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 <u>http://www.richmondgov.com/</u>

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	
~	

If Yes, please list the Ordinance Number: <u>SUP-1996-048-49</u> 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: _(<u>804</u>) <u>874-6275</u>	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 35th Street, Richmond, Virginia Map Reference Numbers: E000-1544/012, E000-1544/013, E000-1544/014

 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 35th 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 35th Street between Boxley and Briel Streets and consists of three lots. The lots are known as 1503, 1505 and 1507 N 35th Street and are referenced by the City Assessor as tax parcels E000-1544/012 through E000-1544/014. 1507 N 35th is roughly 18' wide by 124' in depth, contains approximately 2,241 square feet of lot area, and is vacant. 1505 N 35th Street is roughly 20' wide by 124' deep, contains approximately 2,400 square feet of lot are and is also vacant. 1503 N 35th 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 35th 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 35th Street) ranging from eighteen to thirty feet in width. This request would include the removal of the existing structure on 1503 N 35th 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.

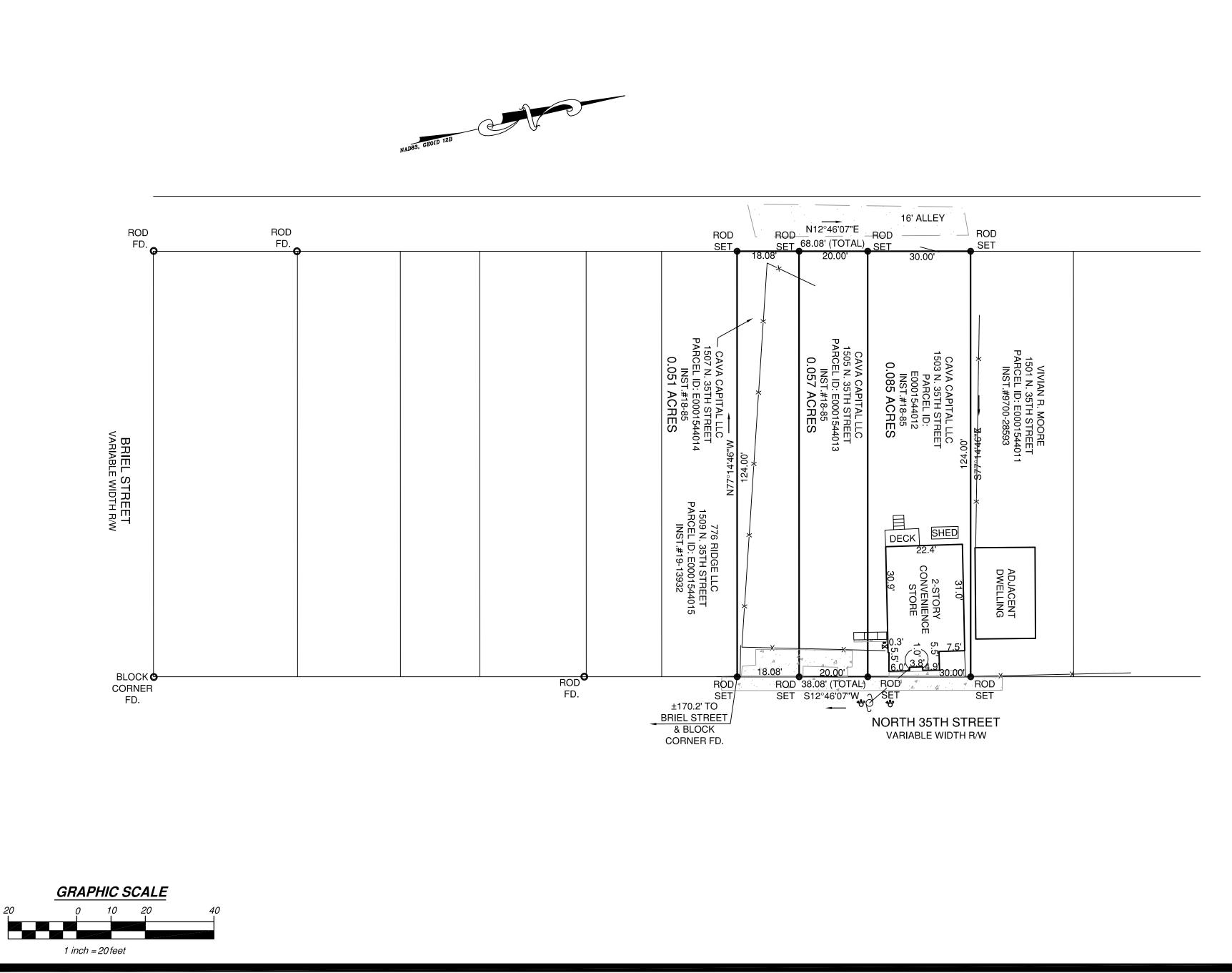
• Interfere with adequate light and air.

