



## 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: 1503, 1505, and 1507 N 35th Street

Date: March 28, 2022

Tax Map #: E000-1544/012, /013, /014 Fee: \$300

Total area of affected site in acres: 0.193

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

### Zoning

Current Zoning: R-5

Existing Use: 2 vacant parcels and 1 mixed-use structure

### Proposed Use

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

Three (3) new two-family detached dwellings

Existing Use: 2 vacant parcels and 1 mixed-use structure

Is this property subject to any previous land use cases?

Yes

No



If Yes, please list the Ordinance Number: SUP-1996-048-49

2 vacant parcels and 1 mixed-use structure

**Applicant/Contact Person:** Will Gillette / Mark Baker

Company: Baker Development Resources

Mailing Address: 530 East Main Street, Suite 730

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: \_\_\_\_\_

(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) 510-0464

Fax: ( )

Email: construction@cavacompanies.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

*March 28, 2022*

Revised: May 17, 2022

*Special Use Permit Request*

*1503, 1505, & 1507 N 35<sup>th</sup> Street, Richmond, Virginia*

*Map Reference Numbers: E000-1544/012, E000-1544/013, E000-1544/014*

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Submitted to:

**City of Richmond**

Department of Planning and Development Review

Land Use Administration

900 East Broad Street, Suite 511

Richmond, Virginia 23219

Submitted by:

**Baker Development Resources**

530 East Main Street, Suite 730

Richmond, Virginia 23219

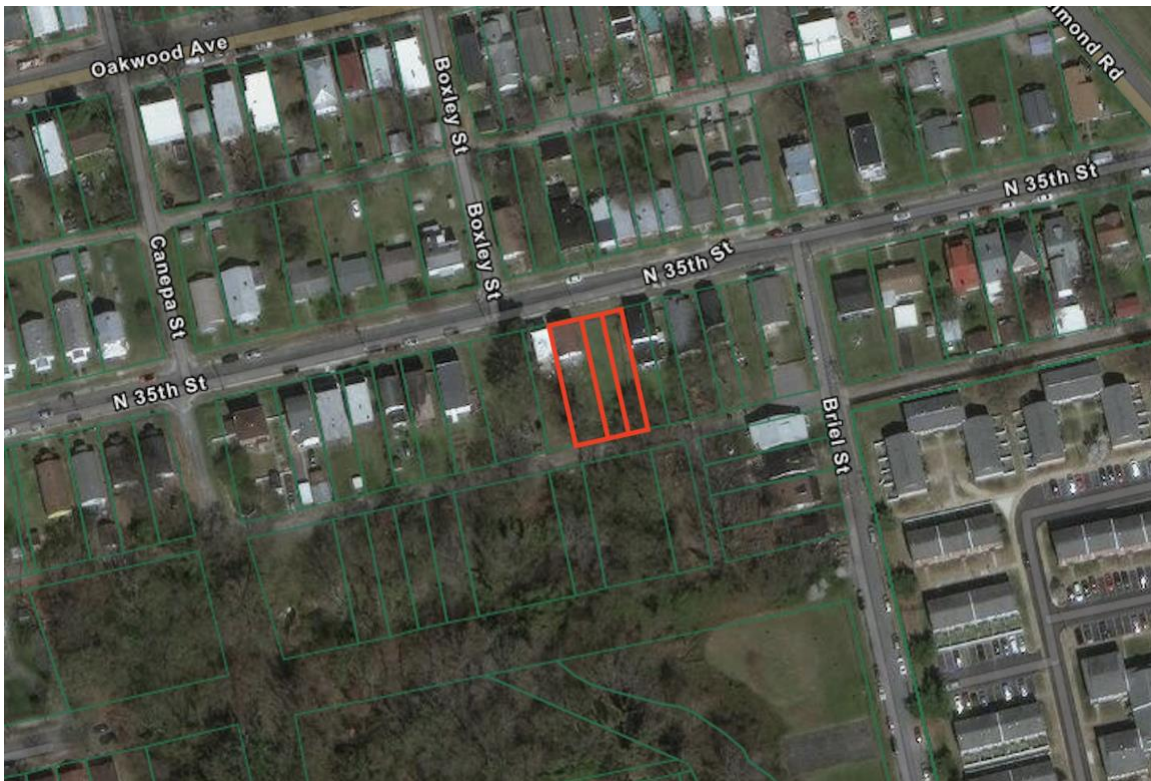
## Introduction

The property owner is requesting a special use permit (the "SUP") for 1503, 1505, and 1507 N 35<sup>th</sup> Street (the "Property"). The SUP will authorize the construction of three two-family detached dwellings. While the two-family use is found throughout the neighborhood, it is not permitted by the underlying R-5 Single-Family Residential zoning district, and therefore, a SUP is required.

## Existing Conditions

### SITE DESCRIPTION AND EXISTING LAND USE

The Property is located on the southern line of N 35<sup>th</sup> Street between Boxley and Briel Streets and consists of three lots. The lots are known as 1503, 1505 and 1507 N 35<sup>th</sup> Street and are referenced by the City Assessor as tax parcels E000-1544/012 through E000-1544/014. 1507 N 35<sup>th</sup> is roughly 18' wide by 124' in depth, contains approximately 2,241 square feet of lot area, and is vacant. 1505 N 35<sup>th</sup> Street is roughly 20' wide by 124' deep, contains approximately 2,400 square feet of lot area and is also vacant. 1503 N 35<sup>th</sup> Street is roughly 30' wide by 124' deep, contains approximately 3,720 square feet of lot area, and includes a two-story structure that was approved for occupancy by a first-floor grocery store by special use permit in 1996. Access is provided at the rear of the Property by means of an east-west alley.



The properties in the immediate vicinity are developed with a wide range of uses and building forms. While single-family dwellings are the most common uses found in the area; two-family, multi-family, and commercial uses are also commonly found in the vicinity. Though many of the properties in the area have been developed, there are also still several vacant lots in the vicinity, several of which lie on the south line of N 35<sup>th</sup> Street in the same block as the subject Properties.

## **EXISTING ZONING**

The Property and those to the north, south, and west are zoned R-5 Single-Family Residential. To the southeast, along Briel Street are the Villas of Oakwood condominiums which are zoned R-53 Multifamily Residential. Parcels in the area differ in size and frontage with a large number of parcels in the vicinity unable to conform to the underlying R-5 use and feature requirements.

## **MASTER PLAN DESIGNATION**

The Richmond 300 Master Plan (the “Master Plan”) suggests “Neighborhood Mixed-Use” for the Property. The Master Plan describes this land use designation 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.” Recommended development styles are described as featuring “a variety of building types that are close to one another and create a unified street wall. The building size, density, and zoning districts for these areas vary depending on historical densities and neighborhood characteristics. Single-family, two-family, and small multi-family buildings are contemplated as the primary uses in these areas.”

