled “Survey of Lot and Improvements Thereon Located at #1110 N. 20th Street, Richmond, Virginia,” prepared by A.G. Harocopos & Associates, P.C., and dated June 26, 2019, 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 a two-family detached dwelling, hereinafter referred to as “the Special Use,” substantially as shown on the plans entitled “Plan D-A, 1110 North 20th St.,” prepared by Unlimited Renovations, LLC, and dated October, 2019, hereinafter referred to 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 a two-family detached dwelling, substantially as shown on the Plans.

(b) The height of the Special Use shall not exceed the height as shown on the Plans.

(c) All building materials and elevations shall be substantially as shown on the Plans.

Siding materials shall consist of cementitious siding or similar materials.

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

(e) Two off-street parking spaces shall be provided for the Special Use.

§ 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 (2015), 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 (2015), 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 (2015), 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 (2015), as amended, and all future amendments to such law, or any other applicable laws or regulations.

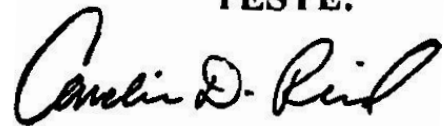
(f) When the privileges granted by this ordinance terminate and the special use permit granted hereby becomes null and void, whether as a result of the Owner relinquishing this special use permit in a writing addressed to the Director of Planning and Development Review or

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.

**A TRUE COPY:
TESTE:**

A handwritten signature in black ink, appearing to read "Camille D. Reil". The signature is written in a cursive style with a large initial "C".

City Clerk

City of Richmond

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

Item Request

File Number: PRE.2020.180


O & R Request

DATE: May 22, 2020

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)

 6/17/2020

THROUGH: Lenora G Reid, Acting Chief Administrative Officer *lgr*

THROUGH: Sharon L. Ebert, Deputy Chief Administrative Officer for Economic Development and Planning



FROM: Mark A. Olinger, Director, Department of Planning and Development Review

RE: To authorize the special use of the property known as 1110 North 20th Street for the purpose of a two-family detached dwelling, upon certain terms and conditions.

ORD. OR RES. No. _____

PURPOSE: To authorize the special use of the property known as 1110 North 20th Street for the purpose of a two-family detached dwelling, upon certain terms and conditions.

REASON: The proposed two-family detached dwelling will be built on a parcel that does not meet the minimum lot width or area required in the R-6 Single-Family Attached Residential District. Therefore, a special use permit is 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. This item will be scheduled for consideration by the Commission at its July 20, 2020, meeting.

BACKGROUND: The subject property is .081 acres (3,518 square feet) in area, 28 feet in width and 125 feet in depth. It is located in the R-6 Single-Family Attached Residential District. For this district, the Sec. 30-412.4 (3) of the zoning ordinance states that two-family attached and detached dwellings shall be located on lots of not less than 6,000 square feet in area with a width of not less than 50 feet.

The City of Richmond's Master Plan designates a future land use category for the subject property as Single-Family Medium Density. Primary uses are single-family and two-family dwellings, both detached and attached, at densities of 8 to 20 units per acre. Includes residential support uses such as schools, places of worship, neighborhood parks and recreation facilities, and limited public and semi-public uses. Typical zoning classifications that may accommodate this land use category: R-5A, R-6 and R-7.

The subject property lot size is typical for the street where it is located. Those properties which contain improvements have single-family dwellings. The proposed two-family detached structure will have a single front entrance that opens to a foyer, which in turn provides access to the first floor residential dwelling unit and to a stairwell that provides access to the second floor dwelling unit. This configuration presents from the curb as a typical single-family detached dwelling similar to the other homes on the block. The net density of living units under this proposal is 25 units per acre. The zoning ordinance requires a minimum of two parking spaces per dwelling unit. Two parking spaces are provided in the rear and are accessed from the alley.

The subject property, as well as all adjacent properties, are located in the R-6 Single-Family Attached Residential District and contain single-family dwellings or are vacant.