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 twofamily 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 35th 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.



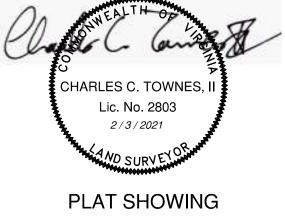
ATTN: <u>AMANDA SCHWARTZ</u>

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

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 <u>FEBRUARY 2, 2021</u>. ALL VISIBLE IMPROVEMENTS ARE AS SHOWN HEREON AND THAT THERE ARE NO VISIBLE ENCROACHMENTS OTHER THAN SHOWN.



PHYSICAL IMPROVEMENTS OF 1503, 1505, & 1507 NORTH 35TH STREET FOR

CAVA CAPITAL LLC CITY OF RICHMOND, VIRGINIA DATE: FEBRUARY 3, 2021 SCALE: 1"=20'

townes

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

consulting engineers, planners, and land surveyors

CITY OF RICHMOND SUBDIVISION NOTES

G: \.shortcut-targets-by-id \0B5bbq1FGulfyflNkcjZ6QkVvX3Z5N2RVbjd5R205SDJzc3Q4QlBRUFBpMHlpMlgxM18wV00 \PROJECTS \2021 \20210045 \Land_Development \CAD \Constr_Plans \C-1_Cover.dwg

