

INTRODUCED: June 8, 2026

AN ORDINANCE No. 2026-154

To authorize the special use of the property known as 1235 North 36<sup>th</sup> Street for the purpose of up to two single-family detached dwellings, upon certain terms and conditions.

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

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

PUBLIC HEARING: JUL 27 2026 AT 6 P.M.

WHEREAS, the owner of the property known as 1235 North 36<sup>th</sup> Street, which is situated in a R-5 Single-Family Residential District, desires to use such property for the purpose of up to two single-family detached dwellings, which use, among other things, is not currently allowed by sections 30-410.4, concerning lot area and width, and 30-410.5, concerning yards, of the Code of the City of Richmond (2020), as amended; and

WHEREAS, in accordance with section 17.11 of the Charter of the City of Richmond (2020), as amended, it has been made to appear that, if granted subject to the terms and conditions set forth in this ordinance, the special use granted by this ordinance will not be detrimental to the safety, health, morals and general welfare of the community involved, will not tend to create

AYES: \_\_\_\_\_ NOES: \_\_\_\_\_ ABSTAIN: \_\_\_\_\_

ADOPTED: \_\_\_\_\_ REJECTED: \_\_\_\_\_ STRICKEN: \_\_\_\_\_

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 property known as 1235 North 36<sup>th</sup> Street and identified as Tax Parcel No. E000-1410/018 in the 2026 records of the City Assessor, being more particularly shown on a survey entitled “Survey and Plat of the Property Known as North 36<sup>th</sup> Street, Being Parcel ID: E0001410018, Containing 0.252 Acres of Land, City of Richmond, Virginia,” prepared by Youngblood, Tyler & Associates, P.C., and dated June 18, 2024, 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 up to two single-family detached dwellings, hereinafter referred to as “the Special Use,” substantially as shown on the plans entitled “Proposed Development, 1235 36<sup>th</sup> St, Richmond, VA, 23223,” prepared by Architect Joel Mieses, undated, and last revised July 9, 2025, 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 up to two single-family detached dwellings, substantially as shown on the Plans.

(b) No off-street parking shall be required for the Special Use.

(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 adjoining public right-of-way.

(e) Prior to the issuance of a building permit for the Special Use, the establishment of no more than two residential lots, substantially as shown on the Plans, shall be accomplished by obtaining the necessary approvals from the City and recording the appropriate plats and deeds among the land records of the Clerk of the Circuit Court of the City of Richmond.

§ 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) The Owner shall make improvements within the right-of-way, including without limitation, the extension of the pavement and sidewalk along that portion of North 36<sup>th</sup> Street

shown and labeled as “APPROX. 102’-0” EXTEND OF PAVEMENT” and the installation of pavement along that portion of Canepa Street shown and labeled as “PROPOSED PAVEMENT TIE TO REAR ALLEY,” substantially as shown on the Plans, which improvements may be completed in one or more phases as approved by the Director of Public Works. All improvements and work within the public right-of-way shall be (i) completed in accordance with the requirements of the Director of Public Works, (ii) considered completed only upon written confirmation by the Director of Public Works or the designee thereof that such improvements and work are in accordance with such requirements, and (iii) transferred to the City following the written confirmation by the Director of Public Works or the designee thereof, pursuant to a transfer of interest document approved as to form by the City Attorney and accepted by the Chief Administrative Officer or the designee thereof on behalf of the City. The Chief Administrative Officer or the designee thereof, for and on behalf of the City, is hereby authorized to accept, in the manner for which this subsection provides, all improvements and work required by and meeting the requirements of this subsection. The final certificate of occupancy shall not be issued for the Property until all requirements of this subsection are fully satisfied.

(f) In all other respects, the use of the Property shall be in accordance with the applicable underlying zoning regulations.

§ 5. **General Terms and Conditions.** This special use permit is conditioned on the following general terms and conditions:

(a) No permit implementing this special use permit shall be approved until satisfactory evidence has been presented to the Zoning Administrator that any delinquent real estate taxes applicable to the Property have been paid.

(b) The Owner shall be bound by, shall observe and shall comply with all other laws, ordinances, rules and regulations applicable to the Property, except as otherwise expressly provided in this ordinance.

