



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.richmond.gov/>

SUP-250279-2019

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: 1200 N 28th Date: 2-28-19
 Tax Map #: E0000563015 Fee: \$2,400
 Total area of affected site in acres: 0.183

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

Zoning

Current Zoning: M-1

Existing Use: Vacant (Religious/Church/Synagogue)

Proposed Use

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

Multi-family, fifteen (15) dwelling units
Existing Use: Vacant (Religious/Church/Synagogue)

Is this property subject to any previous land use cases?

Yes No
 If Yes, please list the Ordinance Number: BZA: CASE NO. 8-04, BZA: CASE NO. 115-02

Applicant/Contact Person: Mark Baker

Company: Baker Development Resources
 Mailing Address: 11 S 12th Street, Suite 500
 City: Richmond State: VA Zip Code: 23219
 Telephone: (804) 874-6275 Fax: ()
 Email: markbaker@bakerdevelopmentresources.com

Property Owner: Cava Capital LLC

If Business Entity, name and title of authorized signee: Tim Parent, President

(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: 5310 Markel Road, #104
 City: Richmond State: VA Zip Code: 23230
 Telephone: (804) 510-0667 Fax: ()
 Email: tparent@becava.com

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

February 28, 2019

*Special Use Permit
1200 N 28th Street, Richmond, Virginia
Map Reference Numbers: E-000-0563/015*

Submitted to:	City of Richmond Department of Community Development Land Use Administration 900 East Broad Street Richmond, Virginia 23219
Prepared by:	Baker Development Resources 11 South 12 th Street, Suite 500 Richmond, Virginia 23219

Introduction

The applicant, Cava Capital LLC, requests a Special Use Permit in order to redevelop 1200 N 28th Street ("the Property") with fifteen (15) dwelling units.

Existing Conditions

SITE DESCRIPTION AND EXISTING LAND USE

The Property is located on the west side of North 28th Street between R Street and S Street. The Property consists of one parcel, which is referenced by the City Assessor as tax parcel E-000-0563/015 ("1200 N 28th Street"). The Property consists of a lot that is roughly 60 feet wide by 133 feet deep and contains approximately 7,980 square feet of lot area. The property is served to the rear by a north-south alley running parallel between R and S Street.

The Property is improved with a 2-story former church building that was built in the early 1900s. The building contains 5,104 square feet of finished floor area and 5,104 feet of floor area in the basement. It was last occupied by Good Shephard Baptist Church, which congregated in the space from 1945 to 1982 and has since moved across North 28th Street to the south.



EXISTING ZONING

The Property is currently zoned as M-1 Light Industrial, which does not permit the proposed multi-family dwelling use by right. The M-1 district is inconsistent with the recommendation of the Master Plan. The Property is identified in the Master Plan as Single-Family (medium density) which suggests residential use is appropriate rather than industrial. The M-1 district prohibits residential uses while allowing a broad range of commercial and industrial uses. This exceeds the scope of uses that would be envisioned by the Master Plan recommendation, thereby permitting a mix of intense land uses that would be incompatible with nearby residential uses. The potential for the redevelopment of the Property with incompatible uses is exacerbated by the approximate 25 nonconforming (based on previous church use) and 8 on street parking spaces that would be available for any proposed by-right conversion to a commercial use.

The properties immediately to the north are also zoned M-1 and are occupied by single-family dwellings that are nonconforming uses in that district. Further to the north and to the east across North 28th Street lie properties in the same block that are zoned R-63 Multifamily Urban Residential. These properties are occupied by 22 multi-family dwelling units within several former industrial buildings within the Beckstoffer's Mill development and 39 multi-family dwelling units within two newer apartment buildings constructed in 2013. Properties to the south and west are zoned R-6 Single-Family Attached Residential. The property located diagonally to the south across the intersection of R and North 28th Street is occupied by the Good Shepherd Baptist Church which is a large-scale institutional use that occupies a majority of that block. The properties directly across R Street to the south are improved with single-family dwellings while the properties immediately to the west across the alley are vacant lots. Further to south and west lie properties that are predominantly occupied by single-family dwellings but which also include vacant lots and a mix of other uses including two-family dwellings.

MASTER PLAN DESIGNATION

The Master Plan recommends "Single-Family (Medium Density)" for the Property. The Master Plan describes this land use category as residential use including single-family and two-family dwellings, both detached and attached. Understanding that the former church building is not suitable for single- or two-family dwelling use and given the desire to retain and rehabilitate the building this proposal provides for a reasonable residential alternative that offers much better compatibility than the current M-1 zoning district. In addition, 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 rental 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 conversion of the existing building for use as fifteen (15) multi-family dwelling units.