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: June 22, 2020

CITY COUNCIL PUBLIC HEARING DATE: July 27, 2020

REQUESTED AGENDA: Consent

RECOMMENDED COUNCIL COMMITTEE: None

CONSIDERATION BY OTHER GOVERNMENTAL ENTITIES: City Planning Commission
July 20, 2020

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

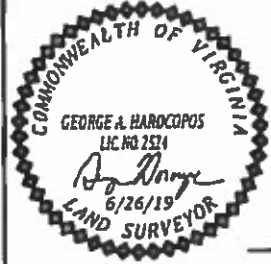
ATTACHMENTS: Application Form, Applicant's Report, Map, Survey, Plans, Draft Ordinance

STAFF: David Watson, Senior Planner, Land Use Administration (Room 511) 646-1036

This is to certify that on 6/26/19
 I made an accurate field survey of the known premises shown hereon, that all improvements known or visible are shown hereon that there are no encroachments by improvements either from adjoining premises, or from subject premises upon adjoining premises, other than shown hereon.

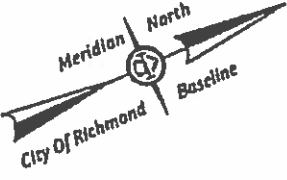
NOTE: THIS LOT APPEARS TO BE IN FEMA FLOOD ZONE X AS SHOWN ON HUD COMMUNITY PANEL NUMBERS 5101290241E

NOTE: This survey has been prepared without the benefit of a title report and does not therefore necessarily indicate all encumbrances on the property.



Subject Parcel Information

E0000513006
 3517.90 Sq Feet
 0.081 Acres



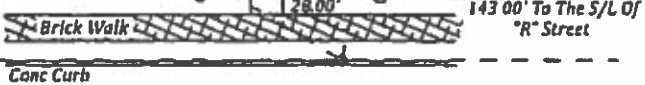
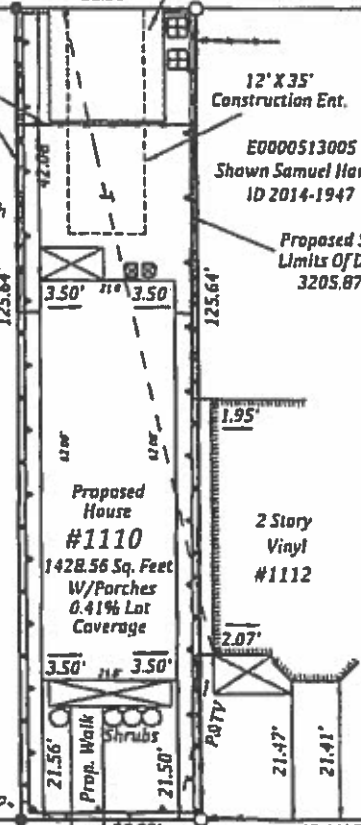
LEGEND