(c) Words and phrases used in this ordinance shall be interpreted to have the meanings ascribed to them by section 30-1220 of the Code of the City of Richmond (2020), as amended, unless the context clearly indicates that a different meaning is intended.

(d) Notwithstanding any other provision of law, this special use permit is being approved due, in part, to the mitigating effects of each and every condition attached hereto; consequently, if any portion of this ordinance is determined to be invalid for any reason by a final, non-appealable order of any Virginia or federal court of competent jurisdiction, the invalidity shall cause the entire ordinance to be void and of no further effect from the effective date of such order.

(e) The privileges granted by this ordinance may be revoked pursuant to the provisions of sections 30-1050.7 through 30-1050.11 of the Code of the City of Richmond (2020), as amended, and all future amendments to such laws. Failure to comply with the terms and conditions of this ordinance shall constitute a violation of section 30-1080 of the Code of the City of Richmond (2020), as amended, and all future amendments to such law, or any other applicable laws or regulations.

(f) When the privileges granted by this ordinance terminate and the special use permit granted hereby becomes null and void, whether as a result of the Owner relinquishing this special use permit in a writing addressed to the Director of Planning and Development Review or otherwise, use of the Property shall be governed thereafter by the zoning regulations prescribed for the district in which the Property is then situated.

§ 6. **Implementation.** The Commissioner of Buildings is authorized to issue a building permit substantially in accordance with the Plans for the Special Use subject to the terms and conditions set forth in this ordinance. An application for the building permit shall be made within 1,096 calendar days following the date on which this ordinance becomes effective. If either the application for the building permit is not made within the time period stated in the previous sentence or the building permit terminates under any provision of the Virginia Statewide Building Code, this ordinance and the special use permit granted hereby shall terminate and become null and void.

§ 7. **Effective Date.** This ordinance shall be in force and effect upon adoption.

# City of Richmond

## Intracity Correspondence

**O&R Transmittal**

**DATE:** May 6, 2026

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

**THROUGH:** The Honorable Dr. Danny Avula, Mayor (by request)  
(This in no way reflects a recommendation on behalf of the Mayor)

**THROUGH:** Odie Donald II, Chief Administrative Officer

**THROUGH:** Sharon L. Ebert, DCAO for Economic Development and Planning

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

**RE:** To authorize the special use of the property known as 1235 North 36<sup>th</sup> Street for the purpose of up to two single-family detached dwellings, upon certain terms and conditions.

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

**PURPOSE:** The applicant is requesting a special use permit to authorize the division of the subject property and the construction of two single-family detached dwellings in a R-5 Single-Family Residential zoning district. The proposed lots do not meet the requirements outlined in code sections 30-410.4, concerning lot area and width and 30-410.5, concerning yards. A Special Use Permit is therefore necessary to proceed with this request.

**BACKGROUND:** The subject property is located in the Oakwood neighborhood on an unimproved portion of North 36<sup>th</sup> Street. The property has a lot area 10,890 square feet (0.25 acres) and is currently unimproved. The proposed density is 2 units upon 0.25 acres or 8 units per acre. The City's Richmond 300 Master Plan designates the future land use for the subject property as Neighborhood Mixed-Use, which is defined as existing or new highly walkable urban neighborhoods that are predominantly residential with a small, but critical, percentage of parcels providing retail, office, personal service, and institutional uses.

Intensity: Building heights are generally two to four stories. Buildings taller than four stories may be found along major streets. Parcels are generally between 1,500 and 5,000 sq. ft.

Primary Uses: Single-family houses, accessory dwelling units, duplexes, small multi-family buildings (typically 3-10 units), and open space.

Secondary Uses: Large multifamily buildings (10+units), retail/office/personal service, institutional, cultural, and government.

**COMMUNITY ENGAGEMENT:** The Church Hill Central Civic Association was notified of the application; additional community notification will take place after introduction.