In addition to the Property-specific guidance offered by the Vision and Core Concepts chapter, there are a number of other goals elsewhere within the Master Plan that support this request:

- Page 109 (Equitable Transportation Chapter), Objective 6.1 to “Increase the number of residents and jobs at Nodes and along enhanced transit corridors in a land development pattern that prioritizes multi-modal transportation options.”
  - b. Develop housing at all income levels in and near Nodes and along major corridors (see strategies Goal 14).
- Page 136 (Diverse Economy Chapter), Objective 11.1 to “Increase the areas of appropriately zoned land near various transportation modes and housing to retain, create, and attract employers.”
  - d. Encourage the development of a variety of quality housing types to house employees across the economic spectrum (see Goal 14).
- Page 150 (Inclusive Housing Chapter), Objective 14.1 to “Increase city-wide awareness of the importance of integrating housing at all income levels into every residential neighborhood so every household has housing choice throughout the city.”
- Page 152 (Inclusive Housing Chapter) (see map on p. 153), Objective 14.5 to “Encourage more housing types throughout the city and greater density along enhanced transit corridors and at Nodes (shown in Figure 38 [p.153]) by amending the Zoning Ordinance.”
- Page 159 (Thriving Environment Chapter) Objective 15.1 to “Reduce air pollution related to transportation.”

- a. Increase the number of Richmonders living in a development pattern that encourages density and reduces dependency on single-occupancy vehicles (see Goal 1, Goal 8, Goal 14).
- Page 86 (High-Quality Places Chapter), Objective 1.4, to “maintain and improve primarily residential areas by increasing their linkages to...corridors...and maintaining high-quality design standards.”

## Proposal

### PROJECT SUMMARY

The applicant is proposing to construct a two-family detached dwelling on each of the three existing lots for a total of three new two-family dwellings.

### PURPOSE OF REQUEST

The Property owner is proposing to construct three new two-family detached dwellings. While the two-family use is commonly found in the area, including several instances on the same block as the Property, it is not permitted by the underlying zoning. Therefore, a SUP is required to permit the proposed development.

### PROJECT DETAILS

The Property consists of three lots (1503, 1505 and 1507 N 35<sup>th</sup> Street) ranging from eighteen to thirty feet in width. This request would include the removal of the existing structure on 1503 N 35<sup>th</sup> Street, which is noted as being in “very poor condition” by the City Assessor. The internal lot lines of the three parcels would be adjusted in order to create two parcels with roughly 22 feet in width and one parcel with 24 feet in width. The proposed parcels are more uniform in size than the existing and would be comparable to, or larger than other lots within the block in terms of width and area.

The proposed two-family dwellings would each be 16’ in width, 75 feet in depth, and two stories in height. The individual units would be configured as flats and would each contain three bedrooms and one bathroom, totaling approximately 1,137 square feet of floor area. The exterior design would be traditional and consistent with the character of the area and other proposed dwellings. The building would be designed with a single entrance in order to have the appearance of single-family detached dwellings from the street. A total of six parking spaces (two parking spaces per building/lot) are proposed and would be accessible from the alley.

The new dwelling would be clad in quality building materials including cementitious lap siding in order to ensure durability. To differentiate the dwellings and better reflect the character of the neighborhood, the proposed dwellings would be painted in three matching, but different, colors. A full-width front porch would engage the street and provide usable outdoor living space. The proposed dwelling’s massing and architectural style is designed to be compatible with nearby dwellings and is consistent with the historical homes found in the neighborhood.

In exchange for the SUP, the intent of this request is to ensure the development of high-quality infill dwellings. The overall project will be appropriately dense and efficient as contemplated by the Richmond 300 Master Plan. At the same time, it will remain respectful to the historic development pattern in the vicinity thereby remaining consistent with the predominant character of the area. Finally, the quality assurances conditioned through the SUP will guarantee a higher quality development and better neighborhood compatibility than might otherwise be guaranteed with a by right development.

## Findings of Fact

The following are factors indicated in Section 17.11 of the Charter and Section 114-1050.1 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 for high-quality infill construction will not impact the safety, health, morals and general welfare of the nearby neighborhoods.

- ***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 to nearby residential neighborhoods. The negligible traffic generation on the existing street will create no congestion on streets, roads, alleys or any other public right of way.

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

The Property will be developed in a manner consistent with the requirements of the building code and in accordance with the requirements of Fire and Emergency Services. The City's codes applicable to this development are designed to eliminate such hazards.

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

The proposed special use permit will not tend to over crowd the land or create an undue concentration of population.

- ***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 will not adversely affect the above referenced City services. To the contrary, the proposal will provide positive fiscal (tax) benefits that will enhance the City's ability to provide these services to the proposed development.

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

The light and air available to the subject and adjacent properties will not be affected. The proposed buildings are of compatible massing and spacing to the existing in the vicinity. As a result, this request will not interfere with the provision of adequate light and air to the adjacent buildings.