- Rad/S
- Rad/F
- ⊙ Power Pole
- ⊞ Super Can
- ⊞ HVAC

E0000513007
 Solomons Temple Church
 ID 9700-0860

E0000513005
 Shawn Samuel Harris
 ID 2014-1947

Proposed Silt Fence & Limits Of Disturbance
 3205.87 Sq. Feet



N. 20th STREET

SURVEY OF
 LOT AND IMPROVEMENTS THEREON LOCATED AT
#1110 N. 20th STREET
 RICHMOND, VIRGINIA

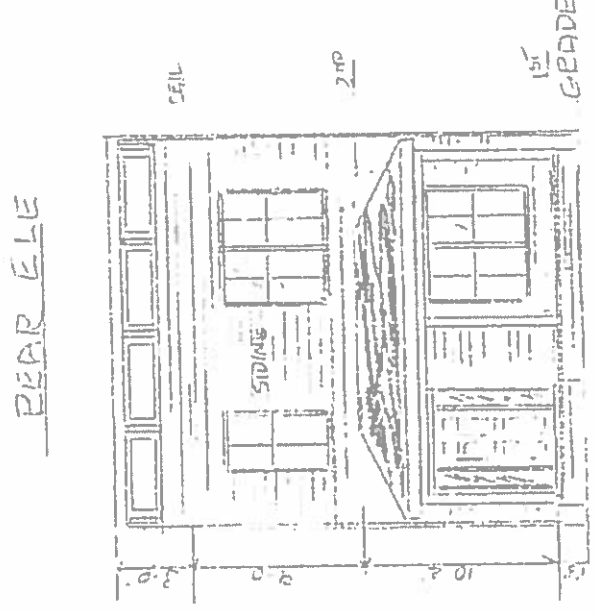
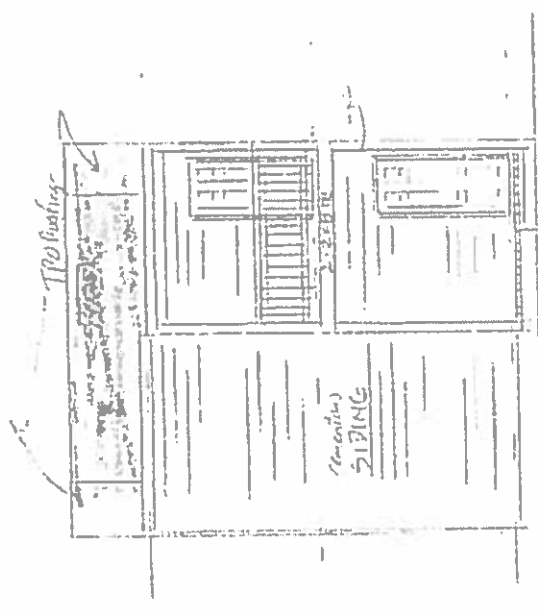
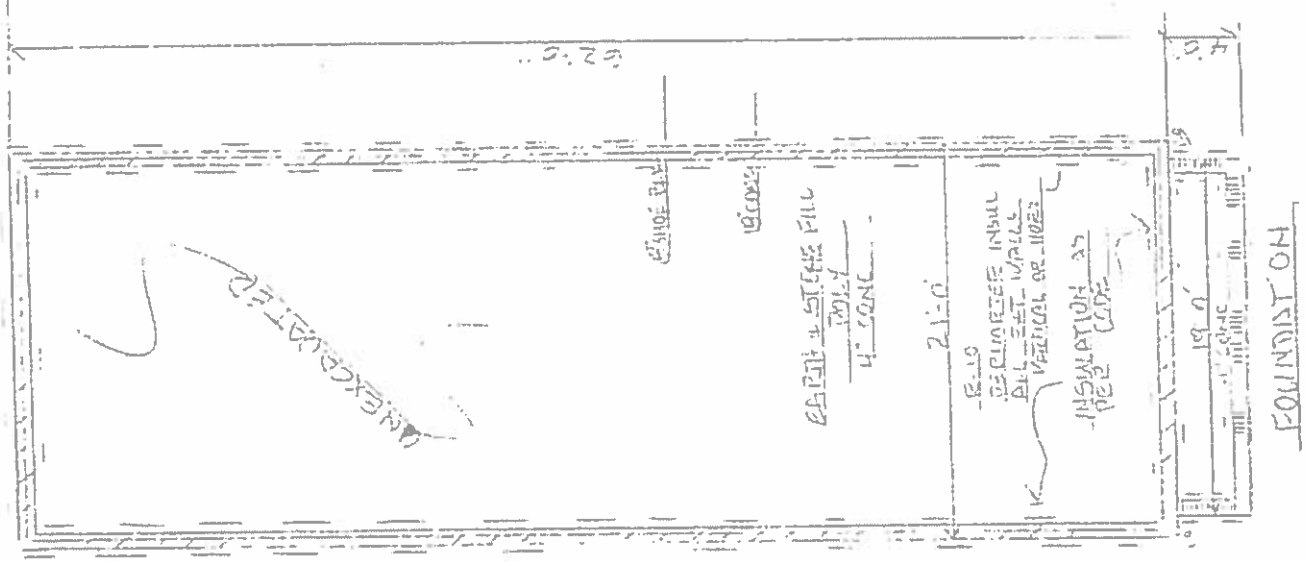
IN 48635

