INTRODUCED: July 26, 2021

AN ORDINANCE No. 2021-219

To authorize the special use of the property known as 4331 Shackleford Road 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: SEP 13 2021 AT 6 P.M.

WHEREAS, the owner of the property known as 4331 Shackleford Road, which is situated in a R-4 Single-Family 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 30-408.1 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 create hazards from fire, panic or other dangers, will not tend to overcrowding of land and cause

AYES:	8	NOES:	0	ABOSTAIN:	
ADOPTED:	SEPT 13 2021	REJECTED:		STRICKEN:	

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 4331 Shackleford Road and identified as Tax Parcel No. C009-0950/099 in the 2021 records of the City Assessor, being more particularly shown on a survey entitled "Plat showing two new parcels, 4331 Shackelford Road and 4337 Shackelford Road, Walley Dorsey, Jr., Manchester District, City of Richmond," prepared by C.E. Duncan & Associates, Inc., and dated March 24, 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 "Attached Four Square Homes, 4331 & 4337 Shackleford Road, Richmond, VA 23234," prepared by Penn & Co., dated October 28, 2020, and last revised April 22, 2021, 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, elevations, and site improvements, including landscaping, shall be substantially as shown on the Plans.

- (d) No fewer than four off-street parking spaces shall be provided for the Special Use, 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.
- § 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 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:

City Clerk



RECEIVED By CAO Office at 3:19 pm, Jun 02, 202

2021-350

City of Richmond

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

Item Request

File Number: PRE.2021.637

O & R Request

DATE: May 28, 2021 EDITION:1

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

(This is no way reflects a recommendation on behalf of the Mayor.)

THROUGH: J.E. Lincoln Saunders, Acting Chief Administrative Officer

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

Development and Planning

for Sharon L. Ebert

FROM: Kevin J. Vonck, Acting Director, Department of Planning and **Development Review**

RE: To authorize the special use of the property known as 4331 Shackleford Road 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 4331 Shackleford Road for the purpose of a two-family detached dwelling, upon certain terms and conditions.

REASON: The applicant is requesting a Special Use Permit to authorize construction of duplex within an R-4 Single Family Residential District. The proposed is not a permitted principal use within the R-4 district. A Special Use Permit is therefore 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 19, 2021, meeting.

BACKGROUND: The property is located in the Walmsley neighborhood on Shackleford Road between Angus and Vial Roads. The property is currently a 10,200 sq. ft. (.234 acre) parcel of land.

The City's Richmond 300 Master Plan designates a future land use for the subject property as Residential

File Number: PRE.2021.637

which is defined as "Neighborhood consisting primarily of single-family houses on large- or medium-sized lots more homogeneous in nature." Primary Uses: Single-family houses, accessory dwelling units, and open space.

Secondary Uses: Duplexes and small multi-family buildings (typically 3-10 units), institutional, and cultural. Secondary uses may be found along major streets (p. 54)

The current zoning for this property is R-4 Single Family Residential. All adjacent properties are located within the same R-4 Residential Zone. The area is primarily single-family residential, with some multi-family residential present in the vicinity.

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 28, 2021

CITY COUNCIL PUBLIC HEARING DATE: July 26, 2021

REQUESTED AGENDA: Consent

RECOMMENDED COUNCIL COMMITTEE: None

CONSIDERATION BY OTHER GOVERNMENTAL ENTITIES: Planning Commission

July 19, 2021

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

STAFF: Jonathan Brown, Senior Planner, Land Use Administration (Room 511) 646-5734