**STRATEGIC INITIATIVES AND OTHER GOVERNMENTAL:** Richmond 300 Master Plan

**FISCAL IMPACT:** \$300 application fee.

**DESIRED EFFECTIVE DATE:** Upon adoption

**REQUESTED INTRODUCTION DATE:** June 8, 2026

**CITY COUNCIL PUBLIC HEARING DATE:** July 27, 2026

**REQUESTED AGENDA:** Consent

**RECOMMENDED COUNCIL COMMITTEE:** Planning Commission July 7, 2026

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

Law Department (for review of draft ordinance)

**RELATIONSHIP TO EXISTING ORD. OR RES.:** None

**ATTACHMENTS:** Draft Ordinance, Authorization from Property Owner, Applicant's Report, Plans, Survey

**STAFF:**

Alyson Oliver, Program and Operations Supervisor, Land Use Administration (Room 511) 646-3709

Shaianna Trump, Planner & Secretary to the City Planning Commission, Land Use Administration (Room 511) 646-7319



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: 1235 N 36th St. Richmond. VA 23223 Date: 2/26/24

Tax Map #: E0001410018 Fee: \_\_\_\_\_

Total area of affected site in acres: 0.251

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

**Zoning**

Current Zoning: R-5 - Residential

Existing Use: Single Familv Vacant Lot

**Proposed Use**

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

Subdivision into three separate parcels.

Existing Use: Single Familv Vacant Lot

Is this property subject to any previous land use cases?

Yes

No

If Yes, please list the Ordinance Number: \_\_\_\_\_

**Applicant/Contact Person: Jean Carlos**

Company: Hispanos Unidos

Mailing Address: 7501 Boulder View Dr. Suite 120

City: Richmond State: VA Zip Code: 23225

Telephone: (703) 801-0415 Fax: ( )

Email: [REDACTED]

**Property Owner: MAYA VA. LLC**

If Business Entity, name and title of authorized signee: Atallah Mahases. Member

(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: 5109 HARVEST GLEN DR

City: GLEN ALLEN State: VA Zip Code: 23059

Telephone: (804) 497-0985 Fax: ( )

Email: [REDACTED]

**Property Owner Signature:** \_\_\_\_\_

  
Atallah Mahases (Feb 26, 2024 14:36 EST)

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)

Department of Planning and Development Review  
Land Use Administration Division  
900 E. Broad Street, Room 511  
Richmond, Virginia 23219

Subject: Request for Special Use Permit for Subdivision of Property

Dear Land Use Administration,

I am writing to formally request a Special Use Permit for the subdivision of a lot located at 1235 N 36th St, Richmond, VA 23223 into three separate parcels. The purpose of this subdivision is to create three individual residential lots that are similar in size and appearance to the existing properties in the same street.

The current lot at 1235 N 36th St, Richmond, VA 23223 is significantly larger than the surrounding properties, and we believe that dividing it into three separate parcels will contribute to the overall aesthetic appeal and development of the neighborhood. The proposed subdivision will not only enhance the value of the properties but also provide an opportunity for new homeowners to build their dream homes in a desirable location.

We have conducted a thorough analysis of the existing properties in the area and have ensured that the proposed subdivision complies with all relevant zoning regulations and restrictions. We are confident that this subdivision will benefit the community as a whole and align with the long-term vision for the neighborhood.

We understand that obtaining a Special Use Permit is a necessary step in the process of subdividing a property, and we are committed to working closely with the Land Use Administration to ensure compliance with all requirements and regulations. We have attached a detailed proposal outlining the specifications of the subdivision and would be happy to provide any additional information that may be required.

We kindly request that you consider our application for a Special Use Permit for the subdivision of the property at 1235 N 36th St, Richmond, VA 23223. We are excited about the potential of this project and look forward to working with the Land Use Administration to bring our vision to life.

Thank you for your attention to this matter. We appreciate your time and consideration.

