



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: 1005 Westover Hills Blvd Date: \_\_\_\_\_

Tax Map #: S0060371001 Fee: \_\_\_\_\_

Total area of affected site in acres: 0.235

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

**Zoning**

Current Zoning: R-5

Existing Use: Vacant

**Proposed Use**

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

Re-authorize mixed-use building pursuant to approved SUP (Ord.2021-111) which expired June 14 2023

Existing Use: Vacant

Is this property subject to any previous land use cases?

Yes

No

If Yes, please list the Ordinance Number: Ord.2021-111

**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:** One Parkwood 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: 8314 Westmont Terrace

City: Bethesda State: MD Zip Code: 20817

Telephone: ( ) Fax: ( )

Email: \_\_\_\_\_

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

10/26/23

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)



October 27<sup>th</sup>, 2023

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

**Re: 1005 Westover Hills Boulevard Special Use Permit**

Dear Matthew:

Please accept this letter as the Applicant's Report accompanying the application for a special use permit (the "SUP") to re-authorize a three-story mixed-use building including multi-family and commercial uses within a R-5 Single-Family Residential District for the property at 1005 Westover Hills Boulevard, identified as Tax Parcel S006-0371/001 (the "Property"). The proposed development was originally authorized pursuant to Ord. No. 2021-111 (the "Ordinance") which was approved by the City Council on June 14, 2021. However, the Ordinance was not implemented. Because an application for a building permit was not made within 730 calendar days of the approval of the Ordinance, the original special use permit is now null and void. Therefore, a new SUP is required to re-authorize the proposed development. Importantly, the proposed development is identical to what was previously approved by the Ordinance. No changes to that approval are contemplated by this request.

The Property is located at the southeastern intersection of Dunston Avenue and Westover Hills Boulevard. The Property contains approximately 0.235 acres of lot area and is currently vacant. Properties to the immediate east, west, and south are mostly developed with single-family dwellings and zoned R-5 Single-Family Residential District. To the North, across Dunston Avenue are properties zoned UB-2 Urban Business District, B-2 Community Business District, and RO-1 Residential Office District. These properties lie in the vicinity of the intersection of Westover Hills Boulevard and Forest Hill Avenue and consist of a variety of commercial and office uses including a mixed-use development at 4930 Forest Hill Avenue.

The Richmond 300 Plan ("the Master Plan") recommends the "Community Mixed-Use" future land use category for the Property, which suggests a "cluster of medium-density, walkable commercial and residential uses" with uses "mixed horizontally in several buildings on a block or vertically within the same building." Future development is envisioned to "provide neighborhood services to nearby residential communities" and include ground floor uses that "engage with, and enliven, the street." In addition to the future land use guidance, the Property is situated within the "Westover Hills" Neighborhood Node which contemplates an area that "has a

1005 Westover Hills Boulevard  
October 27<sup>th</sup>  
Page 2

village-like quality with small retail, services, and restaurant offerings that serve primarily the surrounding neighborhoods, but does attract outside visitors.”

The proposed development is located on a “Gateway” parcel, welcoming traffic headed north on Westover Hills Boulevard to the “Westover Hills” Neighborhood Node. Its prominent position and location in the liminal space between a “Major Residential” and “Major Mixed-Use Street” suggests the contemplated mixed-use building is more appropriate than what could otherwise be developed by-right. In fact, the staff report prepared by the Land Use Administration for the previous special use permit request noted that the development “is generally consistent with the recommendations and designations of the Master Plan for this area, specifically pertaining to Community Mixed Use areas, the Westover Hills Neighborhood Node, and Great and Major Mixed-Use Streets.” Again, this development is identical to the previous special use permit which was approved by all City-reviewing agencies, underwent extensive neighborhood input, and received a unanimous recommendation of approval by the Planning Commission.

In summary, the proposed development remains a more efficient redevelopment of the Property, consistent with Master Plan guidance, than might otherwise be assured by-right.

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

Sincerely,



Mark Baker

Enclosures

cc: The Honorable Kristen M. Nye



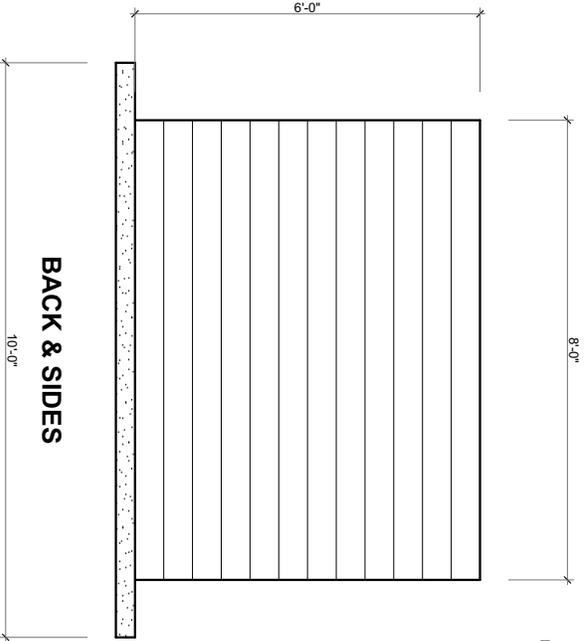


1 SIGNAGE ELEVATION  
SCALE: 1/2" = 1'-0"

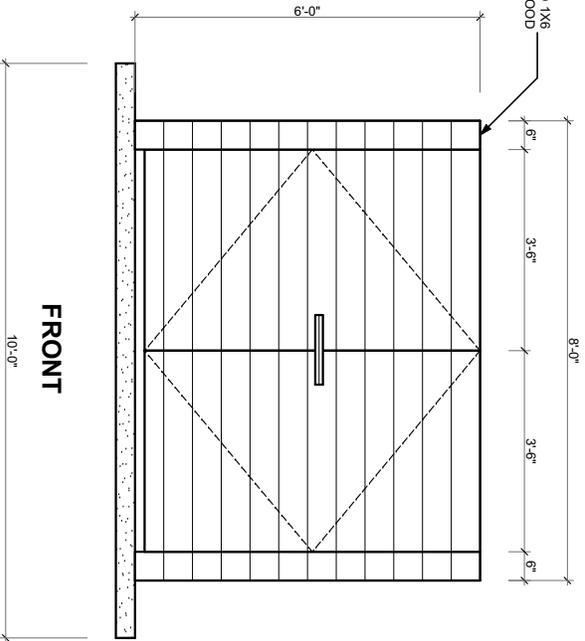
**BUILDING SIGNAGE ELEVATION**  
**1005 WESTOVER HILLS BLVD**  
 RICHMOND, VIRGINIA

SK-02  
 3/12/21  
 PROJECT NO.: 19005





**BACK & SIDES**



PAINTED OR STAINED 1X6  
P.T. WOOD

**FRONT**

1

SIGNAGE ELEVATION  
SCALE: 1/2" = 1'-0"