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: 4331 AND 4337 SHACKLEFORD ROAD RICHMOND, VA 23234 Date: 12-11-20 Tax Map #: C0090950099 Fee: \$300 Total area of affected site in acres: .2342 (See page 6 for fee schedule, please make check payable to the "City of Richmond") Zoning Current Zoning: R-4 RESIDENTIAL (SINGLE FAMILY) Existing Use: VACANT Proposed Use (Please include a detailed description of the proposed use in the required applicant's report) CONSTRUCT SINGLE FAMILY ATTACHED TWO STORY HOMES FOR RENTAL INVESTMENT PROPERTIES Existing Use: VACANT Is this property subject to any previous land use cases? Yes If Yes, please list the Ordinance Number: Applicant/Contact Person: JESSE R. PENN, III, MEM, EIT Company: PENN & COMPANY, LLC Mailing Address: 10921 PARKSHIRE LANE Zip Code: 23233 City: HENRICO State: VA Telephone: _(703 Fax: Email: jpenn@pennandco.com Property Owner: DOMUSARDUS, LLC If Business Entity, name and title of authorized signee: AC & STEPHANIE CATEDRAL (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: 10878 WILLOW HILL COURT City: CHESTERFIELD Zip Code: 23832 State: VA Fax: Telephone: (804) 874-2030 Email: loscatedrals@verizon.net **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)

3. Applicant's Report

The applicant, Domusardus, LLC intends to build a pair of attached single-family two-story homes on the property at 4331 Shackleford Rd that will be used as rental investment properties. 4337 Shackleford Rd will remain vacant for future development. Domusardus, LLC has been creating affordable rental housing in the Richmond metro area, as well as in the surrounding counties for the past 15 years. The opportunity to turn this single large site into two affordable units aligns with the goals of Richmond City, as well as Domusardus, LLC's work plan to increase their portfolio in the rental housing market.

Both homes on the newly subdivided lot will be built at a density and architectural style in character with the neighborhood. Domusardus, LLC plans to hire a certified Class A contractor to make sure the project is completed on time and under budget while meeting the highest level of quality. The development and maintenance of high-quality affordable rental housing is beneficial to safety, health and general welfare of a given community. These new units are sited near existing apartment complexes on Walmley Blvd, so the proposed density would not be out of character for the area. Additionally, the Richmond 300 plan has designated this neighborhood for residential use, meaning that the development of high quality tight-knit and denser residential homes aligns with the future land use for this area. The opportunity to develop two quality, affordable units on this site contributes to the overall health of the community and aligns with city planning goals as well as high demand for rental homes in this exact area.

Driveways per unit will be provided to avoid unnecessary congestion in streets and public ways. The neighborhood has generally low amounts of vehicular traffic. The construction of the proposed attached homes will be fully code compliant and inspected by city officials throughout the process, thus avoiding hazards from fire, panic, and other dangers. The attached single-family homes would have a footprint not exceeding 30% of the total lot size, and would each be occupied by one household, avoiding undue concentration of population or overcrowding of land. All setbacks will conform with code. The homes will have elevations exceeding that of the neighboring buildings, but will ultimately not interfere with adequate light and air in the neighborhood.

PENN&CO.

COPYRIGHTED © 2020. COPYRIGHTED BY PENN & COMPANY. THESE PLANS ARE THE PROPERTY OF PENN & COMPANY AND ARE NOT TO BE REDRAWN. TRACED OR REPRODUCED BY ANYONE, AND THEY ARE NOT TO BE USED OR REUSED BY ANYONE FOR CONSTRUCTION WITHOUT WRITTEN PERMISSION FROM PENN & COMPANY.

