INTRODUCED: August 7, 2024

#### AN ORDINANCE No. 2024-209

To authorize the special use of the properties known as 312 Goshen Street, 901 West Marshall Street, and 903 West Marshall Street for the purpose of a restaurant use, upon certain terms and conditions.

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Patron – Mayor Stoney (By Request)

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Approved as to form and legality by the City Attorney

\_\_\_\_

PUBLIC HEARING: SEP 9 2024 AT 6 P.M.

WHEREAS, the owner of the properties known as 312 Goshen Street, 901 West Marshall Street, and 903 West Marshall Street, which are situated in a R-63 Multifamily Urban Residential District, desires to use such properties for the purpose of a restaurant use, which use, among other things, is not currently allowed by section 30-419.2, concerning permitted principal uses, 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

AYES:	8	NOES:	0	ABSTAIN:	
ADOPTED:	SEP 9 2024	REIECTED:		STRICKEN:	

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 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 properties known as 312 Goshen Street, 901 West Marshall Street, and 903 West Marshall Street and identified as Tax Parcel Nos. N000-0385/029, N000-0385/028, and N000-0385/027, respectively, in the 2024 records of the City Assessor, being more particularly shown on a survey entitled "Survey of 312 Goshen Street, City of Richmond, Virginia," prepared by Long Surveying, LLC, and dated August 20, 2023, 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 restaurant use, hereinafter referred to as "the Special Use," substantially as shown on the plans entitled "Cobra Cabana Rear Bar Renovation, 901 W Marshall St, Richmond, VA 23220," prepared by Carson B. Sizemore, with sheets T.1, D1.1, D1.2, 1.1, 1.2, and 2.1, dated June 24, 2023, and last revised September 3, 2023, and sheet 2.2, dated July 3, 2023, and last revised September 3, 2023, 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 restaurant use, substantially as shown on the Plans.
  - (b) The height of the Special Use shall not exceed two stories.
  - (c) All site improvements shall be substantially as shown on the Plans.

- (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) The hours of operation of the interior of the Special Use shall be 11:00 a.m. to 2:00 a.m., Monday through Sunday.
- (f) Outdoor dining shall be permitted on the Property from 11:00 a.m. to 11:00 p.m., Monday through Sunday, and shall include no more than two tables at the front of 901 West Marshall Street. Occupancy of the outdoor dining area at the rear of 901 West Marshall Street and 903 West Marshall Street shall not exceed 50 persons, or the maximum capacity allowed by the Virginia Uniform Statewide Building Code, whichever is less.
- (g) Live music shall be permitted in the outdoor dining area at the rear of 901 West Marshall Street and 903 West Marshall Street from 4:00 p.m. to 10:00 p.m., Monday through Sunday.
- (h) An opaque privacy fence, not exceeding six feet in height, shall be provided on the property along Goshen Street.
- § 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 Zoning Administrator is authorized to issue a certificate of zoning compliance for the Special Use subject to the terms and conditions set forth in this ordinance. An application for the certificate of zoning compliance shall be made within 730 calendar days following the date on which this ordinance becomes effective. If the application for the certificate of zoning compliance is not made within the time period stated in the previous sentence, 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.

APPROVED AS TO FORM:

CITY ATTORNEY'S OFFICE

A TRUE COPY:

TEST

City Clerk





# **City of Richmond**

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

#### Master

File Number: Admin-2023-2056

File ID: Admin-2023-2056 Type: Request for Ordinance or Status: Regular Agenda

Resolution

Version: 1 Reference: In Control: City Clerk Waiting

Room

**Department:** Richmond Dept of **Cost:** File Created: 12/14/2023

Planning &

Development. Review

Subject: Final Action:

Title:

**Internal Notes:** 

Code Sections: Agenda Date: 09/09/2024

Indexes: Agenda Number:

Patron(s): Enactment Date:

Attachments: 312 Goshen St Application docs COMBINED 2.pdf, Enactment Number:

Scanned SUP - 312 Goshen AATF.pdf

Contact: Introduction Date:

**Related Files:** 

#### **Approval History**

Version	Seq#	Action Date	Approver	Action	Due Date
1	1	7/24/2024	Jonathan Brown	Approve	7/26/2024
1	2	7/24/2024	Kris Daniel-Thiem - FYI	Notified - FYI	
1	3	7/24/2024	Kevin Vonck	Approve	7/31/2024
1	4	7/24/2024	Alecia Blackwell - FYI	Notified - FYI	
1	5	7/24/2024	Sharon Ebert	Approve	7/26/2024
1	6	7/24/2024	Caitlin Sedano - FYI	Notified - FYI	
1	7	7/24/2024	Jeff Gray	Approve	7/26/2024
1	8	7/24/2024	Lincoln Saunders	Approve	7/26/2024
1	9	7/26/2024	Mayor Stoney	Approve	7/26/2024

#### **History of Legislative File**

Master Continued (Admin-2023-2056)

 Ver- Acting Body:
 Date:
 Action:
 Sent To:
 Due Date:
 Return Result:

 sion:
 Date:

#### Text of Legislative File Admin-2023-2056

# City of Richmond

#### Intracity Correspondence

#### **O&R Transmittal**

**DATE:** January 15, 2024

**TO:** The Honorable Members of City Council

**THROUGH:** The Honorable Levar M. Stoney, Mayor

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

FROM: Kevin J. Vonck, Director of Planning & Development Review

**RE:** To authorize the special use of the properties known as 312 Goshen Street, 901

West Marshall Street and 903 West Marshall Street for the purpose of a restaurant

use, upon certain terms and conditions.

ORD. OR RES. No.

**PURPOSE:** The applicant is requesting a Special Use Permit for the purpose of a restaurant use which, among other things, is not currently allowed by section 30-419.2, regarding permitted principal uses, 2023. A Special Use Permit is therefore required.

**BACKGROUND:** 312 Goshen Street is currently improved with an existing 936 sq. ft. building, constructed in approximately 1900, situated on a combined 1,019 sq. ft. (.02 acres). The property is located in the Carver neighborhood, between West Broad and West Marshall Streets.

The City's Richmond 300 Master Plan designates a future land use for the subject property as Destination Mixed-Use which is defined as "Key gateways featuring prominent destinations, such as retail, sports venues, and large employers, as well as housing and open space. Located at the convergence of several modes of transportation, including Pulse BRT or other planned transit improvements."

Intensity: Buildings typically a minimum height of five stories.

Primary Uses: Retail/office/personal service, multi-family residential, cultural, and open space.

Secondary Uses: Institutional and government. (p. 64)

The current zoning for this property is R-63 Multifamily Urban Residential Zoning District. Ad-jacent properties to the south are located within the B-4 Central Business District and properties to the north are primarily R-8 Urban Residential District.

**COMMUNITY ENGAGEMENT:** The Carver Area Civic Improvement League was contacted; additional community notification will take place after introduction.

#### STRATEGIC INITATIVES AND OTHER GOVERNMENTAL: None

**FISCAL IMPACT:** The Department of Planning and Development Review does not anticipate any impact to the City's budget for this or future fiscal years.