## Summary

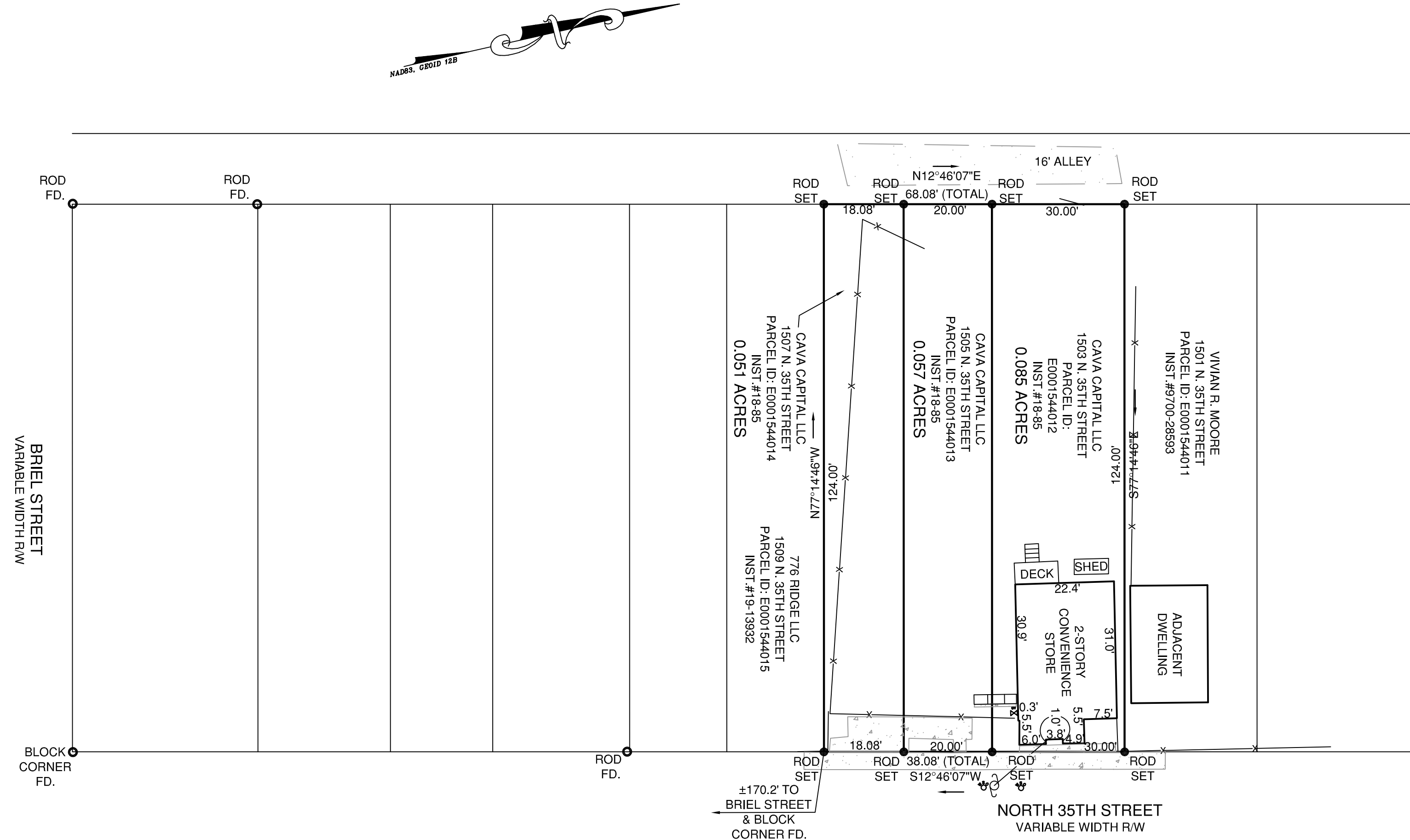
In summary we are enthusiastically seeking approval for the construction of the proposed two-family dwellings. The buildings have been thoughtfully designed in order to provide appropriate, high-quality, infill residential development. The request offers compatibility with the City's Master Plan in terms of use. The request would upgrade the Property while maintaining a desirable variation in housing style and density in the vicinity.

The proposed development would respectfully help restore an appropriate urban fabric in a block face in which several lots are vacant. It would help encourage a pedestrian friendly traditional streetscape and contribute to the vibrancy of the block through the addition of street life in the form of street-oriented full width front porches along N 35<sup>th</sup> Street. The traditional building forms would provide the much-desired traditional neighborhood design which is appropriate to this area of the City. Finally, the quality assurances conditioned through the SUP would guarantee a higher quality development than might otherwise be developed by right.

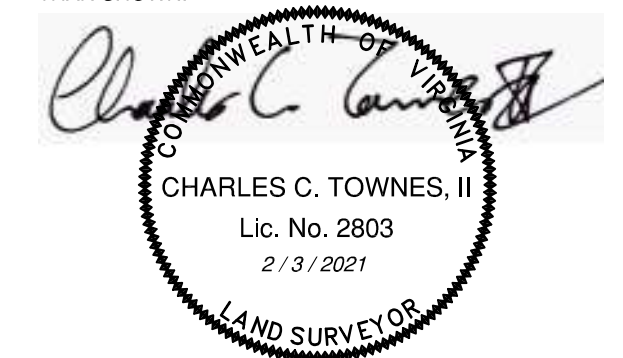
THIS PROPERTY IS LOCATED IN ZONE X AS SHOWN ON THE FLOOD INSURANCE RATE MAP (FIRM), COMMUNITY PANEL #5101290042D, EFFECTIVE DATE: APRIL 2, 2009.

THIS SURVEY IS SUBJECT TO ANY EASEMENT OF RECORD OR OTHER PERTINENT FACTS THAT A CURRENT TITLE REPORT MIGHT IDENTIFY. THIS SURVEY WAS PREPARED WITHOUT THE BENEFIT OF A TITLE REPORT.

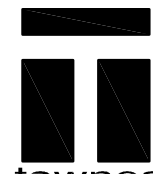
THIS SURVEY WAS MADE FOR THE PURPOSE OF IDENTIFYING LEGAL BOUNDARIES AND DOES NOT PURPORT TO IDENTIFY ENVIRONMENTAL FEATURES THAT AN ENVIRONMENTAL ASSESSMENT MIGHT IDENTIFY.



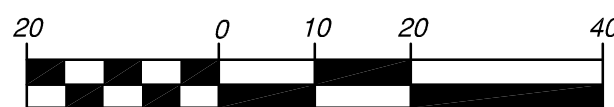
THIS IS TO CERTIFY THAT I MADE AN ACCURATE FIELD SURVEY ON FEBRUARY 2, 2021. ALL VISIBLE IMPROVEMENTS ARE AS SHOWN HEREON AND THAT THERE ARE NO VISIBLE ENCROACHMENTS OTHER THAN SHOWN.



PLAT SHOWING  
PHYSICAL IMPROVEMENTS OF  
1503, 1505, & 1507  
NORTH 35TH STREET  
FOR  
CAVA CAPITAL LLC  
CITY OF RICHMOND, VIRGINIA  
DATE: FEBRUARY 3, 2021 SCALE: 1"=20'

 2463 boulevard  
colonial heights, va 23834  
telephone: 804.520.9015  
facsimile: 804.520.9016  
email: cctownes@townespc.com  
townes  
consulting engineers, planners, and land surveyors

