

**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: 1904-1912 West Cary Street

Date: 01.19.2023

Tax Map #: W0000851021 Fee: \$2,400

Total area of affected site in acres: 0.3249

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

**Zoning**

Current Zoning: UB-PO3

Existing Use: Mercantile (M4- Retail Store per City listing)

**Proposed Use**

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

New 19-room Boutique Hotel (1904-1908) combined with Mercantile (1912)

Existing Use: Mercantile (1912) and Parking Lot (1904-1908)

Is this property subject to any previous land use cases?

Yes

☐

No

☒

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

**Applicant/Contact Person:** Nathan March

Company: Johannas Design Group

Mailing Address: 1901 W Cary St

City: Richmond

State: VA

Zip Code: 23220

Telephone: ( 804 ) 358-4993

Fax: ( )

Email: nathan@johannasdesign.com

**Property Owner:** Two Birds Realty LLC

If Business Entity, name and title of authorized signee: Bryon Jessee - President

(The person or persons executing or attesting the execution of this Application on behalf of the Company certifies that he or she has or have been duly authorized and empowered to so execute or attest.)

Mailing Address: PO Box 27567

City: Richmond

State: VA

Zip Code: 23261

Telephone: ( 804 ) 869-7565

Fax: ( )

Email: bryon@shyndigz.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)



**JOHANNAS** design group  
1901 West Cary Street  
Richmond Virginia 23220

P. 804.358.4993  
F. 804.358.8211  
W. johannasdesign.com

01.19.2023  
Revised 7.12.2023

**SUP Application Report for  
1904 -1912 West Cary Street  
for a new 19-room Boutique Hotel**

Twelve years ago, Shyndigz, a cake bakery, was established in the Libby-Patterson shopping area, and only after a few years moved to 1903 West Cary Street. While the move was risky, with its clientele at the time mostly from near west end neighborhoods, the business needed to expand. The move proved successful, and a few years later, the owners again expanded their business to 1831 West Cary Street, and subsequently opened The Fancy Biscuit at 1829 West Cary Street.

As their success has continued, they now own each of these buildings, and their operations and sales have expanded. They currently have a restaurant space at 1903, a market area at 1831, another restaurant at 1829, a test kitchen on the second floor of 1829-1831, and the businesses employ forty-five to fifty people. The owners have recently purchased 1904-1912 West Cary Street and are relocating the market to the larger 1912 location to expand its products and add a coffee bar.

The owners are now looking to build on their brand by adding a small boutique-style hotel adjoining their new market on the 1904-1912 lot. As proposed, the hotel will have 19 guestrooms, many of which will have balconies and kitchenettes. The first floor will have a small lobby to be used also as a flexible event space with a 49 person occupancy. The number of rental party events will be limited to 12 per year.

A sidewalk-facing exterior arcade space will create an engaging interface with the public, optionally expanding the market to the public walkway. While events will be able to expand under the arcade canopy, tables and chairs may be simply set on a courtyard patio between the new building and adjacent market with immediate access to the adjacent coffee bar. The courtyard will be the primary access to both the hotel and the market. In this outdoor seating space, market customers will be able to enjoy coffee, pastries, or other prepared foods, as the courtyard will have the same flexibility as the arcade. While the owners may display their wares outdoors and expand their flower displays, the market may respond to seasonal holidays or minimally expand to the interior lobby space. The design includes optional signage per current zoning regulations including a marquee extending from the courtyard between the two buildings four feet over the sidewalk, once again engaging the public interface.

The project includes the new hotel with 19 guest units and a multipurpose space on the first floor. Additionally, the permitted market exists at 1912 West Cary Street, and will encompass about 4300 square feet of market and retail space including a flower counter, bakery counter, coffee counter, stock, storage, built-in refrigerators, freezers, and a back-of-house slicing and packaging table.

**Current Zoning**

The 1900 block of West Cary Street Street is zoned UB PO3. From the Zoning Ordinance:

“The intent of the UB Urban Business District is to encourage business areas with a densely developed pedestrian oriented urban shopping character;” however, all adjacent properties are non-forming.

UB permits specialty food and beverage stores, restaurants, tearooms, cafes, delicatessens, ice cream parlors and similar food and beverage service establishments, retail stores and shops, and tourist homes. The maximum height permitted is 28 feet.

“The minimum number of off-street parking spaces required for uses located in the PO-3 district shall be as follows:...”

"Retail stores and shops, shopping centers, food stores...: one space per 540 square feet of floor area;”

“Restaurants, theaters, and similar uses: one space per 270 square feet of floor area;”

“Tourist home, hotel or motel: one space per guestroom.”

### **Richmond 300 Master Plan**

Twenty-six years ago, the Cary Street Revitalization Committee published its small area revitalization plan. Over the following 15 years, thinking that it could promote a mix of uses on the block, one of the primary goals of the Revitalization Committee was to create high density housing on the gas station site at West Cary Street and South Meadow Street, immediately adjacent to the proposed market/boutique hotel project. According to the Richmond 300 Master Plan, this location is in a micro-node, “a notable place in a neighborhood that provides goods and services primarily to the immediate residents but may also attract visitors.” The Future Land Use Map labels this location as Community Mixed Use, which is a “cluster of medium-density, walkable commercial and residential uses that provide neighborhood services to nearby residential communities and sometimes feature regional attractions.” The “Intensity” of areas per Community Mixed Use is described as “Buildings generally ranging from two to six stories, based on street widths and depending on the historic context.” More recently, three-story construction has been built in the 1700, 1900, 2000, 2100, and 2200 blocks, with several new three-story buildings proposed in adjacent blocks. As noted in the master plan, the proposed new building is four stories and “step(s) back from the build-to line” in response to adjacent properties by “matching the height of the predominant cornice line of the block.”

### **Objective 4.1**

*Create and preserve high-quality, distinctive, and well-designed neighborhoods and Nodes throughout the city.*

The new infill building will be connected to an existing building, a former liquor store currently permitted as a market. The general massing is intentionally narrow at the street face, maintaining a profile similar to the scale of many historic structures in the city. The new building site design includes a +/- 13 foot courtyard opening to the street, creating a transparent public space where people will be able to have coffee, dessert, or other take out items.

### **Objective 11.2**

*Implement equitable economic development strategies to expand inclusivity and opportunity.*

As of September 21, 2022, the owners' proximal businesses employed about 50 people in their food service, baked goods production, and marketing group. These include servers, cooks, bakers, retail workers, food testing chefs, a team of merchandising artists, and logistic managers.

### **Objective 11.3**

*Increase the number and support the growth of small businesses, start-ups, and women-owned and minority-owned businesses.*

The company is a small business, 50% woman-owned by Nicole Jessee. Her husband, Bryon Jessee is the other owner who manages expansion, contracts, and logistics. While Nicole is the creative director, her imagination has turned an at-home baker operation into a regional business destination.

**Objective 12.1**

*Maintain, grow, and market Richmond's tourism attractions.*

While Shyndigz and its adjacencies are currently creating a great neighborhood place, already attracting people from out-of-town for cake and an experience, the current plans call for enhancing this micro-node location.

**Objective 12.3**

*Increase the availability and options for lodging in the city. Encourage the development of hotel rooms in Nodes.*

This boutique hotel will encourage and add to the variety of hotel rooms in the city.

The project will provide nine on-site parking spaces, and four on-street spaces along 91' of parallel parking frontage on West Cary Street. Of note is that 30% of the staff walk to work, 20% ride bicycles, and 10% take the bus.

West Cary Street, Route 147, is a major state highway. The Number 5 GRTC bus line runs west on West Main Street and east on West Cary Street every thirty minutes. The downtown bus stop is diagonally across the street, and additional bus routes on the block include the 78 and 77, both of which connect to the Pulse Rapid Transit. VCU, Strawberry Street, Carytown, and Byrd Park are within a 10 to 15 minute walk, and a 20 minute walk reaches the Virginia Museum. With a Walk Score of 90, this location is a "Walker's Paradise".

The application for the special use has seven specific requests:

1. the hotel with 19 guest rooms
2. four stories of height of about 58 feet plus roof access
3. the lobby/event space limited to 49 seats
4. the marquee between the buildings
5. outdoor seating at the arcade and courtyard
6. market sales in the hotel lobby/event space
7. limit on-site parking to eight spaces with five additional off-site spaces or limit nine on-site parking spaces with four additional off-site parking spaces.
8. expand permitted signage area.

