

INTRODUCED: September 12, 2022

AN ORDINANCE No. 2022-262

As Amended

To amend and reordain Ord. No. 95-152-151, adopted Jun. 26, 1995, as amended by Ord. No. 97-222-236, adopted Jul. 28, 1997, and Ord. No. 98-335-99-20, adopted Jan. 25, 1999, which authorized a special use of the property known as 815 North 35<sup>th</sup> Street to increase the number of permitted dwelling units and to reduce the required common area for the existing multifamily dwelling for the elderly, to further increase the number of multifamily dwelling units, to permit single-family attached dwelling units and single-family detached dwelling units, and to incorporate the property known as 823 North 36<sup>th</sup> Street, upon certain terms and conditions.

\_\_\_\_\_  
Patron – Mayor Stoney (By Request)

\_\_\_\_\_  
Approved as to form and legality  
by the City Attorney  
\_\_\_\_\_

PUBLIC HEARING: OCT 10 2022 AT 6 P.M.

I. That Ordinance No. 95-152-151, adopted June 26, 1995, as amended by Ordinance No. 97-222-236, adopted July 28, 1997, and Ordinance No. 98-335-99-20, adopted January 25, 1999, is hereby amended and reordained as follows:

§ 1. That the [~~real estate,~~] property known as 815 North 35<sup>th</sup> Street (Nathaniel Bacon School), located at the southeast corner of 35<sup>th</sup> Street and “O” Street, containing 3.05 acres, more or less, identified as Tax Parcel E000-1112/001 in the [~~1995~~] [~~2022~~] 2023 records of the City

AYES: 7 NOES: 0 ABSTAIN: \_\_\_\_\_

ADOPTED: APRIL 24 2023 REJECTED: \_\_\_\_\_ STRICKEN: \_\_\_\_\_

Assessor, being more completely described as follows: beginning at the point of intersection of the east right of way line of 35<sup>th</sup> Street and the south right of way line of “O” Street; thence in a southeasterly direction 264.00 feet to the point of intersection of the west right of way line of 36<sup>th</sup> Street and the south right of way line of “O” Street; thence in a southwesterly direction along the west right of way line of 36<sup>th</sup> Street 90.00 feet to a point; thence in a southeasterly direction along a property line 66.00 feet to a point; thence continuing in a southeasterly direction along a property line 124.00 feet to a point on the west right of way line of a 16-foot alley; thence in a southwesterly direction along said alley 176.13 feet to a point; thence in a southeasterly direction along the south right of way line of a 16-foot alley 140.00 feet to a point on the west right of way line of 37<sup>th</sup> Street; thence in a southwesterly direction along the west right of way line of 37<sup>th</sup> Street 51.05 feet to a point; thence in a northwesterly direction 594.08 feet to a point on the east right of way line of 35<sup>th</sup> Street; thence in a northeasterly direction along the east right of way line of 35<sup>th</sup> Street 316.12 feet to the point of beginning, as well as the property known as 823 North 36<sup>th</sup> Street, identified as Tax Parcel No. E000-1280/044 in the [2022] 2023 records of the City Assessor, which two parcels are hereinafter referred to, collectively, as the “Property,” is hereby permitted to be used for multifamily dwelling purposes, and for the conversion of the existing building for use as a maximum of [fifty-eight (58)] 58 multifamily dwelling units for the elderly and handicapped, and for an expansion containing up to 70 dwelling units, up to [three] two single-family detached dwellings, and up to [eight] seven single-family attached dwellings, together with an accessory dwelling unit for a staff person and accessory parking, substantially as shown on the site plan, floor plans, and elevation drawings, entitled: “Nathaniel Bacon School” prepared by SWA Architects, P.C., consisting of Sheet SP dated June 6, 1997 and Sheets A-1, A-2, A-3, A-4 and A-5 dated June 6, 1997, which plans are attached to and made a part of Ordinance No. 97-222-236,

adopted July 28, 1997, as modified by the plans entitled: “Nathaniel Bacon School” prepared by SWA Architects, P.C., consisting of Sheet A-IA, dated September 18, 1997 as revised through February 23, 1998, and the plan entitled “Partial First Floor Plan, Bacon School,” prepared by Larry Sanford Shifflett dated September 23, 1998 which plans are attached to and made a part of Ordinance No. 98-335-99-20, adopted January 25, 1999, as modified by the plans entitled “Bacon Senior Housing, 815 N. 35<sup>th</sup> Street, Richmond, VA 23223,” prepared by SWA Architects-VA, Inc., consisting of sheet A1.00, dated ~~[July 19, 2022]~~ March 29, 2023, and sheet A2.01, dated ~~[January 14, 2022]~~ March 2, 2022, and last revised January 17, 2023, which plans are attached to and made a part of this amendatory ordinance and hereinafter referred to as the “[~~2022~~] 2023 Plans.”

§ 2. That the adoption of this amendatory ordinance shall constitute the granting of a special use permit for the ~~[real-estate]~~ Property, which shall be transferable from the owner of the ~~[real-estate]~~ Property to the successor or successors in fee simple title of the owner, whether acquired by operation of law, deed or otherwise, and shall run with the land.