4 SITE PLAN REV 3 SITE PLAN REV 2 FINAL PLANS FO 1 CLIENT REVII

PENNECO. 10921 PARKSHIRE LANE HENRICO, VA 23233

(703) 728-5779 PHONE

AC & STEPHANIE CATEDRA 4331 & 4337 SHACKLEFORD RD RICHMOND, VA 23234

DRW JRP3 CHK JRP

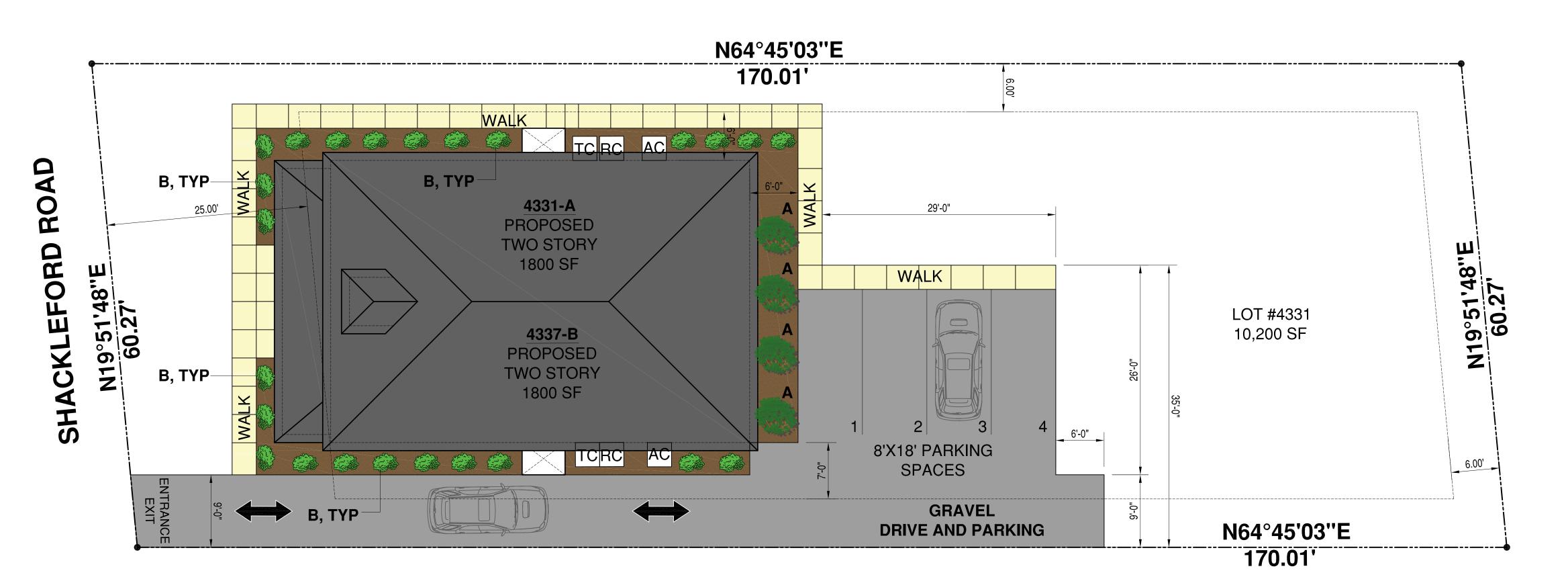
HOMES

A-100

LANDSCAPING:

ARBORVITAE TREE OR EQUAL MAX. HEIGHT 5 FEET

BOX SHRUBS IN MULCH BED



DESIGNED LOT COVERAGE:

1820 SF

ZONING:

SINGLE FAMILY-RESIDENTIAL

MINIMUM LOT REQUIREMENTS:

7,500 SF

SETBACKS:

FRONT YARD 25 FT. 6 FT. SIDE YARD 6 FT. **REAR YARD**

HEIGHT REQUIREMENTS:

35 FT. MAIN BUILDING 35 FT. ACCESSORY BUILDING

FENCE OR WALL 6.5 FT. (SIDE & REAR YARD)