The proposed special use will not:

1. be detrimental to the safety, health, morals and general welfare of the community involved
2. create congestion in streets, roads, alleys and other public ways and places in the area involved
3. create hazards from fire, panic or other dangers
4. tend to cause overcrowding of land and an undue concentration of population
5. adversely affect or interfere with public or private schools, parks, playgrounds, water supplies, sewage disposal, transportation or other public requirements, conveniences and improvements or
6. interfere with adequate light and air.



# BOUTIQUE HOTEL

## SPECIAL USE PERMIT

1904,1906,1908 & 1912 WEST CARY ST

### Project Info

Owner: Two Birds Realty LLC

Scope: Combine an existing market to an infill Boutique Hotel on existing surface parking.

Site Area: 14,153 sq ft

Existing Building: 4,251 sq ft gross

New Construction: 15,885 +/- sq ft

Current Zoning - UB-PO3

### Gross Building Areas

First Floor: 2,365 +/- sq ft

Second Floor: 4,620 +/- sq ft

Third Floor: 4,620 +/- sq ft

Fourth floor: 4,500 +/- sq ft

Total Gross Area: 15,885 +/- sq ft

### Amenities

Shyndigz Market

Bakery

Coffee shop

Roof Decks

Neighborhood

### Contents

SUP 1 Cover

SUP 2 Site Plan

SUP 3 Floor Plans

SUP 4 Floor Plans

SUP 5 Floor Plans

SUP 6 Elevation

SUP 6 Elevation

SUP 8 Elevation

SUP 9 Elevation

SUP 10 Signage Areas

### Vicinity Map



Site

### Room Area Break Down

Room 201: 450 sf

Room 202: 540 sf

Room 203: 410 sf

Room 204: 410 sf

Room 205: 410 sf

Room 206: 390 sf

Room 207: 390 sf

Room 301: 450 sf

Room 302: 540 sf

Room 303: 410 sf

Room 304: 410 sf

Room 305: 410 sf

Room 306: 390 sf

Room 307: 390 sf

Room 401: 835 sf

Room 402: 410 sf

Room 403: 410 sf

Room 404: 410 sf

Room 405: 690 sf

REVISIONS  
02.22.2023

BOUTIQUE HOTEL - SPECIAL USE PERMIT  
1904,1906,1908 & 1912 WEST CARY ST

SHEET TITLE

COVERSHEET

PROJECT NO.