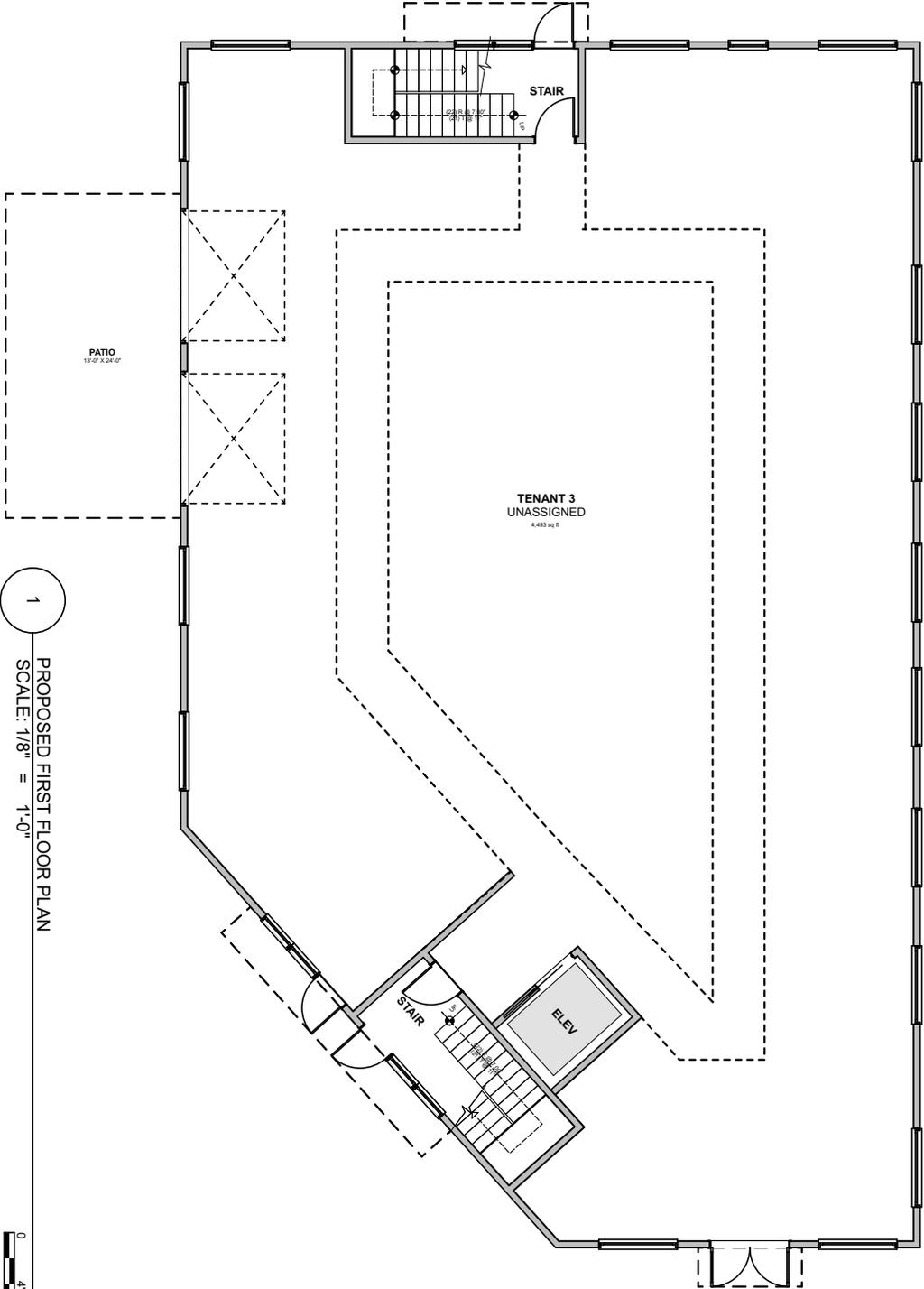
SK-03  
3/12/21  
PROJECT NO.: 19805

**PROPOSED TRASH ENCLOSURE**  
1005 WESTOVER HILLS BLVD  
RICHMOND, VIRGINIA



SK-04  
3/12/21  
PROJECT NO.: 19005

PROPOSED FIRST FLOOR PLAN  
1005 WESTOVER HILLS BLVD  
RICHMOND, VIRGINIA

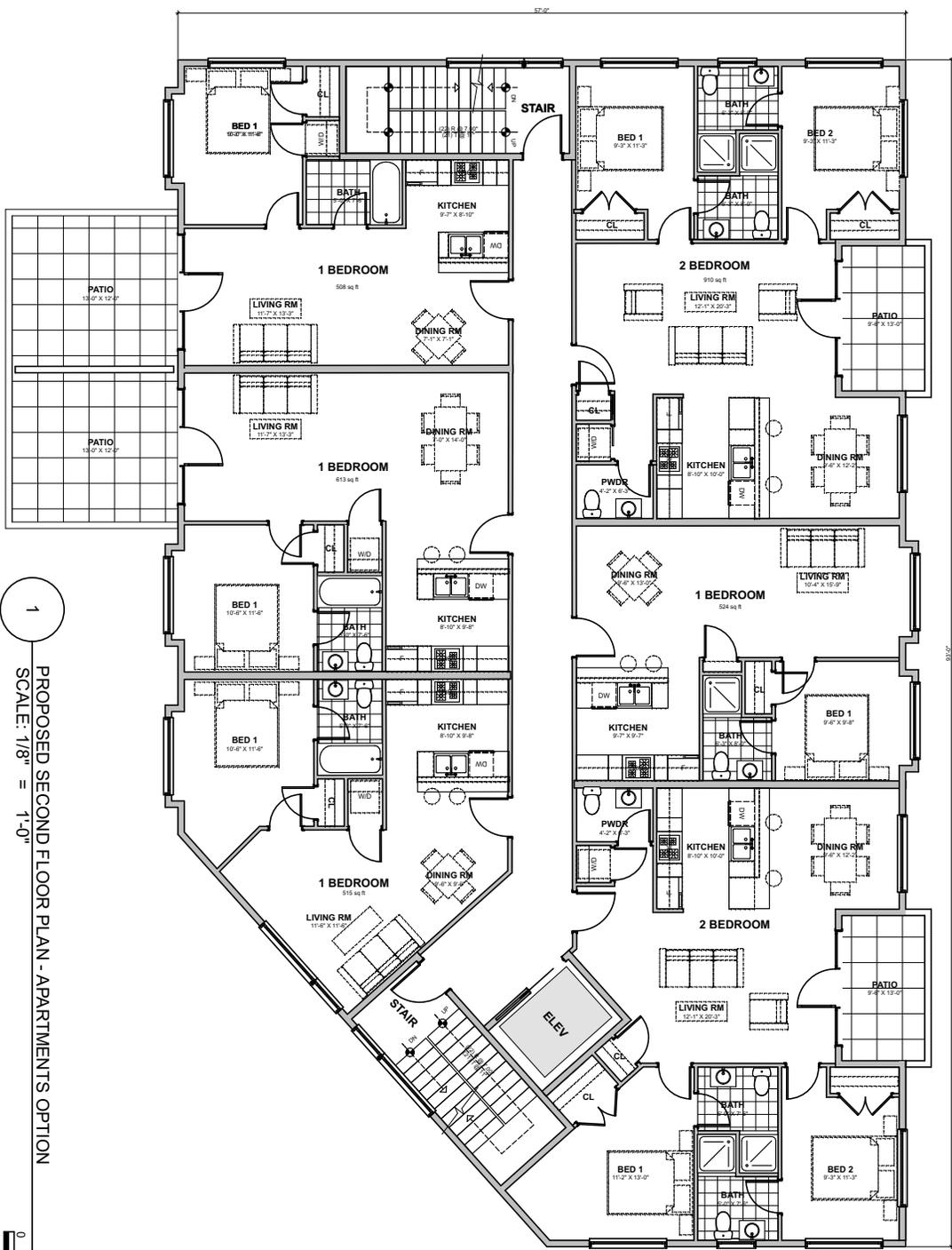


1 PROPOSED FIRST FLOOR PLAN  
SCALE: 1/8" = 1'-0"



SK-05  
 3/12/21  
 PROJECT NO.: 19005

PROPOSED SECOND FLOOR PLAN - APARTMENTS - OPTION  
 1005 WESTOVER HILLS BLVD  
 RICHMOND, VIRGINIA

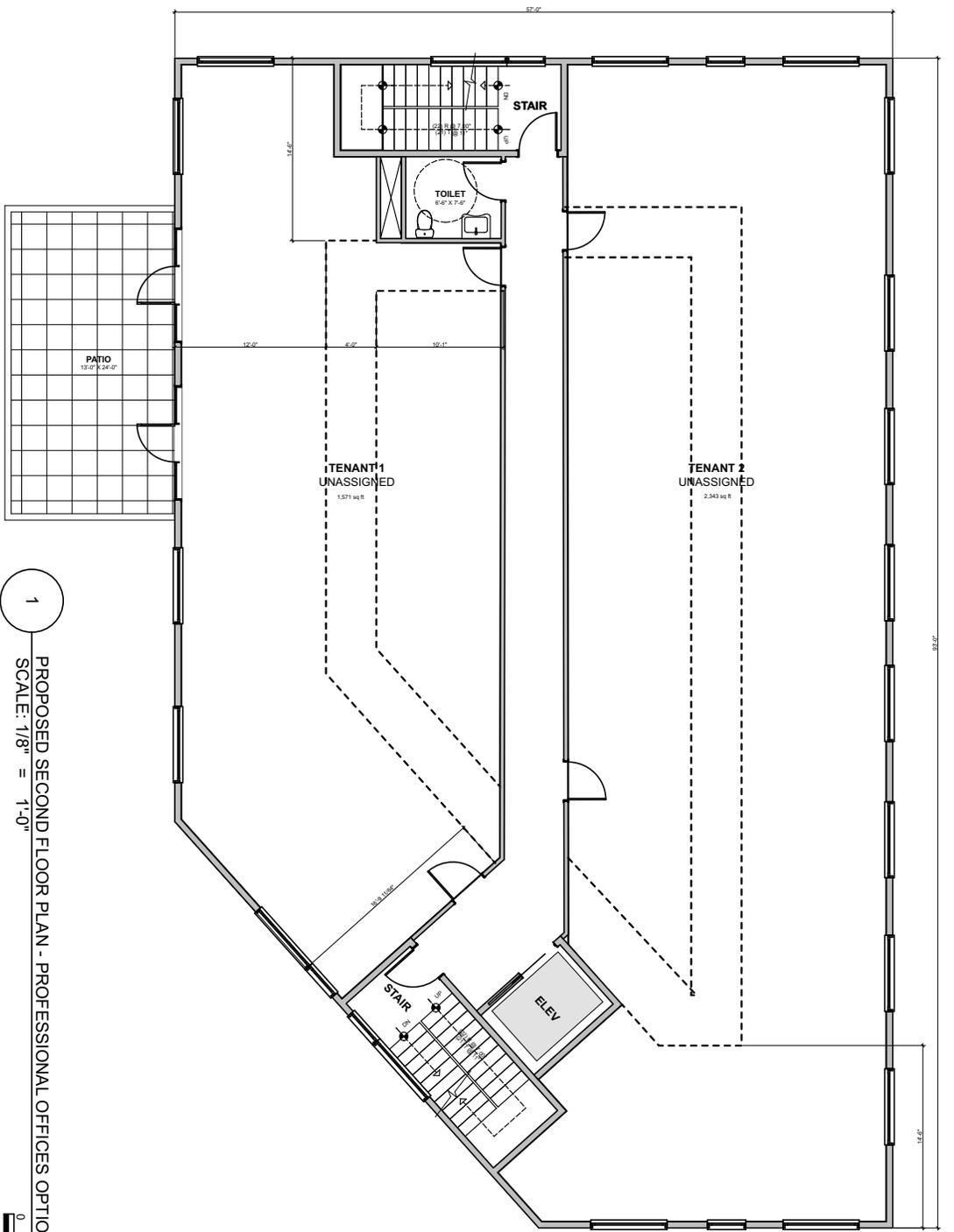


1 PROPOSED SECOND FLOOR PLAN - APARTMENTS OPTION  
 SCALE: 1/8" = 1'-0"



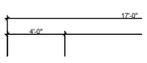
SK-05A  
3/12/21  
PROJECT NO.: 19805

PROPOSED SECOND FLOOR - PROFESSIONAL OFFICES OPTION  
1005 WESTOVER HILLS BLVD  
RICHMOND, VIRGINIA



1

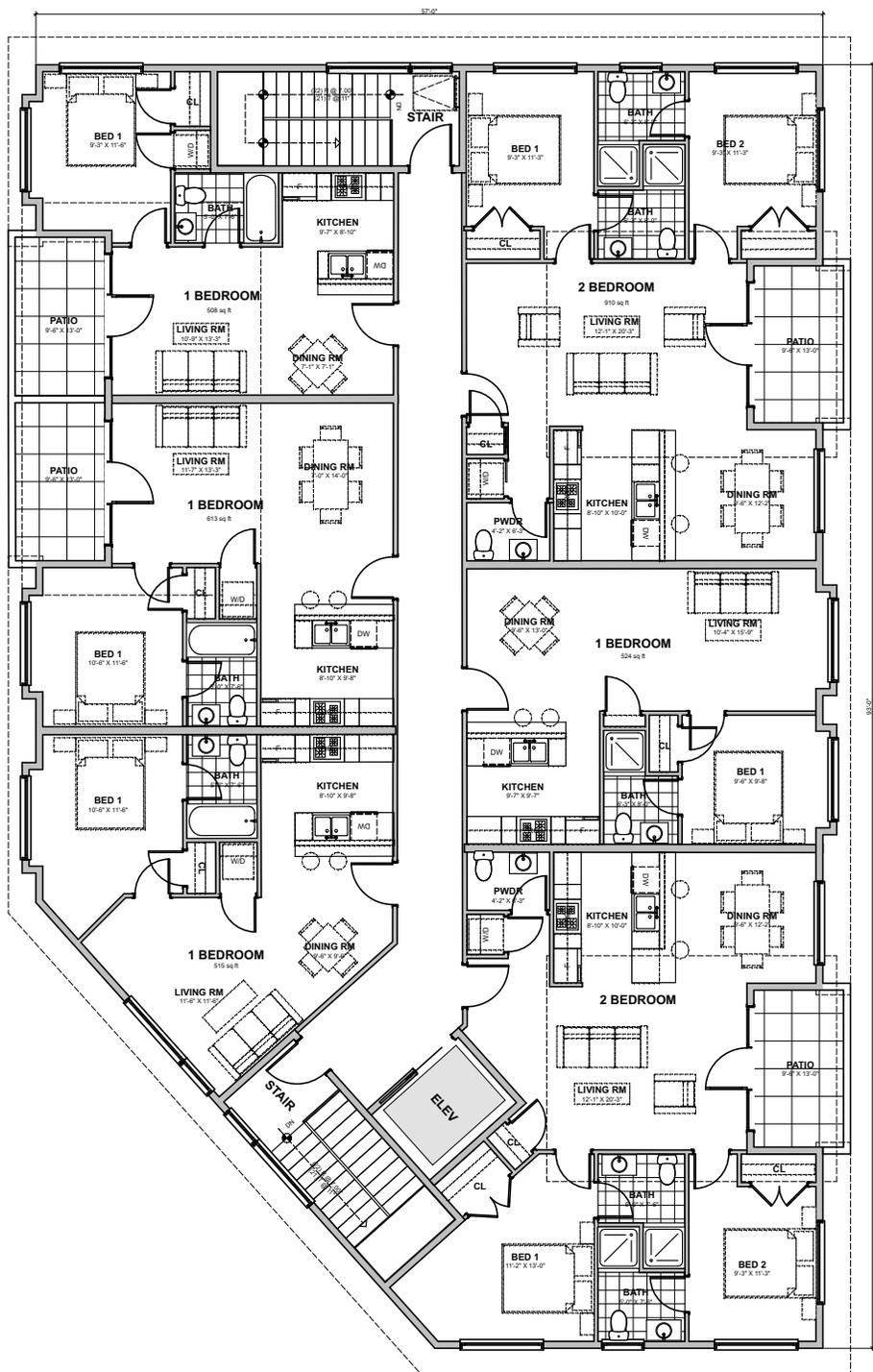
PROPOSED SECOND FLOOR PLAN - PROFESSIONAL OFFICES OPTION  
SCALE: 1/8" = 1'-0"