§ 3. That the Commissioner of Buildings is hereby authorized to issue to the owner of said ~~[real-estate]~~ Property a building permit and to permit the occupancy of the ~~[property]~~ Property in accordance with the above-referenced plans for such purposes(s), subject to the following terms and conditions:

(a) That the owner of the ~~[property]~~ Property shall be bound by, observe, and shall comply with all other laws, ordinances and rules and regulations adopted pursuant thereto, applicable to the land and building, except as otherwise provided in this ordinance;

(b) That application for a building permit for the additional dwelling unit shall be made within ~~[twenty four (24)]~~ 24 months from the effective date of this amendatory ordinance, which

building permit shall expire by limitation and become null and void if the conversion is not commenced within [~~one hundred eighty~~] 180 days from the date of the building permit, or if the conversion is suspended or abandoned for a period of [~~one hundred eighty~~] 180 days at any time after work is commenced, as provided in the applicable provisions of the Virginia Uniform Statewide Building Code. Should application for the building permit not be made within [~~twenty-four~~] 24 months from the effective date of this ordinance or should the building permit expire and become null and void, the privileges granted by this amendatory ordinance shall terminate and this special use permit shall become null and void;

(c) That the use [~~and occupancy~~] of the [~~building~~] Property shall be as [~~a~~]:

(1) A maximum of [~~fifty-eight~~ (58)] 128 multi-family dwelling units which are limited to occupancy by handicapped persons and/or persons of a minimum of [~~fifty-five~~] 55 years of age, and one [~~(4)~~] accessory dwelling unit limited to use as a residence and office for a staff person. At a minimum, interior common areas to support the use of such building shall be provided substantially to the extent shown on the plans attached to Ordinance No. [~~97-222-236~~] 98-335-99-20, adopted January 25, 1999, as modified by the [~~attached plans~~] [~~2022~~] 2023 Plans attached to and incorporated into this amendatory ordinance;

(2) Up to [~~three~~] two single-family detached dwellings and up to [~~eight~~] seven single-family attached dwellings, substantially as shown on the [~~2022~~] 2023 Plans attached to and incorporated into this amendatory ordinance.

(d) That not less than [~~sixteen~~ (16)] [~~76~~] 71 parking spaces shall be provided, substantially as shown on the plans attached to Ordinance No. [~~97-222-236~~] 98-335-99-20,

adopted January 25, 1999, as modified by the ~~[2022]~~ 2023 Plans attached to and incorporated into this amendatory ordinance;

(e) The parking area and access aisles shall be paved with a dust-free all weather surface. Parking spaces shall be delineated on the pavement surface. The parking area shall be screened from view from public streets and adjacent properties by minimum ~~[eighteen (18)]~~ 18 inch high evergreen vegetative material, located substantially as depicted on the plans attached to Ordinance No. ~~[97-222-236]~~ 98-335-99-20, adopted January 25, 1999;

(f) That site improvements such as pedestrian walks, benches, and landscaping shall be provided of a similar character and extent as those shown on the plans attached to Ordinance No. ~~[97-222-236]~~ 98-335-99-20, adopted January 25, 1999, as modified by the ~~[2022]~~ 2023 Plans attached to and incorporated into this amendatory ordinance. ~~[Actual locations may vary with final detailed plans, provided that such plans are approve by the Director of Community Development.]~~ Fences may also be installed on the ~~[property]~~ Property, ~~[and such fences may be]~~ provided all fencing material shall be constructed ~~[of]~~ in a black ~~[vinyl coated chain link mesh material and matching poles and hardware, provided that any chain link fence does not exceed more than five]~~ [(5)] ~~[feet in height, is not located closer to 35<sup>th</sup> Street than the front of the existing building on the]~~ ~~[property]~~ ~~[Property, is set back from any public sidewalk to accommodate a planting strip between the fence and the sidewalk, and the planting strip is landscaped with a minimum]~~ ~~[eighteen (18)]~~ ~~[18 inch high evergreen hedge. Otherwise, all fencing material shall be constructed in a black]~~ metal picket style of up to six and one-half ~~[(6.5)]~~ feet in height, or a wood, or equivalent material, privacy fence for the single-family attached and single-family detached lots;

(g) Driveways and entrances shall be constructed in accordance with the City Driveway Policy standards, as determined by the Director of Public Works;

(h) That 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 the adjacent properties or public streets, substantially as depicted on the plans attached to Ordinance No. ~~[97-222-236]~~ 98-335-99-20, adopted January 25, 1999, as modified by the ~~[2022]~~ 2023 Plans attached to and incorporated into this amendatory ordinance ~~[or in such alternative location or with such alternative screening as may be approved by the Director of Community Development as part of an overall landscape plan];~~

(i) That final grading and drainage plans shall be approved by the Director of ~~[Community Development]~~ Public Utilities prior to the issuance of a building permit;

(j) That storm or surface water shall not be allowed to accumulate on the land and adequate facilities for the drainage of storm or surface water from the land or building shall be provided by the owner at the owner's cost and expense so as not to adversely affect or damage adjacent properties or public streets and the use thereof;