**DESIRED EFFECTIVE DATE:** Upon adoption

**REQUESTED INTRODUCTION DATE:** September 9, 2024

CITY COUNCIL PUBLIC HEARING DATE: September 23, 2024

REQUESTED AGENDA: Consent

**RECOMMENDED COUNCIL COMMITTEE:** None

**AFFECTED AGENCIES:** Office of Chief Administrative Officer

Law Department (for review of draft ordinance)

**RELATIONSHIP TO EXISTING ORD. OR RES.:** 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/

special use permit, plan amendment special use permit, text only amendment		
Project Name/Location Property Address: 312 605hen 5 Parcel I.D. #: N0000385029 Fee: Total area of affected site in acres: , 02 acr	5t	Date: 3/5/24
(See <b>page 6</b> for fee schedule, please make check payable to		
Zoning Current Zoning: 263		
Richmond 300 Land Use Designation: Destin	nation Mixed Use	
Proposed Use (Please include a detailed description of the proposed use in	n the required applicant's report	
Existing Use: Proposed goal is Comm	ercial building	Existing: Storage
Is this property subject to any previous land use Yes No	cases?	Existing: Storage
Is this property subject to any previous land use Yes No If Yes, please list the Ordinance N	cases?	Existing: Storage
Is this property subject to any previous land use Yes No If Yes, please list the Ordinance N	cases?	
Applicant/Contact Person: Josh Moviel Company: The Cabya Consortium Mailing Address: 1901 W Marchall St. Telephone: (910) 322 6021.	cases?	Existing; Storage  Zip Code: 23220
Applicant/Contact Person: Josh Novice Company: The Cohya Consortium Mailing Address: 1901 W Marshall Stocity: Pathmond (910) 322 6021  Email:	cases?	
Is this property subject to any previous land use Yes No	cases?	
Applicant/Contact Person: Josh Novice Company: The Cohya Consortium Mailing Address: 1901 W Marshall St City: Pathward Telephone: (910) 322 6021 Email: Jack Cohya Consortium Property Owner: Clovis Vaughn f Business Entity, name and title of authorized s	scases?    cases?   c	Zip Code: 23220
Applicant/Contact Person: Josh Novice Company: The Cobya Consortium Mailing Address: 1901 W Marchall 51 City: Pulmond Telephone: (110) 322 6021 Email: Judy Louis Vaughn f Business Entity, name and title of authorized stailing Address: 2302 Collingwood Rd	State: VA Fax: _(  signee:  of this Application on behalf of execute or attest.)	Zip Code: 23220
Applicant/Contact Person: Josh Novice Company: The Cohya Consortium Mailing Address: 1901 W Marshall Stocity: Pathmond (910) 322 6021  Email:	scases?    cases?   c	Zip Code: 23220

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)



## 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

photocopied signatures will not be accepted.

City: Richmond VA Telephone: Fax: ( )  Email: Property Owner Signature: State: VA Zip Code. 23 at 0	Project Name/Location On 1 100	1. 11 01	
Company   Comp	Property Address: 10 W May S	nall )T	Date:
Company:	Parcel I.D. #: No000385028 Fee:	THE PERSON NAMED IN	
Company:	lotal area of affected site in acres: 0.048	THE VIOLENCE I FILDS	
Richmond 300 Land Use Designation: Destination Mixed 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: Property Owner:  Brian Steward  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:  901 W. Marshall  State: VA Zip Code: 23220  Email:  Property Owner Signature:  Property Owner Signature:			
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:  Property Owner:  BY IAN STUDY  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:  Mailing Address:  Mailing Address:  Property Owner Signature:  Property Owner Signature:  Property Owner Signature:	Current Zoning: 12 - 63		
(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:  Gity:  Telephone:  Email:  Property Owner:  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:  Gity:  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:  Gity:  Telephone:	Richmond 300 Land Use Designation: Destin	ation Mixed US	<u>e</u>
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:  Property Owner:  By Ian Steward  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:  Got W. Marshall Steward  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:  Got W. Marshall Steward  Fax:  State: VA Zip Code: 23220  Fax:  Email:  Property Owner Signature:	Proposed Use (Please include a detailed description of the proposed use in	n the required applicant's re	port)
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:  Property Owner:  By Ian Steward  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:  Got W. Marshall Steward  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:  Got W. Marshall Steward  Fax:  State: VA Zip Code: 23220  Fax:  Email:  Property Owner Signature:	Existing Use:		
Applicant/Contact Person:    OS   Novicki	The state of the s		
Applicant/Contact Person: Josh Novicki  Company:  Mailing Address: 901 W Marshall St  City: State: Zip Code: Fax:    Email: Fax:    Property Owner: Brian Steward  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: 901 W. Marshall St  City: Pichwood VA State: VA Zip Code: 23220  Telephone: ( )  Fax: ( )	Is this property subject to any previous land use	cases?	
Applicant/Contact Person: Josh Novicki  Company:  Mailing Address: 901 W Marshall St  City: State: Zip Code: Fax:    Email: Fax:    Property Owner: Brian Steward  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: 901 W. Marshall St  City: Pichwood VA State: VA Zip Code: 23220  Telephone: ( )  Fax: ( )	Yes No		
Applicant/Contact Person:  Company:  Mailing Address:  Gity:  Telephone:  Email:  Property Owner:  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:  Gity:  Property Owner Signature:  Property Owner Signature:  Marshall  State:  Fax:  Fax	If Yes, please list the Ordinance N	lumber:	
City:			
City:	Applicant/Contact Person: Josh Novi	cki	
City:	Company:		
City:	Mailing Address: 901 W Marshall S	†	Zin Codo:
Property Owner: Brian Steward  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: 901 W. Marshall State: VA Zip Code: 23220  City: Ruhward VA State: VA Zip Code: 23220  Telephone: ( ) Fax: ( )  Email:	City:	State:	Zip Code.
Property Owner: Brian Steward  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: 901 W. Marshall State: VA Zip Code: 23220  City: Ruhward VA State: VA Zip Code: 23220  Telephone: ( ) Fax: ( )  Email:	Telephone: _()	Fax(	
(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: 901 W. Marshall State: VA Zip Code: 23220  City: Ruhwand VA State: VA Zip Code: 23220  Telephone: ( ) Fax: ( ) Fax: ( ) Property Owner Signature:	Email:		
(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: 901 W. Marsholl State: VA Zip Code: 23220  City: Ruhmond VA State: VA Zip Code: 23220  Telephone: ( ) Fax: ( ) Fax: ( ) Property Owner Signature:	- Rosen Staling		
(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: 901 W. Marshall State: VA Zip Code: 23220  City: Ruhward VA State: VA Zip Code: 23220  Fax: ( )  Fax: ( )  Property Owner Signature:	Property Owner: 137   an 3 revocator	signee'	
Mailing Address: 901 W. Marshall St  City: Richwood VA  Telephone: ( )  Email: Property Owner Signature: Jakking to so execute or attest.  State: VA Zip Code: 23220  Fax: ( )  Property Owner Signature: Jakking to so execute or attest.			
Mailing Address: 901 W. Marshall St  City: Ruhwood VA  Telephone: ( )  Email: Property Owner Signature: Address: Address: State: VA  Telephone Telephone: ( )  The state: VA  The state: V	(The person or persons executing or attesting the execution	n of this Application on beh	alf of the Company certifies that he o
Mailing Address: 901 W. Marshall St  City: Ruhwond VA State: VA Zip Code: 23220  Telephone: ( ) Fax: ( )  Property Owner Signature: Address: State: VA Zip Code: 23220	she has or have been duly authorized and empowered to so	execute or attest.)	
City: Richmond VA Telephone: Fax: ( )  Email: Property Owner Signature: State: VA Zip Code. 23 at 0		CI	
City: Richwood VA Telephone: Fax: ( )  Froperty Owner Signature: State: VA Zip Code. 23 du v	0	1 1	07210
Telephone:	Mailing Address: 901 W. Marshall	70	
Property Owner Signature:	Mailing Address: 901 W. Marshall City: Richwood VA		Zip Code: 25220
Property Owner Signature: All Methods	City: Richmond VA		Zip Code: 25220
	City: Richwood VA Telephone: ( )		Zip Code: 25200
	City: Richwood VA Telephone: ( )		A Zip Code: 25200
	Mailing Address: 901 W. Marshall City: Ruhwond VA Telephone: Email:  Property Owner Signature:		A Zip Code: 25220
	City: Richmond VA Telephone:	Fax: _(	v are required. Please attach addition