4331 SHACKLEFORD ROAD

ID:C0090950048

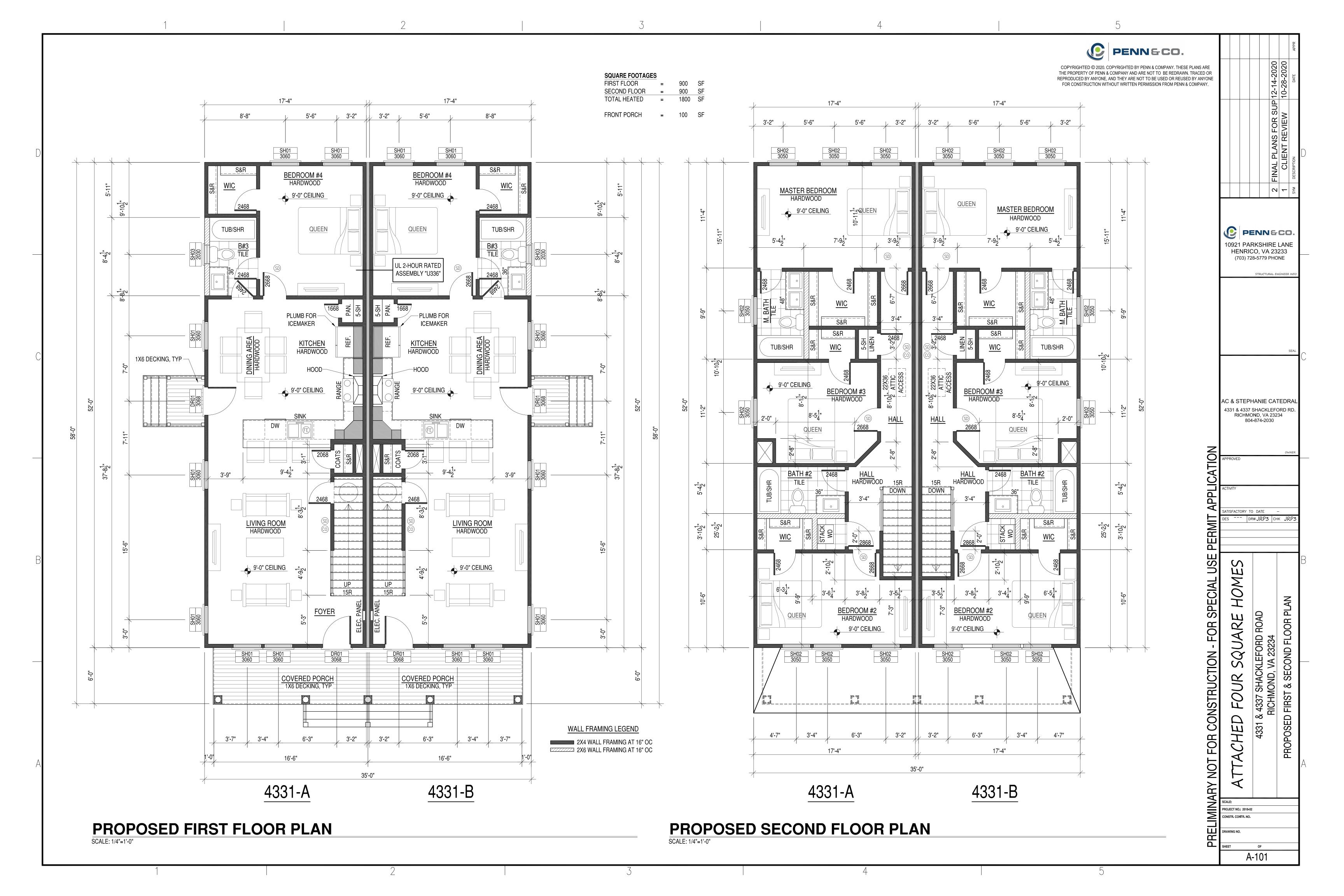
NOTES:

TRASH CAN RECYCLING CAN

HVAC UNIT

MULCH BEDS TO HAVE BOX SHRUBS EACH

5. WALKS TO PORCHES TO BE CONCRETE



PENN&CO.

COPYRIGHTED © 2020. COPYRIGHTED BY PENN & COMPANY. THESE PLANS ARE THE PROPERTY OF PENN & COMPANY AND ARE NOT TO BE REDRAWN. TRACED OR REPRODUCED BY ANYONE, AND THEY ARE NOT TO BE USED OR REUSED BY ANYONE FOR CONSTRUCTION WITHOUT WRITTEN PERMISSION FROM PENN & COMPANY.