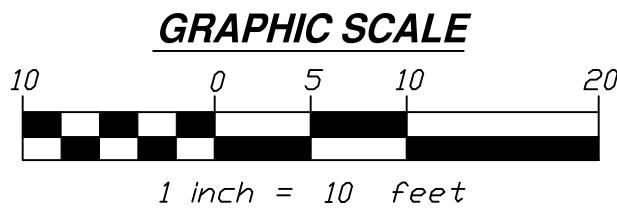
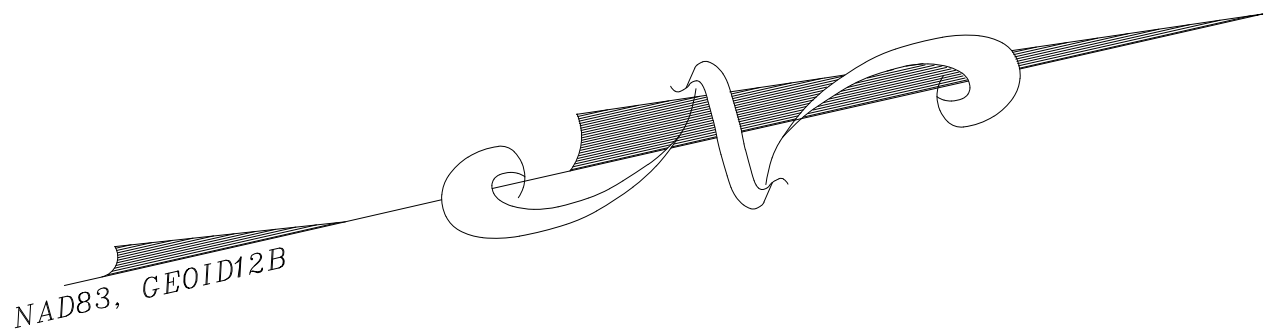
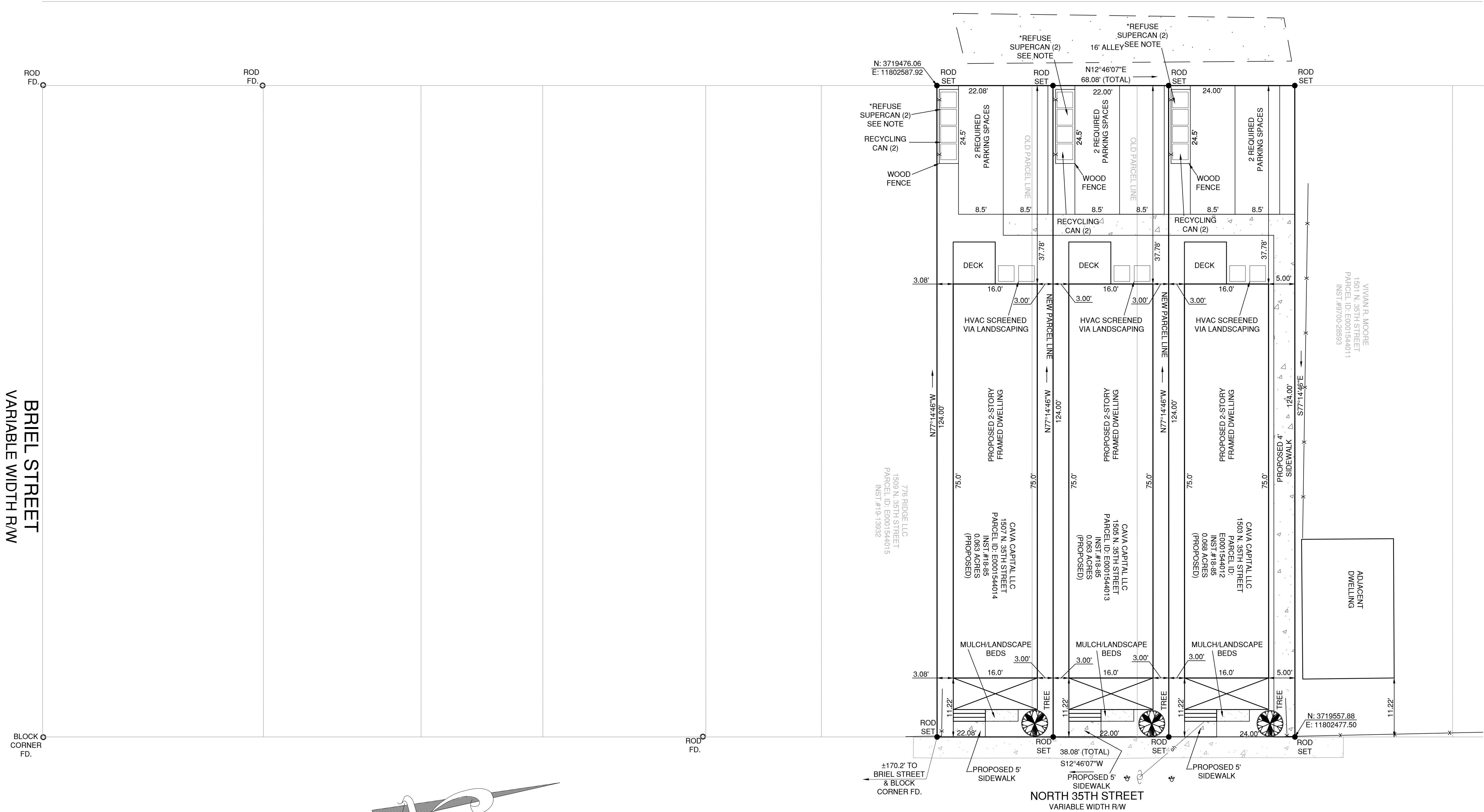
GRAPHIC SCALE



1 inch = 20 feet



\*NOTE: OPAQUE SCREENING TO BE PROVIDED UNLESS REAR YARD AND REFUSE AREA IS ENCLOSED WITH OPAQUE PRIVACY FENCE



2463 boulevard  
colonial heights, va 23834  
telephone: 804.520.9015  
facsimile: 804.520.9016  
email: cctownes@townespc.com

**townes**  
consulting engineers, planners, land surveyors

CHARLES C. TOWNES, II  
Lic. No. 39518  
6 / 10 / 2022  
PROFESSIONAL ENGINEER

**1503, 1505, & 1507  
N. 35TH STREET**  
SPECIAL USE PERMIT REQUEST  
CITY OF RICHMOND, VIRGINIA

**SITE LAYOUT**

DATE:  
MARCH 22, 2022

SCALE:  
1" = 10'

PROJECT NUMBER:  
20210045

DESIGN TEAM:  
CHARLES C. TOWNES, II, P.E., L.S.  
PROJECT MANAGER  
T.S.G.  
DRAWN BY:

REVISIONS:		
REV.	DATE:	ITEM:
1	5/17/22	CLIENT COMMENTS
2	6/10/22	CLIENT COMMENTS

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# CAVA COMPANIES

PROPOSED DWELLING 1503, 1505, & 1507 N 35th

## AREA CALCULATIONS

Heated Area	
1st Floor Livable	1137 SF
2nd Floor Livable	1137 SF
	2273 SF
Total	2273 SF

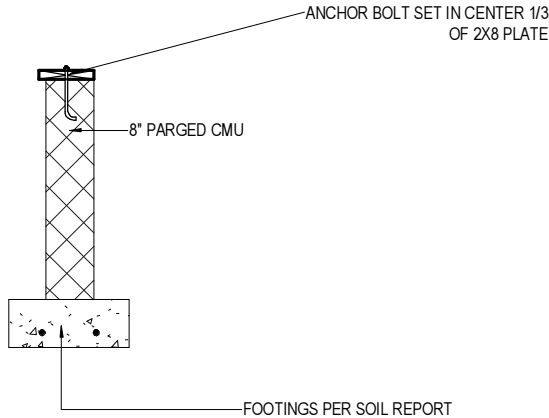
SINGLE FAMILY DWELLING NEW CONSTRUCTION 2 STORY 25'-0" FROM APPROXIMATE GRADE
VIRGINIA CONSTRUCTION CODE (VCC) 2015
THE FOLLOWING STRUCTURAL REQUIREMENTS ARE SPECIFIC TO RICHMOND, VIRGINIA FROST DEPTH-18 INCHES DESIGN WIND SPEED - 90MPH, 3-SECOND GUST ULTIMATE DESIGN WIND SPEED FOR RISK CATEGORY II BUILDINGS -115 MPH SNOW LOAD - 20 PSF