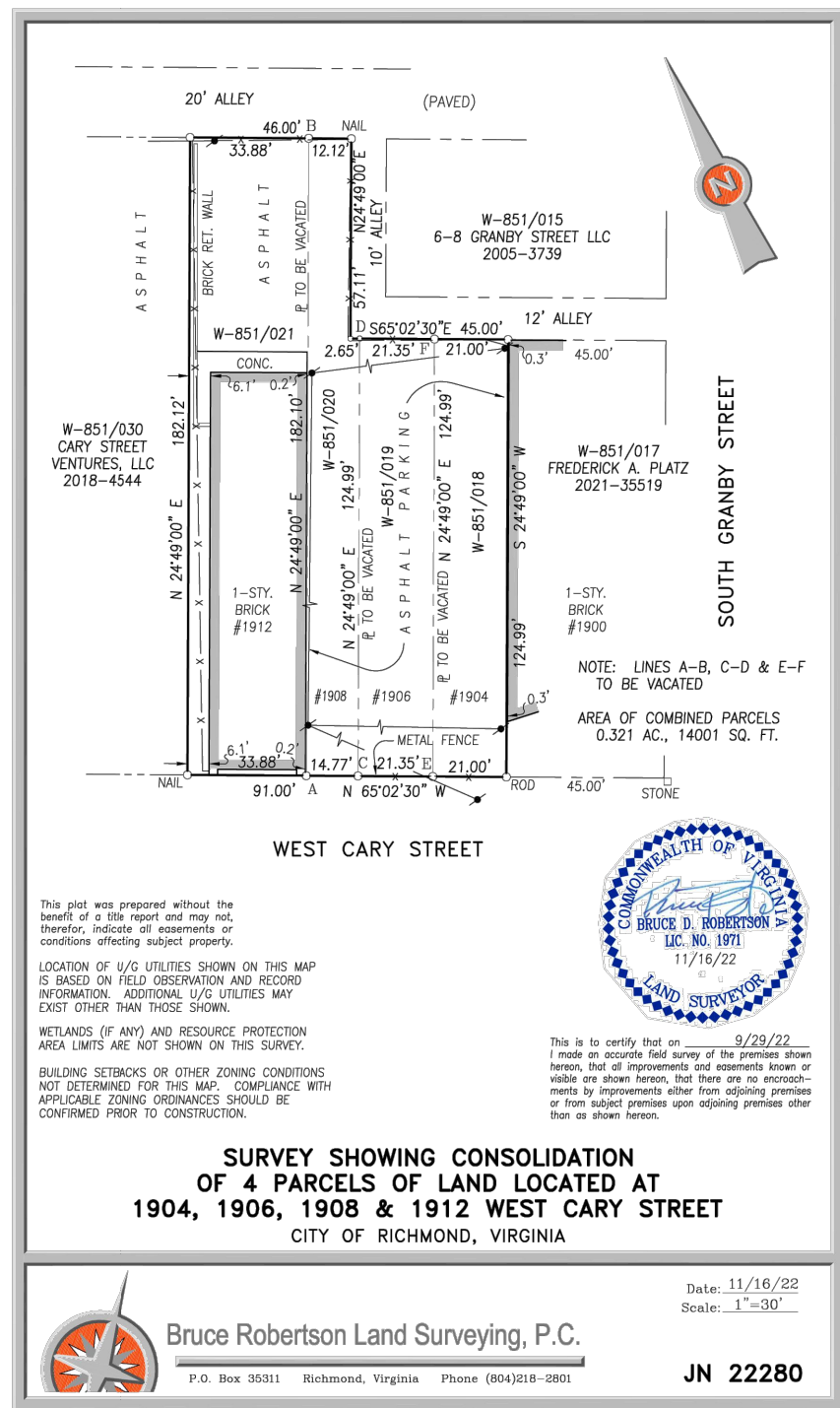
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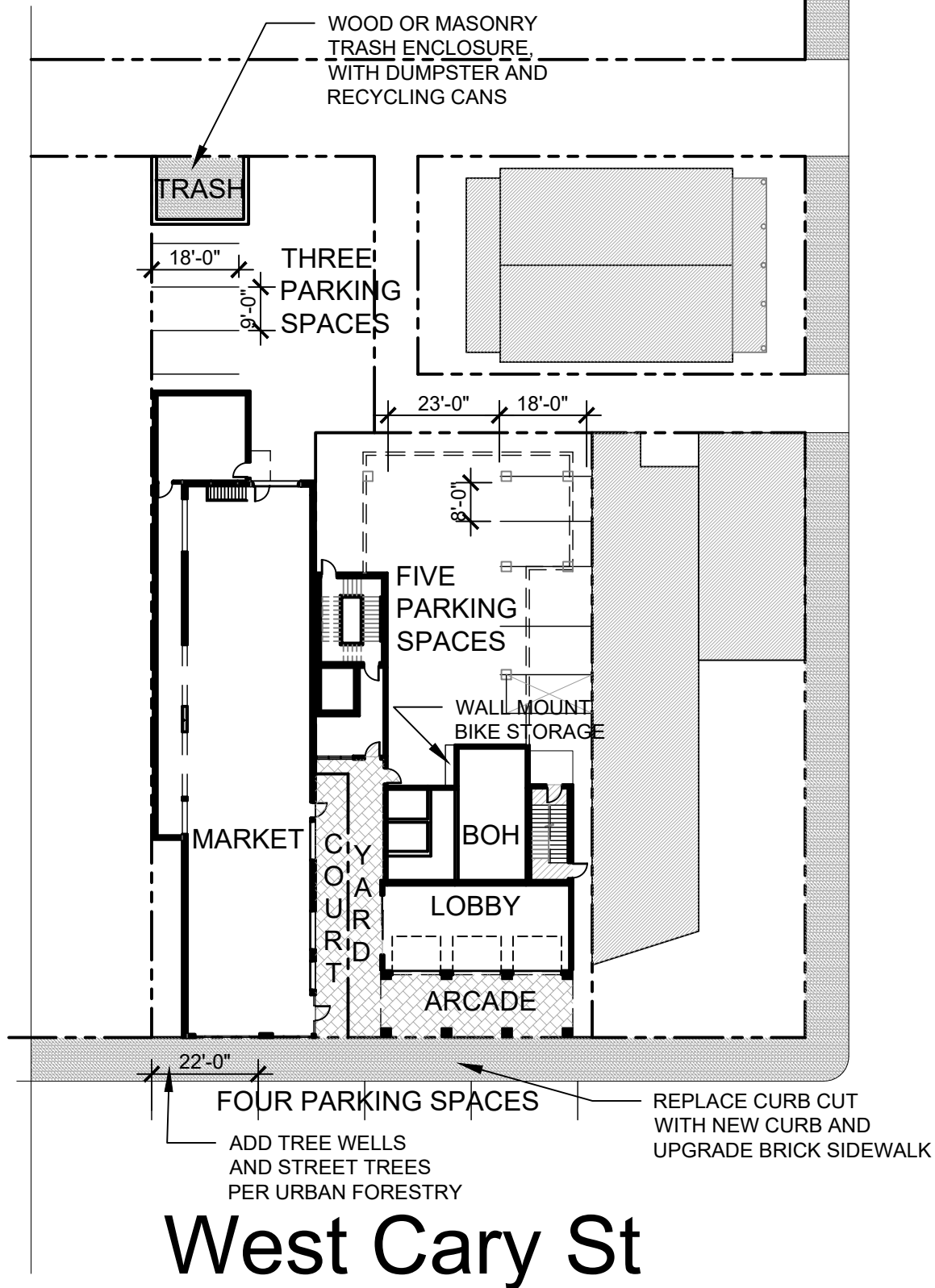
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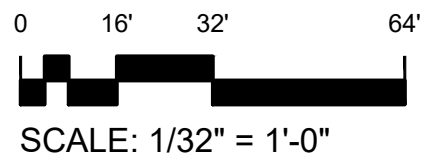
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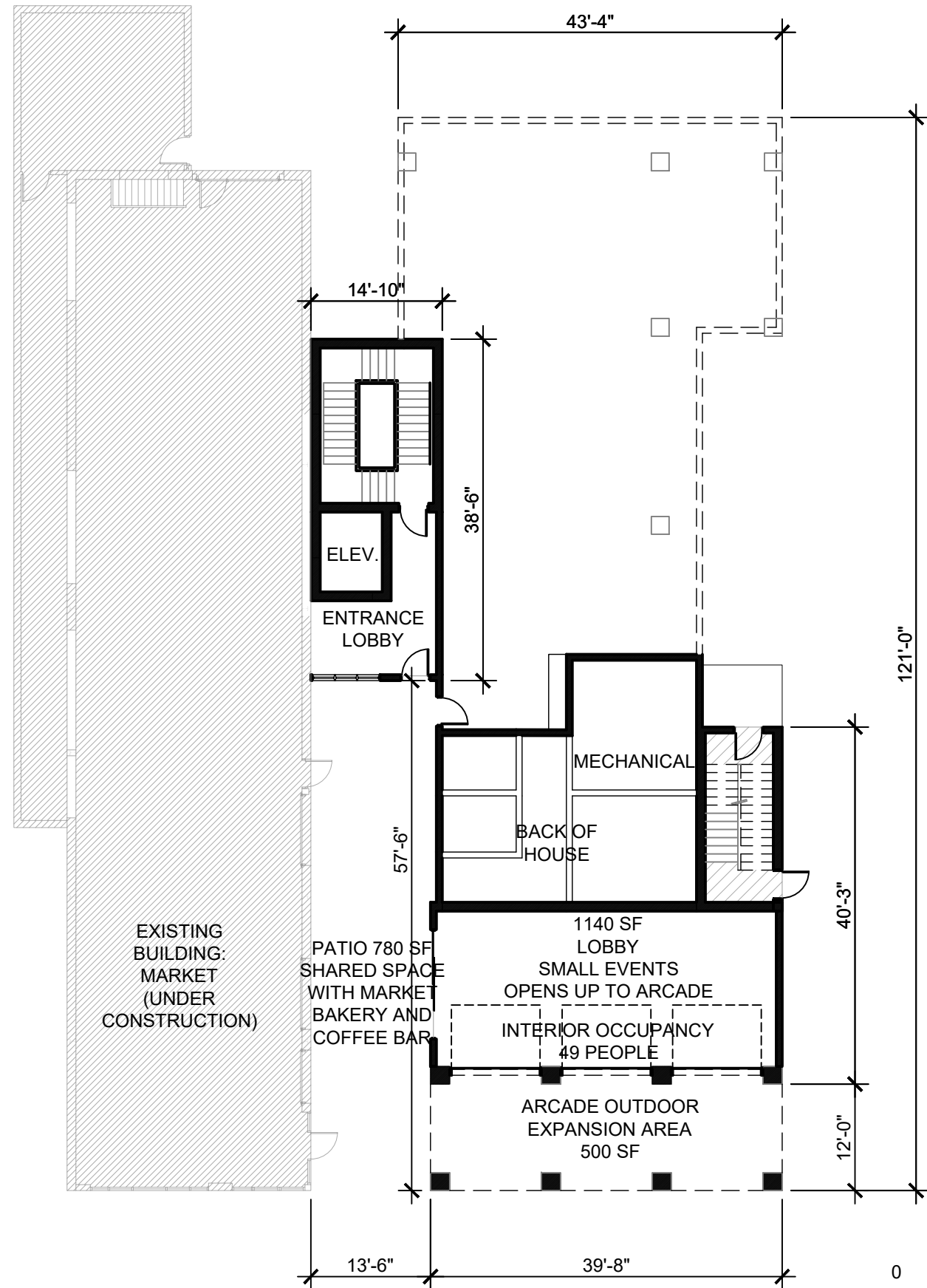
2 SURVEY  
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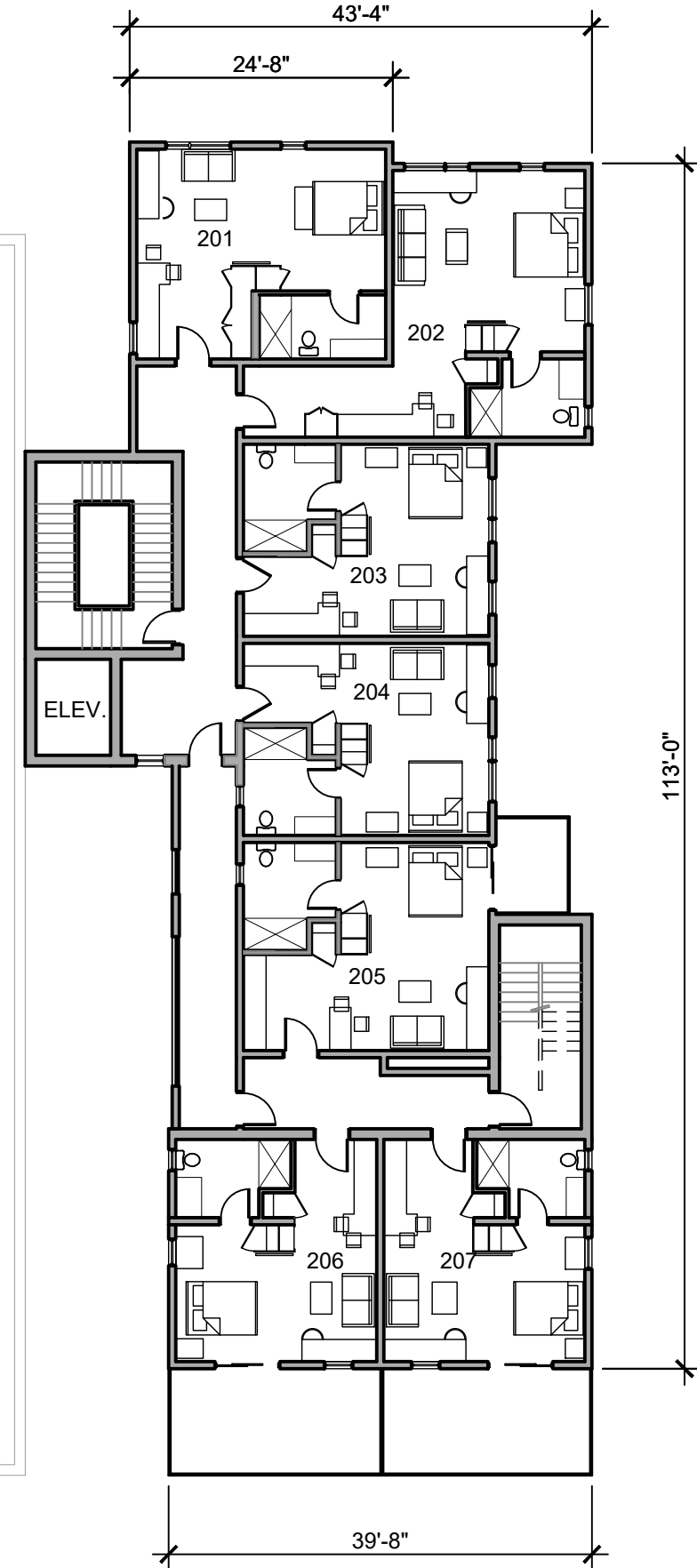
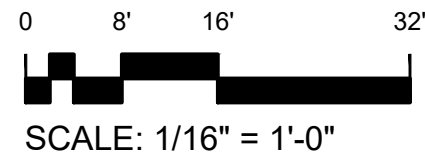
1 SITE PLAN  
1/32" = 1'-0"