REQUIRED UTILITY NOTES

- WATER ALL MATERIALS FOR SEWER & WATER SYSTEMS SHOWN SHALL BE SUPPLIED AND INSTALLED IN ACCORDANCE WITH THE LATEST SPECIFICATIONS OF THE LOCAL AGENCY APPLICABLE AT THE TIME OF NOTICE TO PROCEED. WATER LINES ARE TO BE CLASS 150 PIPE WITH CAST IRON FITTINGS WITH RING - TIGHT BELL CONFORMING TO ASA2110 AND AWWA
- ALL WATER LINES TO EXTEND A MINIMUM OF ONE (1) SECTION PAST VALVE BEFORE CAPPING. CONTRACTOR SHALL NOTIFY "MISS UTILITY" (1-800-552-7001) BEFORE BEGINNING ANY EXCAVATION.
- FOR TYPICAL DETAILS OF WATER IMPROVEMENTS, SEE APPURTENANCE STANDARDS BY THE CITY OF RICHMOND WATER & SEWER SPECIFICATIONS & PROCEDURES. FIRE HYDRANTS TO BE THREADED ACCORDING TO CITY OF RICHMOND FIRE DEPARTMENT REQUIREMENTS
- MINIMUM CLEAR COVER OVER TOP OF PIPE SHALL BE 3' 6'. BEFORE CONSTRUCTION OF THIS WATER LINE CAN BEGIN, THE ENGINEER MUST CERTIFY IN WRITING THAT THE ROADS ARE WITHIN 6" OF THE FINAL SUB - GRADE. ALL WATER SERVICES TO BE TYPE K COPPER, DRAWN TUBING, NO JOINTS.
- CONTRACTOR SHALL ACQUIRE ANY HIGHWAY PERMITS PRIOR TO CONSTRUCTION AND FORWARD COPIES TO THE CITY. CONTRACTOR SHALL INSTALL ALL WATER SERVICE CONNECTIONS AND METER BOXES.
- USE THRUST BLOCKS PER MANUFACTURES RECOMMENDATION. ALL WATER METERS WHOSE ELEVATION IS AT 122.00 OR BELOW WILL REQUIRE INDIVIDUAL PRESSURE REGULATORS TO BE INSTALLED ON THE CUSTOMERS SIDE OF THE WATER METER. SEWER
- 14. DATUM FOR ALL ELEVATIONS IS NAVD88. 15. ALL WORK SHALL BE DONE IN ACCORDANCE WITH THE CURRENT SANITARY SEWER SPECIFICATIONS OF THE CITY OF RICHMOND. ALL WORK SHALL BE SUBJECT TO INSPECTION BY CITY OF RICHMOND INSPECTORS. IT SHALL BE THE CONTRACTOR'S RESPONSIBILITY TO NOTIFY THE PROPER COUNTY OFFICIALS 48 HOURS PRIOR TO START OF WORK. A PRECONSTRUCTION MEETING BETWEEN CONTRACTOR AND ENGINEER WILL BE MANDATORY.
- GRADE STAKES WILL BE SET BY TOWNES P.C. COPIES OF CUT SHEETS WILL BE SENT TO THE CITY OF RICHMOND. PIPE STRENGTHS TO BE AS FOLLOWS: A. PVC ASTM D3034, SDR - 35.
- B. EXCEPT AS SHOWN ON PROFILE. 18. ALL MANHOLES TO BE PRECAST CONCRETE.
- JOB SHALL BE BID ON A UNIT PRICE BASIS. ALL EXCAVATION SHALL BE UNCLASSIFIED. 19 20. EXISTING UTILITIES WHERE SHOWN, ARE APPROXIMATE ONLY. CONTRACTOR SHALL VERIFY ALL SUCH LOCATIONS BEFORE START OF
- 21. ALL PIPE BEDDING TO BE CLASS B EXCEPT AS SHOWN FOR PLASTIC PIPE. 22. ALL SANITARY SEWER LINES WITH LESS THAT 6' OF COVER WILL BE MADE OF DUCTILE IRON PIPE IF WITHIN A RIGHT OF WAY.

EROSION AND S

- Soil Erosion and Sediment Control shall be per the Sediment basins and traps, perimeter dikes, sedime constructed as a first step in grading and be made function applied to earthen structures such as dams, dikes, and div 3. Permanent or temporary soil stabilization shall be ap portion of the site. Temporary soil stabilization shall be ap but will remain dormant (undisturbed) for longer than thirty
- dormant for more than one (1) year. 4. During construction, soil stockpiles shall be stabilized the temporary protection and permanent stabilization of all All storm sewer inlets that are made functionally ope enter the conveyance systems without first being filtered of
- 6. The Department of Planning shall make a continuing the overall effectiveness of the erosion control program ar

SEED

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- A. 100 LBS PER 1,000 SQ. FT. GROUND LIMESTONE
- B. 20 LBS. OF 10-10-10 FERTILIZER OR EQUIVALEN C. VARIETIES TO BE SEEDED:
- SPRING SEEDING: MARCH 1 THROUGH APRIL 3
- SUMMER SEEDING: MAY 1 THROUGH AUGUST BUSHEL SAWDUST FOR UNIFORM SEEDING. AUTUMN SEEDING: AUGUST 1 THROUGH NOVEI
- NOTE: THE "CITY INSPECTOR" FOR E & S ISSUES IS T WORKS AND PUBLIC UTILITIES ISSUES IS THE DIREC