Sincerely,

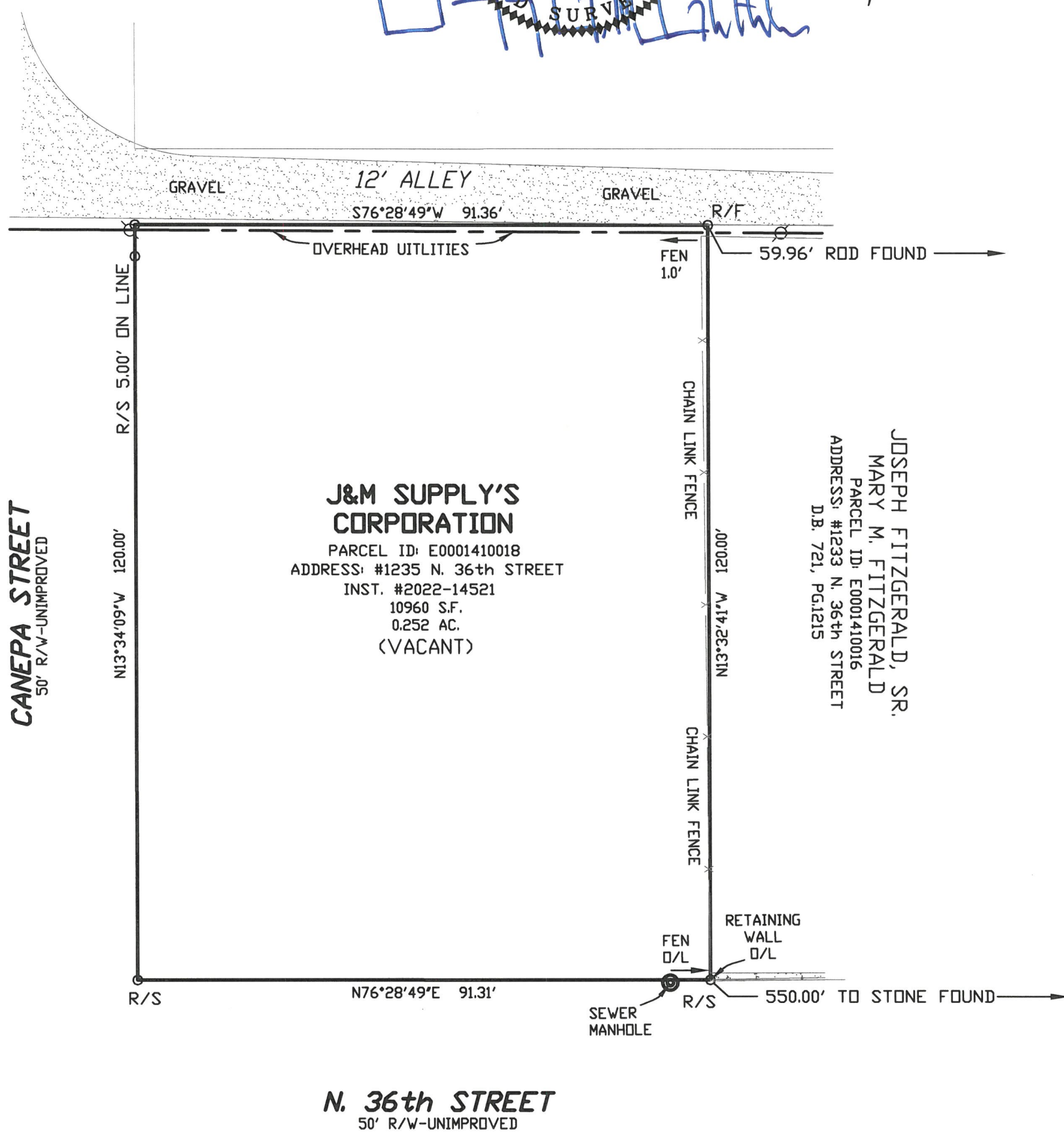
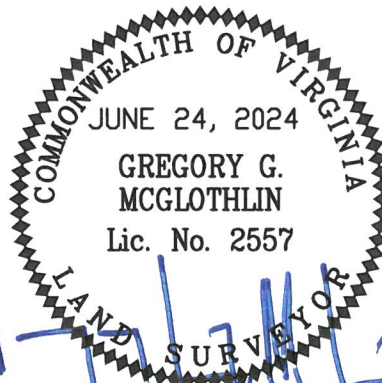
Atallah Mahases  
Owner  
(804) 497-0985



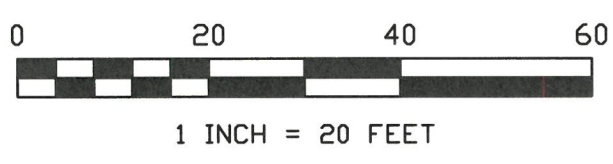
THE SUBJECT PROPERTY SHOWN HEREON APPEARS TO BE LOCATED IN ZONE "X" AS GRAPHICALLY SHOWN ON THE FLOOD INSURANCE RATE MAP NUMBER 5101290042D, EFFECTIVE DATE APRIL 02, 2009. THIS SURVEYOR MAKES NO GUARANTEES AS TO THE ACCURACY OF THE ABOVE INFORMATION. THE LOCAL F.E.M.A. AGENT SHOULD BE CONTACTED FOR VERIFICATION.

