



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: _____ Date: _____

Tax Map #: _____ Fee: _____

Total area of affected site in acres: _____

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

Zoning

Current Zoning: _____

Existing Use: _____

Proposed Use

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

Existing Use: _____

Is this property subject to any previous land use cases?

Yes No If Yes, please list the Ordinance Number: _____

Applicant/Contact Person: _____

Company: _____

Mailing Address: _____

City: _____ State: _____ Zip Code: _____

Telephone: _() _____ Fax: _() _____

Email: _____

Property Owner: _____

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: _____

City: _____ State: _____ Zip Code: _____

Telephone: _() _____ Fax: _() _____

Email: _____

Property Owner Signature: _____

T. Preston Lloyd, Jr.

Acting under Special Power of Attorney

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)

EXHIBIT A

Tax Map Numbers

1. N0000441004
2. N0000441005
3. N0000441006
4. N0000441008
5. N0000441009
6. N0000441010
7. N0000441011
8. N0000441014

WILLIAMS MULLEN

Direct Dial: 804.420.6615
plloyd@williamsmullen.com

March 8, 2021

VIA FEDEX AND E-MAIL

City of Richmond Department of Planning and Development Review
Land Use Administration Division
900 E. Broad Street, Room 511
Richmond, Virginia 23219
Attn. Matthew Ebinger, Secretary, Planning Commission

Re. Applicant's Report | Special Use Permit Application
1707 Chamberlayne Avenue, N0000441004; N0000441005; N0000441006;
N0000441008; N0000441009; N0000441010; N0000441011; N0000441014

Ladies and Gentlemen:

This firm is counsel to CRF, LLC (the "Applicant"), on whose behalf we submit the enclosed materials referenced on Exhibit A (collectively, the "Application") for authorization of the special use of certain property further described herein pursuant to Section 30-1050.1 *et seq.* of the Code of the City (the "Code"). This letter will serve as the Applicant's Report.

Subject Property

The subject property, presently owned by the Applicant, is 1.62 acres, more or less, known as 1707 Chamberlayne Avenue, located at the corner of School Street and Chamberlayne Avenue in the City of Richmond, Virginia, as depicted immediately below (the "Property").



Current Use & Zoning District Regulation

The Property, designated as B-6 Mixed-Use Business District on the Zoning Map of the City, is presently in the process of being improved pursuant to an approved plan of development (the “POD”)¹ authorizing multifamily dwellings, all of which will be occupied by persons 55 years or more of age, as required by the terms of financing secured by the Property. Surrounding properties are designated as M-1, M-2 and R-53, as shown on the Zoning Map excerpted immediately below.



The POD authorizes improvements on the Property comprised of a total of **152 dwelling units** and **76 on-site parking spaces**. The Zoning Ordinance requires one parking space per dwelling unit.² Accordingly, the use of the Property pursuant to the POD requires not less than 76 parking spaces within a 500-foot radius of a principal entrance to a multifamily building on the Property.³

Proposed Special Use

Consistent with the approved POD, the Applicant proposes that the Property be improved for use as multifamily dwellings which will be marketed for occupancy by persons **55 years** or more of age. The currently applicable parking regulations require one parking space per dwelling unit. Pursuant to the regulations set forth in Section 30-710.1(6) of the Code of the City, the parking requirement is reduced by 50% for multifamily dwellings where at least 90% of units are occupied by persons **60 years** or more of age. Thus, the Applicant proposes that the same, reduced parking ratio apply to the Property with an age floor of 55 rather than 60 years of age. The Applicant’s proposed compliance with this requirement is more particularly shown on sheet C03 of the plan of development entitled “SCHOOL STREET APARTMENTS” prepared by Balzer and Associates (the “POD”), enclosed with the Application.

¹ The redevelopment of the Property pursuant to the B-6 zoning district regulations is authorized pursuant to a Plan of Development approved by the Director of Planning and Development Review on May 17, 2019.

² See City Code Sec. 30-446.3.

³ See City Code Sec. 30-710.4(2)

Justification

The proposed parking reduction is consistent with the parking regulations presently applicable under the special off-street parking requirements for age-restricted multifamily dwellings.⁴ Were the Property presently subject to this parking regulation, the total parking spaces required would be 76 spaces, as shown on the POD.

Conformance with Master Plan

The proposed special use of the Property conforms to the City's Master Plan, recently approved in the form of the Richmond 300 Master Plan (the "Master Plan"). According to the Master Plan, Richmond 300 intends the Property to be part of the Chamberlayne corridor. An overabundance of automobile-oriented uses and parking lots presently exist in the Chamberlayne corridor, discouraging the development of a strong connection between surrounding neighborhoods and the commercial area. Due to the overabundance of surface parking, some vacant parcels are underutilized.

Additionally, because age-restricted financing products available to multifamily developments, such as the Property, are typically calibrated toward a floor of 55 years of age, the current floor of 60 years of age is arbitrary and does not conform with the Master Plan to the extent that it would contribute to the overabundance of parking in a key corridor of the City. The proposed application of the special off-street parking requirements advances the objective of integrating surrounding neighborhoods and the commercial area, as the regulations would permit the utilization of vacant parcels rather than the imposition of additional, unnecessary parking. If the special parking regulation for age-restricted multifamily projects set forth under 30-710.1(6) were lowered to 55 years of age, the Property would only be required to provide half the number of parking spaces as otherwise required under Section 30-710.1 of the Code.

Charter Requirements

Based on the foregoing, the proposed use on the Property meets the criteria set forth in Section 17.11(b) of the Charter of the City that the Application is not (i) 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 cause overcrowding of land and 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.

Conclusion

The proposed special use of the Property, i.e. permitting the reduced parking regulations for age-restricted multifamily dwelling uses, would further catalyze the connection between surrounding neighborhoods and the commercial area. The parking requirement is reduced by 50 percent, thus

⁴ See City Code Sec. 30-710.1(6).

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advancing the land use policy priorities of City Council evidenced in the Master Plan, as authorized by the Charter of the City.

Thank you for your consideration of this matter. Please confirm your determination that the Application has been received and deemed complete by your office, and kindly contact us should you have any questions or require additional materials.

Very truly yours,

/s/

T. Preston Lloyd, Jr.

cc. The Hon. Ann-Frances Lambert, Councilperson for 3rd District (via email)
Kevin J. Vonck, Ph.D., Acting Director, Department of Planning and Development Review
(via email)
Spy Rock Real Estate Group (via email)

Enclosures

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EXHIBIT A
APPLICATION MATERIALS

In connection with the proposed Special Use Permit Application for 1707 Chamberlayne Avenue (Tax Parcel Nos. N0000441004; N0000441005; N0000441006; N0000441008; N0000441009; N0000441010; N0000441011; N0000441014), the following materials are enclosed:

1. Special Use Permit Application form;
2. Sheet C03 of the Plan of Development entitled "SCHOOL STREET APARTMENTS", Balzer & Associates, dated May 17, 2019;
3. Land Use Special Power of Attorney from the Applicant; and
4. Check made payable to City of Richmond in the amount of \$2,400.00.