GENERAL EROSION A

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ES-7:	ALL DISTURBED AREAS ARE TO L
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	DEVELOPMENT UNTIL FINAL STAL
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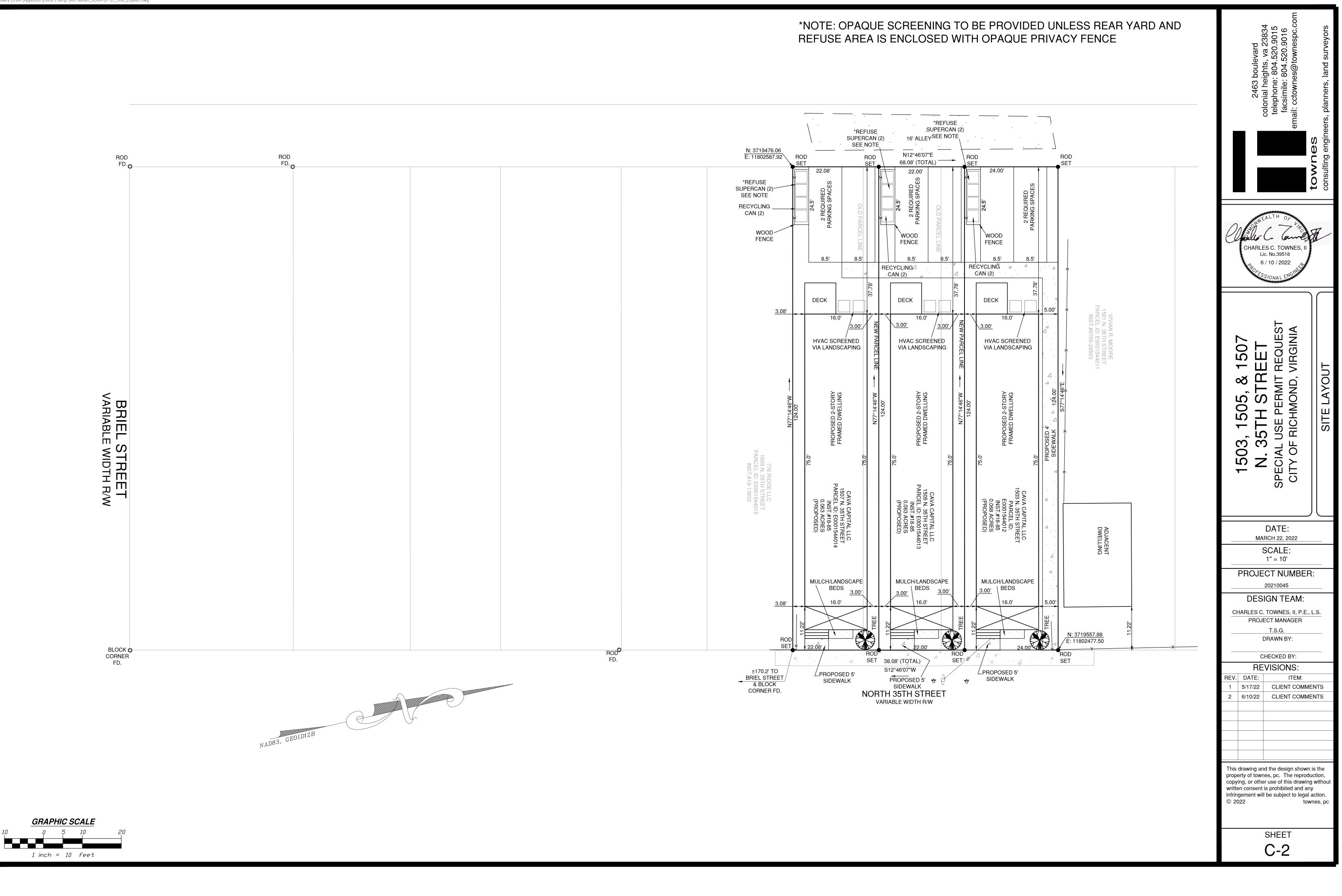
INSPECTION INDICATES THAT THE APPRO CONTROLLING EROSION AND SEDIMENTAT PLAN CANNOT BE CARRIED OUT.