SHEET INDEX	
2-ARCHITECTURE	
A-0.00	Cover
A-1.00	Crawl Space Plan
A-2.00	First Floor
A-2.60	2nd Floor Plan
A-2.70	Roof Plan
A-3.00	Elevations
A-3.10	Elevations

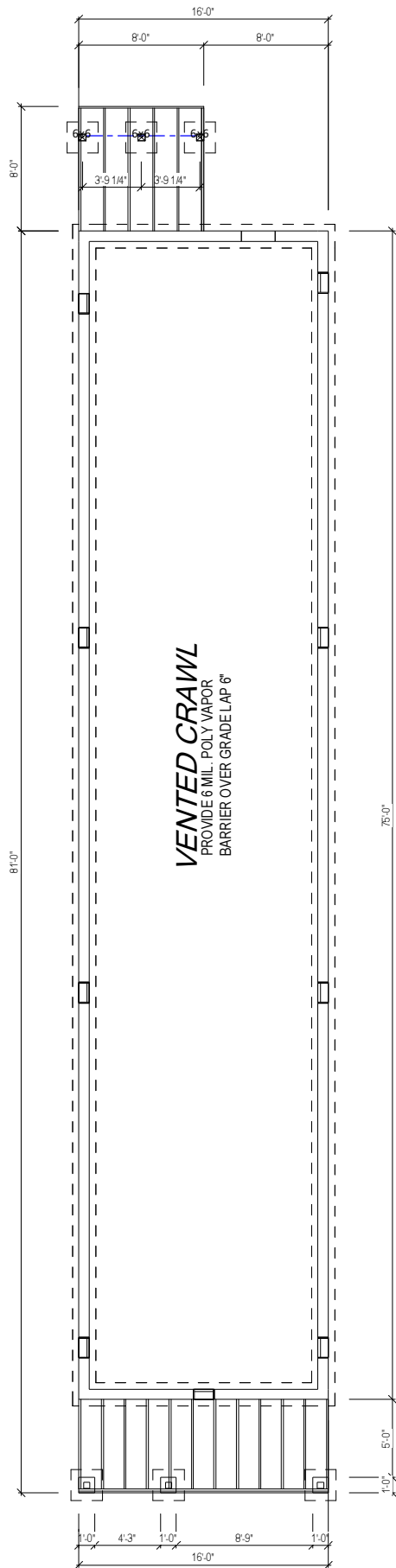


*SUP APPROVAL*

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**2 WALL TYPES FD**  
A-1.00 3/8" = 1'-0" WHEN PRINTED ON 11"x17" / ANSI B PAPER SIZE



**1 CRAWL SPACE PLAN**  
A-1.00 3/32" = 1'-0" WHEN PRINTED ON 11"x17" / ANSI B PAPER SIZE

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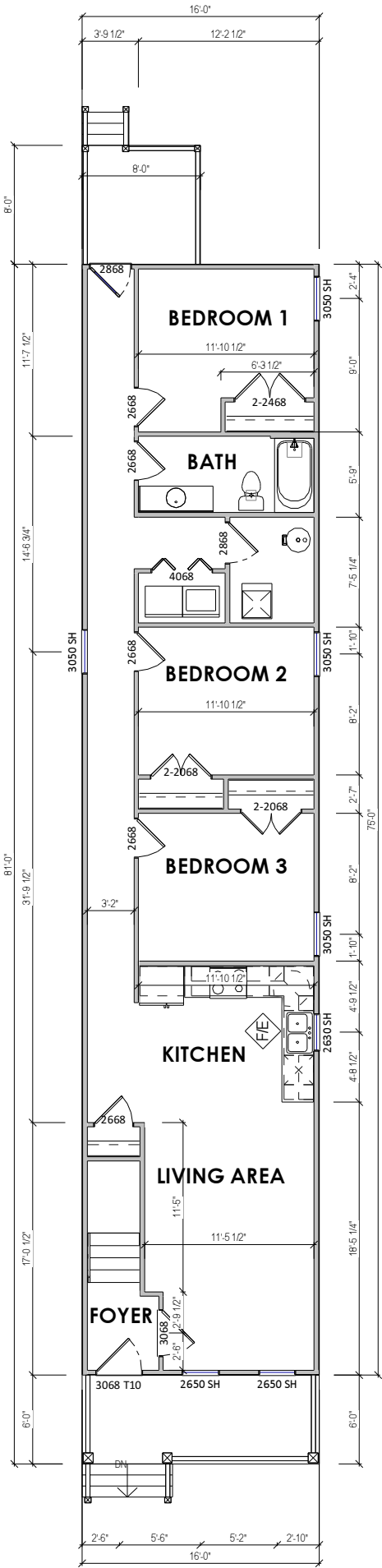


PROJECT		NEW CONSTRUCTION		CLIENT	CAVA COMPANIES
SHEET		Crawl Space Plan		ADDRESS	1507 N35th
ISSUE DATE		3/14/22			
DRAWN BY		PINNACLE DESIGN			
SHEET NUMBER		A-1.00			

NOTE:  
THE FINISHED GRADE SHALL BE SLOPED AWAY FROM THE FOUNDATION  
WALLS A MINIMUM OF 5% WITHIN THE FIRST 10 FT FROM THE FOUNDATION  
[R401.3 VRC]

NOTE:  
EXTERIOR RISER HEIGHT MAX 8 1/4" AND MIN TREAD DEPTH 9"  
[R308.4.1 VRC]

**1 1ST FLOOR PLAN**  
A-2.00 3/32" = 1'-0" WHEN PRINTED ON 11"x17" / ANSI B PAPER SIZE



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PROJECT	CAVA COMPANIES	
	CLIENT	ADDRESS
NEW CONSTRUCTION	1507 N35th	
	SHEET	First Floor
ISSUE DATE		
3/14/22		
DRAWN BY		
PINNACLE DESIGN		
SHEET NUMBER		
A-2.00		