A. G. HARCOCHOS & ASSOCIATES, P.C.
 CERTIFIED LAND SURVEYOR AND CONSULTANT

4950 E MILLBRIDGE PKWY SUITE 200 MIDDLETOWN VA 23113
 OFFICE 204 744 2630 FAX 204 744 2632
 C 33411 AMHARCO@GMAIL.COM

NOTE: PLAT PREPARED FOR THE EXCLUSIVE USE OF THE CONVEYANCE TO BRYAN TRAYLOR

Scale **1"=20'** Date **6/26/19** Drawn by **GAH**



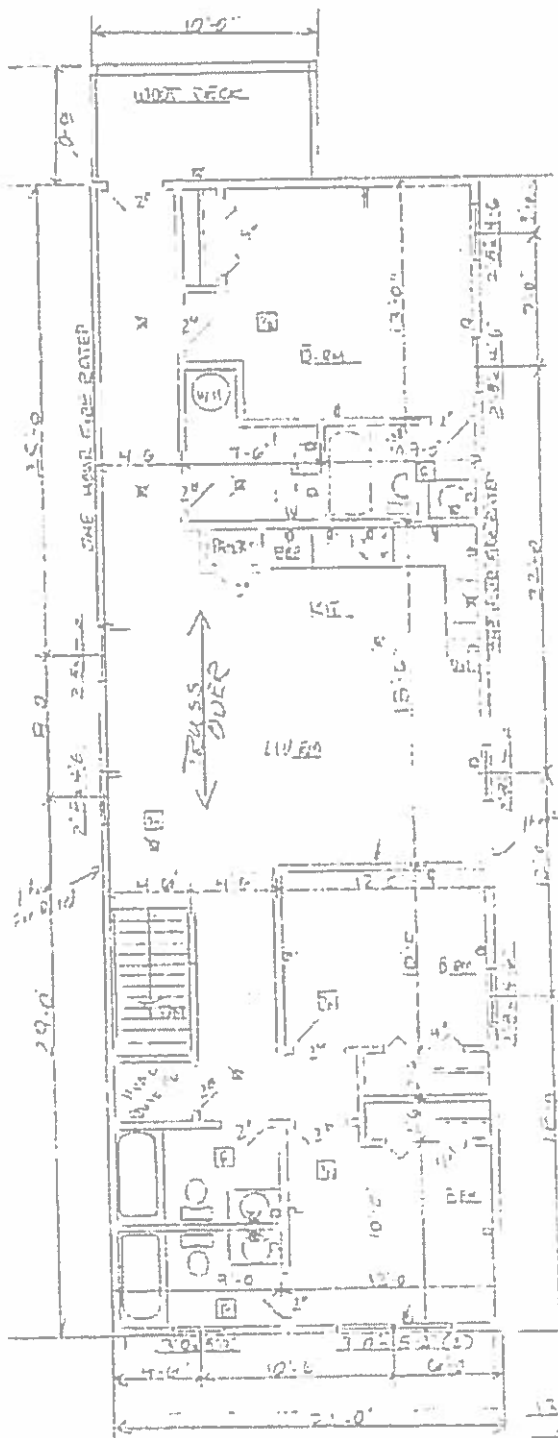
SCALE 1/4" = 1'-0"