PERMANENT OR TEMPORARY SOIL STABIL SEVEN DAYS AFTER FINAL GRADE IS REAC STABILIZATION SHALL BE APPLIED WITHIN FINAL GRADE BUT WILL REMAIN DORMANT PERMANENT STABILIZATION SHALL BE APP MORE THAN ONE YEAR.

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

ND SEDIMENT CONTROL NOTES	LATITUDE: <u>37.533</u> LONGITUDE: <u>-77.398</u>		
be per the current edition of the Virginia Erosion and Sediment Control Handbook. kes, sediment barriers, and other measures intended to trap sediment on-site, must be ade functional before upslope land disturbance takes place. Stabilization measures shall be kes, and diversions immediately after installation. a shall be applied to denuded areas within seven (7) days after final grade is reached on any a shall be applied within seven (7) days to denuded areas that may not be at final grade, be stabilized or protected with sediment stabilization shall be applied to areas that are to be left be stabilized or protected with sediment trapping measures. The applicant is responsible for fization of all soil stockpiles on-site, as well as soil intentionally transported from the site. stonally operable during construction, shall be protected so that sediment laden water cannot	RECEIVING CHANNEL / WATERS: <u>JAMES</u> VAHU6 WATERSHED CODE: <u>JL01</u>	<u>RIVER</u>	
ng filtered or otherwise treated to remove sediment. a continuing review and evaluation of the erosion and sediment control methods used and program and shall direct changes to be made if deemed necessary.	SIT	TE SUMMARY AND NOTE	S
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		SITE	5	2463 boulevard	coloriial rieigrits, va 23034 telephone: 804.520.9015 facsimile: 804.520.9016 email: cctownes@townespc.com	consulting engineers, planners, land surveyors
	LOCATIC	N MAP: 1" = 1000'		MANNE NINE		H.
	APPLICANT'S NAME: CAN		- 2		C. Company ES C. TOWNES, II	×
	ZONING & CASE #: $R-5$		_	λ.	c. No.39518 / 10 / 2022	
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DL DEVICES AS PER VIRGINIA DI MENT CONTROL HANDBOOK			┢		HECKED BY:	
SAFETY FENCE	PBO.I	ECT NAME	REV	. DATE: 5/17/22	ITEM: CLIENT COMME	NTS
CONSTRUCTION ENTRANCE			2	6/10/22	CLIENT COMME	
SILT FENCE		1507 N. 35TH STREET SE PERMIT REQUEST				
INLET PROTECTION	CONTAC	T INFORMATION				
CULVERT INLET PROTECTION	DEVELOPER NAME: CAVA			drawing	d the design sharrow	is the
DIVERSION DIKE	ADDRESS: 5310 MARKEL ROAD SUITE 104		prop cop	perty of town ying, or othe	d the design shown les, pc. The reprodu r use of this drawing	iction, without
TEMPORARY SEDIMENT TRAP	RICHMOND, VII CONTACT PERSON: AMA		infri		is prohibited and any be subject to legal a tow	
I	TELEPHONE: (804) 385-658		© 2		low	, μυ
	FACSIMILE:				SHEET	
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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

2 STORY 25'-5" FROM APPROXIMATE GRADE
NEW CONSTRUCTION
SINGLE FAMILY DWELLING

THE FOLLOWING STRUCTURAL REQUIREMENTS ARE SPECIFIC TO RICHMOND, VIRGINA FROST DEPTH-18 INCHES DESIGN WIND SPEED - SOMPH, 3-SECOND GUST ULTIMATE DESIGN WIND SPEED FOR RISK CATEGORY I BULDINGS -115 MPH SNOW LOAD - 20 PSF