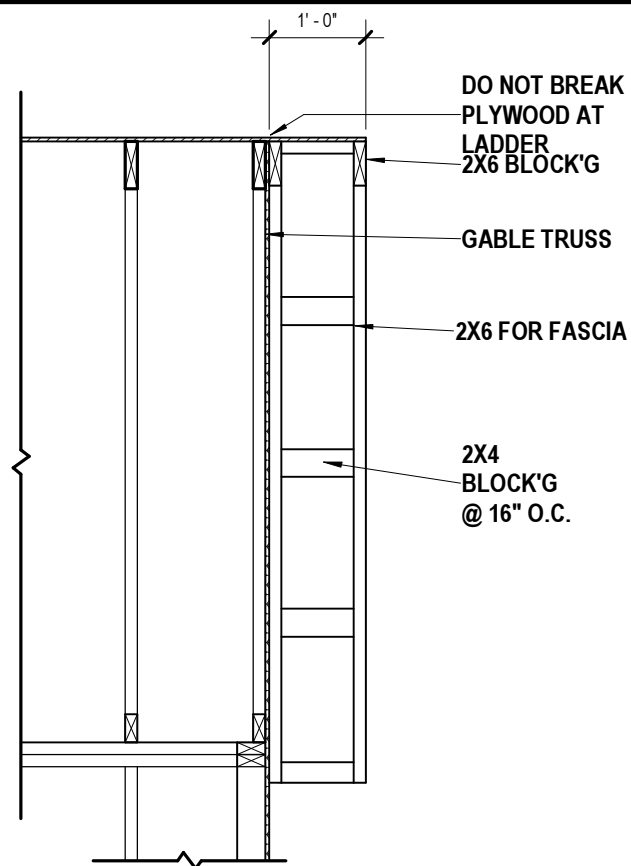
1. ALL DIMENSIONS ARE FROM OUTSIDE EDGE OF EXTERIOR WALL SHEATHING OR FACE OF STUD, U.N.O.
2. ALL DOOR & WINDOW HEADERS IN EXTERIOR WALLS TO BE (2) 2X8 U.N.O.
3. ALL INTERIOR DOOR HEADERS TO BE (2) 2X4, U.N.O.
4. PROVIDE PRESSURE TREATED LUMBER @ HOUSE BAND WHERE ALL  
DECK, PORCH & APPURTENANCES ARE CONNECTED.



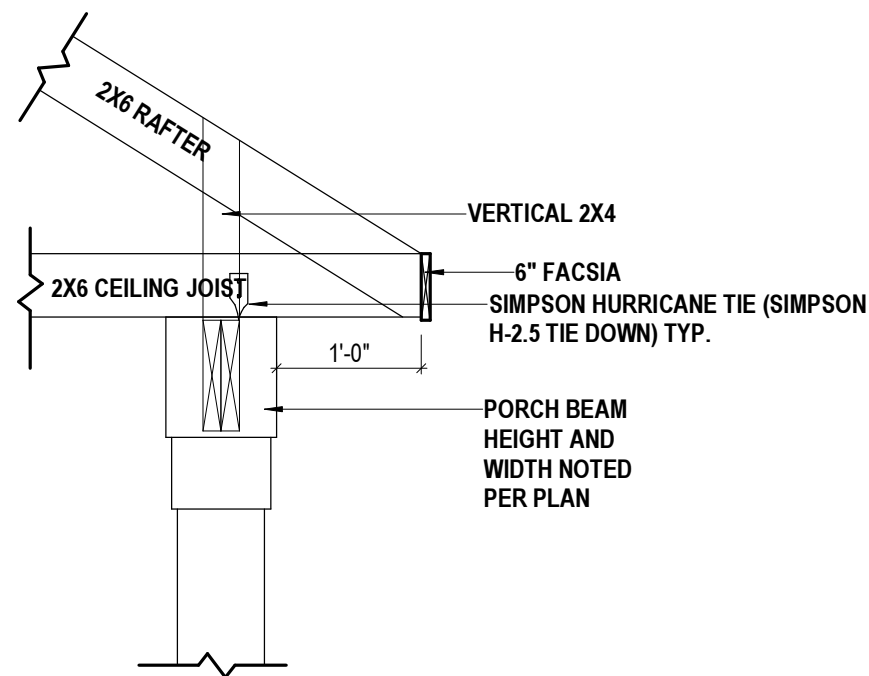
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PROJECT <b>NEW CONSTRUCTION</b>		CLIENT <b>CAVA COMPANIES</b>
SHEET <b>2nd Floor Plan</b>		ADDRESS <b>1507 N35th</b>
ISSUE DATE 3/14/22		
DRAWN BY <b>PINNACLE DESIGN</b>		
SHEET NUMBER <b>A-2.60</b>		

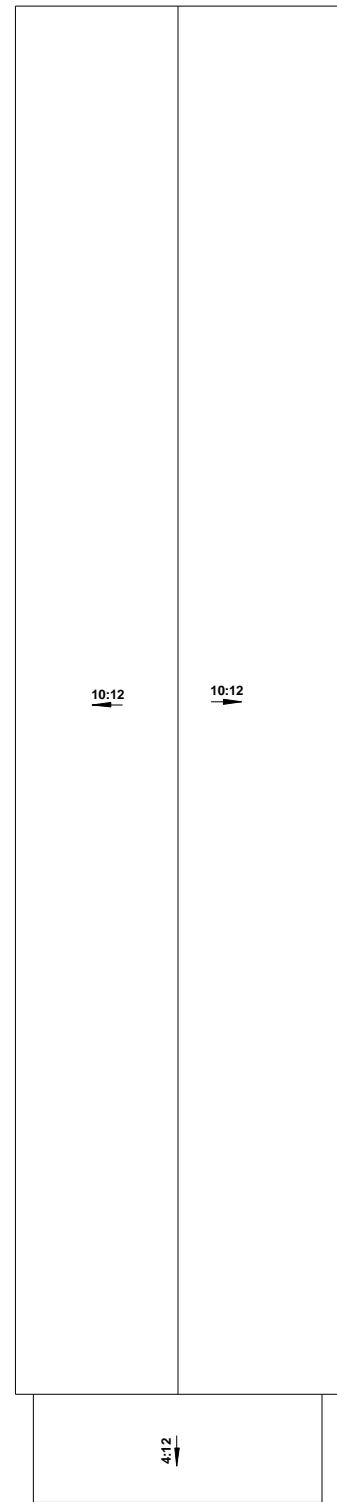


**2 ROOF OVERHANG DETAIL**  
A-2.70 1/2" = 1'-0" WHEN PRINTED ON 11"x17" / ANSI B PAPER SIZE



**3 PORCH BEAM ROOF DETAIL**  
A-2.70 3/4" = 1'-0" WHEN PRINTED ON 11"x17" / ANSI B PAPER SIZE

- GENERAL ROOF PLAN NOTES:**
- 1) FINISHED OVERHANG TO BE 1'-0" PAST EXTERIOR WALL SHEATHING, U.N.O..  
TRUSS FRAMING TO BE 10 1/2" PAST WALL SHEATHING TO ACCOMMODATE BLOCKING AND FINISH TRIM. SEE "TYPICAL WALL SECTION".
  - 2) ROOF SLOPE ARROWS POINT IN THE DIRECTION IN WHICH WATER WILL FLOW.
  - 3) DO NOT CUT OR ALTER ENGINEERED ROOF TRUSSES. IF A TRUSS IS BROKEN OR CUT, NOTIFY FIELD MANAGER.
  - 4) BRACE TRUSSES PER MANUFACTURERS SPECIFICATIONS. BRACING DIAGRAMS TO BE PROVIDED BY TRUSS MANUFACTURER. FRAMER TO VERIFY THAT TRUSS BEARING POINTS ALIGN W/ SUPPORTING MEMBERS.
  - 5) ALL TRUSS HANGERS TO BE INSTALLED PER HANGER MANUFACTURERS SPECIFICATIONS.