MAYA VA, LLC

THIS PLAT WAS PREPARED WITHOUT THE BENEFIT OF A TITLE REPORT AND MAY BE SUBJECT TO EASEMENTS OF RECORD WHICH ARE NOT SHOWN ON THIS PLAT.



JOSEPH FITZGERALD, SR.  
 MARY M. FITZGERALD  
 PARCEL ID: E0001410016  
 ADDRESS: #1233 N. 36th STREET  
 D.B. 721, PG.1215



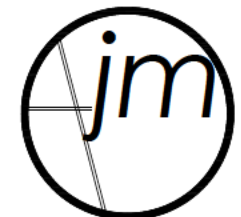
- ⊙ = UTILITY POLE
- FEN = FENCE
- D/L = ON LINE
- R/S = ROD SET
- R/F = ROD FOUND

SURVEY AND PLAT OF  
**THE PROPERTY KNOWN AS  
 NORTH 36th STREET  
 BEING PARCEL ID: E0001410018  
 CONTAINING  
 0.252 ACRES OF LAND  
 CITY OF RICHMOND, VIRGINIA**

<b>YOUNGBLOOD, TYLER &amp; ASSOCIATES, P.C.</b>	
CIVIL ENGINEERS, PLANNERS & LAND SURVEYORS	
7309 HANOVER GREEN DRIVE P.O. BOX 517 MECHANICSVILLE, Va. 23111	
DATE: JUNE 18, 2024	SCALE: 1"=20'
DRAWN BY: TCJ	
CHECKED BY: GGM	
JOB No. 19141	