JOHANNAS DESIGN GROUP 1901 WEST CARY STREET RICHMOND, VA 23220 P 804.358.4993 F 804.358.8211	REVISIONS
	02.22.2023 07.12.2023
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	SHEET TITLE
	SITE PLAN
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	2138
	DATE
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	SHEET NO.
	SUP 2



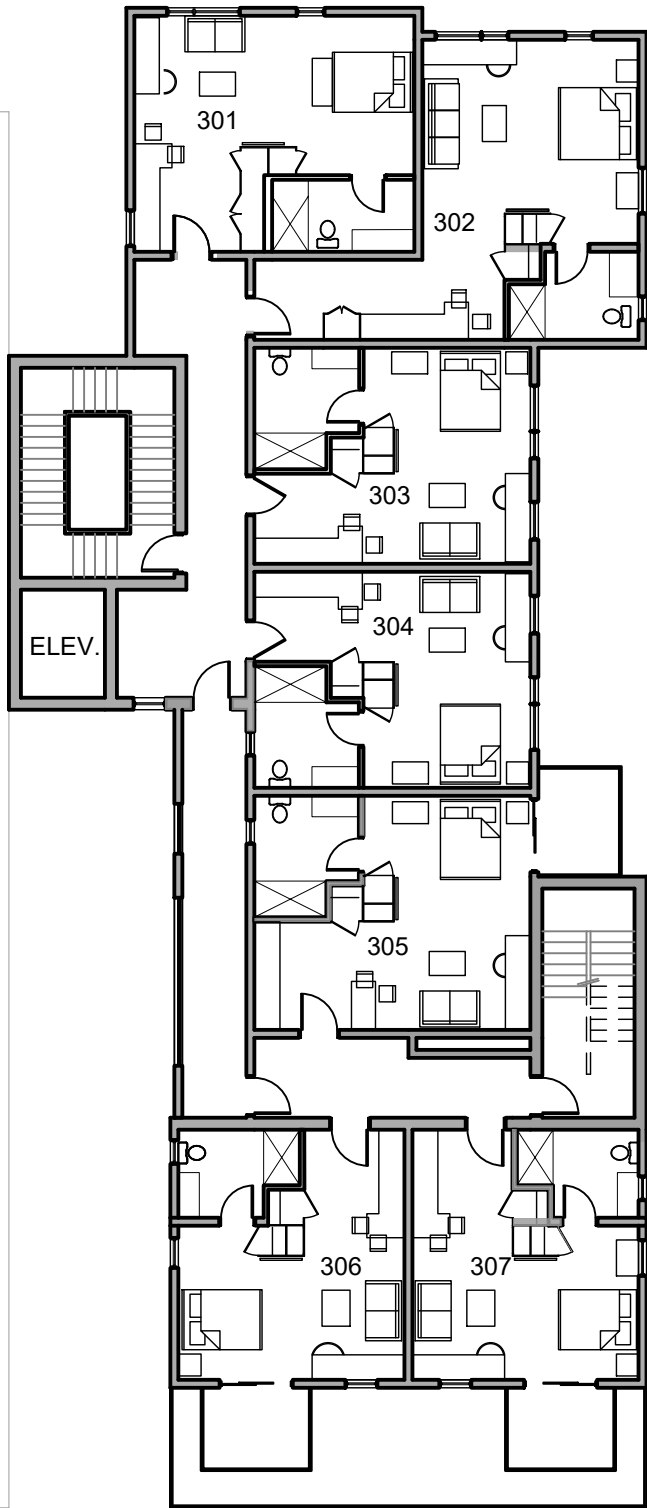
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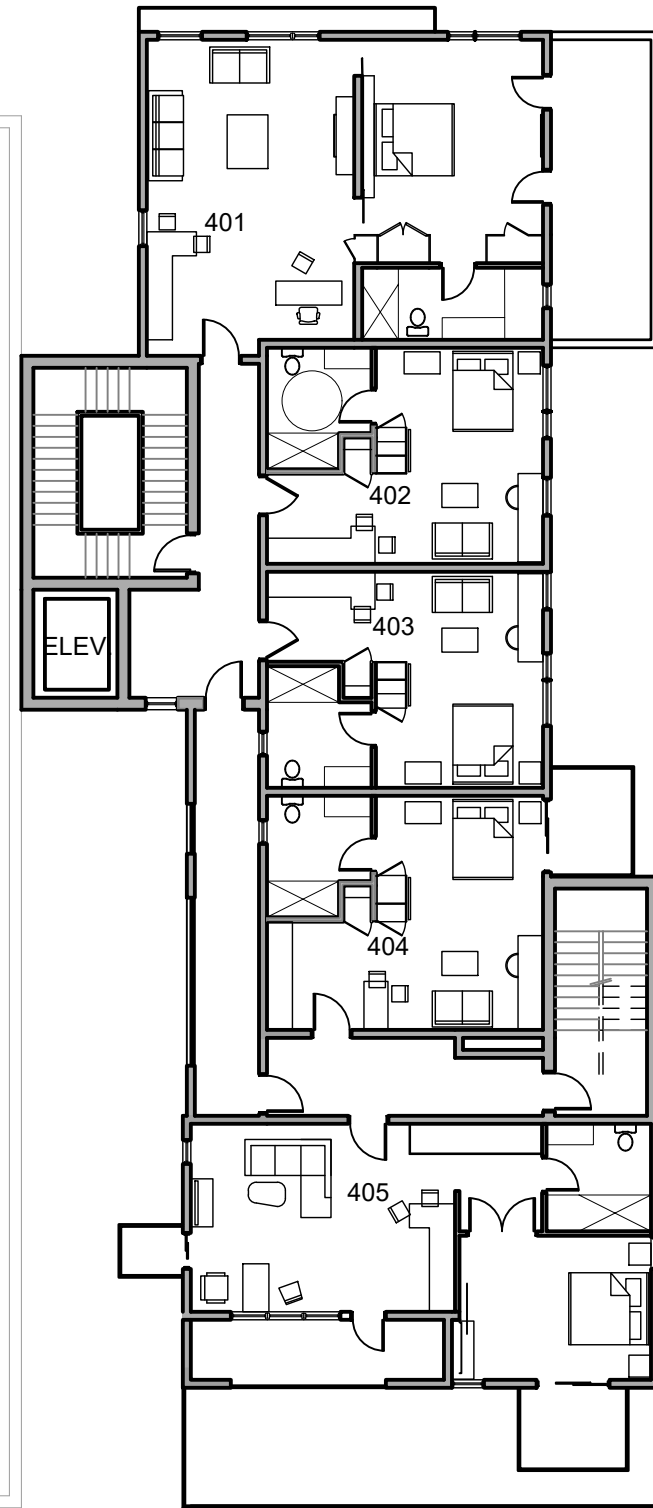
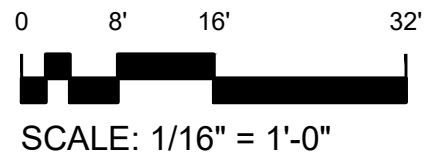
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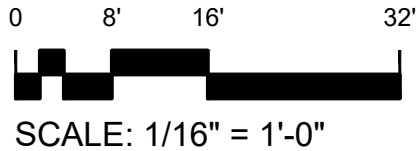