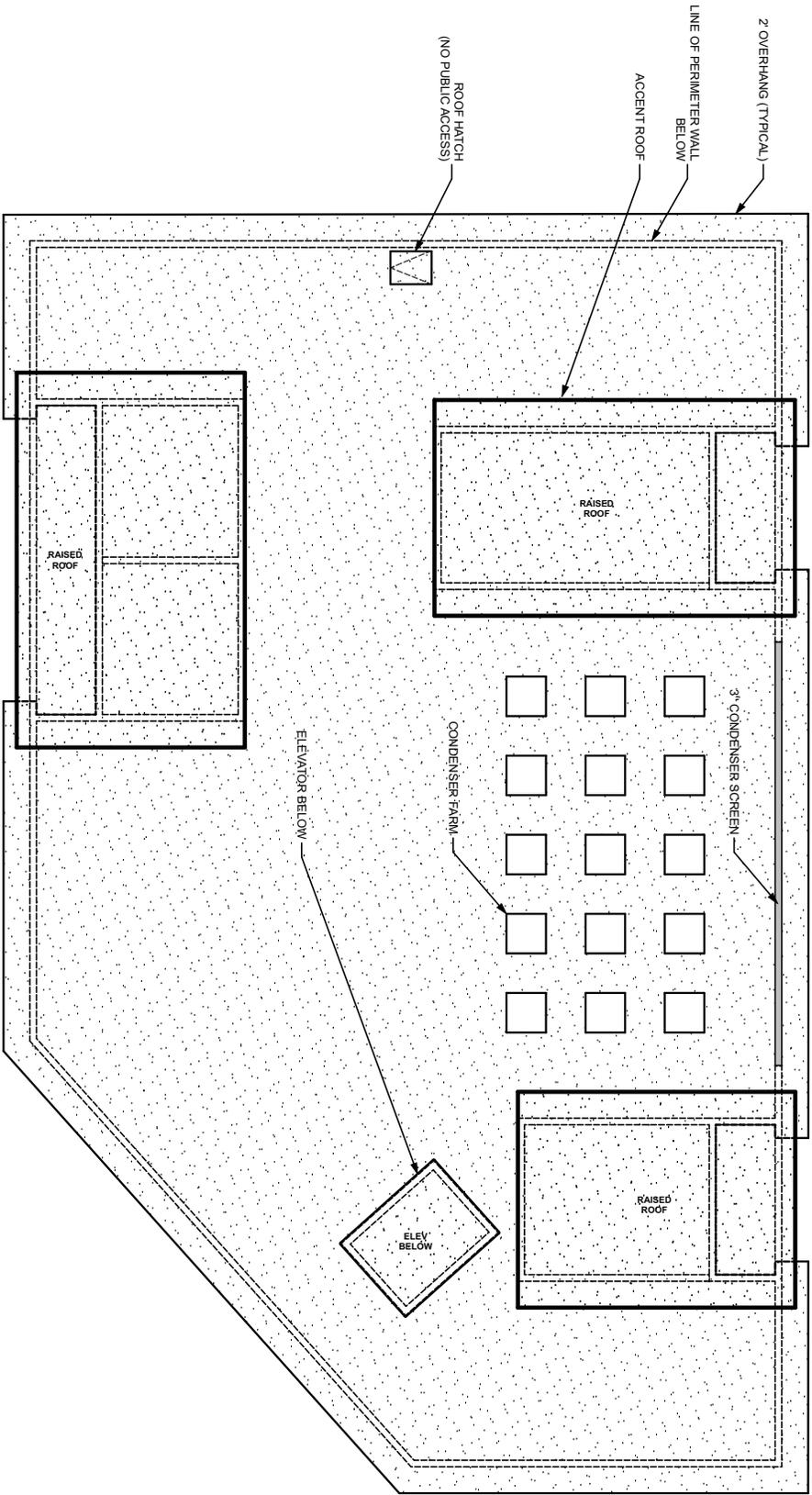


SK-06  
3/12/21  
PROJECT NO.: 19005

PROPOSED THIRD FLOOR PLAN  
1005 WESTOVER HILLS BLVD  
RICHMOND, VIRGINIA

1 PROPOSED THIRD FLOOR PLAN  
SCALE: 1/8" = 1'-0"





GENERAL NOTE:  
1. NO PUBLIC ACCESS TO ROOF

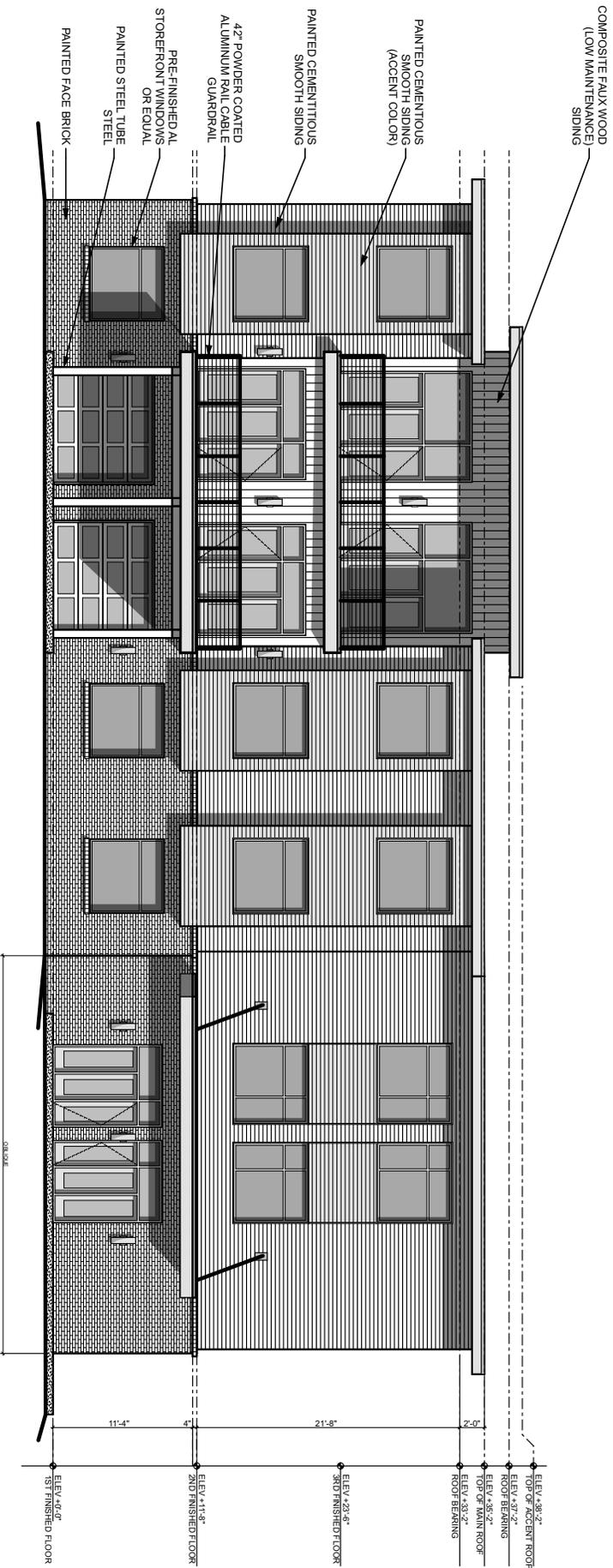
1 ROOF PLAN  
SCALE: 1/8" = 1'-0"