NOTE: Please attach the required plans, checklist, and a check for the application fee (see Filing Procedures for special use permits)



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: 903 W MARSHALL ST RICHMOND, VA 23220 Parcel I.D. #: N0000385027 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: M-1 Richmond 300 Land Use Designation: Destination Mixed 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? If Yes, please list the Ordinance Number: Applicant/Contact Person: GERALD ABERNETHY Company: Mailing Address: 903 w MARSHALL ST City: RICHMOND Zip Code: 23220 State: VA Telephone: (704 Fax: ( Email: Property Owner: GERALD ABERNETHY 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: 903 W MARSHALL ST City: RICHMOND Zip Code: 23220 State: VA Telephone: (704 Fax: ( Email: smokedoggggggmail.com Property Owner Signature:

The names, addresses, telephone numbers and signature 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.

COBRA CABANA / JOSH NOVICKI PROPOSED USE FOR 312 GOSHEN ST. APRIL 16, 2024

The Cobra Consortium, doing business as Cobra Cabana, seek a special use permit in order to change 312 Goshen St, Richmond Virginia, from residential use to commercial use in order to expand the footprint of the existing adjacent business, Cobra Cabana, at 901 W. Marshall St, and 903 W Marshall St in Richmond Virginia (owned by Gerald Abernethy, CEO of Cobra Cabana.) Once issued, 312 Goshen St, which is currently owned by Clovis Vaughn, will serve as an intimate "Jazz Kissa" high definition listening room, including a newly-constructed, ADA approved handicapped accessible restroom. The main focus of the room is to provide high quality audio signal generated at a very low decibel rate, with operating hours from 4pm - 12am. The proposed special use permit will not have a detrimental impact on the safety, health, morals, and overall well-being of the community. As written above, 312 Goshen will be outfitted with an ADA compliant restroom, which will serve as a third restroom and will help alleviate any lines or congestion that may exist in the current restrooms at Cobra Cabana. The permit will not create hazards or overcrowding, as the interior is very small (capacity around 15 people) nor will it interfere with the availability of adequate light and air, ensuring a suitable living environment for residents in the area. The aim is to ensure that the proposed special use aligns with the community and City Council's well-being, existing infrastructure, and the overall character of the Carver neighborhood. Furthermore, the permit will allow for, and help balance the need for new and unique land uses with the preservation of the communities quality of life, and the efficient functioning of urban infrastructure by expanding the footprint of an established, thriving small business.

Thank you for your consideration,

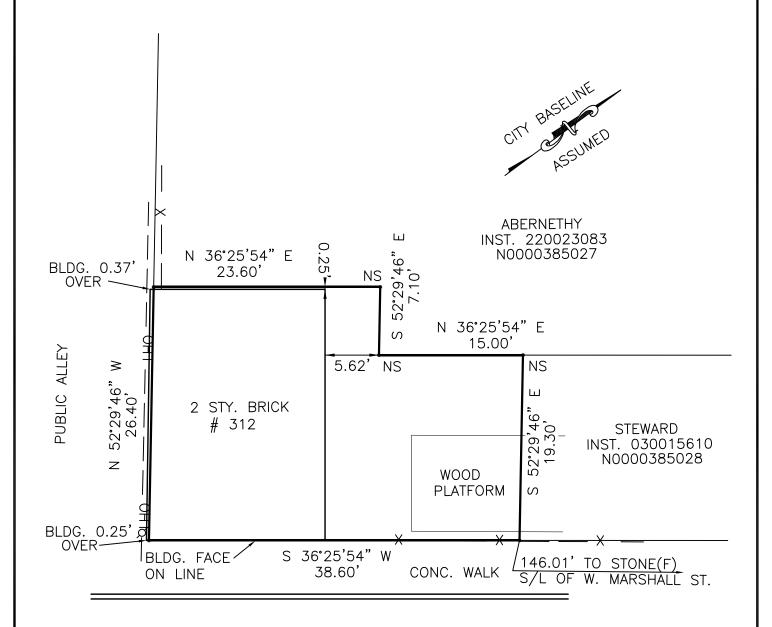
Josh Novicki

THIS IS TO CERTIFY THAT ON 8/20/23 I SURVEYED
THE PROPERTY SHOWN ON THIS PLAT AND THAT THE TITLE
LINES AND WALLS OF THE BUILDING ARE AS SHOWN ON
THIS PLAT. THE BUILDINGS STAND STRICTLY WITHIN THE TITLE
LINES AND THERE ARE NO ENCROACHMENTS OF OTHER
BUILDINGS ON THE PROPERTY EXCEPT AS SHOWN

BRIAN LONG, L.S.

- 1) THIS PARCEL IS NOT IN A FEMA FLOOD HAZARD ZONE
- 2) THIS SURVEY IS BASED ON CURRENT FIELD WORK
- 3) THIS SURVEY WAS PREPARED WITHOUT THE BENEFIT OF A TITLE REPORT, THEREFORE ALL ENCUMBRANCES MIGHT NOT BE SHOWN.