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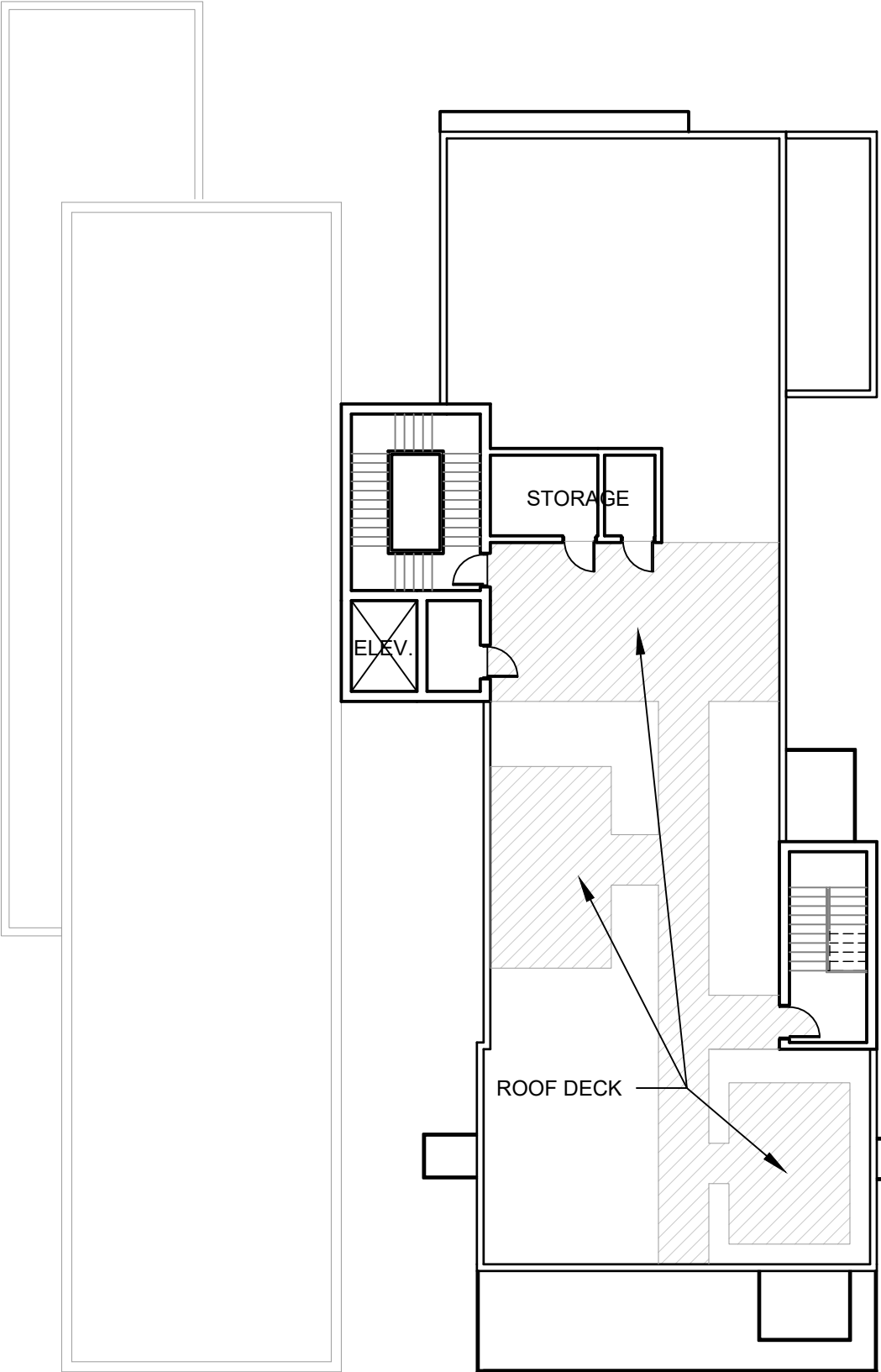


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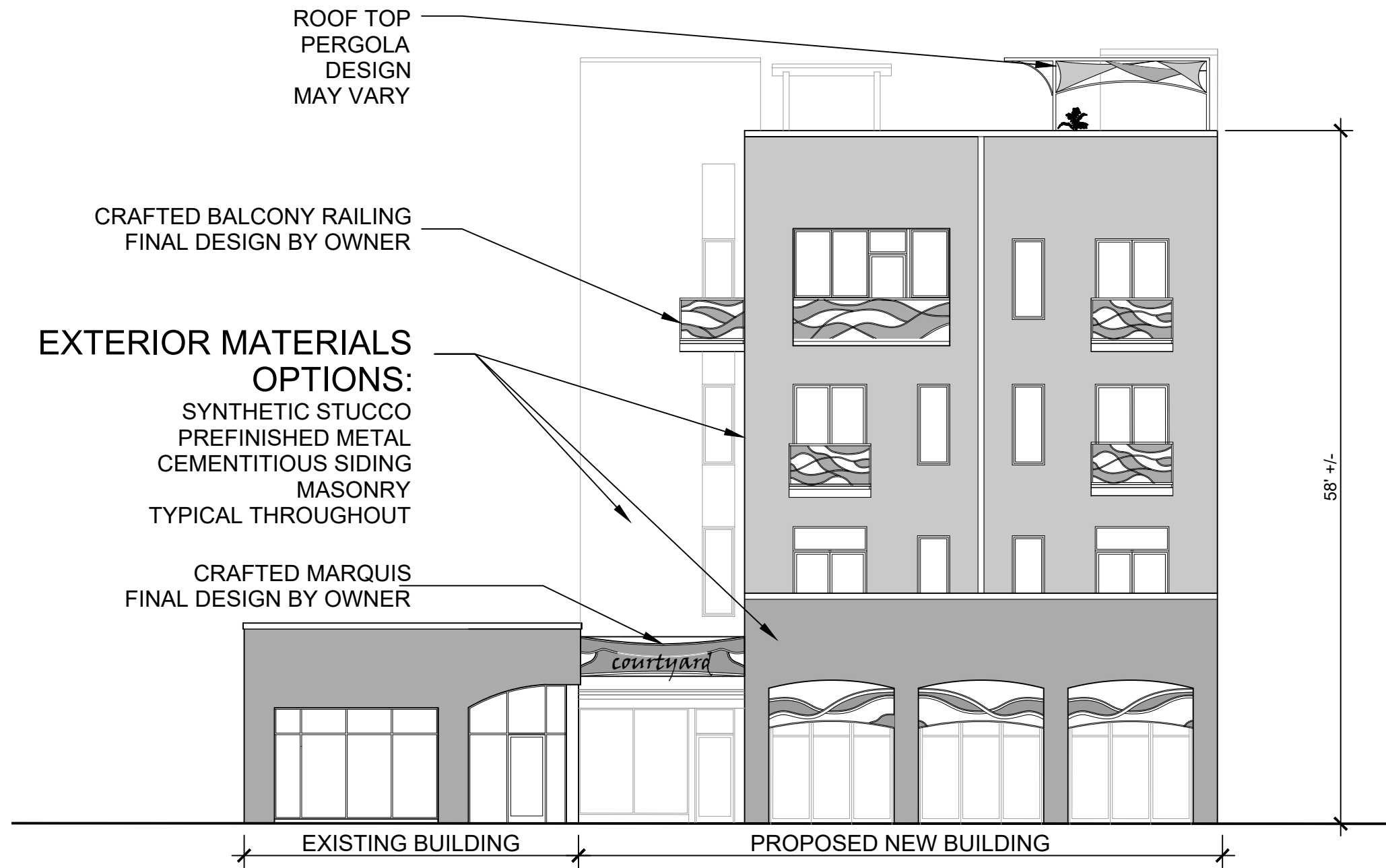


1 ROOF PLAN  
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**J O H A N N A S   D E S I G N   G R O U P**   1901 WEST CARY STREET   RICHMOND, VA 23220   **P** 804.358.4993   **F** 804.358.8211