(k) That identification of the ~~[premises]~~ Property shall be limited to a maximum of two signs, with an aggregate sign area not exceeding ~~[twelve]~~ 12 square feet. Any freestanding sign shall not be located within five feet of the street line and shall not be greater than eight feet in height. Such sign(s) may be illuminated, provided that the source of illumination is not visible from adjoining properties or public streets. The existing school sign on the front (north) elevation of the building may remain in addition to the signage herein permitted;

(l) That outdoor lighting of the ~~[premises]~~ Property shall be provided substantially as depicted on the plans attached to Ordinance No. 97-222-236, adopted July 28, 1997, with such lighting being provided as necessary for security, and directed or shielded so as not to shine directly on adjacent residential properties. A final lighting plan shall be submitted to demonstrate

conformance with this condition prior to or concurrent with the filing of a building permit request, and issuance of the building permit shall be subject to the approval of the lighting plan by the Director of [~~Community~~] Planning and Development Review;

(m) That this ordinance shall not preclude any alteration necessary so that the project may be eligible for historic designation and/or certification for historic rehabilitation credits[~~Such~~], except that such changes shall be subject to the review and approval of the Director of [~~Community~~] Planning and Development Review prior to the performance of the alteration to ensure such changes are generally consistent with the special use plans;

(n) [~~That a lot line may be established to create two parcels from the existing single parcel, as depicted on the site plan drawing attached to Ordinance No. 97-222-236 showing a “Proposed Parcel 2.76+ acres zoned R-5, Reserved”. As a reserved parcel, no development of the undeveloped parcel (“Parcel 2”) is authorized by this ordinance~~] That the single-family detached [~~dwelling~~] dwellings and single-family attached dwellings shall be substantially as shown on the [~~2022~~] 2023 Plans attached to and incorporated into this amendatory ordinance. No vinyl siding shall be permitted;

§ 4. [~~That should the owner use the premises for any purpose which is not permitted by this ordinance, or fails, refuses or neglects to comply with all applicable terms and conditions, and does not terminate such use or comply with such terms and conditions within sixty days after written notice to do so has been given by the Zoning Administrator, the~~] The privileges granted by this ordinance [shall terminate and the special use permit shall become null and void, unless an application for a special use amendment is filed with the Director of the Department of Community Development, which shall stay the sixty day period] 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,

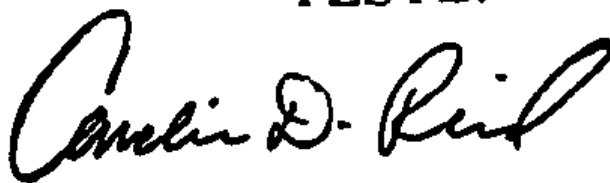
and all future amendments to such laws. Failure to comply with the terms and conditions of this ordinance shall constitute a violation of [~~§ 32-1080~~] section 30-1080 of the Code of the City of Richmond[~~, 1993~~] (2020), as amended, and all future amendments to such law, or any other applicable [~~provision~~] laws or regulations.

§ 5. That when the privileges granted by this amendatory ordinance terminate and the special use permit becomes null and void or when use of the [~~premises~~] Property is abandoned for a period of [~~twenty-four~~] 730 consecutive [~~months~~] calendar days, 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, the use of the [~~real estate~~] Property shall be governed thereafter by the zoning regulations prescribed for the district in which the real estate is then situated.

§ 6. This amendatory ordinance shall be in force and effect upon adoption, and Ordinance No. [~~97-222-236~~] 98-335-99-20, adopted Jan. 25, 1999, except as modified herein, shall remain in force and effect.

II. This amendatory ordinance shall be in force and effect upon adoption.

**A TRUE COPY:  
TESTE:**

A handwritten signature in black ink, appearing to read "Carolin D. Reil". The signature is fluid and cursive, with the first name "Carolin" being more prominent than the last name "Reil".

**City Clerk**





# City of Richmond

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

## Item Request File Number: PRE.2022.0073

### O & R Request

**DATE:** March 14, 2022

**EDITION:** 1

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

**THROUGH:** The Honorable Levar M. Stoney, Mayor (Patron: Mayor, by Request)  
(This in no way reflects a recommendation on behalf of the Mayor.)

Handwritten signature of Levar M. Stoney, Mayor.

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

Handwritten signature of J.E. Lincoln Saunders, Chief Administrative Officer.

**THROUGH:** Sharon L. Ebert, Deputy Chief Administrative Officer for Economic Development and Planning

Handwritten signature of Sharon L. Ebert, Deputy Chief Administrative Officer for Economic Development and Planning.

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

Handwritten signature of Kevin Vonck, Director, Department of Planning and Development Review.

**RE:** To amend Ordinance No. 98-335-99-20, adopted January 25, 1999, as amended by Ordinance No. 95-152-151, adopted June 26, 1995, as amended by Ordinance No. 97- 222-236, adopted July 28, 1997, which authorized a special use of the real estate, property known as 815 North 35th Street, to increase the number of permitted dwelling units, reduce the required common area for the existing multi-family dwelling for the elderly, and authorize single-family dwellings, upon certain terms and conditions.