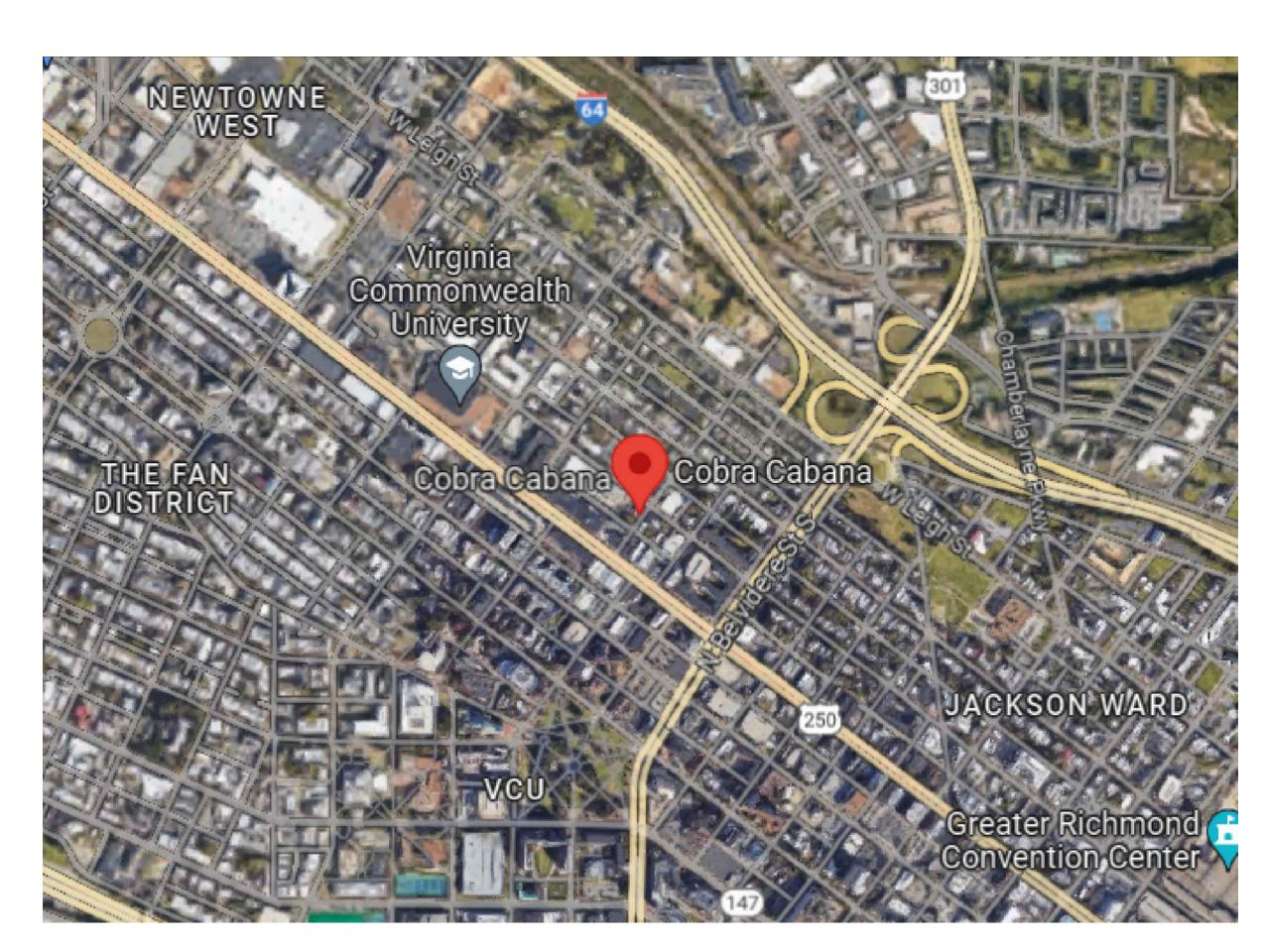
GOSHEN ST.

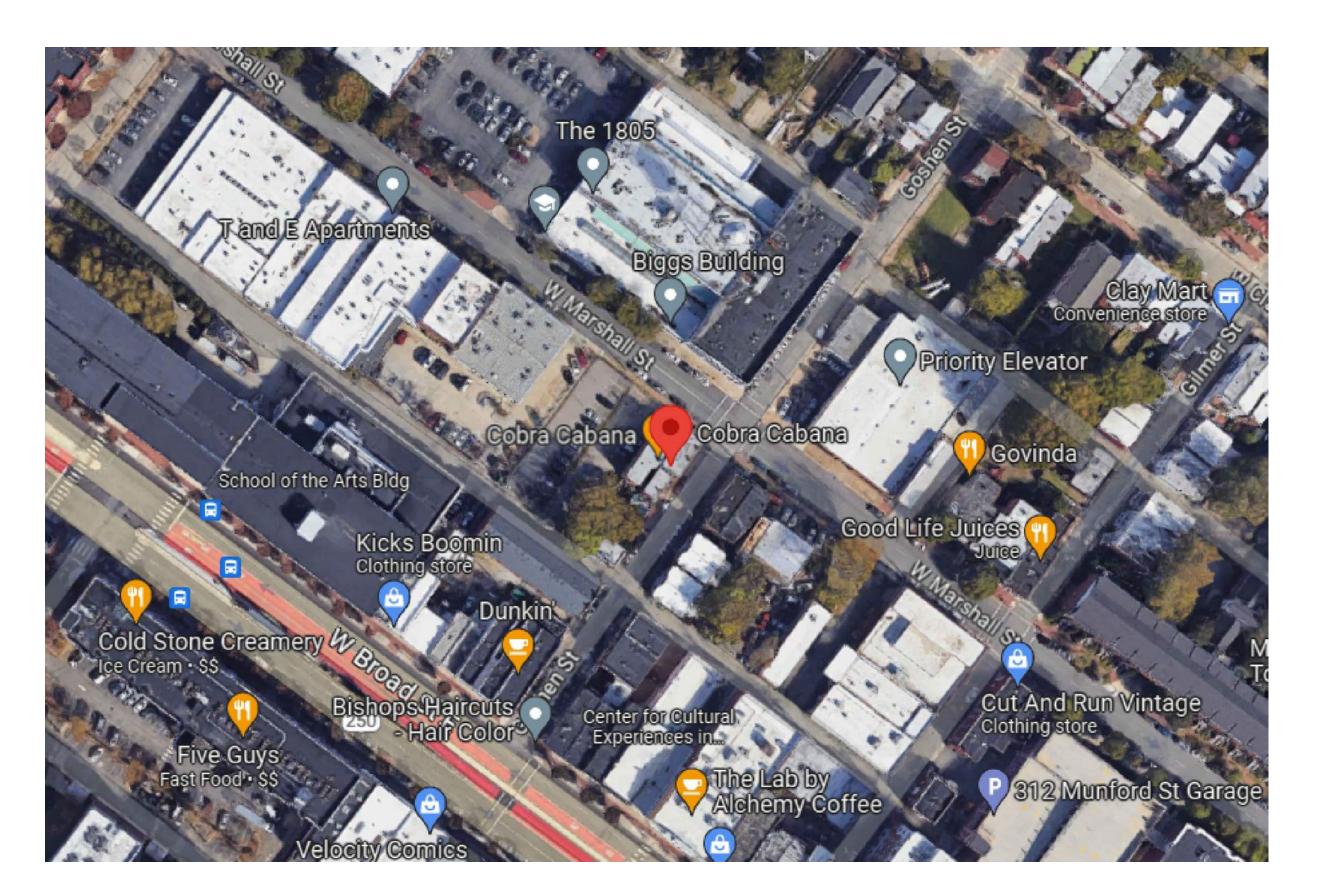
# SURVEY OF 312 GOSHEN STREET

LONG SURVEYING, LLC 4650 FACTORY MILL ROAD MAIDENS, VA 23012 804-314-5620 CITY OF RICHMOND VIRGINIA AUG. 20, 2023 SCALE: 1"=10'