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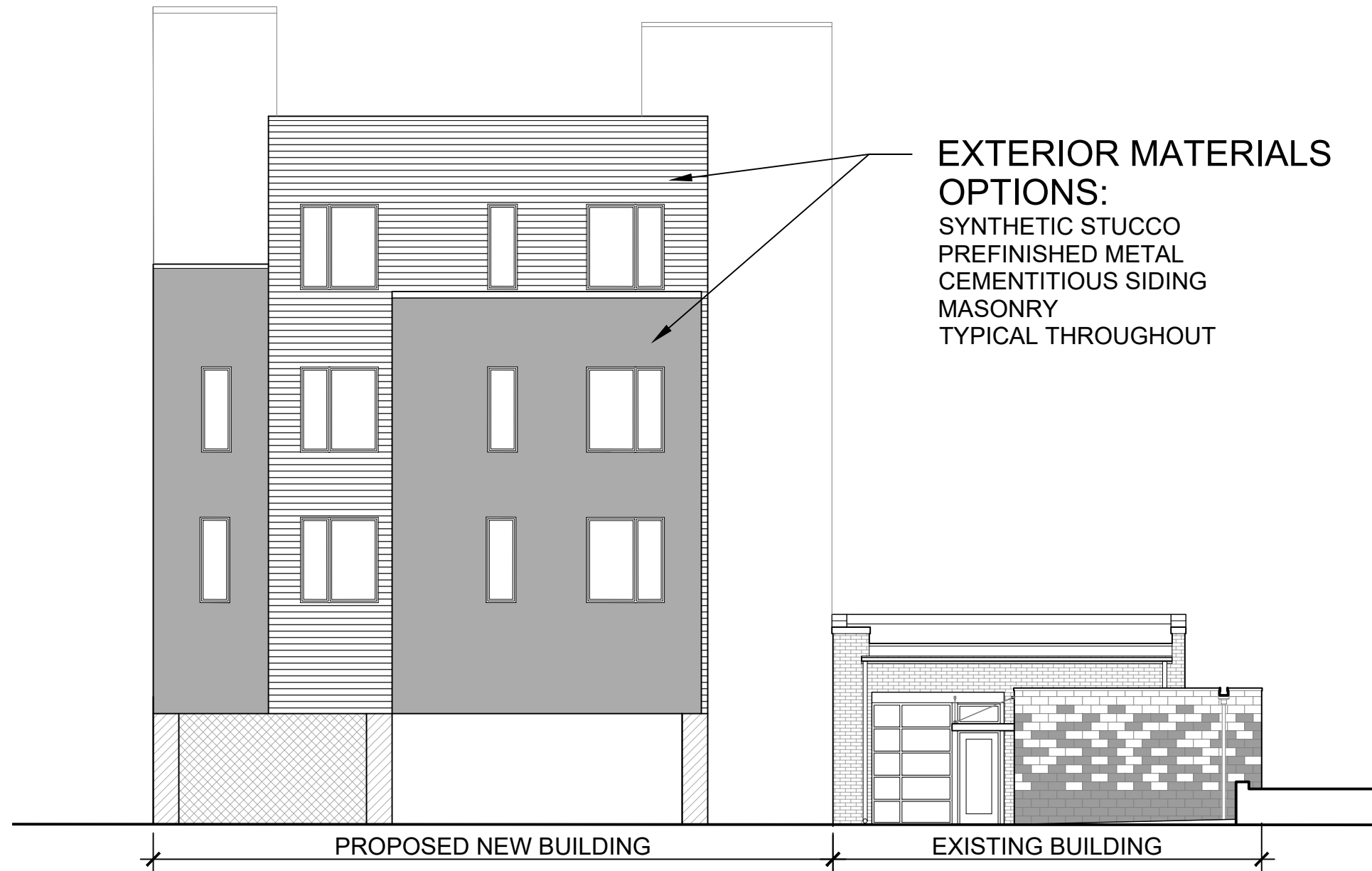


1 FRONT ELEVATION  
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0 5'-4" 10'-8" 21'-4"  
SCALE: 3/32" = 1'-0"

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SHEET TITLE	
ELEVATIONS	
PROJECT NO.	2138
DATE	01.19.2023
SHEET NO.	SUP 6



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REVISIONS  
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BOUTIQUE HOTEL - SPECIAL USE PERMIT  
1904, 1906, 1908 & 1912 WEST CARY ST

SHEET TITLE

ELEVATIONS

PROJECT NO.

2138

DATE

01.19.2023

SHEET NO.

SUP 7

BOUTIQUE HOTEL - SPECIAL USE PERMIT  
1904, 1906, 1908 & 1912 WEST CARY ST

SHEET TITLE

ELEVATIONS

PROJECT NO.

2138

DATE

01.19.2023

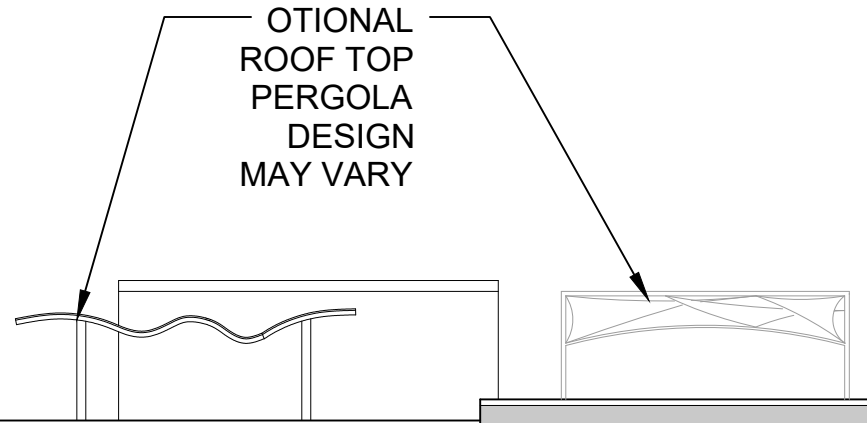
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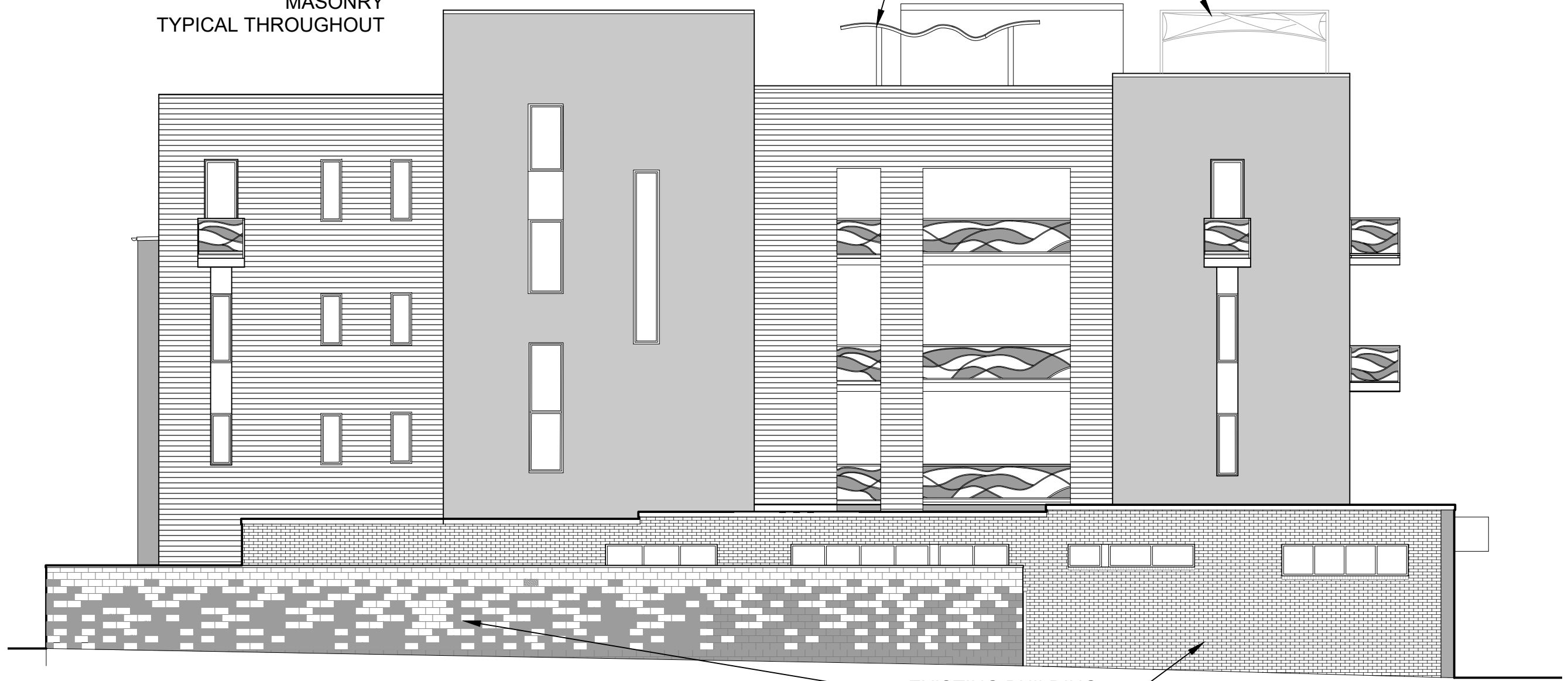
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EXTERIOR MATERIALS  
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PREFINISHED METAL  
CEMENTITIOUS SIDING  
MASONRY  
TYPICAL THROUGHOUT