SK-07  
3/12/21  
PROJECT NO.: 19805

PROPOSED ROOF PLAN  
1005 WESTOVER HILLS BLVD  
RICHMOND, VIRGINIA





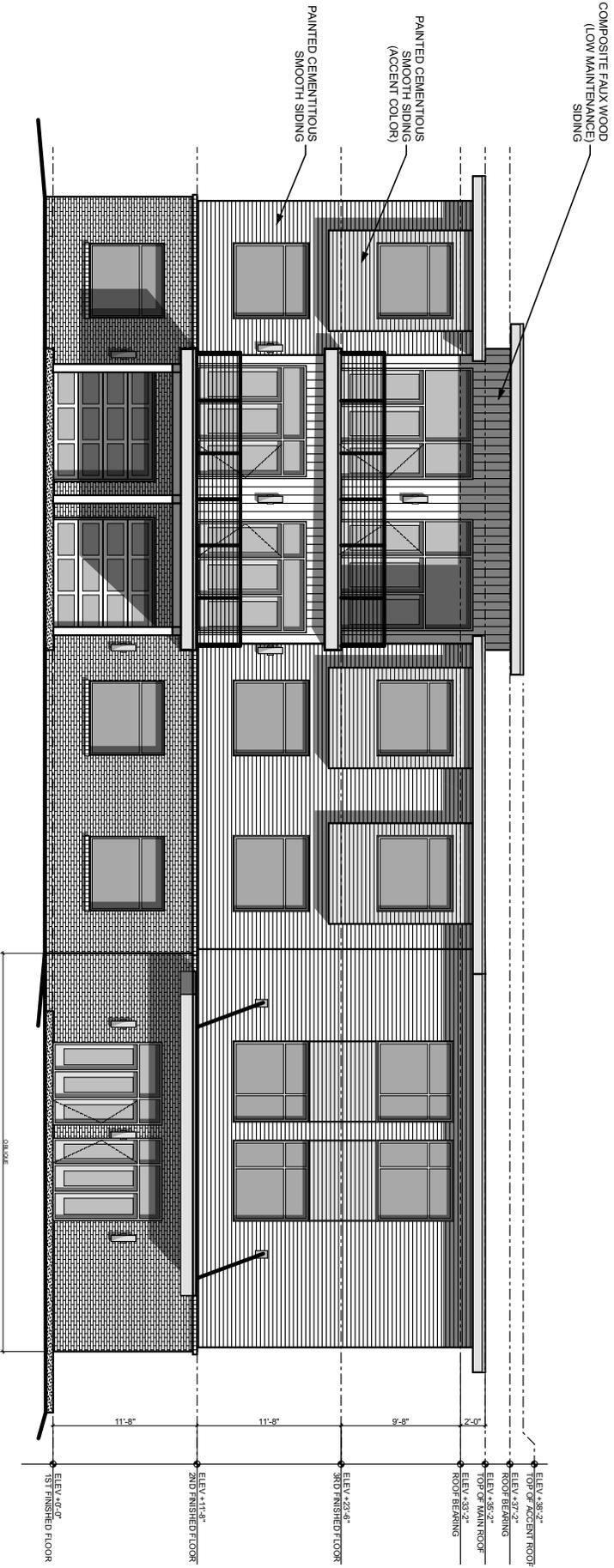
**GENERAL NOTE:**  
 1. FLOOR TO FLOOR HEIGHTS APPROXIMATE (6'-0\"/>

1  
 PROPOSED FRONT ELEVATION - SECOND FLOOR OPTION - APARTMENTS  
 SCALE: 1/8" = 1'-0"



SK-08  
 3/12/21  
 PROJECT NO.: 19005

PROPOSED FRONT ELEVATION - SECOND FLOOR OPTION - APARTMENTS  
 1005 WESTOVER HILLS BLVD  
 RICHMOND, VIRGINIA



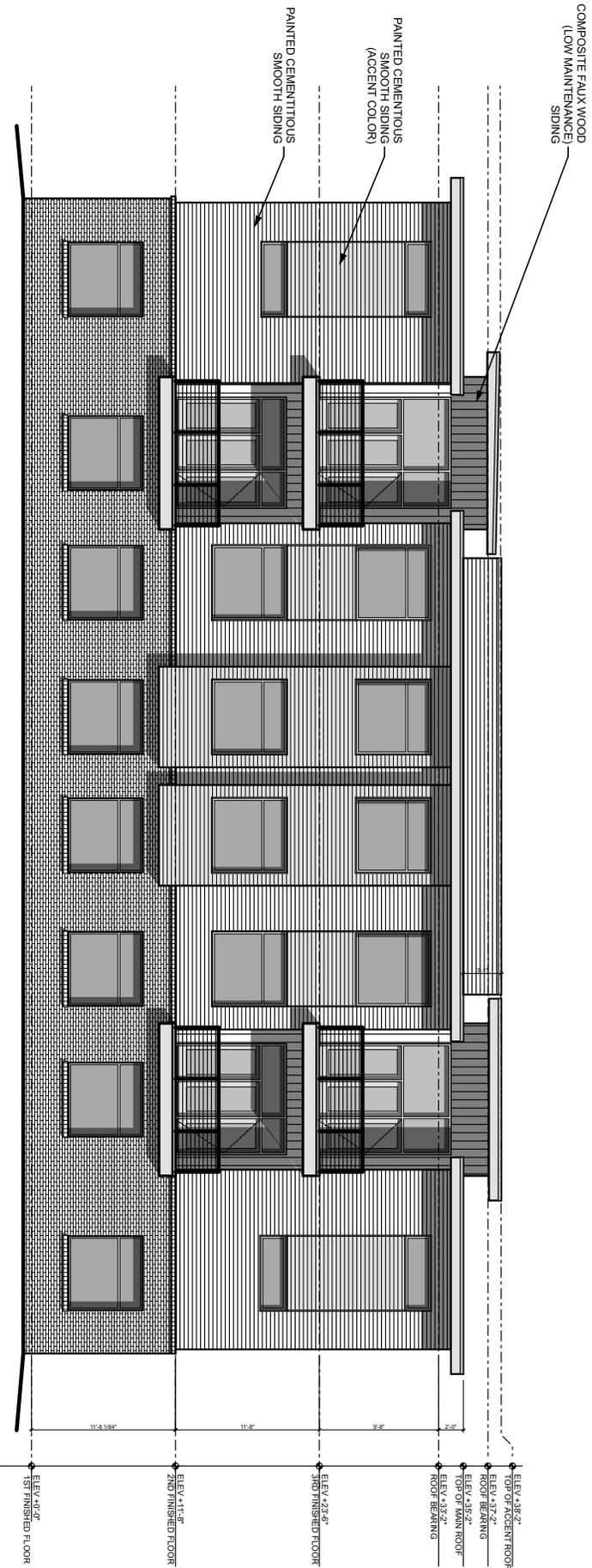
1

PROPOSED FRONT ELEVATION - SECOND FLOOR OPTION - PROFESSIONAL OFFICES  
 SCALE: 1/8" = 1'-0"



**SK-08A**  
 3/12/21  
 PROJECT NO.: 19806

**PROPOSED FRONT ELEVATION - SECOND FLOOR OPTION - PROFESSIONAL OFFICE**  
 1005 WESTOVER HILLS BLVD  
 RICHMOND, VIRGINIA



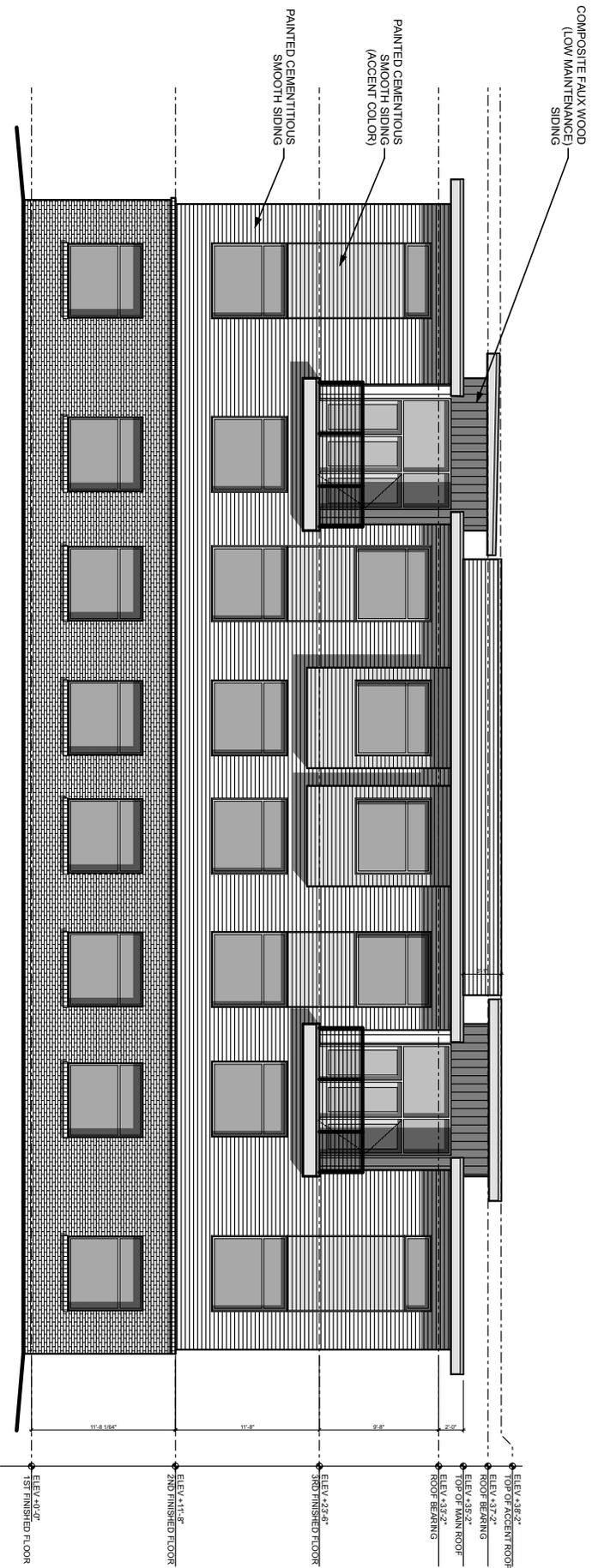
**GENERAL NOTE:**  
 1. FLOOR TO FLOOR HEIGHTS APPROXIMATE (6'-0" LIMIT STRUCTURE HAS BEEN DETERMINED)  
 2. WINDOWS MAY BE SUBDIVIDED TO PROVIDE OPERABLE WINDOW.

1 PROPOSED REAR ELEVATION - SECOND FLOOR OPTION - APARTMENTS  
 SCALE: 1/8" = 1'-0"



SK-09  
 3/12/21  
 PROJECT NO.: 19805

PROPOSED REAR ELEVATION - SECOND FLOOR OPTION - APARTMENTS  
 1005 WESTOVER HILLS BLVD  
 RICHMOND, VIRGINIA



**GENERAL NOTE:**  
 1. FLOOR TO FLOOR HEIGHTS APPROXIMATE (6'-0" LIMIT). STRUCTURE HAS BEEN DETERMINED)  
 2. WINDOWS MAY BE SUBDIVIDED TO PROVIDE OPERABLE WINDOW.

1  
 PROPOSED REAR ELEVATION - SECOND FLOOR OPTION - PROFESSIONAL OFFICES  
 SCALE: 1/8" = 1'-0"



SK-09A  
 3/12/21  
 PROJECT NO.: 19805

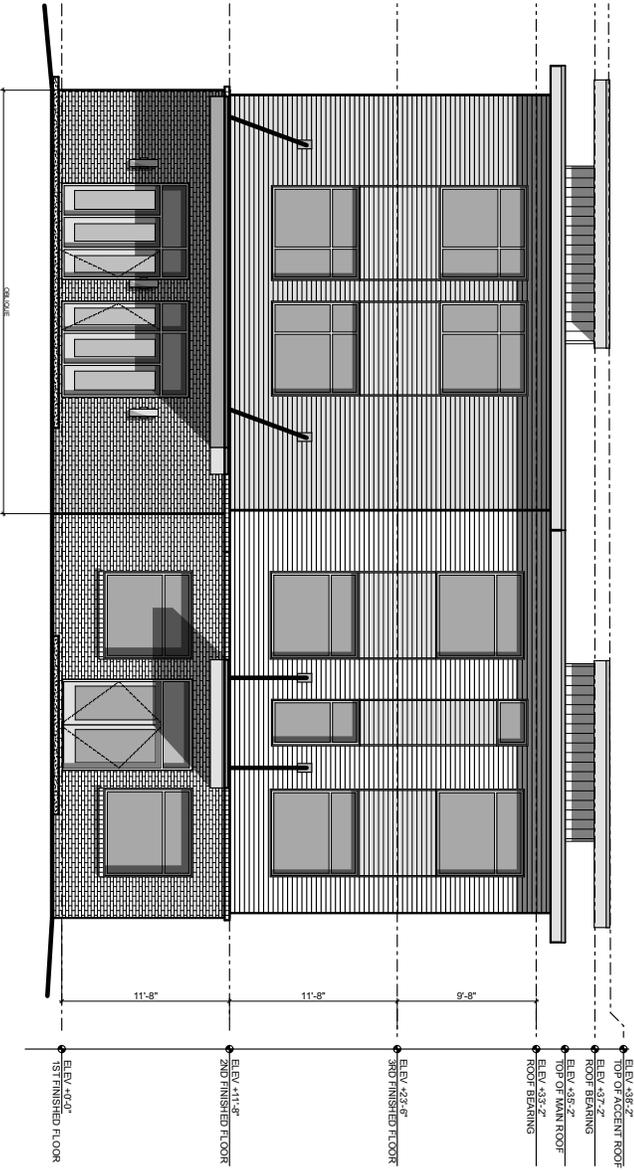
PROPOSED REAR ELEVATION - SECOND FLOOR OPTION - PROFESSIONAL OFFICES  
 1005 WESTOVER HILLS BLVD  
 RICHMOND, VIRGINIA