ATTIC AREA VENTILATION CALCULATIONS PER UNIT 1565 SQ.FT. / 300*144 = 751 SQ. IN. NET FREE AREA REQUIRED 20 L.F. X 18 SQ. IN. PER LINEAR FOOT = 360 SQ. IN. PROVIDED 146 L.F. X 5.867 SQ. IN. PER LINEAR FOOT = 856 SQ. IN. PROVIDED TOTAL NET FREE ARE PROVIDED = 1,216 SQ. IN. POWER VENT = (1) 12" AIRVENT, INC POWERCOOL PLUS 12 AUTOMATIC THERMOSTAT W/ HUMIDSTAT VENT FOR UP TO 1,650 SF OF ATTIC SPACE, INSTALL MULTIPLE VENTS FOR IF INSTALLING POWER VENT, DO NOT INSTALL

GUTTER 4'-0" FRT ROOF 4'-0" FRT ROOF SHEATHING SHEATHING

4331-B

PRE-ENGINEERED, PRE-FABRICATED WOOD TRUSSES

ADDITIONAL AREA.

RIDGE VENT

ATTIC AREA:

RIDGE VENT:

SOFFIT VENT

(50% MIN AT RIDGE)

THE DESIGN, FABRICATION AND INSTALLATION OF ALL PRE-ENGINEERED, PRE-FABRICATED WOOD TRUSSES SHALL CONFORM TO THE LATEST, ADOPTED EDITIONS OF THE STANDARDS AND MATERIAL SPECIFICATIONS REFERENCED HEREIN. 2. REFERENCE STANDARDS

NDS "NATIONAL DESIGN SPECIFICATIONS FOR WOOD CONSTRUCTION" BY THE AMERICAN FOREST & PAPER

TPI-1, "DESIGN STANDARDS FOR METAL PLATE CONNECTED WOOD TRUSS CONSTRUCTION" BY THE TRUSS PLATE INSTITUTE.

3. MATERIALS

THE TERM "TRUSS" USED IN THIS SECTION APPLIES TO TRUSSES THAT ARE DESIGNED AND FABRICATED AS SEPERATE ENGINEERED PRODUCTS, AND DELIVERED TO THE PROJECT SITE FOR INSTALLATION.

LUMBER: SPECIES PER DESIGN BY THE TRUSS MANUFACTURER, NO.2 GRADE OR BETTER, 15% MAXIMUM M.C., EXCEPT

THE TRUSS MANUFACTURER MAY USE STUD-GRADE FOR WEB MEMBERS.

4. DESIGN 4.1. THE TRUSS MANUFACTURER SHALL DESIGN, DETAIL, PROVIDE AND INSTALL ALL INTERNAL TRUSS COMPONENT

THE TRUSS MANUFACTURER SHALL DESIGN AND DESIGNATE ALL TRUSS-TO-TRUSS HANGERS. THE CONTRACTOR SHALL FURNISH AND INSTALL ALL TRUSS-TO TRUSS HANGERS IN ACCORDANCE WITH THE HANGER MANUFACTURER'S

METAL CONNECTOR PLATES: USE GALVANIZED SHEET STEEL CONFORMING WITH ASTM A653, COATING CLASS G60. MANUFACTURE WITH HOLES, PLUGS, TEETH, OR PRONGS UNIFORMLY SPACED AND FORMED.

INCLUDING BUT NOT LIMITED TO OVERLAY FRAMING, CHIMNEYS, MECHANICAL EQUIPMENT, ETC. DESIGN TRUSSES AND REQUIRED BRACING TO RESIST THE NET WIND UPLIFT INDICATED ON THE DRAWINGS.

DESIGN ALL TRUSSES FOR ADDITIONAL SERVICE LOADS INDICATED ON PLAN.

5. DESIGN LOADS

5.1. ROOF TOP CHORD DEAD LOAD

TOP CHORD LIVE LOAD 20 BOTTOM CHORD DEAD LOAD = 10 BOTTOM CHORD LIVE LOAD 5.1.5. SEE DESIGN LOADS SECTION ON SHEET S 001 WIND LOADING: 5.1.5.1. NET WIND UPLIFT = 8 PSF

DEFLECTIONS 5.2.1.