NOV 16, 2014

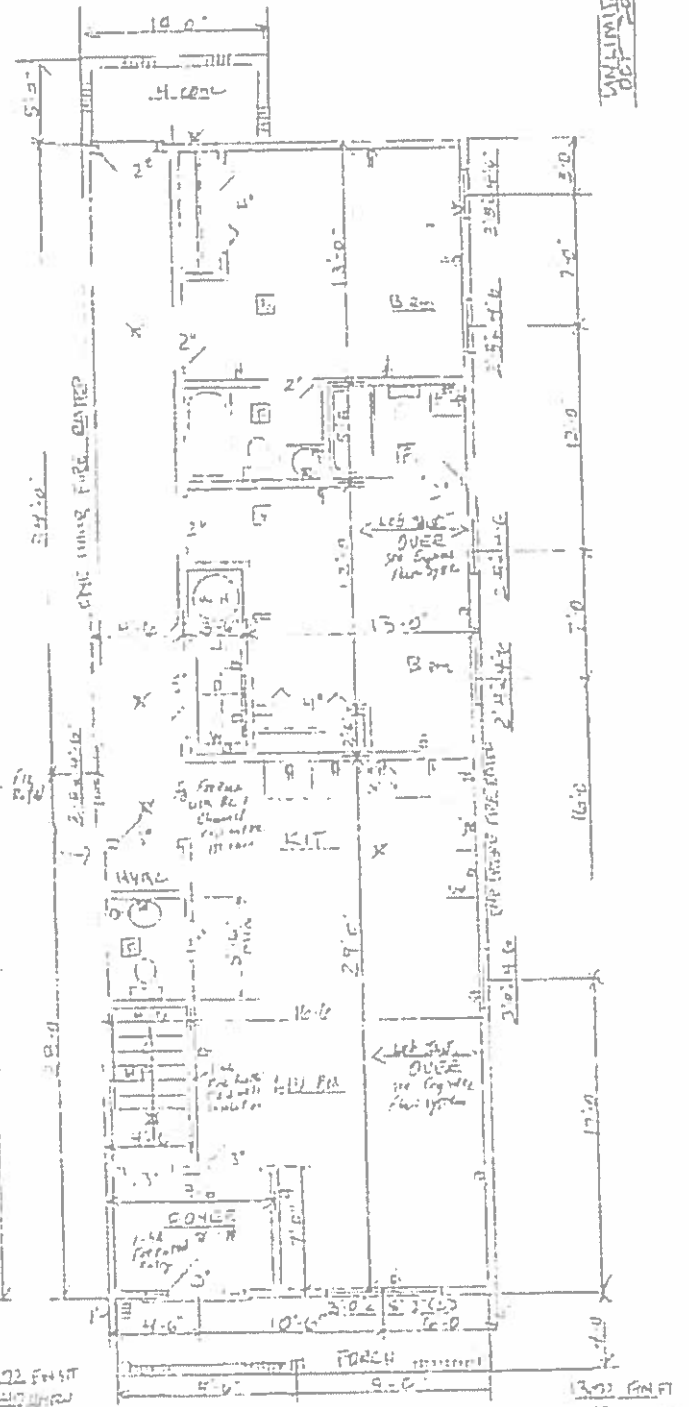
UNLIMITED FOUNDATIONS INC

PLAN D-A