SK-10  
3/12/21  
PROJECT NO.: 19805

PROPOSED RIGHT SIDE ELEVATION  
1005 WESTOVER HILLS BLVD  
RICHMOND, VIRGINIA

1 PROPOSED RIGHT SIDE ELEVATION  
SCALE: 1/8" = 1'-0"



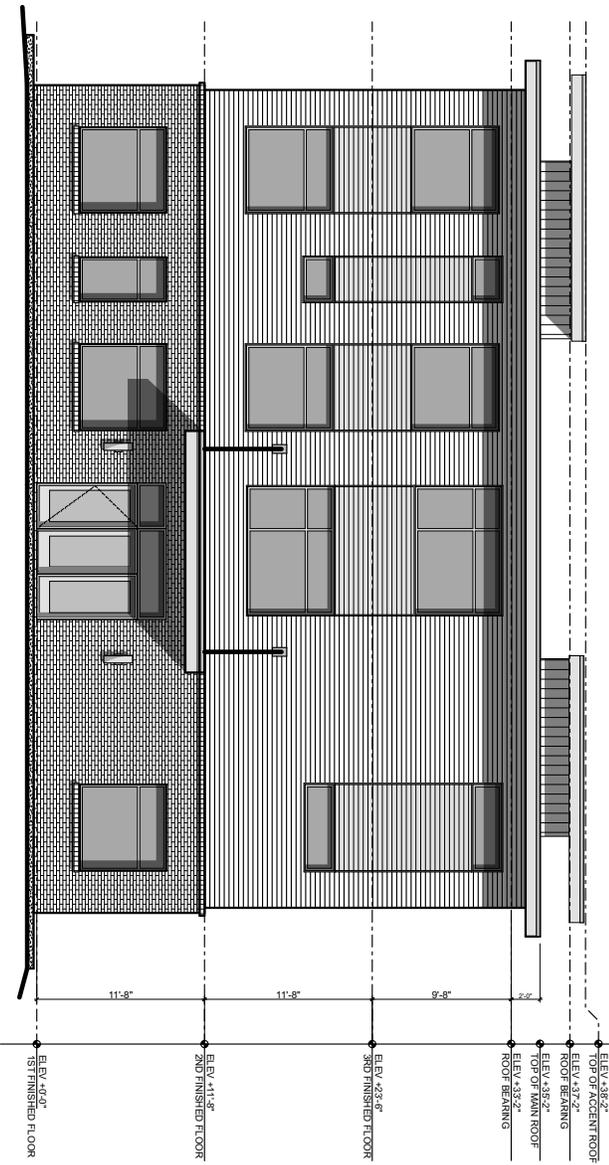
GENERAL NOTE:  
1. FLOOR TO FLOOR HEIGHTS APPROXIMATE (4'-0" LIMIT). STRUCTURE HAS BEEN DETERMINED)  
2. WINDOWS MAY BE SUBDIVIDED TO PROVIDE OPERABLE WINDOW.



SK-11  
3/12/21  
PROJECT NO.: 19005

PROPOSED LEFT SIDE ELEVATION  
1005 WESTOVER HILLS BLVD  
RICHMOND, VIRGINIA

1 PROPOSED LEFT SIDE ELEVATION  
SCALE: 1/8" = 1'-0"



GENERAL NOTE:  
1. FLOOR TO FLOOR HEIGHTS APPROXIMATE (4'-0" TYP. UNLESS OTHERWISE NOTED)  
2. WINDOWS MAY BE SUBDIVIDED TO PROVIDE OPERABLE WINDOW.





SK - 13      RENDERING IMAGE 1

3/12/21      Front View  
\*Office Option



SK - 14 RENDERING IMAGE 2

3/12/21 South View  
\*Office Option



SK - 15      RENDERING IMAGE 3

3/12/21      Rear View

\*Office Option

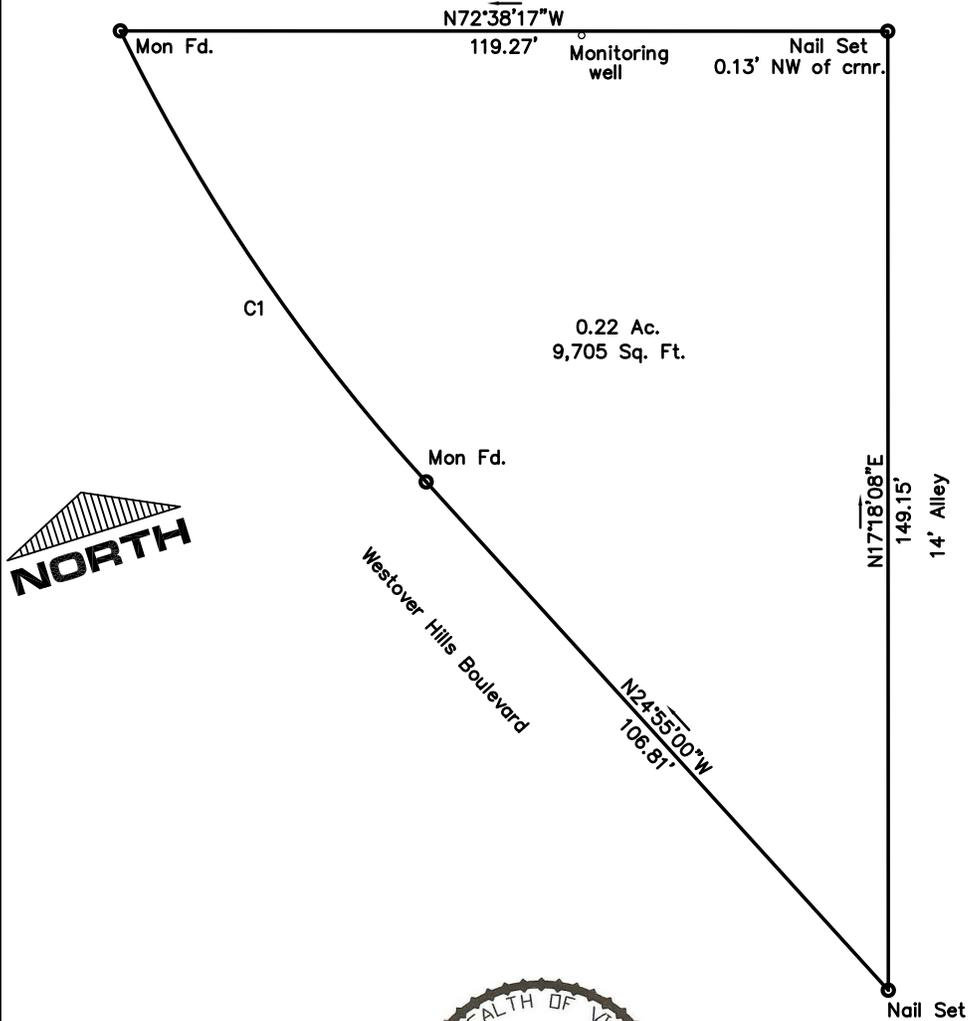
I hereby certify that an accurate survey of the property was made on November 18, 2019 and that any encroachments are noted hereon. This survey was made without benefit of a title report and there may be encumbrances present that are not shown.

*Carl Duncan*

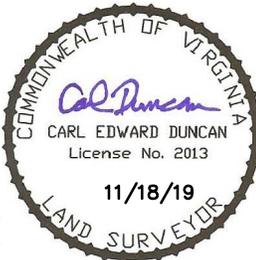
Carl E. Duncan, P.E., L.S.

CURVE TABLE						
CURVE	RADIUS	DELTA	TANGENT	LENGTH	CHORD DIRECTION	CHORD
C1	299.42	16°16'11"	42.80	84.74	S16°47'23"E	84.74

Dunston Avenue



Plat Showing the  
Physical Improvements to  
S0060371001  
1005 Westover Hills Boulevard  
Upward Builders  
5th District  
City of Richmond



C. E. Duncan & Associates, Inc.  
2609 Rocky Oak Road  
POWHATAN, VIRGINIA 23139  
(804) 598-8240 Fax (804) 598-9240  
DATE: 11/18/19 SCALE: 1"=20'  
DRAWN BY: CED JOB NO.: 19-2338

INTRODUCED: April 26, 2021

AN ORDINANCE No. 2021-111

To authorize the special use of the property known as 1005 Westover Hills Boulevard for the purpose of a mixed-use building containing up to 12 dwelling units and commercial space, upon certain terms and conditions.

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

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

PUBLIC HEARING: MAY 24 2021 AT 6 P.M.

WHEREAS, the owner of the property known as 1005 Westover Hills Boulevard, which is situated in a R-5 Single-Family Residential District, desires to use such property for the purpose of a mixed-use building containing up to 12 dwelling units and commercial space, which use, among other things, is not currently allowed by section 30-410.1 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:            9            NOES:            0            ABSTAIN: \_\_\_\_\_

ADOPTED:    JUN 14 2021    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 1005 Westover Hills Boulevard and identified as Tax Parcel No. S006-0371/001 in the 2021 records of the City Assessor, being more particularly shown on a plat entitled “Plat Showing the Physical Improvements to S0060371001, 1005 Westover Hills Boulevard, Upward Builders, 5<sup>th</sup> District, City of Richmond,” prepared by C.E. Duncan & Associates, Inc., and dated November 18, 2019, 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 a mixed-use building containing up to 12 dwelling units and commercial space, hereinafter referred to as “the Special Use,” substantially as shown on the plans entitled “1005 Westover Hills Blvd, Richmond, Virginia,” prepared by Mario Di Marco Architects, and dated March 12, 2021, 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 a mixed-use building containing up to 12 dwelling units and commercial space, substantially as shown on the Plans. The areas labeled as “Tenant 1 Unassigned,” “Tenant 2 Unassigned,” and “Tenant 3 Unassigned” shall be permitted to contain medical or dental offices and principal uses permitted on corner lots in the R-63

Multifamily Urban Residential District, pursuant to section 30-419.3(a) of the Code of the City of Richmond (2020), as amended. Outdoor dining use of the patio areas may also take place on the Property in accordance with section 30-419.3(a)(5) of the Code of the City of Richmond (2020), as amended.

(b) No fewer than ten off-street parking spaces shall be provided for the Special Use, substantially as shown on the Plans.

(c) All building materials, elevations, and site improvements, including landscaping, shall be substantially as shown on the Plans.

(d) The height of the Special Use shall not exceed the height as shown on the Plans.

(e) In addition to signage permitted in all districts, pursuant to section 30-505 of the Code of the City of Richmond (2020), as amended, a freestanding sign shall be permitted on the Property, substantially as shown on the Plans.

(f) No fewer than eight bicycle parking spaces shall be provided on the Property, substantially as shown on the Plans.

§ 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 the installation of seven new street trees along Westover Hills Boulevard, 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 that such improvements and work are in accordance with such requirements, (iii) transferred to the City, following the written confirmation by the Director of Public Works, 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.

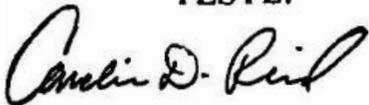
(d) Notwithstanding any other provision of law, this special use permit is being approved due, in part, to the mitigating effects of each and every condition attached hereto; consequently, if any portion of this ordinance is determined to be invalid for any reason by a final, non-appealable order of 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 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.

**A TRUE COPY:**  
**TESTE:**  
  
**Carolin D. Reil**  
**City Clerk**

# City of Richmond

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

## Item Request

File Number: PRE.2021.572

### O & R Request

**DATE:** March 25, 2021

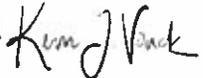
**EDITION:** 1

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

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

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

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

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

**RE:** To authorize the special use of the property known as 1005 Westover Hills Boulevard for the purpose of a mixed-use building, containing up to twelve dwelling units and commercial space, upon certain terms and conditions.

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

**PURPOSE:** To authorize the special use of the property known as 1005 Westover Hills Boulevard for the purpose of a mixed-use building, containing up to twelve dwelling units and commercial space, upon certain terms and conditions.

**REASON:** The applicant is requesting a Special Use Permit which would allow for a mixed-use building including multi-family and commercial uses within an R-5 Single-Family Residential District. The proposed use are not permitted uses in this district. A Special Use Permit is therefore required.

**RECOMMENDATION:** In accordance with the requirements of the City Charter and the Zoning Ordinance, the City Planning Commission will review this request and make a recommendation to City Council. This item will be scheduled for consideration by the Commission at its May 17, 2021, meeting.

**BACKGROUND:** The property is located in the Forest Hill Terrace neighborhood on Westover Hills Boulevard and Dunston Avenue, between West 49th and 48th Streets. The property is currently an unimproved 10,252 sq. ft. (.24 acre) parcel of land. The application is for a three story, mixed-use building with off-street parking.