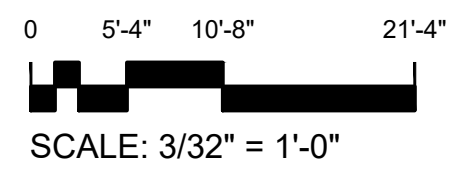
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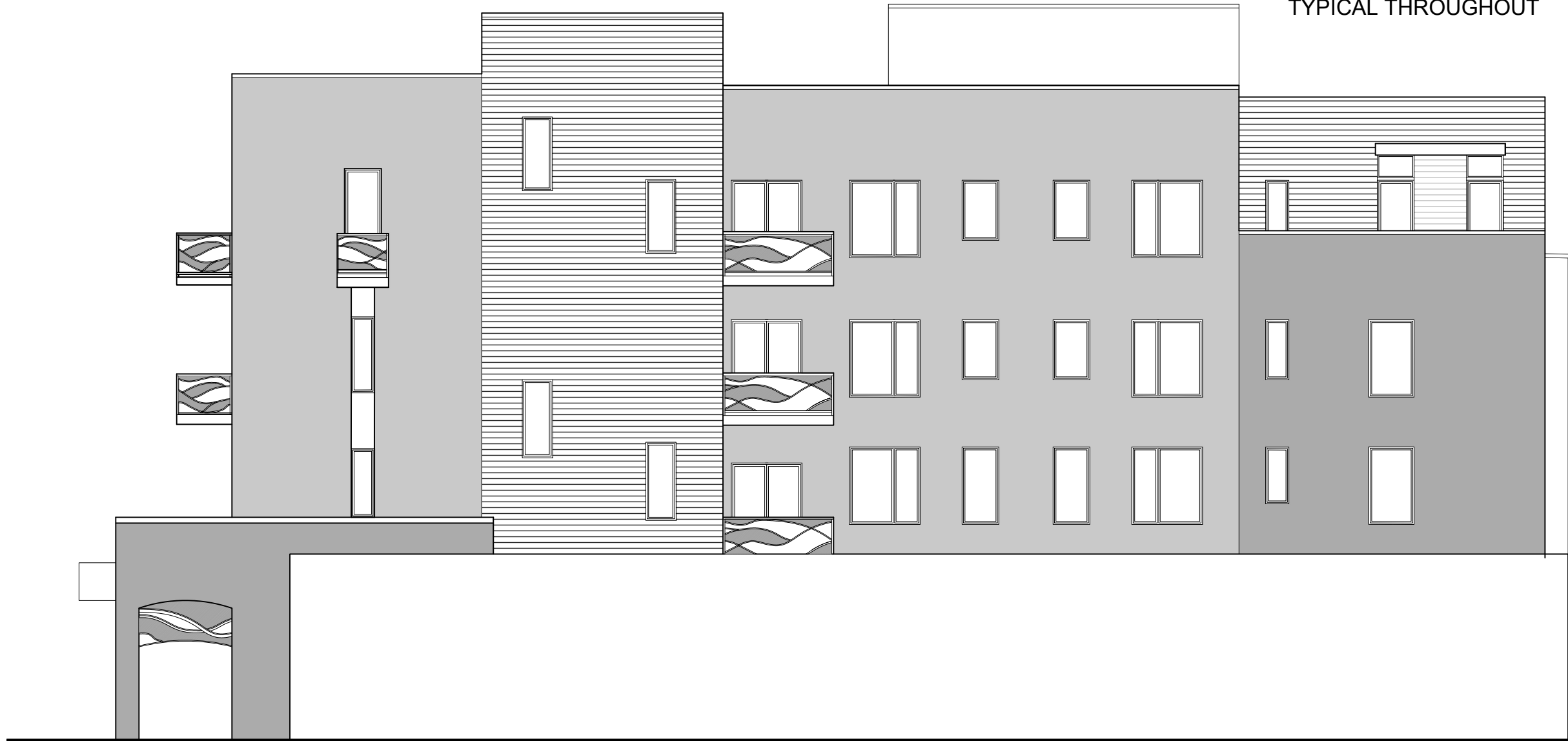


EXISTING BUILDING



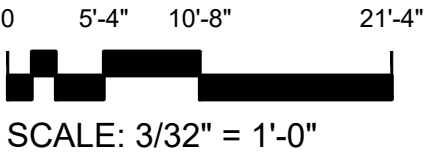
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3/32" = 1'-0"





EXTERIOR MATERIALS  
OPTIONS:  
SYNTHETIC STUCCO  
PREFINISHED METAL  
CEMENTITIOUS SIDING  
MASONRY  
TYPICAL THROUGHOUT