# PROPOSED DEVELOPMENT

1235 36TH ST  
RICHMOND, VA  
23223



ARCHITECT  
JOEL MIESES  
8139 PROVINCETOWN DR  
NORTH CHESTERFIELD, VA  
23060  
361.599.5300  
J.MIESES@YAHOO.COM

PREPARED FOR:  
ATALLAH  
MAHAES

PROPOSED DEVELOPMENT  
1235 NORTH 36TH ST  
RICHMOND, VA  
23223

PLAN REVISIONS DATES
1. PERMIT COMMENTS 07.09.2025

COVER  
SHEET

SHEET  
**T-1**  
SCALE: AS NOTED

SHEET INDEX

- T-1: COVER SHEET
- SP-1: PLOT SITE PLAN
- UT-1: UTILITY PLAN

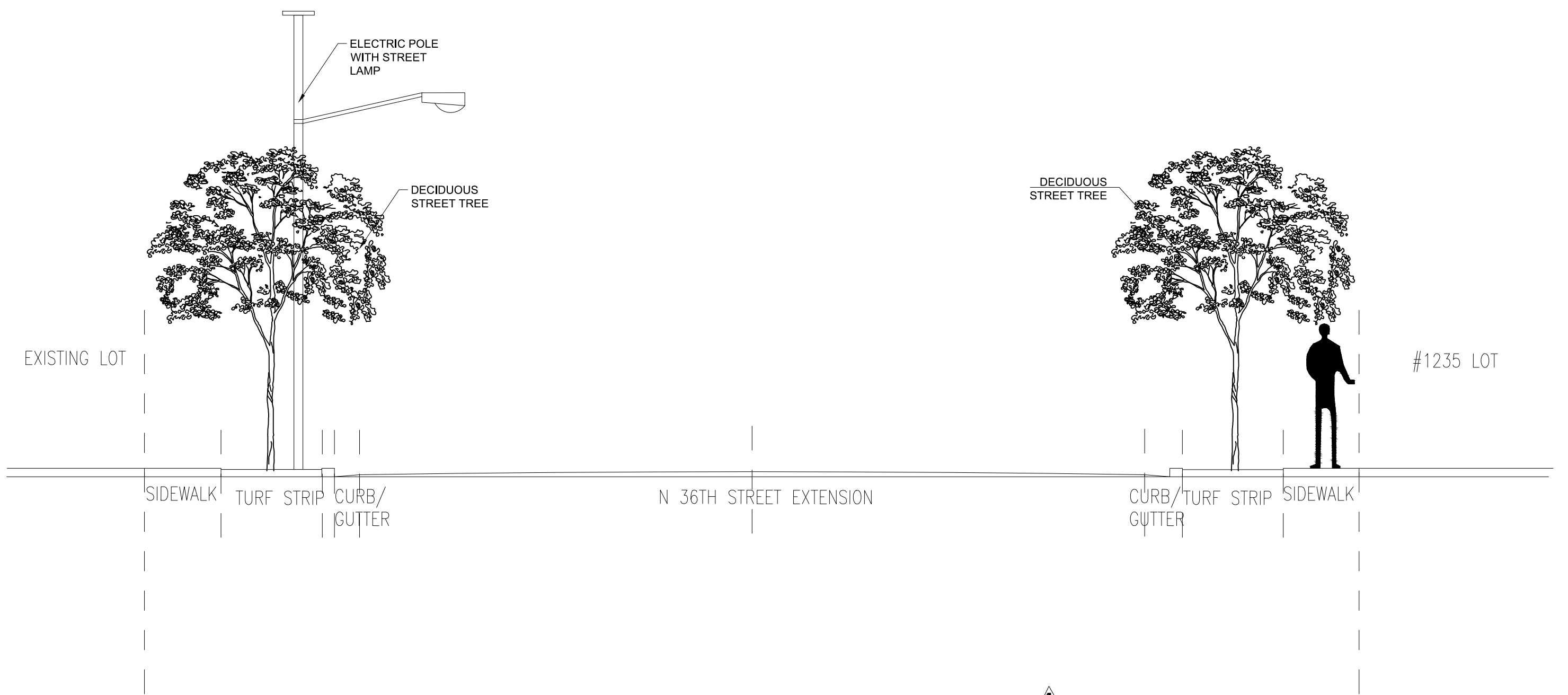
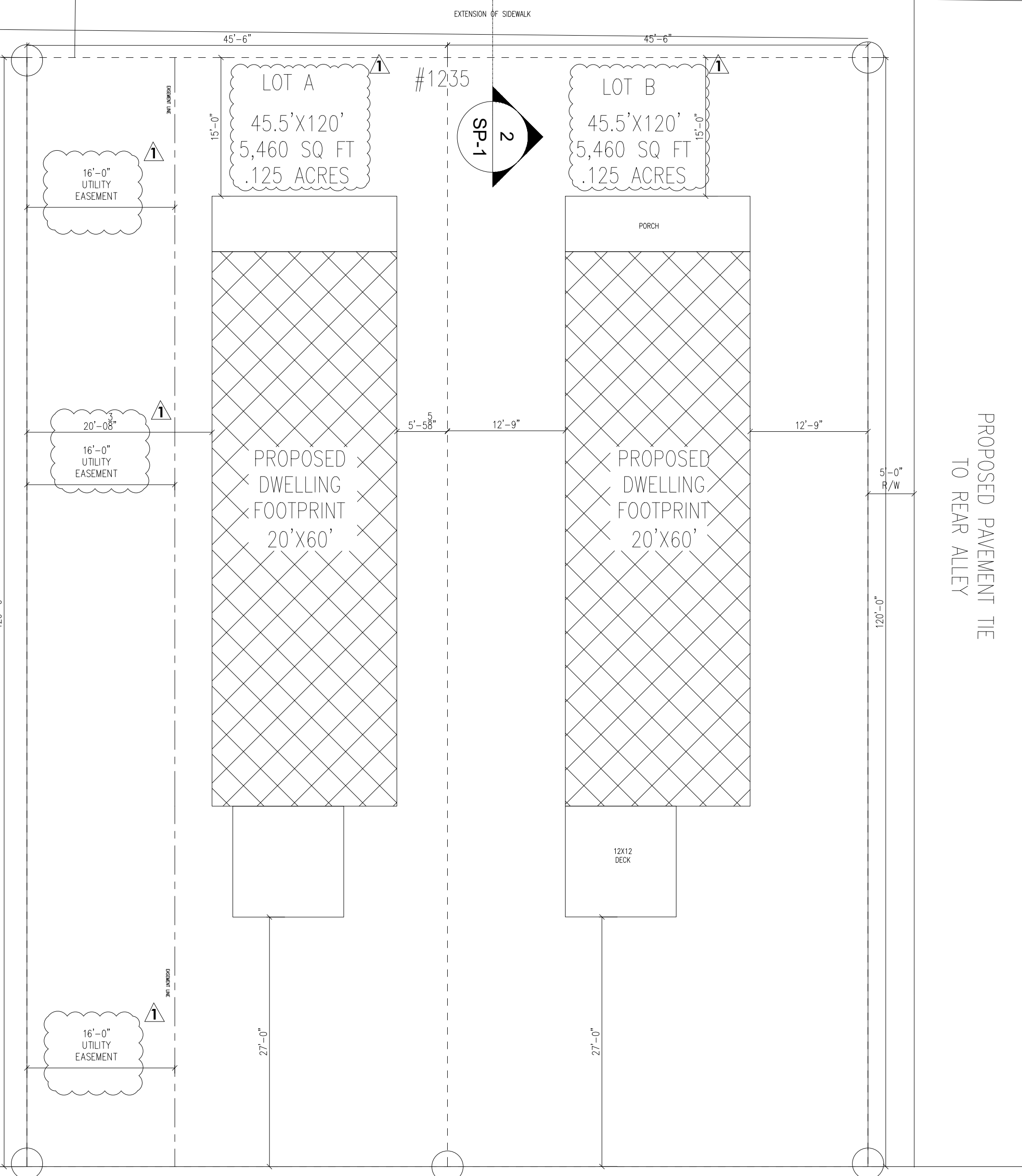
#1232