The City's Richmond 300 Master Plan designates a future land use for the subject property as Community Mixed-Use. This designation is defined as a "Cluster of medium-density, walkable commercial and residential uses that provide neighborhood services to nearby residential communities and sometimes feature regional attractions." The building size, density, and zoning districts for these areas may vary significantly depending on historical densities and neighborhood characteristics. Future development should generally complement existing context. Uses may be mixed horizontally in several buildings on a block or vertically within the same building. Developments continue or introduce a gridded street pattern to increase connectivity. Ground floor uses engage with, and enliven, the street. Monolithic walls are discouraged, while windows, doors, storefronts, and other features that allow transparency and interaction between building and street are encouraged. Pedestrian, bicycle, and transit access are prioritized and accommodated. Bike parking is provided. Driveway entrances are required to be of alleys whenever possible; new driveways are prohibited on priority and principal streets. Parking areas are located within the structure and to the rear of buildings and require screening; shared parking requirements are encouraged. Buildings generally ranging from two to six stories, based on street widths and depending on the historic context and stepping down in height adjacent to residential areas, as necessary. New buildings that are taller than historical buildings should step back from the build to line after matching the height of the predominant cornice line of the block.

**Primary Uses:** Retail/office/personal service, multi-family residential, cultural, and open space.

**Secondary Uses:** Single-family houses, institutional, and government. (p. 58)

The property is also located within the Westover Hills Neighborhood Node. The Vision for the area includes "Westover Hills has a village-like quality with small retail, services, and restaurant offerings that serve primarily the surrounding neighborhoods, but does attract outside visitors. Over the next twenty years, the Westover Hills Node could be enhanced by...discouraging suburban development pattern (where buildings are pushed back with parking in front of them) and encouraging urban form with buildings that are closer to the street and parking located in the rear in shared lots."

The current zoning for this property is R-5 (Single Family Residential). Adjacent properties to the east and south are located within the same R-5 Residential Zone. Properties to the north along Westover Hills Boulevard are zoned B-2 Community Business District.

The surrounding land uses include primarily residential with some commercial and institutional uses to the north and south of the property.

**FISCAL IMPACT / COST:** The Department of Planning and Development Review does not anticipate any impact to the City's budget for this or future fiscal years.

**FISCAL IMPLICATIONS:** Staff time for processing the request; preparation of draft ordinance; and publishing, mailing and posting of public notices.

**BUDGET AMENDMENT NECESSARY:** No

**REVENUE TO CITY:** \$300 application fee

**DESIRED EFFECTIVE DATE:** Upon adoption

**CITY COUNCIL PUBLIC HEARING DATE:** May 24, 2021

**REQUESTED AGENDA:** Consent

**RECOMMENDED COUNCIL COMMITTEE:** None

**CONSIDERATION BY OTHER GOVERNMENTAL ENTITIES:** City Planning Commission  
May 17, 2021

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

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

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

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

**STAFF:** Jonathan Brown, Senior Planner  
Land Use Administration (Room 511) 646-5734



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: 1005 Westover Hills Boulevard Date: 8/26/20  
 Tax Map #: S006-0371-001 Fee: \_\_\_\_\_  
 Total area of affected site in acres: appx .115 acres

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

**Zoning**

Current Zoning: R5  
 Existing Use: vacant land

**Proposed Use**

(Please include a detailed description of the proposed use in the required applicant's report)  
**Mixed use (commercial, retail, office, residential) building**

Existing Use: vacant land

Is this property subject to any previous land use cases?

Yes  No  If Yes, please list the Ordinance Number: \_\_\_\_\_

**Applicant/Contact Person:** Zach Kennedy

Company: \_\_\_\_\_  
 Mailing Address: 4809 W Grace Street  
 City: Richmond State: VA Zip Code: 23230  
 Telephone: (804) 980-7377 Fax: ( )  
 Email: zkennedy1@gmail.com

**Property Owner:** 1005 Westover Hills Boulevard

If Business Entity, name and title of authorized signee: Danielle Kennedy, manager

(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: 4809 W Grace Street  
 City: Richmond State: VA Zip Code: 23230  
 Telephone: (804) 980-7377 Fax: ( )  
 Email: zkennedy1@gmail.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 Report:**

We believe that the highest and best use for 1005 Westover Hills Boulevard is to be a mixed-use building/Hub that can help support the growth of the local community. The vacant land is currently zoned R-5. The lot is the welcoming parcel from all traffic heading North on Westover Hills Boulevard. It is positioned and presents itself as its own block and is detached from the residential areas to its east. The high traffic volume and odd shape of this lot supports a mixed commercial/residential use much more than a single-family residential use, both from safety and purpose. By providing a mixed-use building, the community will have access to retail, office and residential improvements. The building will support more community connection due to retail/office tenants on the first floor. We aim to partner with local businesses that can encourage community interaction. We envision neighbors patronizing local businesses by foot or bicycle due to its attractive proximity to the wonderful neighborhoods surrounding this area.

The first-floor commercial space will encompass roughly 4,493 square feet and depending on leasing demand may have one or multiple occupants/tenants. The second floor Office Option would offer 3,914 square feet and could accommodate many different office uses for individuals or companies. The second floor Residential Option offers 6 dwelling units that initially intend to be tenant occupied with the option to set up a Condo Association at some point in the future. These units comprise of two 2-bedroom 2-bathroom units (900-1000 sf each) and four 1-bedroom 1-bath units (500-600 sf each). The third floor also offers 6 residential dwelling units with the same layout, sizing and potential for future condo conversion as the second floor.

#### **Addressing Possible Concerns:**

- a. ***The proposed special use will not be detrimental to the safety, health, morals and general welfare of the community involved***

This lot is located directly on Westover Hills Boulevard. Its current zoning as a single-family residence would have more safety, health, moral and general welfare concerns than a mixed-use development. With the high traffic volume along with its proximity to other commercial buildings there are currently many hazards and negative consequences if the lot's current zoning is implemented. Vehicular speeding, loitering, and trash from local commercial buildings are all factors that will impact a homeowner or tenant if a single-family home were to be built here. Traffic noise, streetlight pollution and privacy are other concerns that would be a constant source of stress and concern if the current use were applied.

However, the proposed building integrates the existing uses being implemented on Westover Hills Boulevard and Forest Hill Avenue. The building will help define the neighborhood and offer a buffer to the neighbors on 48<sup>th</sup> Street from the street noise, lighting, and unwanted foot traffic that currently exists. The building would be well-lit and encourage more local biking and walking to and from the building. By creating a retail/office space we believe the building will encourage more neighbors to "get out" and socialize and patronize local businesses. By having

more neighbors interacting the safety, health and morals of the area will continue to be a positive impact on the community.

**b. The proposed special use will not *create congestion in streets, roads, alleys etc.***

The proposed building will offer a minimum of 10 off street parking spaces. There are also street parking options on the adjacent road, Dunston Avenue. Although we acknowledge that traffic will increase as people enjoy the businesses located in the building, we do not see it congesting streets, roads, and alleys excessively. We also believe that much of the traffic to the building will be from locals. We believe many of the neighbors will walk or ride bikes. We will provide designated bike racks for "parking" bikes while visiting the property.

**c. The proposed special use will not *create hazards from fire, panic or other dangers***

Developing this property will reduce potential hazards and dangers that presently exist. Currently, the lot is vacant, dark at night, and offers no buffer from the gas station across the street. Having this building in the community will reduce dangers and panic. More people interacting positively in the area will increase the safety for all citizens. With thoughtful ambient lighting we will help transform the inherent evening dangers etc. which will reduce hazards of all types and reduce other potential dangers that currently exist.

**d. The proposed special use will not *tend to cause overcrowding of land and undue concentration of population***

1005 Westover Hills is a large lot. The building footprint will include patio and greenspace. There will be well manicured areas that support a healthy outdoor experience. Patios thoughtfully offered around the building will further create a tranquil experience for individuals to enjoy.

**e. The proposed special use will not *adversely affect or interfere with public or private schools, parks, playgrounds, water supplies etc.***

By offering new businesses and homes for City residents to patronize and live in, we believe this will positively impact the schools, parks and playgrounds of the area. This property will encourage positive growth for the community. By offering new business, office, and residential opportunities we believe more individuals will choose to settle in this community for the long term.

**f. The proposed special use will not *interfere with adequate light and air***

This building will buffer residents east of Westover Hills from the nuisance lighting and vehicular noise that currently pollutes the area. We will also be shielding many residents from

the gas station positioned across the street. With new plantings, thoughtful lighting, and manicured landscaping this property will promote more soothing lighting, less noise and cleaner air.

\*tenancy for the commercial/office space is unknown at this time

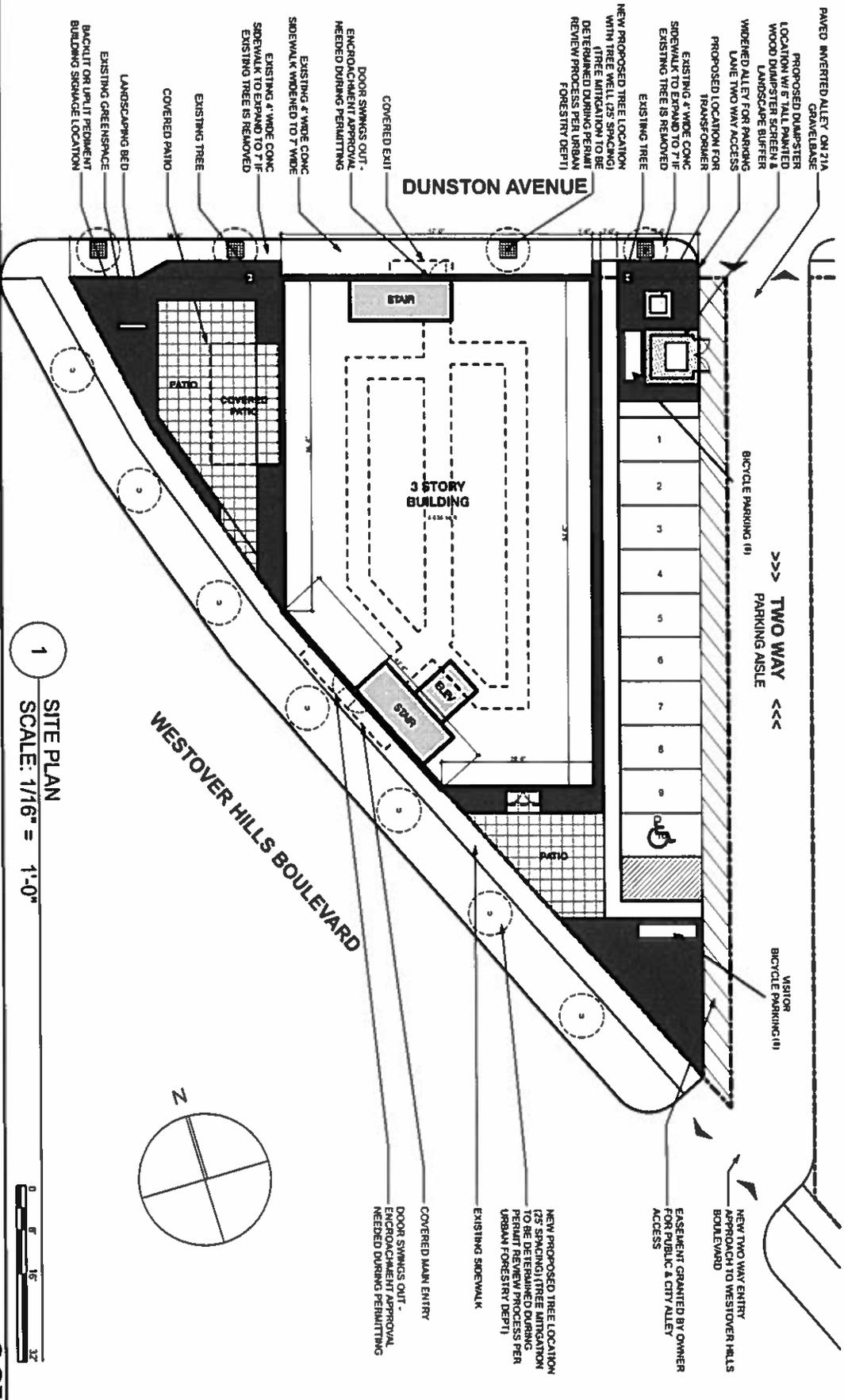
Thank you for the opportunity to present this application. We believe this new development can be an integral part of the future positive growth for the community and hope to receive your support.