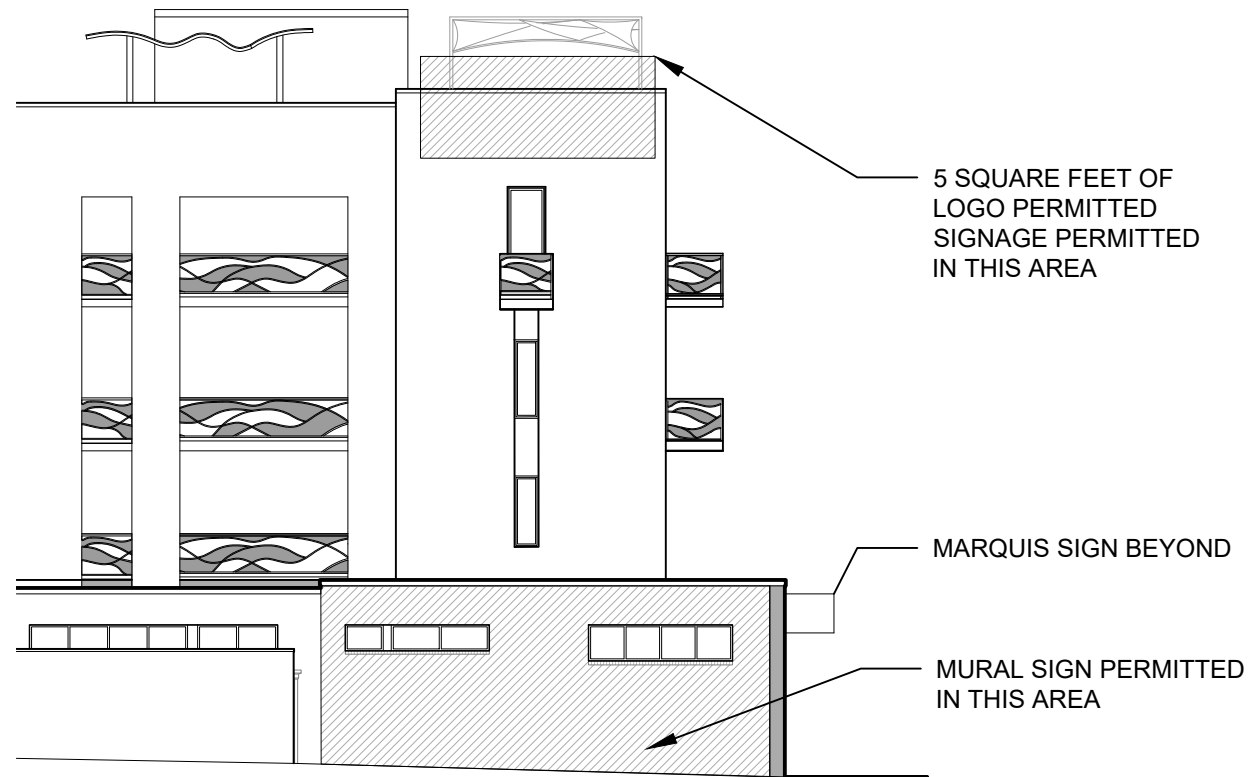
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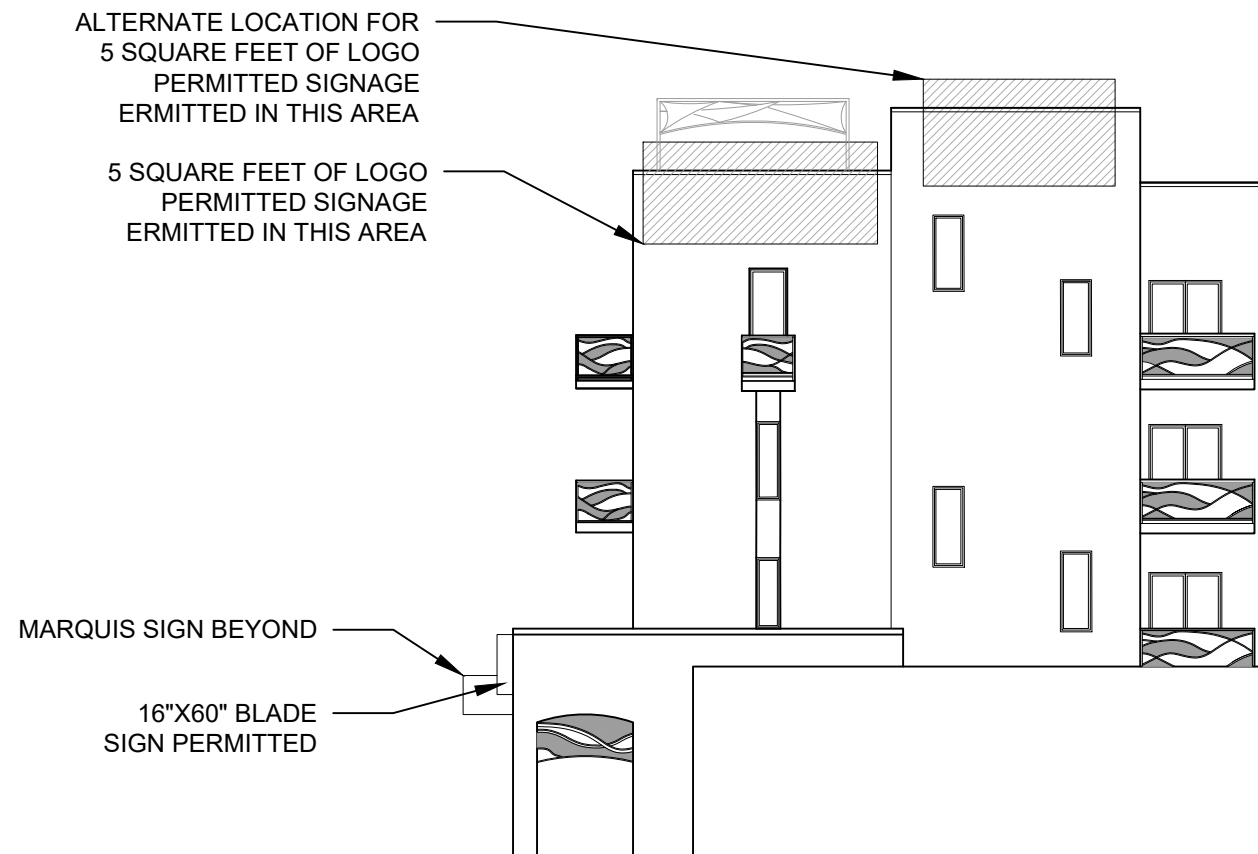
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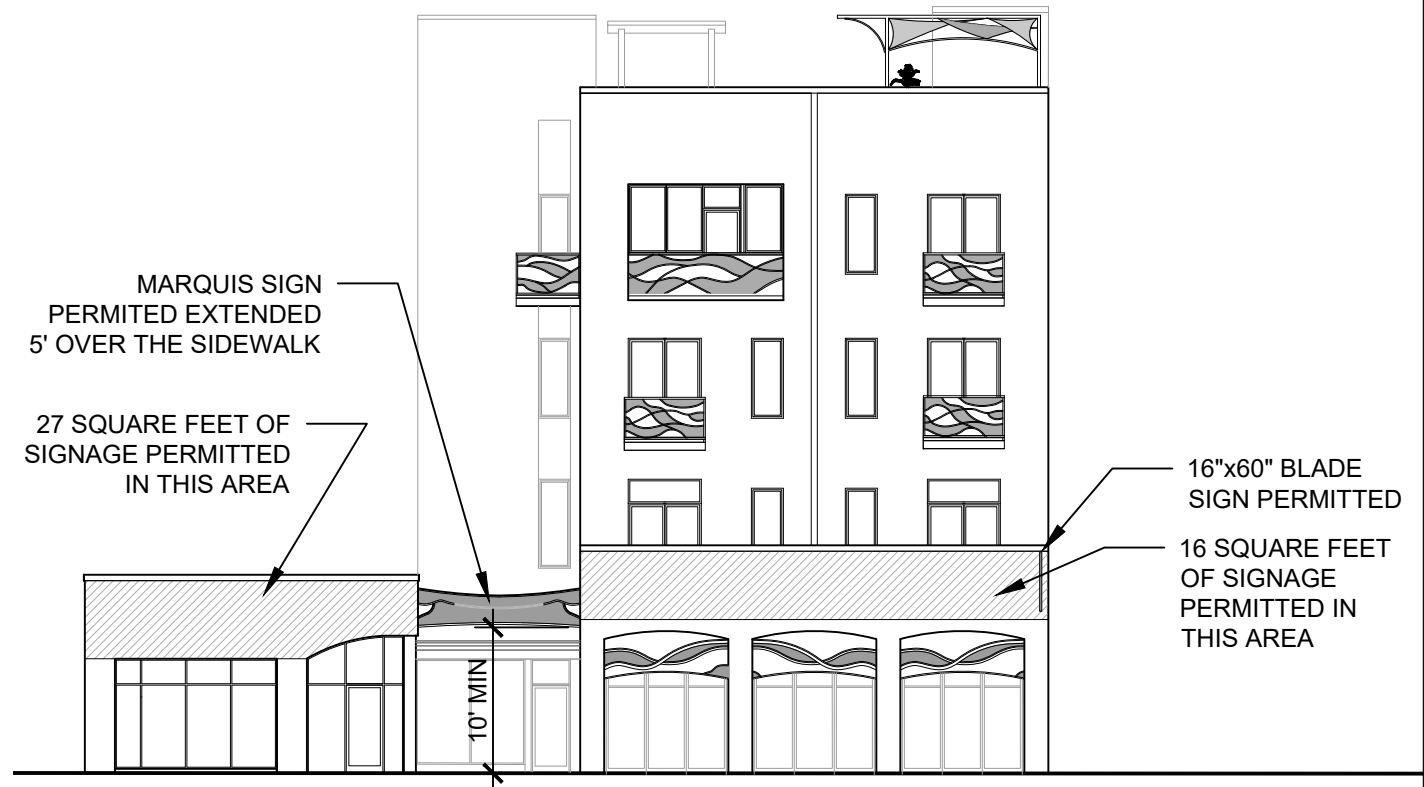




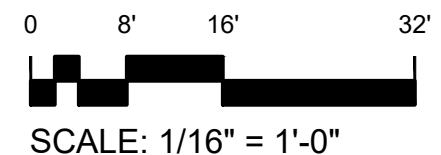
3 SIDE SINAGE AREA  
1/16" = 1'-0"



2 SIDE SINAGE AREA  
1/16" = 1'-0"



1 FRONT SINAGE AREA  
1/16" = 1'-0"



INTRODUCED:

AN ORDINANCE No. 2022-

To authorize the special use of the properties known as 1912 West Cary Street, for the purpose of a mixed-use building, upon certain terms and conditions.

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

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

PUBLIC HEARING:

AT 6 P.M.

WHEREAS, the owner of the properties known as 1912 West Cary Street, which is situated in a Urban Business Parking Overlay District, desires to use such properties for the purpose of a mixed-use building, which use, among other things, is not currently allowed by sections 30-433.2, 30-433.8, and 30-710.3:1, regarding permitted principle uses, building height and off-street parking space width, 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 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

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

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

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. Subject to the terms and conditions set forth in this ordinance, the property known as 1912 West Cary Street and identified as Tax Parcel No. W0000851021 in the 2022 records of the City Assessor, being more particularly shown on a survey entitled "Survey

Showing Consolidation of 4 Parcels of Land Located at 1904, 1906, 1908 & 1912 West Cary Street” prepared by Bruce Robertson Land Surveying, P.C., and dated November 16, 2022, and made a part of this ordinance, hereinafter referred to as “the Property,” is hereby permitted to be used for the purpose of a mixed-use building, hereinafter referred to as “the Special Use,” substantially as shown on the plans entitled “Boutique Hotel – Special Use Permit”, prepared by Johannas Design Group, and dated January 19, 2023, and most recently revised on February 22, 2023, hereinafter referred to as “the Plans,” copies of which are attached to and made a part of this ordinance.

(a) 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 a mixed-use building, with off-street parking, substantially as shown on the Plans. (sheets SUP 1 through SUP 10)

(b) A total of nine (9) off-street parking shall be required for the Special Use, substantially as shown on the Plans. (SUP 2)

(c) The height of the Special Use shall not exceed five (5) stories, substantially as shown on the Plans. (SUP 6)

(d) All mechanical equipment serving the Property shall be located or screened so as not to be visible from any public right-of-way.

(e) All building materials shall include only those substantially as shown on the Plans. (SUP 6 through SUP 10)

§ 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) 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 subject to the terms and conditions set forth in this ordinance. An application for the building permit shall be made within 730 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  
Department of Planning  
& Development Review**

**Special Use Permit**

**LOCATION:** 1912 West Cary Street

**APPLICANT:** Nathan March

**COUNCIL DISTRICT:** 5

**PROPOSAL:** To authorize the special use of the properties known as 1912 West Cary Street, for the purpose of a mixed-use building, upon certain terms and conditions.

*For questions, please contact Matthew Ebinger  
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