**ORD. OR RES. No.** \_\_\_\_

**PURPOSE:** To amend Ordinance No. 98-335-99-20, adopted January 25, 1999, as amended by Ordinance No. 95-152-151, adopted June 26, 1995, as amended by Ordinance No. 97- 222-236, adopted July 28, 1997, which authorized a special use of the real estate, property known as 815 North 35th Street, to increase the number of permitted dwelling units, reduce the required common area for the existing multi-family dwelling for the elderly, and authorize single-family dwellings, upon certain terms and conditions.

**REASON:** The subject property is located in the R-5 Single-family Residential zoning district. Multi-family dwellings are not permitted uses in this district. The previous amended special use permit, adopted in 1998, authorized up to 59 dwelling units for the elderly as part of a plan to preserve most of the former school building. The proposed amendment will add 70 dwelling units and reduce the allotted common area. An amendment to the existing special use permit is therefore requested.

**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 May 2, 2022 meeting.

**BACKGROUND:** The subject property is located at the southwest corner of 35th and O Streets, and contains approximately 3.05 acres of land. The public school use of the existing building located on the property was discontinued in 1988. In 1991, a special use permit was granted to authorize the conversion of the building into a 75 unit multi-family dwelling for seniors. This special use permit was never implemented and expired after two years.

In 1995 the City selected a proposal from a private developer to revive the plan to convert the building for multi-family purposes. In June 1995 a special use permit was granted authorizing the conversion of the original portion of the building into 34 dwelling units for the elderly or handicapped. The special use permit also authorized the demolition of the circa 1960 addition to the original school building, and the construction of a new building to house 60 additional dwelling units for the elderly or handicapped. At that time the proposed 94 unit redevelopment was not financially viable as proposed and a decision was made to retain the 1960 addition and an amendment authorizing this change was adopted on July 28, 1997. This amendment authorized 58 dwelling units.

On January 25, 1999 the special use was further amended in order to authorize the addition of one more dwelling unit, for a total of 59 dwelling units. The latest proposed amendment will add 70 dwelling units for a total of 129 dwelling units.

In the city's zoning ordinance, Sec. 30-710.1. - Number of spaces required for particular uses specifies that parking for multi-family housing reserved for seniors shall be provided at a ratio of one space per two dwellings, or 65 parking spaces. The site plan indicates the provision of 57 parking spaces. A request for the reduction of required parking is part of this amendment request.

**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:** \$1,800 application fee

**DESIRED EFFECTIVE DATE:** Upon adoption

**REQUESTED INTRODUCTION DATE:** April 11, 2022

**CITY COUNCIL PUBLIC HEARING DATE:** May 9, 2022

**REQUESTED AGENDA:** Consent

**RECOMMENDED COUNCIL COMMITTEE:** None

**CONSIDERATION BY OTHER GOVERNMENTAL ENTITIES:**

**AFFECTED AGENCIES:** Office of Chief Administration Officer  
Law Department (for review of draft ordinance)

**RELATIONSHIP TO EXISTING ORD. OR RES.:** Amend Ordinance No. 98-335-99-20

**REQUIRED CHANGES TO WORK PROGRAM(S):** None

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

**STAFF:** David Watson, Senior Planner, Land Use Administration, 804-646-1036

**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: 815/819 N 35th, 823 N 36th Streets

Date: 12/4/2020

Tax Map #: See list Fee: \$1,800

Total area of affected site in acres: 3.467

Tax IDs:

E0001112001

E0001112001B

E0001280044

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

**Zoning**

Current Zoning: R-5

Existing Use: multifamily dwellings

**Proposed Use**

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

multifamily dwellings. See applicant's report letter for details

Existing Use: multifamily dwellings

Is this property subject to any previous land use cases?

Yes

No



If Yes, please list the Ordinance Number: Ordinance Nos. 1991-029-32 and 1995-152-151

**Applicant/Contact Person:** Mark J. Kronenthal

Company: Roth Jackson Gibbons Condlin, PLC

Mailing Address: 1519 Summit Avenue, Suite 102

City: Richmond

State: VA

Zip Code: 23230

Telephone: ( 804 ) 441-8603

Fax: ( )

Email: mkronenthal@rothjackson.com

**Property Owner:** BACON HOUSING LP, by BACON HOUSING LLC, its General Partner

If Business Entity, name and title of authorized signee: H. Louis Salomonsky, Manger of General Partner

(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: 1553 East Main St.