Author: Zach Kennedy

Date: 3.14.21

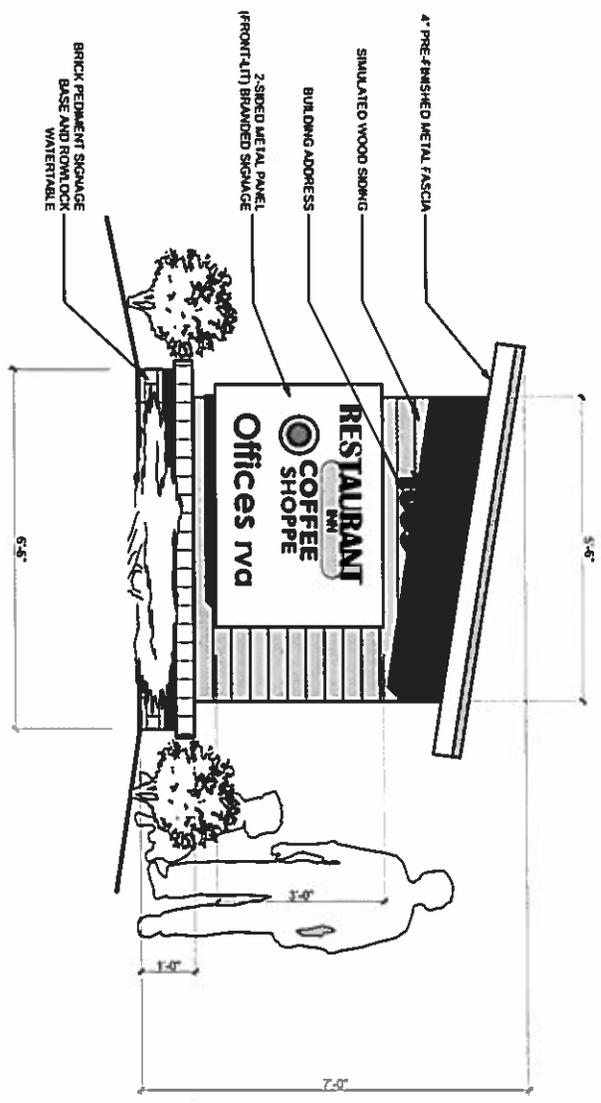
SK-01  
3/12/21  
PROJECT NO.: 18005

PROPOSED SITE PLAN  
1005 WESTOVER HILLS BLVD  
RICHMOND, VIRGINIA



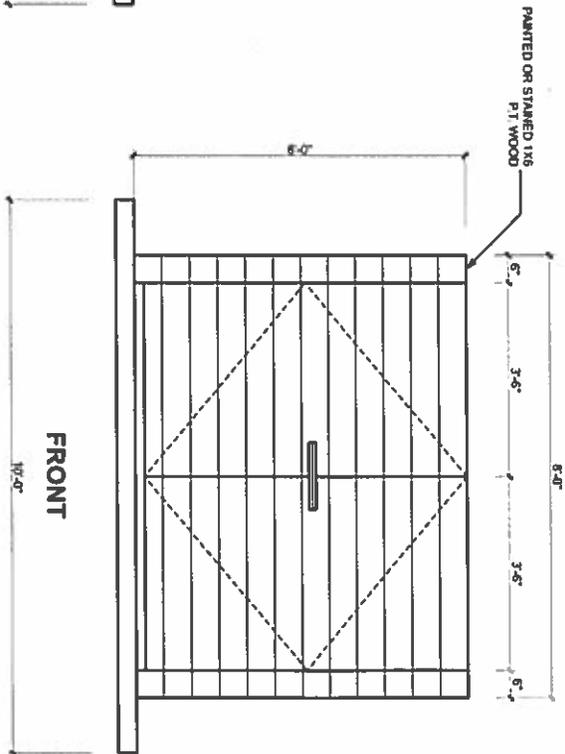
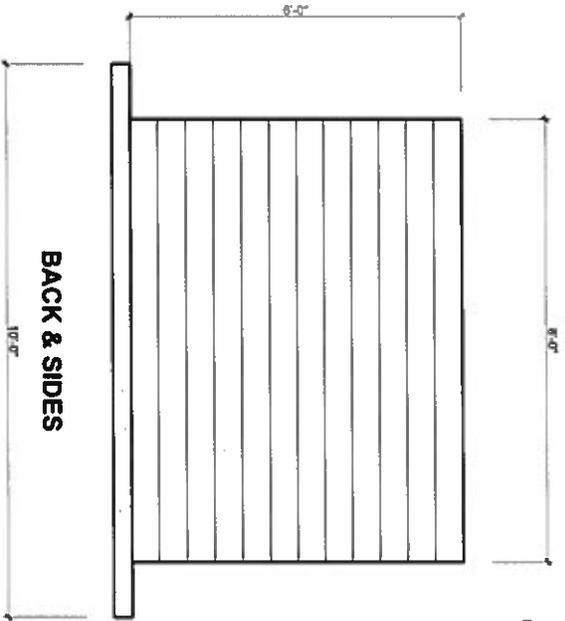
SK-02  
3/12/21  
PROJECT NO. 18005