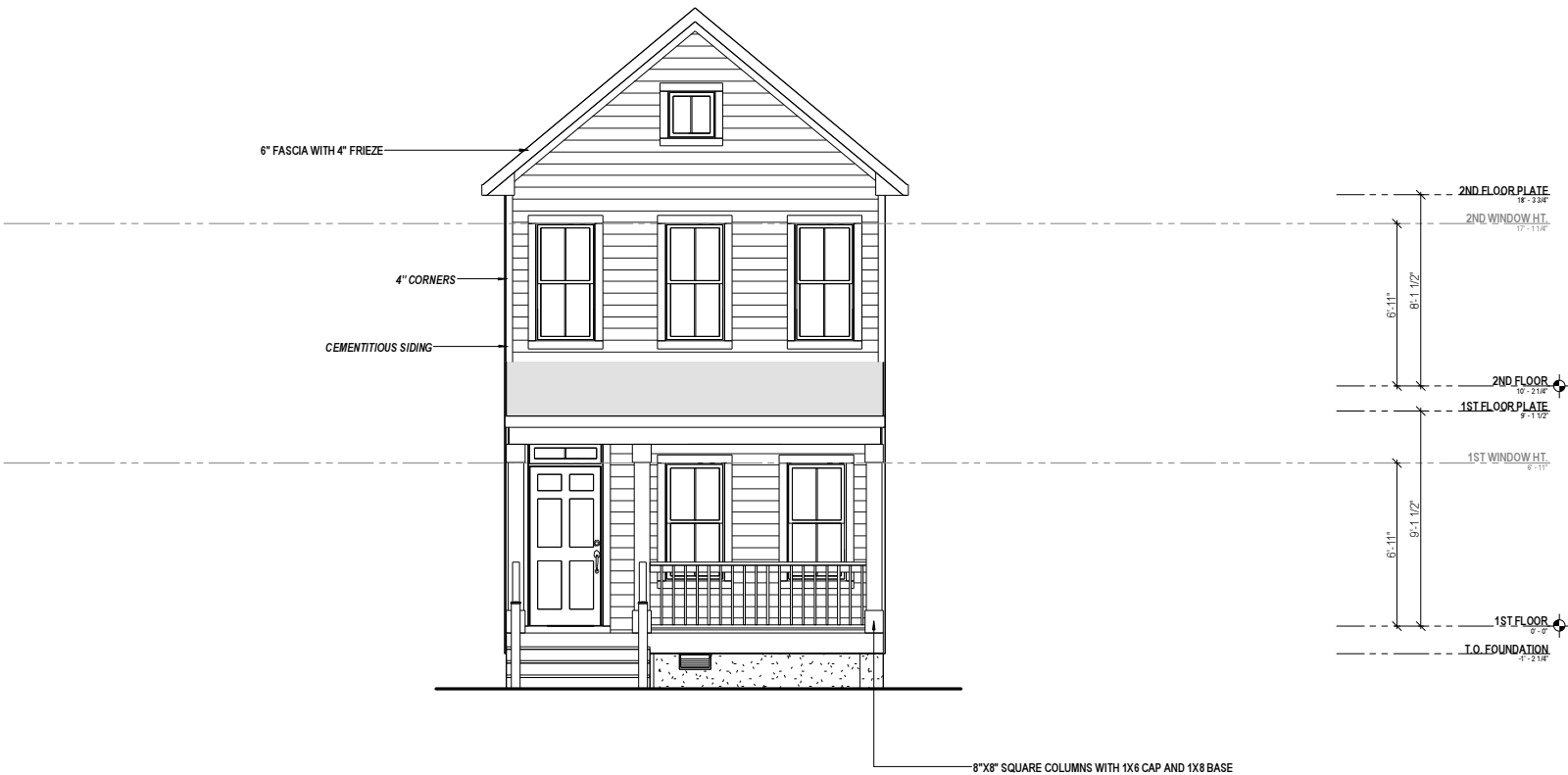
**1 ROOF PLAN**  
A-2.70 3/32" = 1'-0" WHEN PRINTED ON 11"x17" / ANSI B PAPER SIZE



CLIENT	CAVA COMPANIES	
	ADDRESS	1507 N35th
PROJECT	NEW CONSTRUCTION	
	SHEET	Roof Plan
ISSUE DATE		
3/14/22		
DRAWN BY		
PINNACLE DESIGN		
SHEET NUMBER		
A-2.70		



PROJECT	CLIENT	
	NEW CONSTRUCTION	
SHEET	ADDRESS	
	Elevations	
1507 N35th		
CAVA COMPANIES		
ISSUE DATE		
3/14/22		
DRAWN BY		
PINNACLE DESIGN		
SHEET NUMBER		
A-3.00		



NOTE:  
HANDRAILS SHALL BE PROVIDED ON NOT LESS THAN ONE SIDE OF EACH CONTINUOUS RUN OF TREADS OR FLIGHT WITH FOUR OR MORE RISERS [R311.7.8 VRC]

NOTE:  
HANDRAIL HEIGHT TO BE MEASURED VERTICALLY FROM THE SLOPED PLANE ADJOINING TREAD NOSING OR FINISH SURFACE OF RAMP SLOPE, SHALL NOT BE LESS THAN 34" AND NOT MORE THAN 38" [R311.7.8.1 VRC]

NOTE:  
GUARDS SHALL BE PROVIDED IN ACCORDANCE WITH SECTIONS R312.1.1 THROUGH R312.1.4.