END OF EXISTING PAVEMENT

APPROX. 102'-0" EXTEND OF PAVEMENT

END OF NEW PAVEMENT

#1233



**2**  
SP-1

**STREET CROSS SECTION**  
SCALE: NTS

NOTE:  
PROPOSED STREET EXTENSION, SIDEWALKS, CURB GUTTER, AND TURF STRIP IS TO MATCH THE EXISTING WIDTH AND MATERIAL OF EXISTING STREET.  
NEW EXTENDED SIDEWALK MUST BE 5' MINIMUM

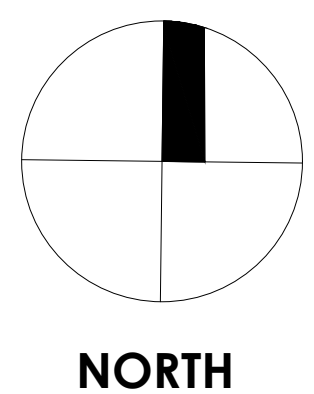
SITE PLAN KEY LEGEND

— PROPERTY LINES

CURRENT LOT INFORMATION  
1235 NORTH 36TH ST  
LOT SIZE:  
91'X120'  
10920 SQ FT OR  
.251 ACRES  
ZONING: R-5 SINGLE FAMILY RESIDENTIAL