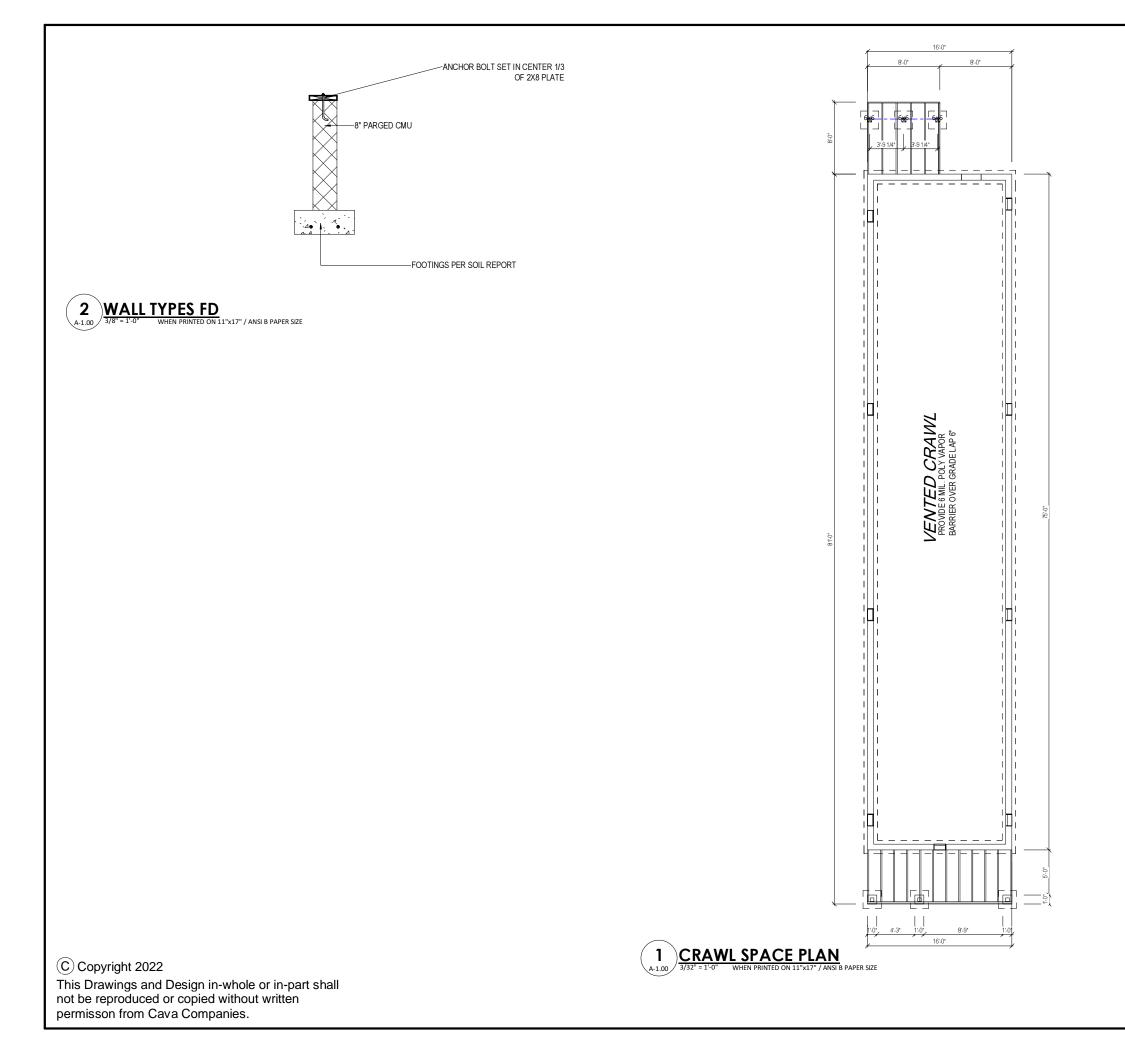


SUP APPROVAL

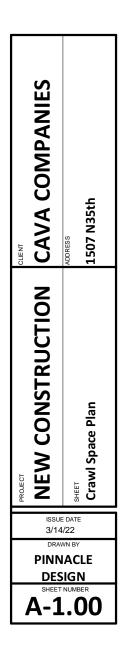
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SHEET INDEX