NOTE:  
REQUIRED GUARDS AT OPEN SIDED WALKING SURFACE, INCLUDING STAIRS, PORCHES, BALCONIES, OR LANDINGS SHALL NOT BE LESS THAN 36" IN HEIGHT AS MEASURED VERTICALLY ABOVE THE ADJACENT WALKING SURFACE OR THE LINE CONNECTING THE LEADING EDGE OF TREADS [R312.1.2 VRC]

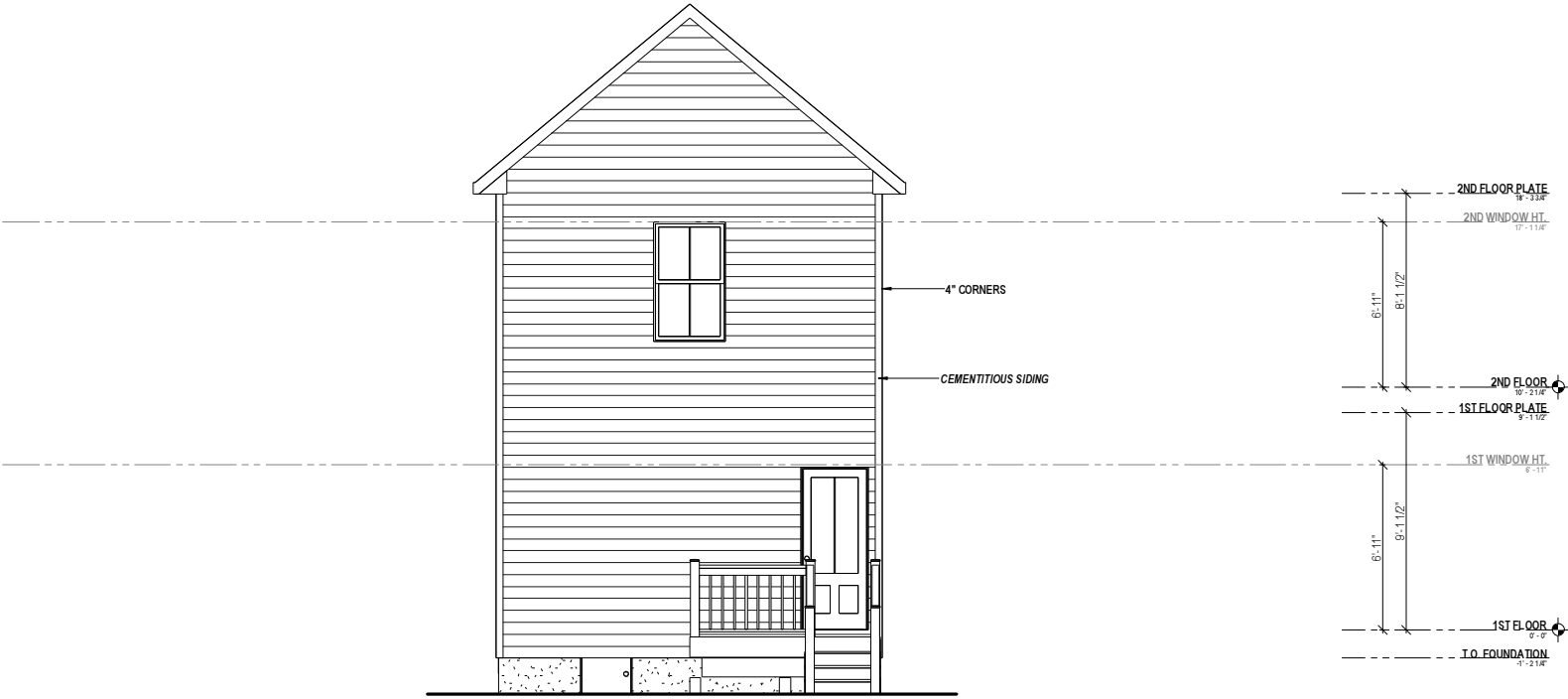
NOTE:  
THE FINISHED GRADE SHALL BE SLOPED AWAY FROM THE FOUNDATION WALLS A MINIMUM OF 5% WITHIN THE FIRST 10 FT FROM THE FOUNDATION [R401.3 VRC]

1 FRONT VIEW  
A-3.00 1/8" = 1'-0" WHEN PRINTED ON 11"x17" / ANSI B PAPER SIZE

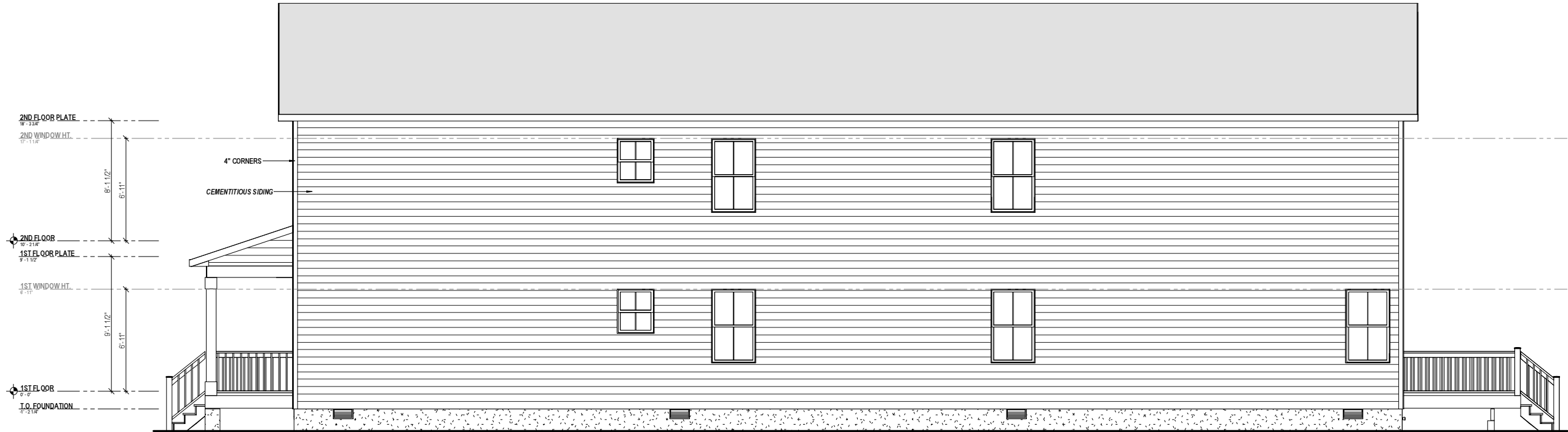


2 LEFT VIEW  
A-3.00 1/8" = 1'-0" WHEN PRINTED ON 11"x17" / ANSI B PAPER SIZE

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**1 REAR VIEW**  
A-3.10 1/8" = 1'-0" WHEN PRINTED ON 11"x17" / ANSI B PAPER SIZE



**2 RIGHT VIEW**  
A-3.10 1/8" = 1'-0" WHEN PRINTED ON 11"x17" / ANSI B PAPER SIZE

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PROJECT	CLIENT	
	CAVA COMPANIES	
SHEET	ADDRESS	
	1507 N35th	
NEW CONSTRUCTION		
Elevations		
ISSUE DATE		
3/14/22		
DRAWN BY		
PINNACLE DESIGN		
SHEET NUMBER		
A-3.10		