VS-1 OF 5



SECOND FL



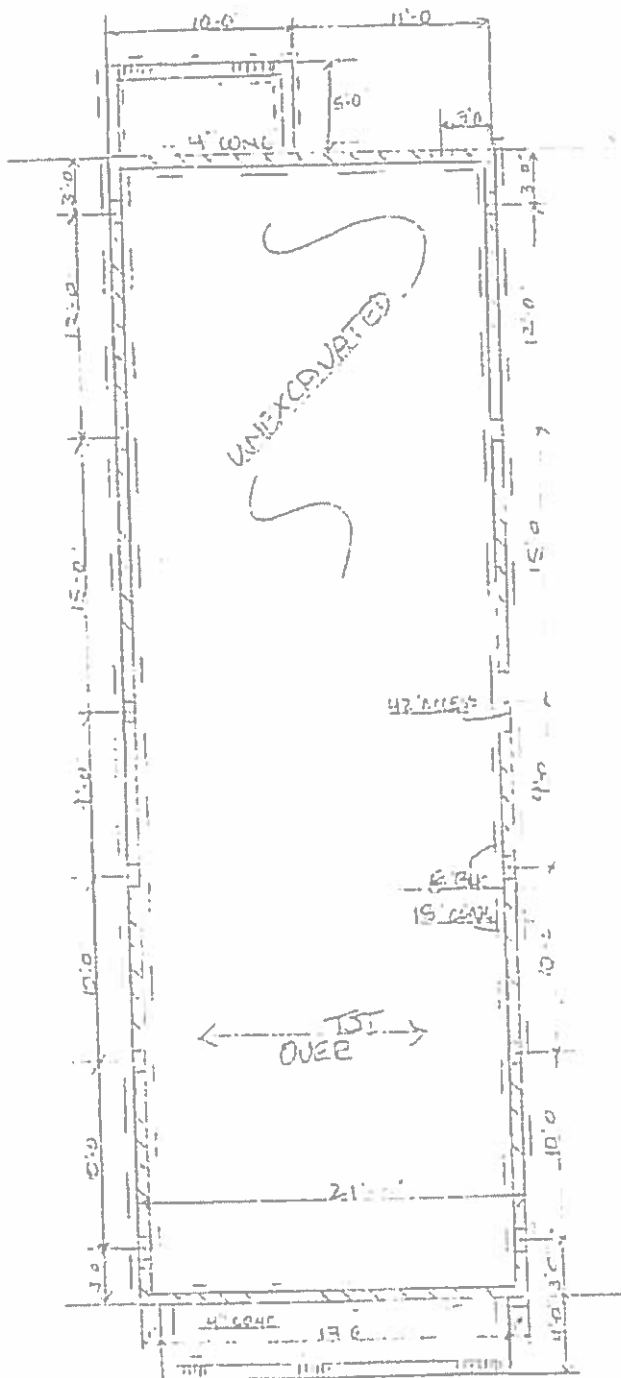
SCALE 1/4"=1'-0"