City: Richmond

State: VA

Zip Code: 23219

Telephone: ( 804 ) 782-6802

Fax: ( )

Email: HLSalomonsky@swa-co.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)

November 24, 2020

**BY ELECTRONIC DELIVERY**

Mr. Matthew Ebinger  
City of Richmond DPDR  
Land Use Administration Division, Room 511  
City Hall, 900 East Broad Street  
Richmond, Virginia 23219

**Mark J. Kronenthal**  
Richmond Office  
(804) 441-8603 (direct)  
[mkronenthal@rothjackson.com](mailto:mkronenthal@rothjackson.com)

**Re: Special Use Permit Amendment: 815/819 North 35<sup>th</sup> Street (E0001112001) and 823 North 36<sup>th</sup> Street (E0001280044)**

Dear Mr. Ebinger:

This letter shall serve as the Applicant's Report accompanying the application for a Special Use Permit Amendment (the "SUP Amendment") for the above referenced property known as 815/819 North 35<sup>th</sup> Street and 823 North 36<sup>th</sup> Street (collectively, the "Property"). The SUP Amendment would authorize (a) a four (4) or five (5) story addition (the "Addition") to the existing 59 unit apartment building (the "Building") located on the Property, the Building and the Addition each containing affordable senior dwelling units, as shown on the enclosed conceptual site plan (the "Plan"), (b) reconfiguration of the parking and access in general conformance with the attached Plan, and (c) permission for eight (8) parcels for single family dwelling units shown on the Plan (the "Single Family Lots"), situated along an alley, such parcels to be otherwise developed according to R-7 district standards.

The applicant, Bacon Housing LP (the "Applicant"), proposes that the existing 59 affordable senior units in the multifamily building on the Property (the "Building") would be renovated but would stay in substantially the same configuration, but with at least an additional sixty (60) affordable senior units in the Addition. The Applicant expects to renovate the interior finishes of the existing units. The at least sixty (60) new units would also be affordable senior units, but due to ongoing negotiations with various financing authorities, it is critical that the ultimate approval of the Addition under this SUP Amendment give the Director of Planning the appropriate authority to make decisions with respect to the final location, height, exterior finish, and configuration of the Addition with respect to comments that will proceed from those approvals.

The requests in this SUP Amendment are narrowly limited to the Addition, reconfiguration of the parking and access with respect to the Building and the Addition, permitting the Single Family Lots, and permitting access to the Single Family Lots to and from the alley as shown on the Plans. Any new development on the Single Family Lots would be developed in the future pursuant to R-7 zoning

{01152405;v1}

**RICHMOND**

1519 Summit Avenue, Suite 102, Richmond, VA 23230  
P: 804-441-8440 F: 804-441-8438

**TYSONS CORNER**

8200 Greensboro Drive, Suite 820, McLean, VA 22102  
P: 703-485-3535 F: 703-485-3525

standards and would be subject to the normal process for properties in the R-7 district but for the permission pursuant to this SUP Amendment for such lots to front on an alley.

The Applicant is further pursuing opportunities that one of the Single Family Lots may be an affordable single family residence.

By way of background, the Property is subject to a previous SUP and SUP amendment (Ordinance Nos. 1991-029-32 and 1995-152-151) (collectively, the “Original SUP”). The Original SUP permitted the current 59 units and the parking configuration.

Properties surrounding the Property are generally zoned R-5. The Building is a former school building that has been used as multifamily affordable senior housing at the current density since at least the mid-1990s. In parallel with the review of this SUP Amendment, we intend to work with the owners of the properties across the alley from the Single Family Lots in order to provide enhancements to their properties as we improve the alley and locate it appropriately to provide adequate front yards for the Single Family Lots.

This SUP Amendment would locate the parking closer to the Building and Addition as would be appropriate for a senior facility, and it would implement the mixed-income visioning of the City’s Master Land Use Plan (the “Master Plan”). The Master Plan contains text guidance that is supportive of the request. More specifically, as it relates to the East Planning District, the East chapter provides that “Structures deemed appropriate for rehabilitation should be revitalized in order to maintain as much of the area’s stock of architecturally significant buildings as possible and improve the neighborhood.” A key portion of the Building, a former school building with good neighborhood character, was originally preserved and revitalized as apartments under this Master Plan principle and the creation of the Single Family Lots would allow that area to be developed consistent with pattern of development in the surrounding single family neighborhood. Finally, the request is consistent with a variety of general housing goals contained in the Master Plan Neighborhoods and Housing chapter. These goals include, among other things, a desire for neighborhoods to provide a variety of housing choices while remaining culturally and economically diverse. The preservation (and renovation) of the 59 affordable senior units, combined with the dwelling units in the Addition, and the eight (8) potential future market-rate single family dwellings along the eastern portion of the Property would together implement this Master Plan goal.

We would also note key findings from the proposed final Richmond 300 Master Plan update. The SUP Amendment would advance numerous goals from the Housing chapter, including Goal 14.5 (encourage more housing types – the Property would add single family use to the multifamily existing use), and Goal 14.9 (assist residents who want to age in place) – the Building approaches an age where renovation is imminent and the Applicant desires to renovate and add senior units so residents can stay in the community as they age in place.