# COBRA CABANA REAR BAR RENOVATION

901 W Marshall St, Richmond, VA 23220





AREA VIEW

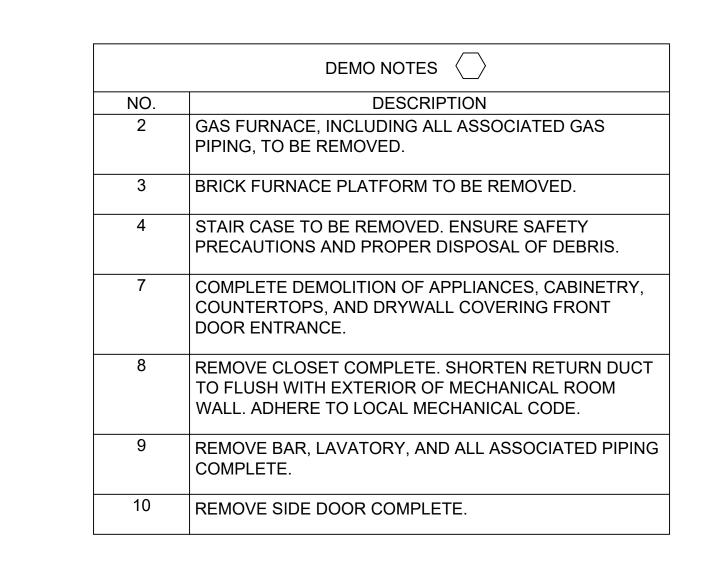
SITE VIEW

	SHEET LIST
D1.1	FIRST FLOOR DEMOLITION
D1.2	SECOND FLOOR DEMOLITION
1.1	FIRST FLOOR NEW WORK
1.2	SECOND FLOOR NEW WORK
2.1	FIRST PERSON INTERIOR VIEW
2.2	SITE PLAN
	DAMAL DV. CADCON D. CIZEMODE

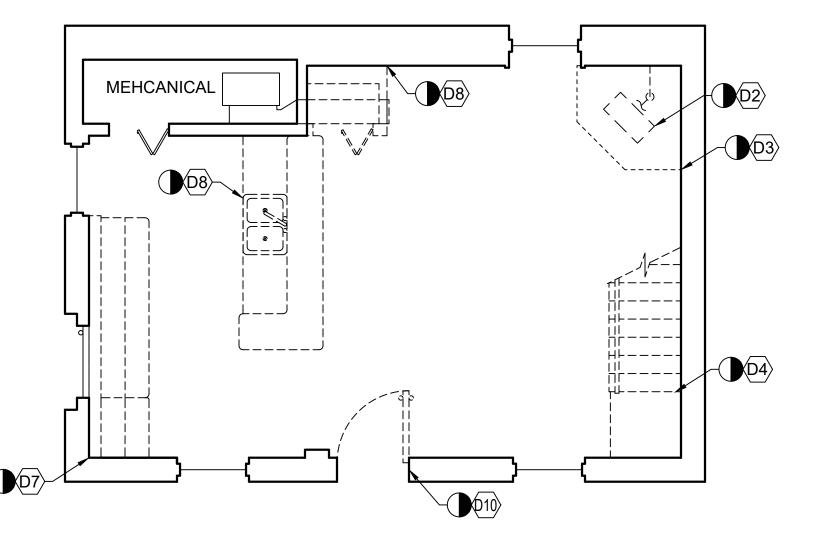
DRAWN BY: CARSON B. SIZEMORE

DRAWN BY:

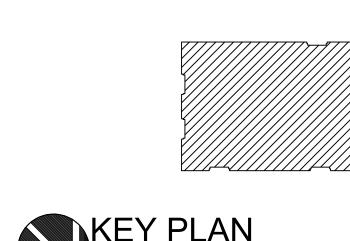
06/24/2023



09-03-2023



FIRST FLOOR PLAN - DEMO
SCALE: 1/8"=1'-0"



KEY PLAN NOT TO SCALE

5' 0 5' 10' 15' 20 SCALE FEET

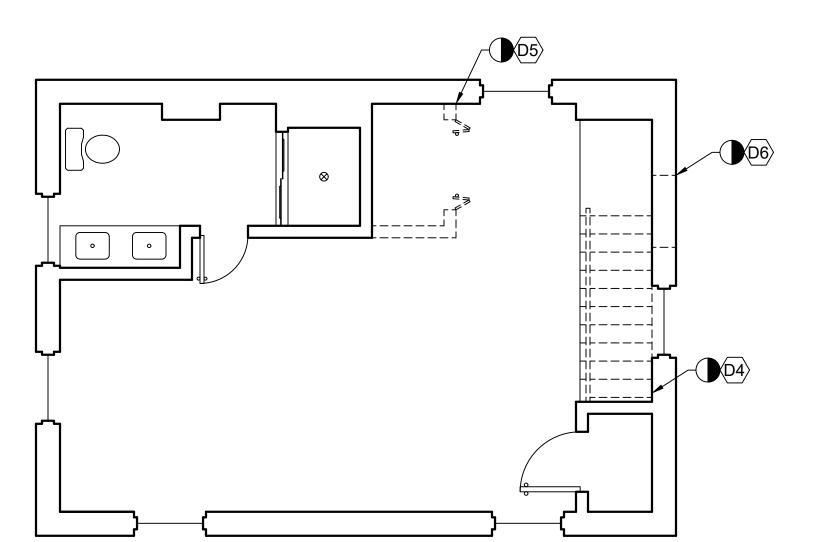
MARK DESCRIPTION DATE

D1.1

1/8" = 1'-0"

DATE: 06/24/2023

	DEMO NOTES
NO.	DESCRIPTION
4	STAIR CASE TO BE REMOVED. ENSURE SAFETY PRECAUTIONS, AND PROPER DISPOSAL OF DEBRIS.
5	REMOVE WASHER AND DRYER COMPLETE. DEMOLISH SURROUNDING WALLS AND CEILING AND REMOVE WASHING MACHINE OUTLET BOX COMPLETE.
6	DEMOLISH DOORWAY FOR SECOND FLOOR ENTRANCE. CONTRACTOR TO PROVIDE ENGINEERED SUBMITTAL SEALED AND STAMPED, VERIFYING STRUCTURAL INTEGRITY OF ALL CHANGES PRIOR TO COMMENCEMENT OF WORK.