PURPOSE OF REQUEST

The building is a historic structure that is part of the original fabric of the neighborhood and which is deserving of revitalization. It has been vacant for years, is currently boarded, has suffered from deferred maintenance, and is in danger of further deterioration. The proposed conversion to 15 dwelling units offers a sensitive rehabilitation which will preserve this historic asset for the foreseeable future. The proposed redevelopment represents a reasonable reuse of the Property which will: be compatible with surrounding uses; help satisfy demand for housing in the area; and eliminate the current potential for incompatible redevelopment under the M-1 guidelines.

PROJECT DETAILS

The applicant proposes to adaptively reuse the former church building on the site as 15 multi-family dwelling units. The existing stucco cladding, metal roof, and other architectural details on the exterior of the building would be retained/repared as needed in order to maintain its historic character. There would be no expansion of the building's footprint. Limited exterior alterations sensitive to the original design, including a raised dormer in the rear, additional windows, and new front bays beneath the front porch would help facilitate the conversion while allowing for additional light where necessary.

The proposed dwelling units will vary in size and layout and would be designed to meet today's market expectations. The fifteen dwelling units would include: 2 studio units at approx. 495 - 690 square feet; 8 one-bedroom units at 580 - 710 square feet; and 4 two-bedroom units at 830 - 1180 square feet. The layout of the existing building works well for the conversion and provides ample windows and natural light for each unit. The unit layouts are modern, open, and where possible take advantage of the existing height within the nave to create lofted 2nd-story units.

Trash collection would be provided in a trash enclosure that would be interior to the building and accessed from the rear alley by means of a roll up door. A total of 5 street trees are proposed along the R and North 28th Street frontages in the areas identified in the City's tree inventory map. Signage consistent with the adjacent R-63 district, which would permit up to 16 square feet of signage, is proposed with the exception that such signage may include a freestanding sign, provided further that any freestanding sign would not exceed a height of six feet and would not be located within five feet of any street line or property line.

PARKING

The existing building occupies almost all of the lot and there is no opportunity to provide parking on site. Given the two street frontages, there is adequate frontage to accommodate 8 on street parking spaces. The former church use did not provide parking during the time of its operation and predated the parking requirement. In 2002, the Property was evaluated by zoning and found to have 33 nonconforming (grandfathered) parking spaces based on the former church's seating capacity. With the subsequent zoning text amendment allowing credit for on street parking that parking evaluation would now presumably include 8 on street parking spaces and 25 nonconforming parking spaces (33 total). As a result, the use of the Property for any M-1 purpose would have a total of 33 parking spaces available to support the conversion.

In terms of the proposed 15 dwellings, if evaluated under the adjacent R-63 district guidelines, one parking space would be required for each dwelling unit for a total of 15 parking spaces – less than half the current parking spaces available to the site as discussed above. Utilizing parking requirements as a measurement of relative intensity of use, the proposed residential use, at 15 parking spaces (with 8 provided on street) would be much less intense than the redevelopment of the Property with M-1 commercial or industrial uses requiring up to 33 parking spaces (with 8 provided on street).

Several options for on site bicycle parking are shown on the site plan.

Findings of Fact

The following are factors indicted 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 special use permit will not impact the safety, health, morals and general welfare of the nearby neighborhoods. The proposed conversion will eliminate the potential use of the building as a commercial/industrial use under the M-1 guidelines which would be incompatible with nearby residential uses.

- ***Tend to create congestion in streets, roads, alleys and other public ways and places in the area involved.***

The proposed special use permit will not result in significant traffic impacts. Adequate parking is available on street. The parking demand anticipated for the proposed use is significantly less than that required for more intense M-1 commercial and industrial uses that would currently be permitted by right. The surrounding road network has sufficient capacity to handle the minimal increase in traffic associated with this request.

- ***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 special use permit amendment will not tend to over crowd the land or create an undue concentration of land. The building massing is pre-existing and will not be increased by this request. The proposed density represents a reasonable density that is necessary to accomplish the rehabilitation of the existing building. The proposed dwellings would be appropriately sized for the market.

- ***Adversely affect or interfere with public or private schools, parks, playgrounds, water supplies, sewage disposal, transportation or other public requirements, conveniences and improvements.***

The special use permit amendment 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. This benefit can be attributed to the significant investment in the property.

- ***Interfere with adequate light and air.***

The light and air available to the subject and adjacent properties will not be affected. No new construction is proposed – the building massing will not change thus there will be no impact.

Summary

In summary we are enthusiastically seeking approval for the conversion of the existing building to 15 dwelling units. The plans for the conversion have been thoughtfully designed in order to provide an appropriate re-use while retaining the historic character of the building. The request offers greater compatibility with the City's Master Plan and would eliminate the potential for the redevelopment of the site with commercial or industrial uses under the current M-1 standards. The request would contribute to the ongoing revitalization of the neighborhood, rehabilitating 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. Finally, the quality assurances conditioned through the SUP would guarantee a higher quality redevelopment than might otherwise be provided for by a by-right conversion of the Property.