{01152405:v1}



**RICHMOND**

1519 Summit Avenue, Suite 102, Richmond, VA 23230

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**TYSONS CORNER**

8200 Greensboro Drive, Suite 820, McLean, VA 22102

P: 703-485-3535 F: 703-485-3525



## **STANDARD OF REVIEW**

The request addresses the following 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 SUP Amendment will not:

- ***Be detrimental to the safety, health, morals and general welfare of the community involved.***

The proposed SUP Amendment will not impact the safety, health, morals and general welfare of the surrounding community. The proposed SUP Amendment is consistent with the recommendations of the Master Plan related to the Property. It would contribute to the general welfare of the community by, among other things, providing an opportunity to renovate the existing senior dwelling in the Building units without causing disruption to existing senior Building residents.

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

The proposed SUP Amendment will not result in significant traffic impacts in the area involved, again, owing to its consistency with the Master Plan and its design principals. The special character of the Property as senior housing causes significantly reduced demand for a large parking area and similarly requires parking to be located near main entrances.

- ***Create hazards from fire, panic or other dangers.***

The Building is constructed 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. Existing fire hydrants are located within the safe, appropriate distance established by the Fire Department for the Property.

- ***Tend to overcrowding of land and cause an undue concentration of population.***

The proposed SUP Amendment will not tend to over crowd the land or create an undue concentration population. The development is consistent with the pattern of development in the surrounding area block and is consistent with the Master Plan.

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

The proposed SUP Amendment would not adversely affect the above referenced City services. The open areas where the Addition and the Single Family Lots would be located are not open to the general public. Bill Robinson playground is located adjacent and to the south of the Property.

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

{01152405:v1}



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The proposed SUP Amendment will not interfere with adequate light and air.

In summary, the Applicant enthusiastically seeks approval of the construction of the SUP Amendment. This proposal represents an optimal opportunity for small scale residential infill development that would be reviewed under existing zoning review requirements. In exchange for approval, the revitalization of the Building made possible through the SUP Amendment would guaranty the renovation of higher quality affordable senior dwelling units in the Building for the benefit existing residents of the Building and the community at large. The Project would contribute to the vibrancy of the block through the provision of an appropriate urban form that is consistent with the historic development pattern of the surrounding neighborhood.

Thank you for your time and consideration of this request, please let me know if you have any questions.

Sincerely,



Mark J. Kronenthal

Enclosures

cc: The Honorable Cynthia Newbille

{01152405:v1}



**RICHMOND**

1519 Summit Avenue, Suite 102, Richmond, VA 23230

P: 804-441-8440 F: 804-441-8438

**TYSONS CORNER**

8200 Greensboro Drive, Suite 820, McLean, VA 22102

P: 703-485-3535 F: 703-485-3525





Architects-VA, Inc.  
1553 E. Main Street Richmond, Va 23219

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# BACON

## Senior Housing

815 N. 35th STREET  
Richmond, VA 23223

### Proposed Additions & Alterations

EXISTING STRUCTURE  
56 UNITS  
PROPOSED ADDITION  
70 UNITS  
**126 UNITS TOTAL**  
59 1 BEDROOM UNITS  
6 2 BEDROOM UNITS  
5 1 BEDROOM + DEN UNITS  
57 PARKING SPACES PROVIDED

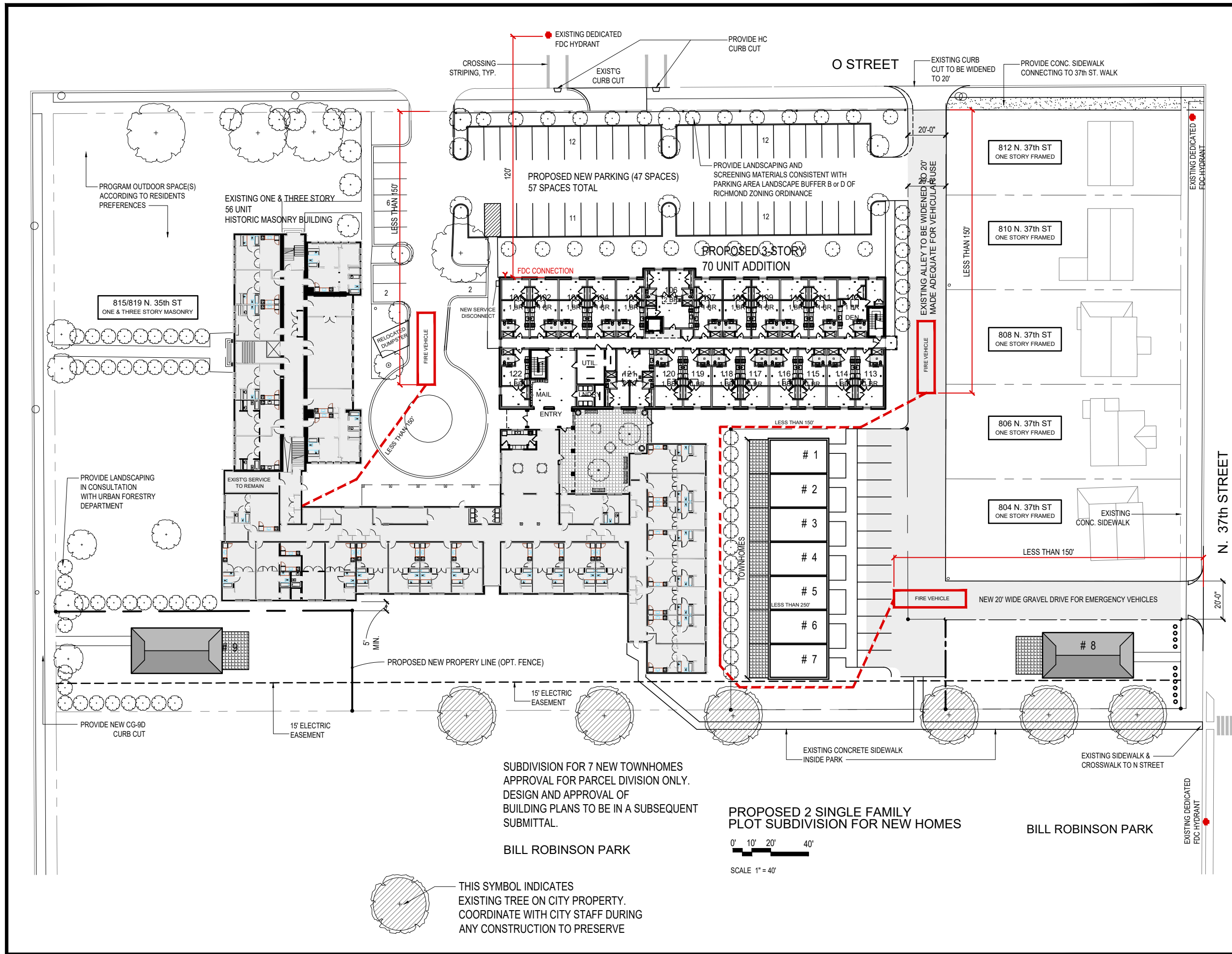
2 SINGLE FAMILY LOTS  
7 TOWNHOMES with  
14 PARKING SPACES