SECOND FLOOR PLAN - DEMO
SCALE: 1/8"=1'-0"

KEY PLAN NOT TO SCALE

MARK DESCRIPTION DATE

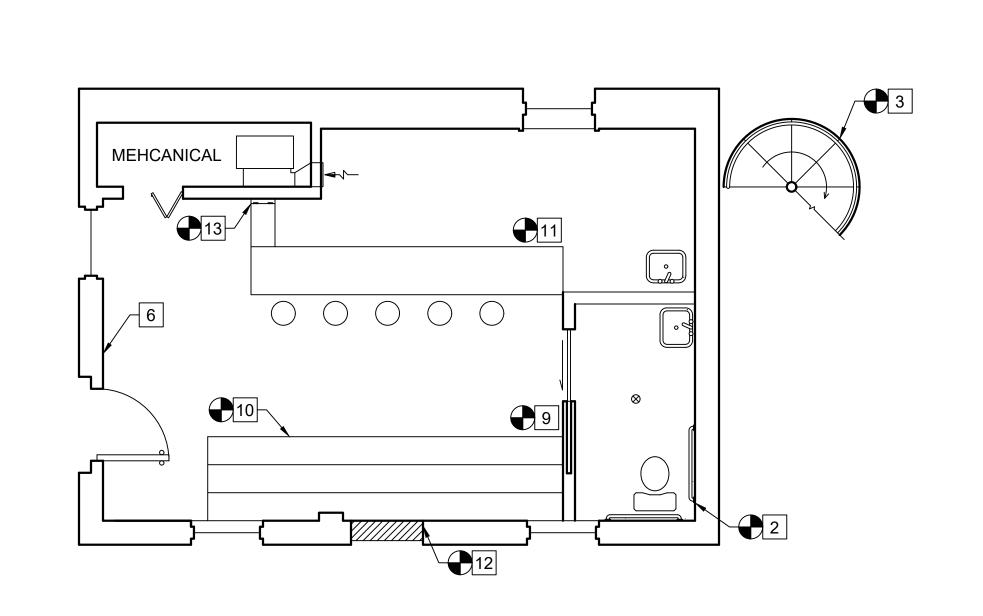
09-03-2023

DRAWN BY: CBS

06/24/2023

1/8" = 1'-0"

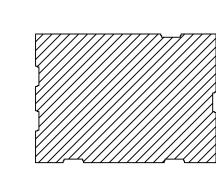
SCALE FEET



FIRST FLOOR PLAN - NEW WORK
SCALE: 1/8"=1'-0"

NEW WORK NOTES DESCRIPTION 1 INSTALL BATHROOM EXHAUST FAN IN PLACE OF EXISTING FURNACE EXHAUST OPENING. 2 DIMENSIONS 9' X 5'. INSTALL ADA-COMPLIANT FIXTURES AND ACCESSORIES. PROVIDE SUFFICIENT CLEAR FLOOR SPACE, GRAB BARS, LAVATORY, AND TOILET. COMPLY WITH ALL APPLICABLE BUILDING CODES AND ACCESSIBILITY STANDARDS. PROVIDE A STURDY, WEATHER-RESISTANT SPIRAL STAIRCASE FOR ACCESS TO SECOND FLOOR. COMPLY WITH LOCAL BUILDING CODES AND SAFETY REGULATIONS. ENSURE SUFFICIENT HEADROOM, TREAD WIDTH, AND HANDRAILS FOR SAFE AND EASY 6 PATCH WALLS AND PAINT TO MATCH FINISH. 9 3' POCKET DOOR. ALLOW ADEQUATE SPACE WITHIN 09-03-2023 WALL TO ALLOW DOOR TO BECOME FULLY RECESSED. 10 INSTALL PLYWOOD STADIUM SEATING. RISES 18", THEN RUNS 14" DEEP FOR THREE STEPS. LEAVE SUFFICIENT ROOM FOR FRONT DOOR SWING 11 2' DEEP 13' LONG BAR TOP INSTALLED 2' FROM THE MECHANICAL ROOM WALL. 12 FILL IN DOORWAY FLUSH WITH WALL. LEAVE OVERHEAD WINDOW EXPOSED. 12 1' DEEP HINGED BARTOP BARTENDERS ENTRANCE