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

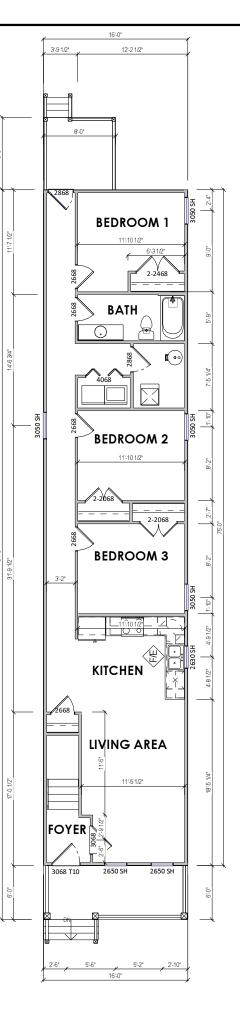






NOTE: THE FINISHED GRADE SHALL BE SLOPED AWAY FROM THE FOUNDATION WALLS AMINIMUM OF 5% WITHIN THE FRST 10 FT FROM THE FOUNDATION [R401 3 VRC]

NOTE: EXTERIOR RISER HEIGHT MAX 81/4" AND MIN TREAD DEPTH 9" [R308.4.1 VRC]

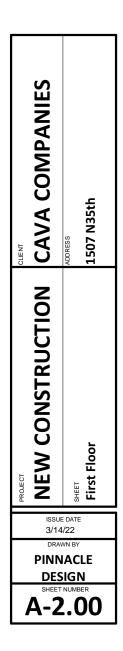




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1. ALL DIMENSIONS ARE FROM OUTSIDE EDGE OF EXTERIOR WALL SHEATHING OR FACE OF STUD, U.N.O.

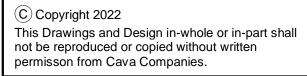
2. ALL DOOR & WINDOW HEADERS IN EXTERIOR WALLS TO BE (2) 2X8 U.N.O.

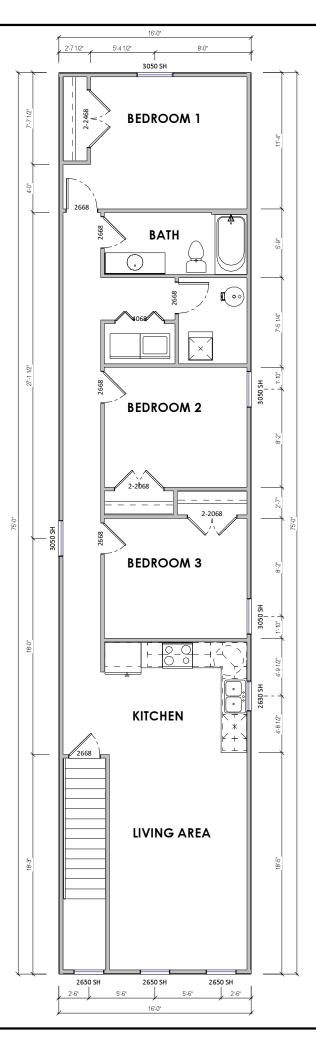
3. ALL INTERIOR DOOR HEADERS TO BE (2) 2X4, U.N.O.

4. PROVIDE PRESSURE TREATED LUMBER @ HOUSE BAND WHERE ALL

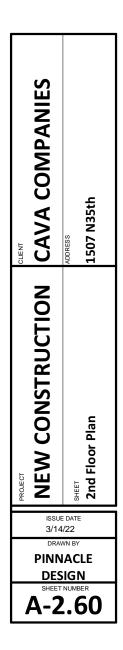
DECK, PORCH & APPURTENANCES ARE CONNECTED.