PROJECT MGR: BW  
DATE: 03 / 29 / 23

### SPECIAL USE PERMIT

TITLE:  
Concept Site Plan with  
Single Family Attached  
Lots

SHEET No.  
**A1.00**







# SUBDIVISION CERTIFICATE

The subdivision of land shown hereon, designated "Bacon Retirement Community Subdivision" is with the free consent and in accordance with the desires of the undersigned owners, thereof. There are no Deeds of Trust or Mortgages on this property. All streets and easements are of the width and extent shown hereon and are re-dedicated to the City of Richmond, Virginia free and unrestricted by any previous agreements or easements, except as noted on this plat at the time of recordation. All easements are for surface and underground drainage and for underground and overhead utilities, unless noted otherwise. All unrestricted easements are subject to the right of the City of Richmond, Virginia to establish alleys on said easements at a future time without cost of the property involved. The dedication of easements to the City includes the right to make reasonable use of the adjoining land for construction and maintenance of public facilities within the boundaries of the easements shown hereon.

IN WITNESS WHEREOF, the Owner, Bacon Housing L.P. has affixed their signature and seal as of this 11th day of September, 1997.

By: H. J. Gentry, manager

COMMONWEALTH OF VIRGINIA  
CITY/COUNTY OF Richmond, To-wit:

I, Henrietta Gentry, a Notary Public in and for the jurisdiction aforesaid, do hereby certify that Bacon Housing L.P., who is known to me and whose name is signed to the foregoing instrument personally appeared before me and has acknowledged the same before me in the jurisdiction aforesaid this 11th day of September, 1997.

Henrietta Gentry  
Notary Public

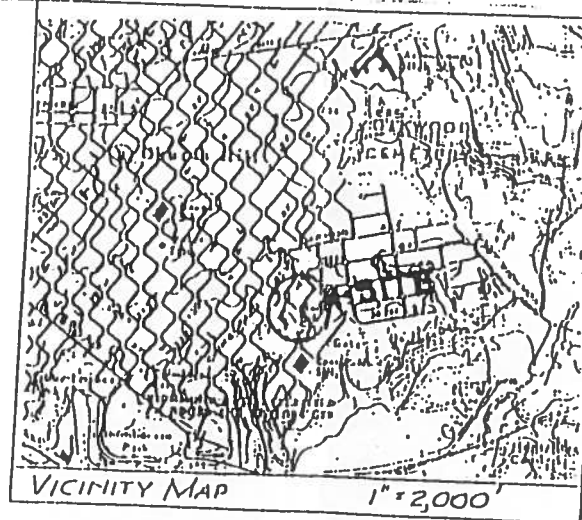
My commission expires: 12/31/00

## SOURCE OF TITLE

The property embraced within the limits of this subdivision is that property conveyed to Bacon Housing L.P. by deed dated the 11th day of September 1997 and recorded at the Clerk's office in the Circuit Court of the City of Richmond, Virginia on the 31st day of October 1997 in Book 11-2000 on Page 591.

Approved by the  
CITY PLANNING COMMISSION  
11/13/97  
John C. Klein  
Secretary

F.B. 1823-63



## SURVEYOR'S CERTIFICATE:

To the best of my knowledge and belief all of the requirements as set forth in the ordinance for approving of plats of subdivision in the City of Richmond, Virginia have been complied with. All monuments have been previously set.