Rear Bar Renovation
901 W Marshall St, Richmond, VA 23220



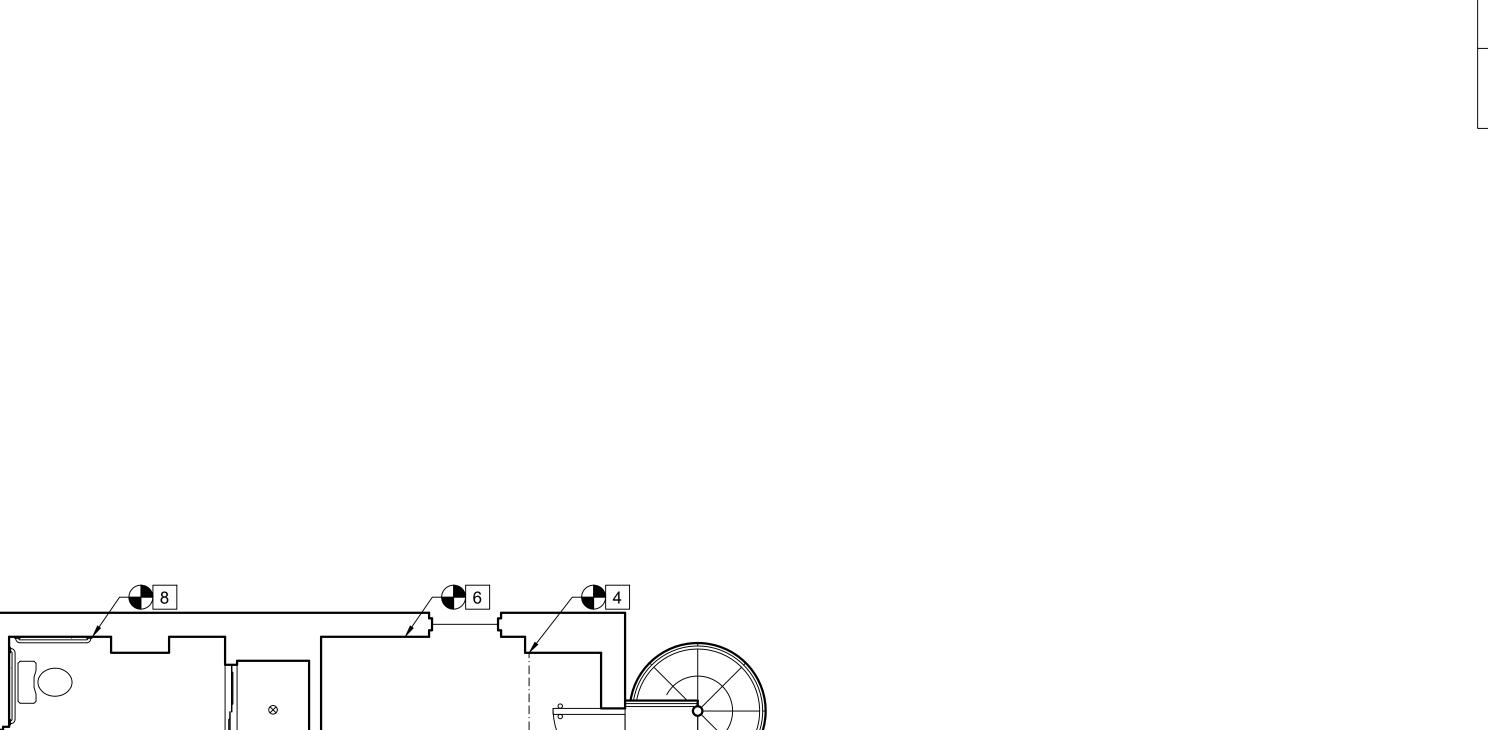


5' 0 5' 10' 15' 20 SCALE FEET MARK DESCRIPTION DATE

DRAWN BY:

1.1

06/24/2023



SECOND FLOOR PLAN - NEW WORK

SCALE: 1/8"=1'-0"

4 FILL STAIRWELL VOID. REMOVE STAIRS, ASSESS STRUCTURE, INFILL WITH SUITABLE MATERIAL, LEVEL AND FINISH. ENSURE COMPLIANCE WITH CODES AND SAFETY REGULATIONS. COMPLETION SUBJECT TO FINAL INSPECTION. ADD 2' WALL, OFFSET 35" FROM ADJOINING BATHROOM WALL. ENSURE PROPER ANCHORING AND FINISH. COMPLY WITH BUILDING CODES. COMPLETION SUBJECT TO FINAL INSPECTION. 6 PATCH WALLS AND PAINT TO MATCH FINISH. 7 CONSTRUCT A STURDY, WEATHER-RESISTANT DECK LANDING FOR SECOND FLOOR ACCESS VIA SPIRAL STAIRCASE. ENSURE PROPER SUPPORT, DURABLE MATERIALS, AND COMPLIANCE WITH BUILDING CODES AND SAFETY STANDARDS. 09-03-2023 8 INSTALL ACCESSIBLE FIXTURES, GRAB BARS, WIDEN DOORWAY, ENSURE CLEAR FLOOR SPACE. MEET ADA STANDARDS AND LOCAL BUILDING CODES. MARK DESCRIPTION DATE DRAWN BY: KEY PLAN NOT TO SCALE

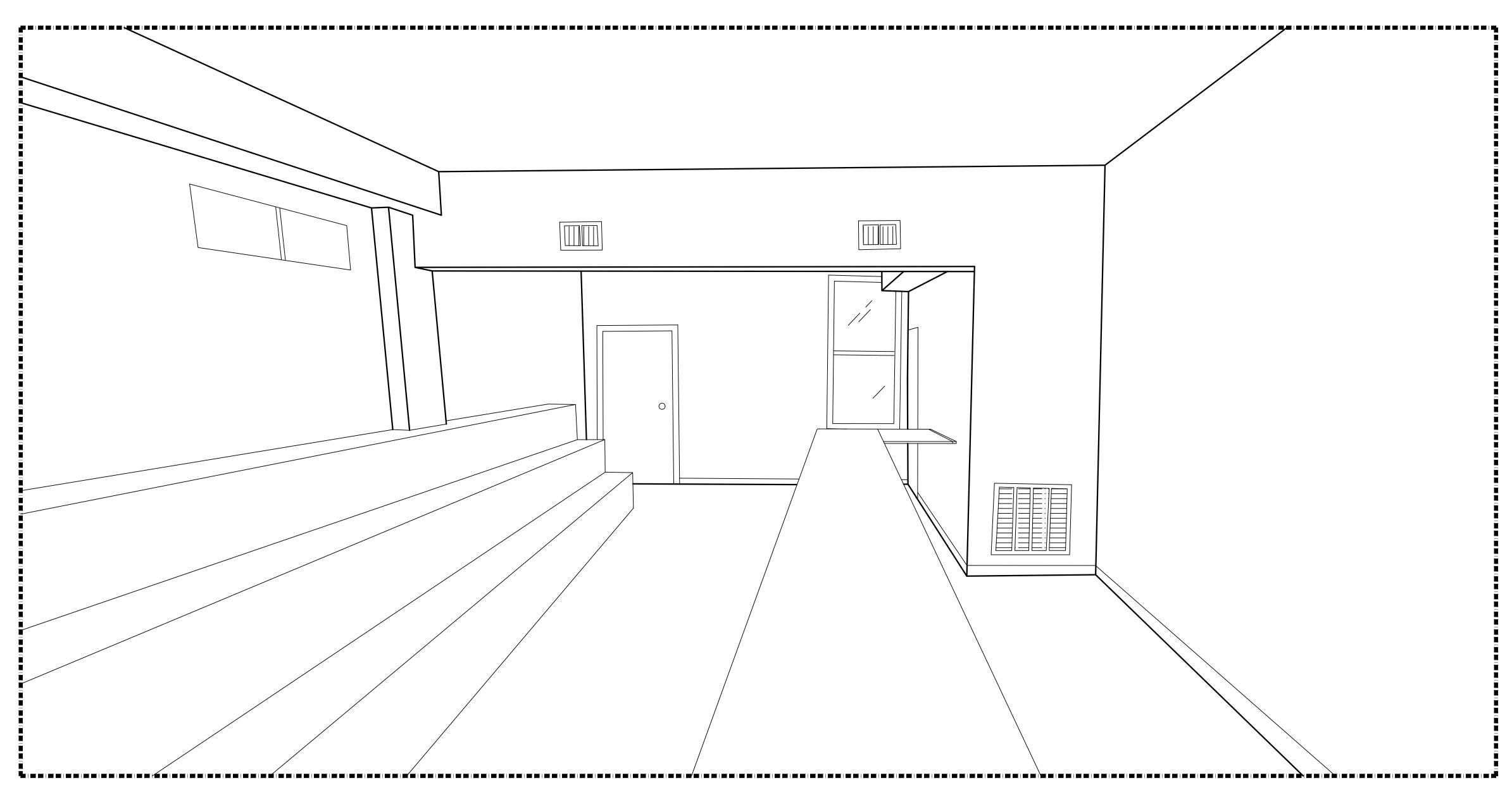
NEW WORK NOTES

DESCRIPTION

SCALE FEET

06/24/2023

1/8" = 1'-0"