5.2.1.1. MAXIMUM LIVE LOAD DEFLECTION = L/360, OR .625" MAXIMUM MAXIMUM TOTAL LOAD DEFLECTION = L/240, OR 1.0" MAXIMUM

5.3. DESIGN ALL BRACING AND BRACING CONNECTIONS FOR ALL TRUSS TO CHORDS, BOTTOM CHORDS AND WEB MEMBERS. PARTICULAR ATTENTION SHALL BE GIVEN TO AREAS IN THE FINISHED STRUCTURE WHICH CONTAIN TRUSSES WITH UN-SHEATHED TOP AND/OR BOTTOM CHORD MEMBERS

6. SUBMITALS

SUBMIT TRUSS SHOP DRAWINGS WHICH EXHIBIT THE SEAL OF THE ENGINEER RESPONSIBLE FOR TRUSS DESIGN. SUBMIT LAYOUT DRAWING WHICH INDICATES THE LOCATION OF EACH TRUSS.

SUBMIT HANGER CONNECTOR TYPES AND LOCATIONS.

INDICATE ALL TEMPORARY AND PERMANENT BRACING REQUIREMENTS OF TRUSS MEMBERS. IN AREAS WHERE TRUSS TOP CHORDS AND/OR BOTTOM CHORDS DO NOT RECEIVE SHEATHING, INDICATE THE REQUIRED CHORD BRACING AND BRACE SPACINGS FOR ALL APPLICABLE LOAD CASES. INDICATE ANCHORAGE OF "CAP" TRUSSES AND/OR "OVERLAY" TRUSSES.

4331 & 4337 SHACKLEFORD RD RICHMOND, VA 23234 804-874-2030 DRW JRP3 CHK JRP

| 2 | -

PENN&CO

10921 PARKSHIRE LANE

HENRICO, VA 23233 (703) 728-5779 PHONE

AC & STEPHANIE CATEDRA

PROPOSED TYPICAL ROOF PLAN

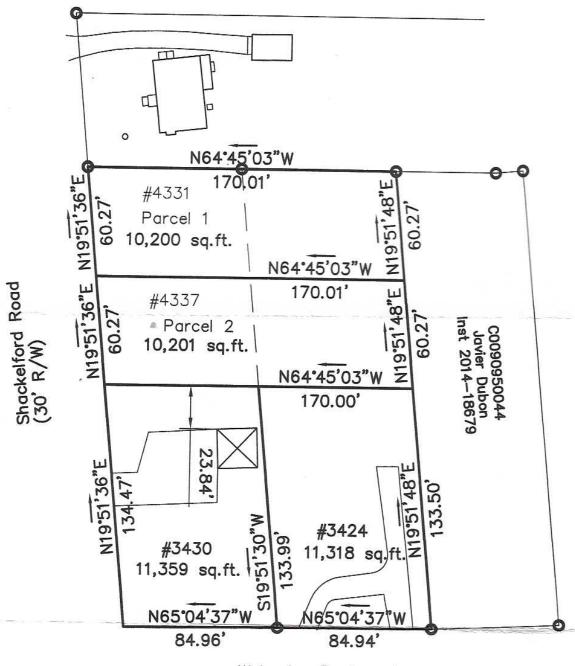
4331-A

SCALE: 1/4"=1'-0"

A-103







Walmsley Boulevard (Variable Width R/W)

Plat showing two new parcels 4331 Shackelford Road and 4337 Shackelford Road Walley Dorsey, Jr.

Manchester District
City of Richmond

CARL EDWARD DUNCAN 2013

6-13-2

AND SURVEYOR

C. E. Duncan & Associates, Inc.

2609 Rocky Oak Road

POWHATAN, VIRGINIA 23139
(804) 598-8240 Fax (804) 598-9240

DATE: 3/24/19 | SCALE: 1"=50

DRAWN BY: CED JOB NO.: 15-0497