Carl A. Watkins, Jr.  
Carl A. Watkins, Jr., C.L.S.

## NOTES:

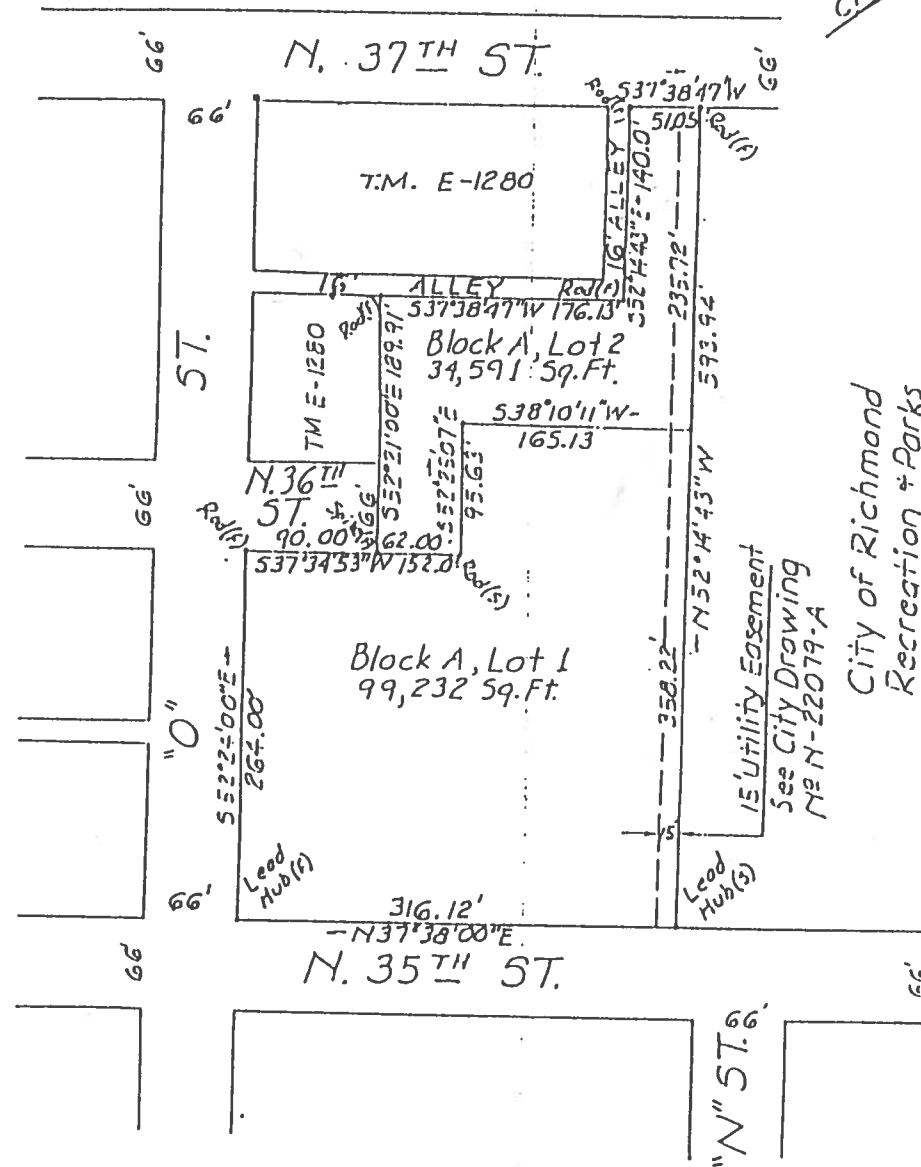
Use: Multi-family dwelling for the elderly - Reference City Ordinance No. 97-222-236 as adopted July 28, 1997. 50 units.  
Zoning: R-5  
Water: Public - City of Richmond, VA  
Sewers: Public - City of Richmond, VA  
Drainage: Curb and Gutter  
Public Utilities: Overhead  
Owner: Bacon Housing L.P.  
Developer: Bacon Housing L.P.  
Area in Roads: None  
Area in Lots: 3.072 Acres  
Area of land dedicated for Public Purposes: None  
Total Area: 3.072 Acres.  
Number of lots: 2  
City Tax Map Nos: E-000-1112/001

Property within the limits of this subdivision is located in Flood Zone C, as shown on Flood Insurance Rate Map Sheet 510129 G0100, dated 6-15-79.

Property within the limits of this subdivision does not contain wetlands.

Property within the limits of this subdivision is not located in Chesapeake Bay Preservation Areas designated by the City of Richmond, Va. pursuant to chapter 32 of the City Code of 1993.

All new utilities shall be located underground.



City of Richmond  
Recreation & Parks  
TM E-1112-20  
DS. 594D, P. 505

BACON RETIREMENT COMMUNIT  
No 815 N. 35th STREET  
RICHMOND, VA.

25 Sept. 1997

Scale: 1"=100'

LaPrade Bros.  
Civil Engineers & Surveyors  
3 W. Cary St.  
Richmond, Va.