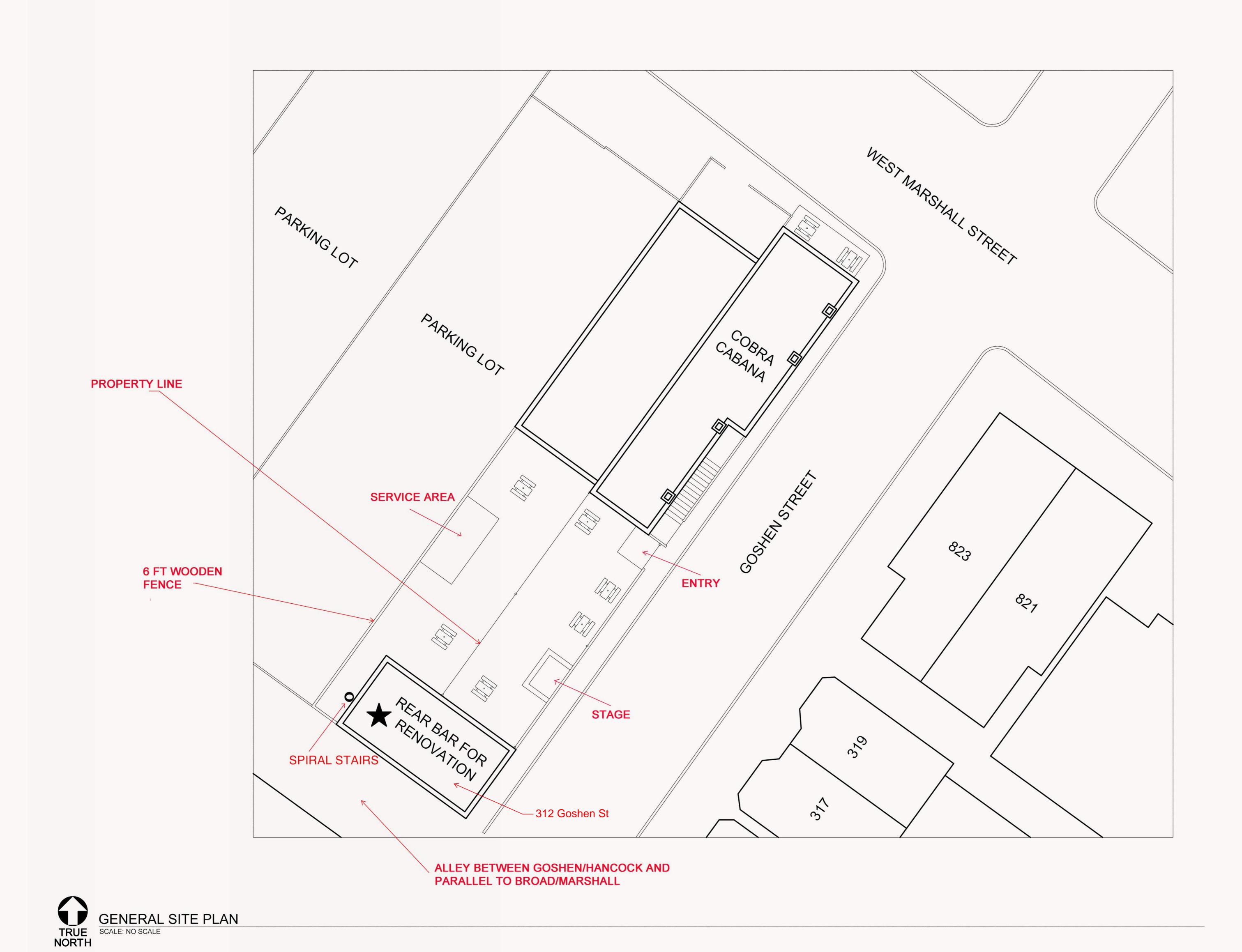


FIRST PERSON INTERIOR VIEW

NOT TO SCALE

09-03-2023 MARK DESCRIPTION DATE DRAWN BY:

06/24/2023



09-03-2023 901 W Marshall St, Richmond, VA 23220 Cobra Cabana Rear Bar Renovation MARK DESCRIPTION DATE

> DRAWN BY: CBS

> > 2.2

DATE:



## **Special Use Permit**

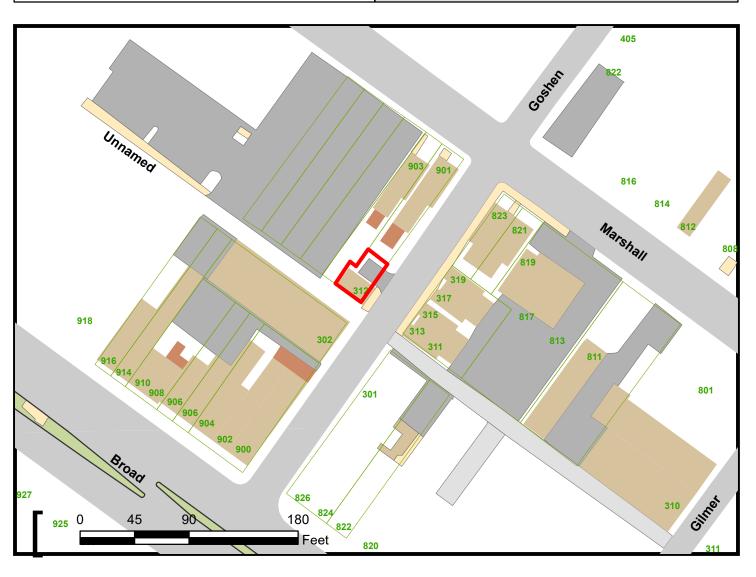
**LOCATION: 312 Goshen Street** 

**APPLICANT: Josh Novicki** 

**COUNCIL DISTRICT: 2** 

PROPOSAL: To authorize the special use of the property known as 312 Goshen Street, for the purpose of a restaurant use, upon certain terms and conditions.

For questions, please contact Alyson Oliver at 804-646-5789 or alyson.oliver@rva.gov





# **City of Richmond Department of Planning & Development Review**

#### DEVELOPMENT PROPOSAL RESPONSE FORM

Development Proposal / Address: 312 Goshen Street and 903 W Marshall Street Special Use Permit – Parcel Nos. N0000385029 & N0000385027- File No. SUP-135823-2023 Association Name: Carver Area Civic Improvement League **Please Check Appropriate Boxes:** The Association's (check one) \_\_\_\_ Membership or \_\_\_\_ Board met on <u>11/15/23</u> and voted to \_\_\_\_ Oppose \_\_\_\_ Support \_\_\_\_ Take no position on this proposal. This Association does not intend to consider this issue because: Not information or plans are provided for the 903 W. Marshall Street in order to change zoning. Regarding 312 Goshen St, although the concept was presented there was concern that design such as the floor plan was not presented. Was a representative for the proposal present? YES X NO Other comments: The 312 Goshen Street project was discussed with the president and and Vice President of CACIL, however, the board wanted more info. Jerome Legions President Print Name Title 11/16/23 Date

Please send to:

**Matthew Ebinger, AICP - Principal Planner** 

Mail: Matthew Ebinger, AICP – Principal Planner City of Richmond Land Use Administration Division 900 East Broad Street, Room 511 Richmond, VA 23219

Email: Matthew.Ebinger@rva.gov

Fax: (804) 646-5789