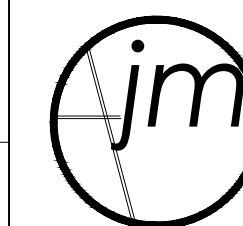
**1**  
SP-1

**PLOT SITE PLAN**  
SCALE: 1"=10'



PLAN REVISIONS DATES

1	PERMIT COMMENTS 07.09.2025



ARCHITECT  
JOEL MIESES  
8139 PROVINCETOWN DR  
NORTH CHESTERFIELD, VA  
23035  
361.699.3300  
J.MIESES@YAHOO.COM

PREPARED FOR:  
ATALLAH  
MAHAES

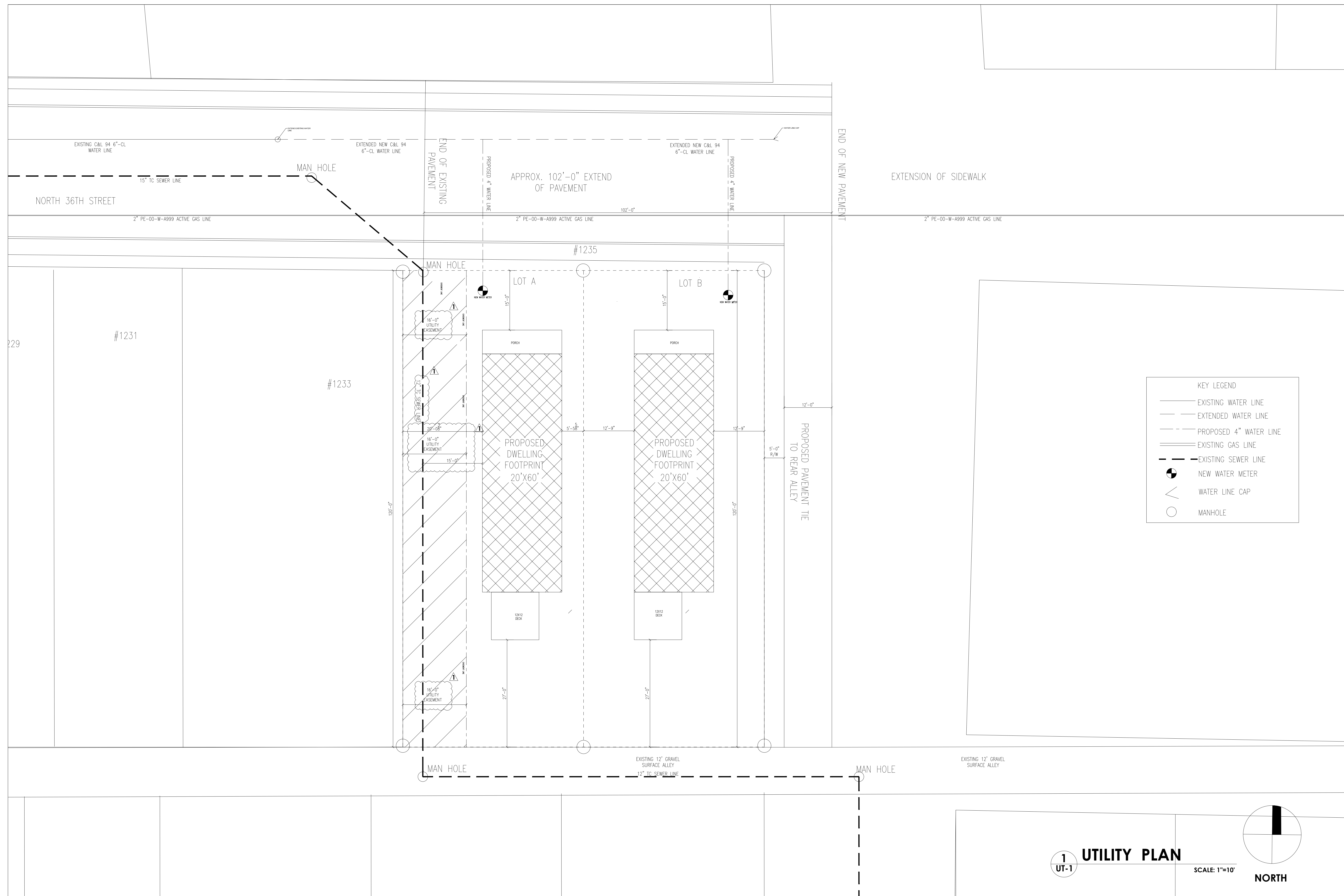
PROPOSED DEVELOPMENT

1235 NORTH 36TH ST  
RICHMOND, VA  
23223

PLAN REVISIONS DATES  
PERMIT COMMENTS 07.09.2025

UTILITIES  
PLAN

SHEET  
UT-1

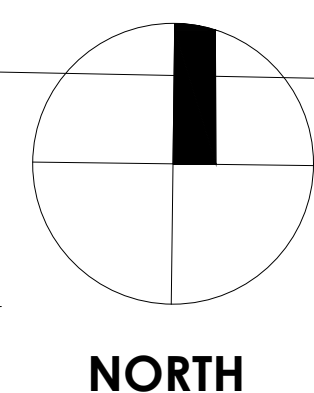


**KEY LEGEND**

- EXISTING WATER LINE
- EXTENDED WATER LINE
- PROPOSED 4" WATER LINE
- EXISTING GAS LINE
- EXISTING SEWER LINE
- NEW WATER METER
- WATER LINE CAP
- MANHOLE

**1**  
UT-1 **UTILITY PLAN**

SCALE: 1"=10'



**NORTH**