FIRST FL

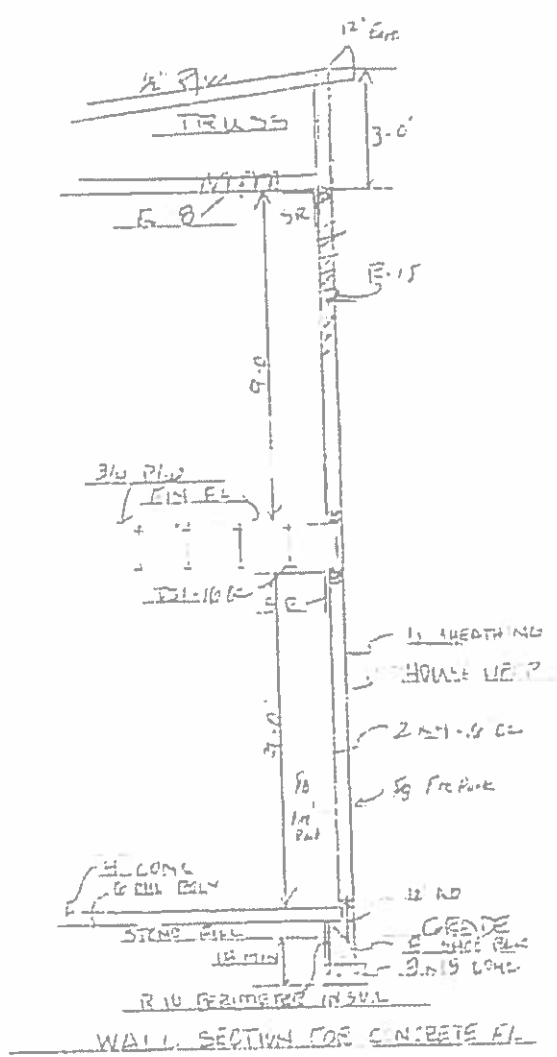
PLAN D-A
1-5 2 OF 4

UNLIMITED RENOVATIONS LLC
02-21-13 110 W 17th

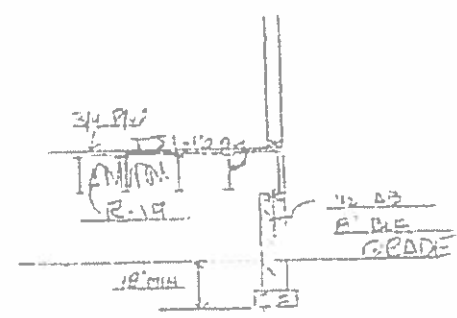
UNLIMITED RENOVATIONS LLC
02-21-13



ALT
 WOOD FRAME 1 1/2" FL
 SCALE 1/4" = 1'-0"
 PLAN D-A



WALL SECTION FOR CONCRETE FL



ALTERNATE SECTION FOR WOOD FL
 SCALE 1/2\"/>

BY 4024

110 North 20th St
 UNLIMITED RESOURCES INC.
 207-229-2219



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.richmondva.com/>

SUP-069647-2020

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: 1110 N 20th Street

Date: 2/21/2020

Tax Map #: E0000513008

Fee: _____

Total area of affected site in acres: 0.081

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

Zoning

Current Zoning: R-8

Existing Use: vacant lot

Proposed Use

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

One (1) two-family detached dwelling

Existing Use: vacant lot

Is this property subject to any previous land use cases?

Yes

No

If Yes, please list the Ordinance Number: _____

Applicant/Contact Person: Mark Baker / Charlie Wilson

Company: Baker Development Resources

Mailing Address: 1519 Summit Avenue, Suite 102

City: Richmond

State: VA

Zip Code: 23230

Telephone: (804) 822-5428

Fax: ()

Email: markbaker@bakerdevelopmentresources.com charlie@bakerdevelopmentresources.com

Property Owner: BRYAN TRAYLOR

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: 815 Abemarle Street

City: Richmond

State: VA

Zip Code: 23220

Telephone: (804) 780-2628

Fax: ()

Email: bryantraylor@gmail.com

Property Owner Signature: [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

February 21, 2020

*Special Use Permit Request
1110 North 20th Street, Richmond, Virginia
Map Reference Number: E000-0513/006*

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 1519 Summit Ave, Suite 102 Richmond, Virginia 23230

Introduction

The property owner is requesting a special use permit ("SUP") for 1110 North 20th Street (the "Property"). The SUP would authorize the construction of a two-family detached dwelling. The lot width and lot area do not conform to the underlying R-6 Single-Family Attached Residential district zoning requirements applicable to the Property under this proposal.

Existing Conditions

SITE DESCRIPTION AND EXISTING LAND USE

The Property is located on the western side of North 20th Street between Q Street and R Street, and is referenced by the City Assessor as tax parcel E000-0513/006. The Property is a vacant lot that is roughly 28.00' wide by 125.64' in depth and contains approximately 3,517.92 square feet of lot area. The lot is relatively flat and is afforded access in the rear by means of a North-South alley running parallel to North 20th Street.



The properties to the North, East and South are generally developed with single family detached dwellings or are undeveloped vacant lots. To the West of the Property lies Mosby Court, which is a large public multifamily housing development. Within the block exists two operating churches, with one on each side of North 20th Street. Moving North along North 20th Street there is an existing two-family dwelling at 1204 North 20th Street. To the East there is also an existing two-family dwelling at 1110 North 21st Street. With that, the context of the surrounding area is denser, both from a use perspective and a feature perspective, than the current zoning would suggest.

