



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:** \_\_\_\_\_

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

*October 7, 2020*

*Special Use Permit Request  
1108 North 28<sup>th</sup> Street, Richmond, Virginia  
Map Reference Numbers: E-000-0521/010*

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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:

Mark Baker

Baker Development Resources

1519 Summit Ave., Suite 102

Richmond, VA 23230

## Introduction

We represent the owners of 1108 North 28<sup>th</sup> Street (the "Property"), who are requesting a special use permit (the "SUP") for the Property. The SUP would authorize the construction of three (3) single-family attached dwellings on the Property. The SUP is required to waive the side-yard setback requirements for the Property in order to permit the construction of the three (3) single-family attached dwellings

## Existing Conditions

### SITE DESCRIPTION AND EXISTING LAND USE

The Property is located on the west side of North 28<sup>th</sup> Street between Q and R Streets. The Property is referenced by the City Assessor as tax parcel E-000-0521/010. The Property is 59.56 feet wide by 132.36 feet deep, contains approximately 7,883.36 square feet of lot area, and is currently occupied by one (1) single-family detached dwelling that is one story in height.



The other properties along the east side of North 28<sup>th</sup> Street in this block are occupied by a mix of two-story attached and detached dwellings. Along the east line of North 28<sup>th</sup> Street in this block lies the Good Shepherd Baptist Church. Further to the north along North 28<sup>th</sup> Street exists two multifamily uses. To the South along Q Street exists a variety of commercial, office, two-family, and institutional uses. Lastly, at 1200 North 28<sup>th</sup> Street a special use permit was recently approved to authorize the rehabilitation and conversion of an existing vacant church to a multifamily dwelling.

## **EXISTING ZONING**

The Property and the surrounding properties are zoned R-6 Single-Family Attached Residential, which generally permits single-family attached dwellings subject to certain feature requirements. The Property also lies within a block of M-1 Light Industrial, R-63 Multifamily Urban Residential, and B-2 Community Business zoning district boundaries.

## **MASTER PLAN DESIGNATION**

The Master Plan recommends Single-Family (Medium Density) for the Property for which the “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 Master Plan includes other written policy guidance that is applicable to the proposal, 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 draft Richmond 300 plan, recommends “Neighborhood Mixed-Use” for the Property. The proposed use, single-family dwellings, is a primary use within that designation. That said, this designation also supports two-family and multifamily uses as well as retail, office, personal service, cultural, institutional, and civic uses on a case-by-case basis. Furthermore, within the Inclusive Housing chapter, Objective 14.5 is met by this proposal, which is to encourage more housing types throughout the City and to add density within ¼ mile of public transportation routes.

# **Proposal**

## **PURPOSE OF REQUEST**

The SUP would permit the removal of the current structure and construction of three (3) single-family attached dwellings. 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. This request would meet all zoning requirements but the average unit width (20') and side-yard

setback requirement (10') for attached dwellings at the end of a series (three or more attached dwellings). In all other regards, the proposal meets the zoning requirements applicable to the Property including the provision of off-street parking, which will be provided to the rear via access from the public alley.

In exchange for the SUP, the intent of this request is to ensure the construction of three (3) high-quality for-sale dwellings. The proposal would be consistent with the historic development pattern in the greater area. The proposal is also consistent with the recommendations of the Master Plan and the draft Richmond 300 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 found in current planning guidance.

## **PROJECT DETAILS**

The proposed single-family attached dwellings at 1108 North 28<sup>th</sup> Street would be two stories in height and of an urban row house design. The two dwellings on the outside would each be 16' 8" in width and contain approximately 1,864 square feet of finished floor area while the central dwelling would be 19' 8" in width and contain 1,992 square feet of floor area. Each unit would include three bedrooms and 2 ½ bathrooms. The proposed floor plans include modern and open living spaces. The dwellings' floor plans are modern with open living areas, and include master bedrooms complete with en-suite master bathrooms and walk-in closets. Full length front porches are proposed for each dwelling.

## **Findings of Fact**

The following are factors included 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 neighborhoods. The proposed site improvements and density are consistent with other development in the vicinity. This request would simply permit the reconfiguration of the Property in order to allow for new development to occur in a manner that is both of quality as well as consistent with the neighborhood. The redevelopment of this underutilized Property 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 traffic generation for three additional dwelling units will be negligible, especially within the context of a walkable neighborhood. In addition,

proposed parking meets that required by zoning. 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 is reflective of the historic lot pattern and uses found in the neighborhood, and is no more intense than the density found in the immediate 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 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. New construction would be consistent with the preexisting buildings and provide setbacks that are consistent with character of the immediate neighbors and the surrounding area.

## Summary

In summary, the applicant is enthusiastically seeking approval for the construction of three (3) single-family attached dwellings on the Property. This proposal represents an ideal, small-scale urban infill development for this location. The SUP is consistent with current planning guidance applicable to the neighborhood and the City at large. In exchange, the quality assurances conditioned through the SUP would guarantee the construction of higher quality new single-family attached dwellings than might otherwise be developed by right. This would contribute to the vibrancy of the block through the provision of traditional neighborhood design that is consistent with the historic development pattern of the surrounding neighborhood.