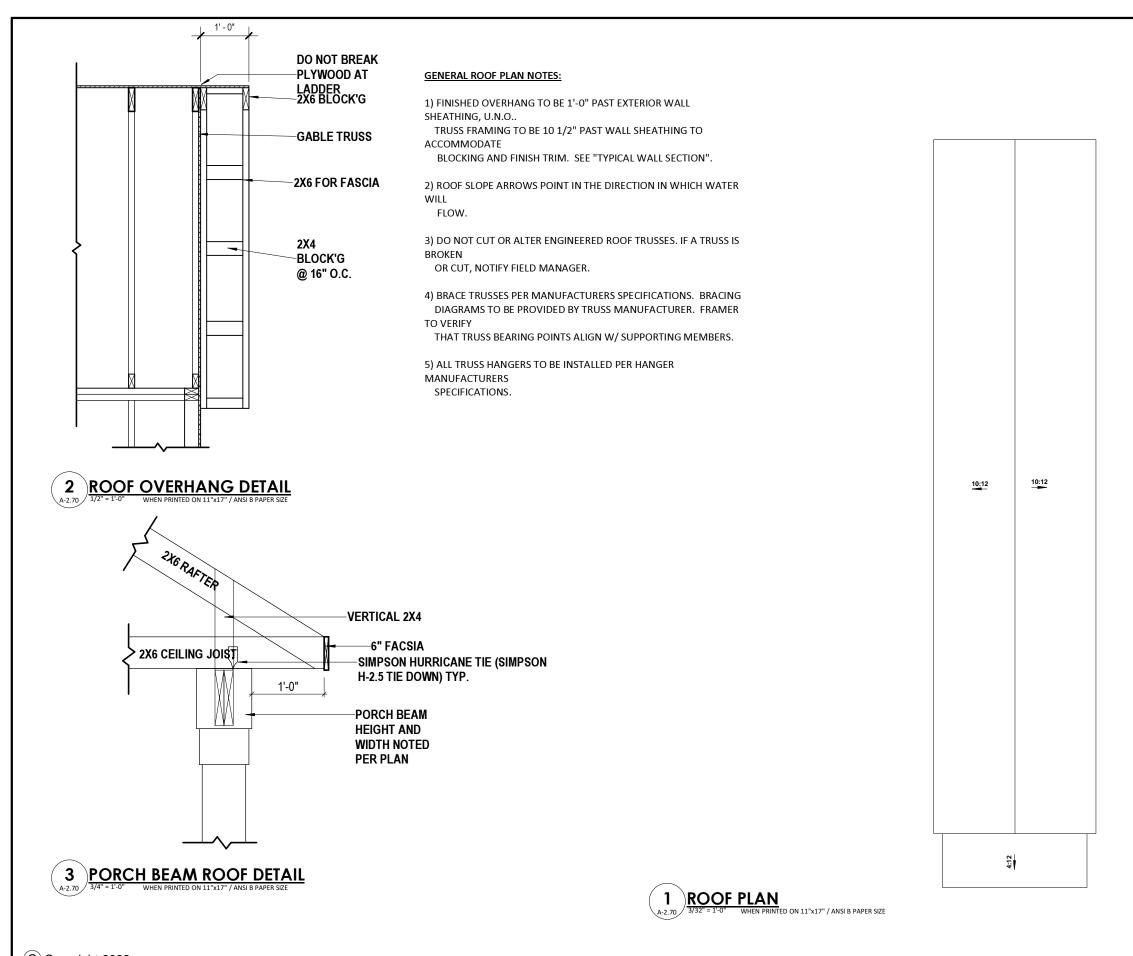






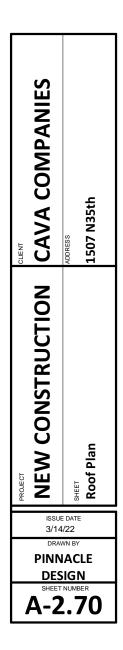






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