EXISTING ZONING

The Property is zoned R-6 Single-Family Attached Residential, which does permit the proposed two-family detached dwelling use provided that a lot area of 6,000 square feet and a lot width of 50 feet are provided. The surrounding properties to the North, East, and South are also zoned R-6. The properties to the West and to the rear of the Property are zoned R-53 Multifamily Residential.

MASTER PLAN DESIGNATION

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." There are also a variety of general housing goals contained in the Master Plan Neighborhoods and Housing chapter that are applicable to the request. These goals include, among other things, recognition of the need for the continued creation of market rate housing and a desire for neighborhoods to provide a variety of housing choices while remaining culturally and economically diverse.

Proposal

PROJECT SUMMARY

The proposed development includes the construction of a two-family detached dwelling on the Property with two (2) accessory parking spaces.

PURPOSE OF REQUEST

The Property consists of a single lot of record that is of typical size and configuration for the vicinity. The Property has a lot width of roughly 28.00' and contains approximately 3,517.92 square feet of lot area. The owner would like to construct a two-family dwelling on the Property. The R-6 district does permit two-family detached dwellings; however, the required lot width and lot area cannot be met. Therefore, a SUP is required in order to permit the proposed development.

The Property's lot width and area are compatible with other lots in the vicinity, which vary in size but are all characteristically smaller urban lots. On the subject block face, a majority of the lots are developed with single family homes that do not comply with the current R-6 requirements. These dwellings were typically built with minimal side-yard setbacks, and are substandard where the 50 feet of lot width and 5,000 square feet of lot area required for single-family detached dwellings are

concerned. Based on this historic lot pattern, the majority of lots in the vicinity are nonconforming with regard to lot area and lot width.

In exchange for the SUP, the intent of this request is to ensure a high-quality market rate infill development. The overall project would be appropriately dense and efficient. At the same time, it would remain respectful to the historic lot pattern in the vicinity thereby remaining consistent with the predominant character of the area. Finally, the quality assurances conditioned through the SUP would guarantee a higher quality development than might otherwise be developed by right.

PROJECT DETAILS

The two-family detached dwelling would be two stories in height. From the street, the proposed building would read as a single-family dwelling, and is therefore consistent with other residential buildings in the vicinity in terms of scale and character. The building facade would be traditional in design and reflect architectural details that are existing in the block. The building would contain approximately 2,600 square feet of floor area. When the common foyer and stairwell is excluded, the ground floor unit would have approximately 1,235 square feet, while the upper floor unit would have approximately 1,300 square feet. The ground floor unit would have two bedrooms and 2 ½ baths while the upper unit would contain three bedrooms and 2 1/2 baths. The dwelling floor plans are spacious and modern with open living areas.

The buildings would be clad in cementitious siding in order to ensure quality and consistency with many other dwellings in the vicinity. A full-width front porch and an upper rear porch are proposed and would provide usable outdoor area for future occupants. Two parking spaces are proposed for the two dwellings. Parking spaces would be located to the rear of the dwellings and accessed by the rear alley.

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 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 two off street parking spaces for the two dwelling units 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 land.

- *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. 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 two-family detached dwelling. The building has been thoughtfully designed in order to provide appropriate, high quality market rate infill development. The request would contribute to the ongoing revitalization of the neighborhood, upgrading the Property while maintaining a desirable variation in housing style and density in the vicinity and providing for continued economic diversity in housing options within the neighborhood.

The proposed development would respectfully help complete a consistent urban fabric in a block face in which a number of lots remain vacant. An appropriate urban form coupled with the provision of accessory parking to the rear of the property would give the property the much-desired traditional neighborhood design which is appropriate to this area of the City. The provision of off-street parking spaces per zoning standards would help mitigate any impact on parking related to the development. Finally, the quality assurances conditioned through the SUP would guarantee a higher quality development than might otherwise be developed by right.