**BUILDING SIGNAGE ELEVATION**  
1005 WESTOVER HILLS BLVD  
RICHMOND, VIRGINIA



1 SIGNAGE ELEVATION  
SCALE: 1/2" = 1'-0"





1 SIGNAGE ELEVATION  
SCALE: 1/2" = 1'-0"



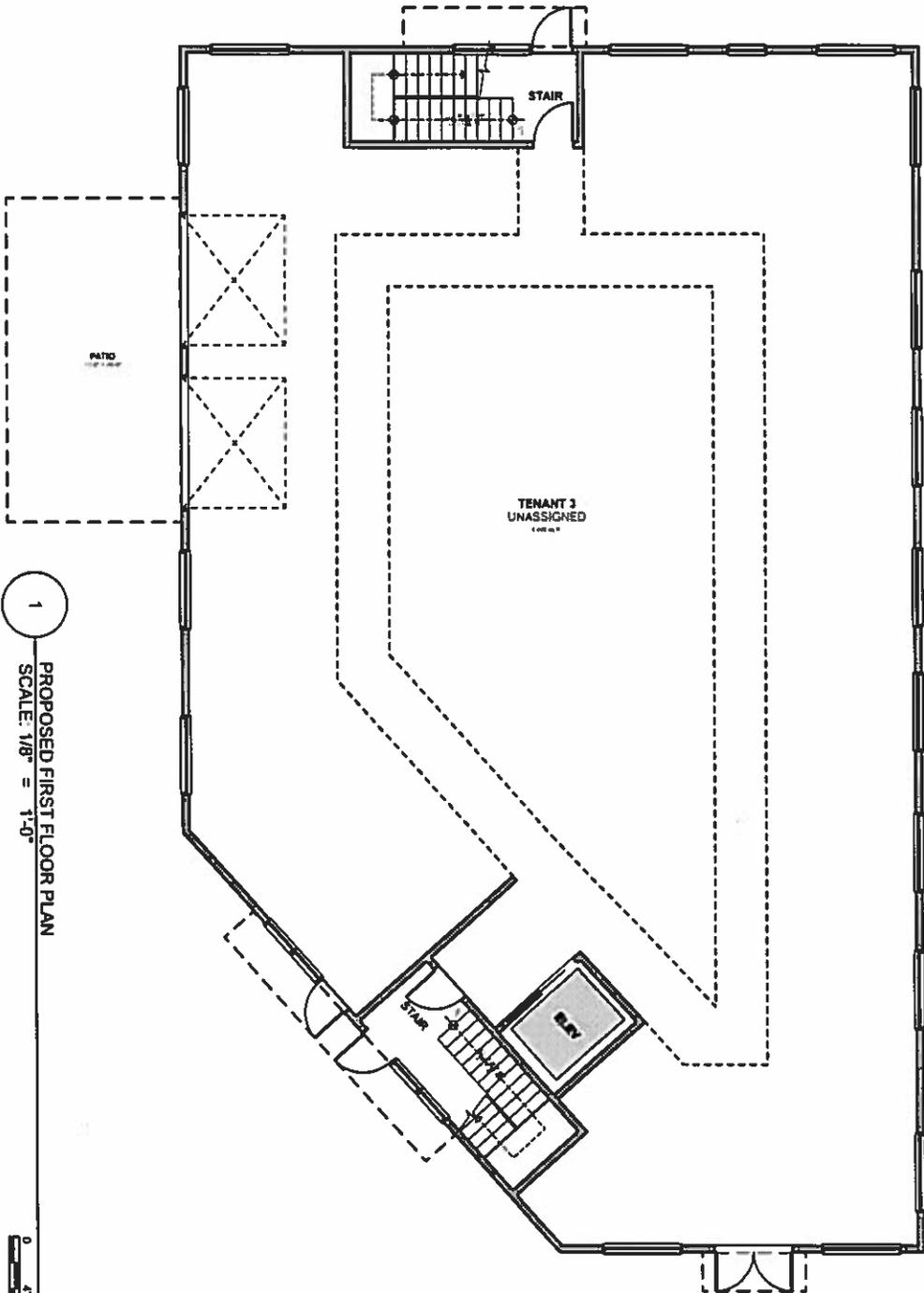
SK-03  
3/12/21  
PROJECT NO. 1005

PROPOSED TRASH ENCLOSURE  
1005 WESTOVER HILLS BLVD  
FISHKILL, NY 12524



SK-04  
3/17/21  
PROJECT NO. 18085

PROPOSED FIRST FLOOR PLAN  
1005 WESTOVER HILLS BLVD  
RICHMOND, VIRGINIA



1 PROPOSED FIRST FLOOR PLAN  
SCALE: 1/8" = 1'-0"

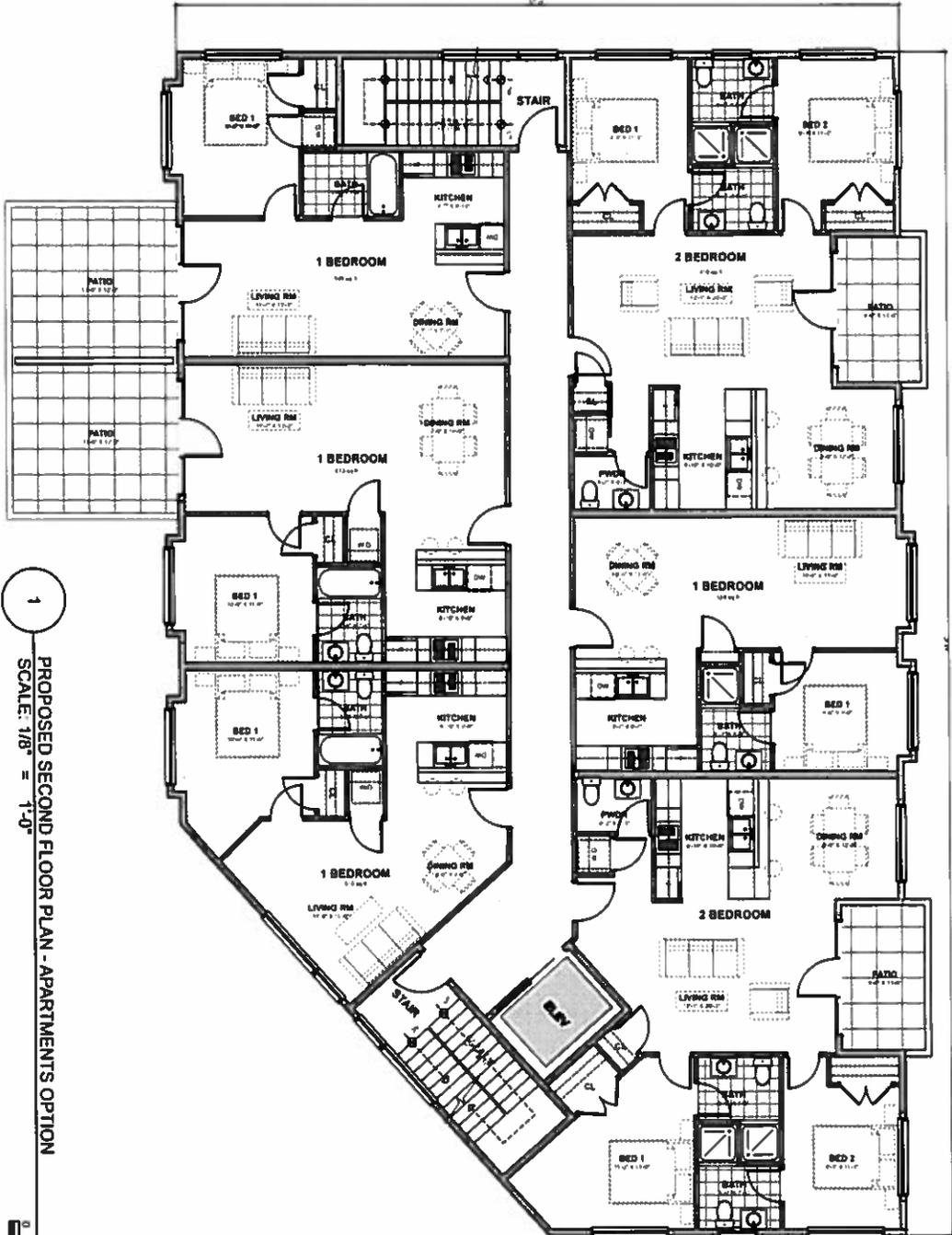


SK-05  
3/12/21  
PROJECT NO. 18005

PROPOSED SECOND FLOOR PLAN - APARTMENTS - OPTION

1005 WESTOVER HILLS BLVD

FRIDMONT, VIRGINIA



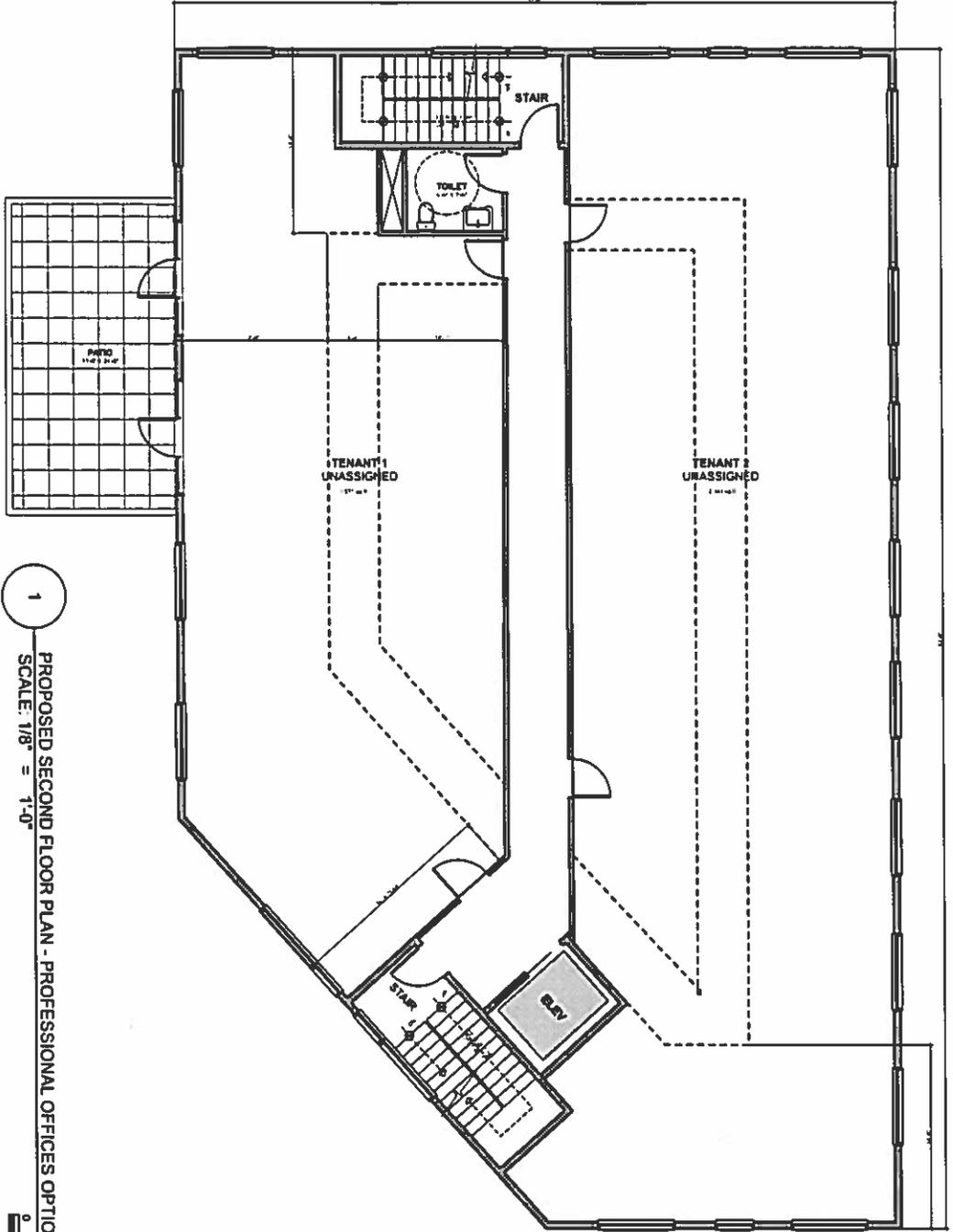
1 PROPOSED SECOND FLOOR PLAN - APARTMENTS OPTION  
SCALE: 1/8" = 1'-0"



SK-05A  
3/17/21  
PROJECT NO. 19005

PROPOSED SECOND FLOOR - PROFESSIONAL OFFICES OPTION

1005 WESTOVER HILLS BLVD  
RICHMOND, VIRGINIA



1

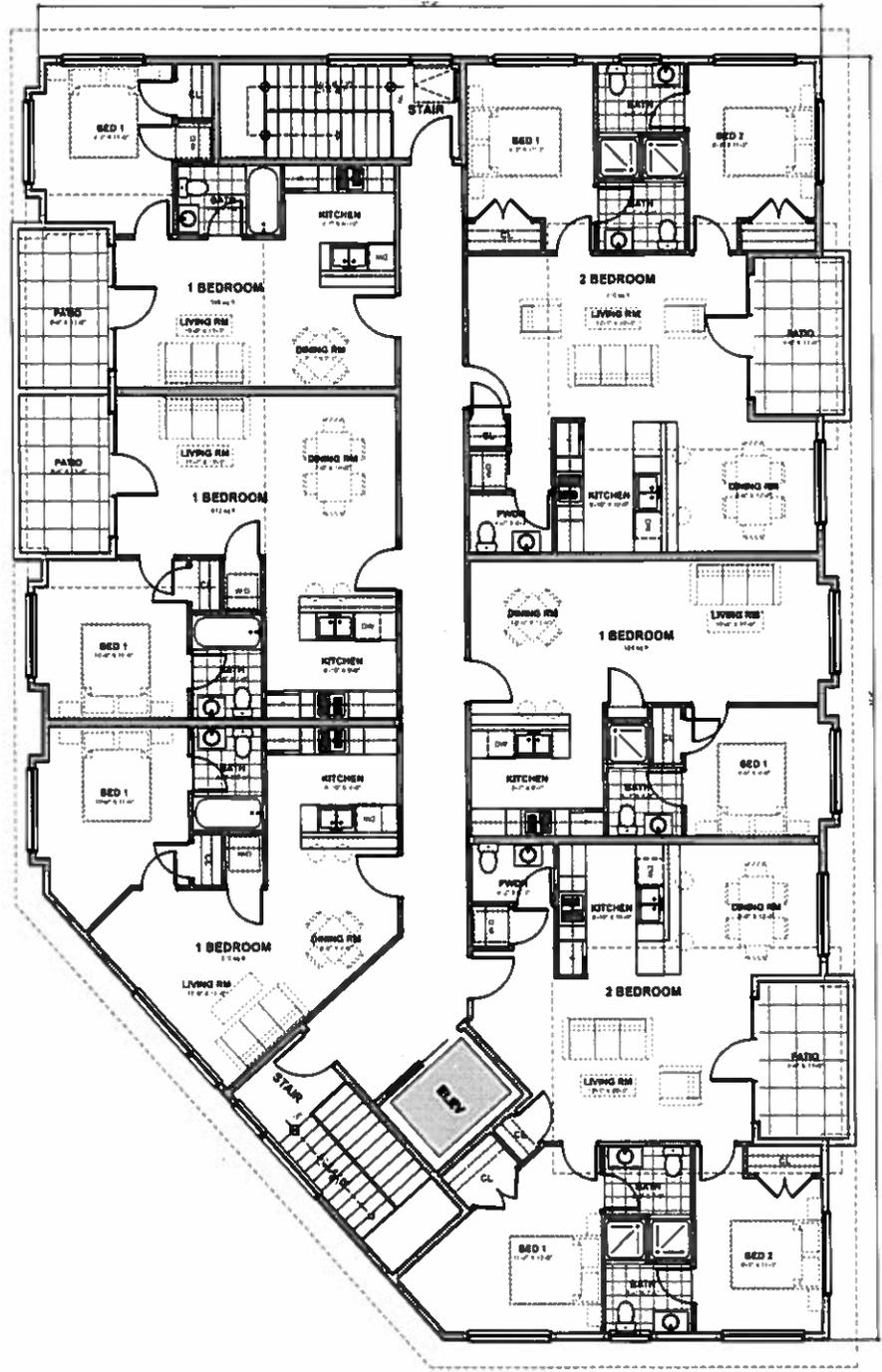
PROPOSED SECOND FLOOR PLAN - PROFESSIONAL OFFICES OPTION  
SCALE: 1/8" = 1'-0"

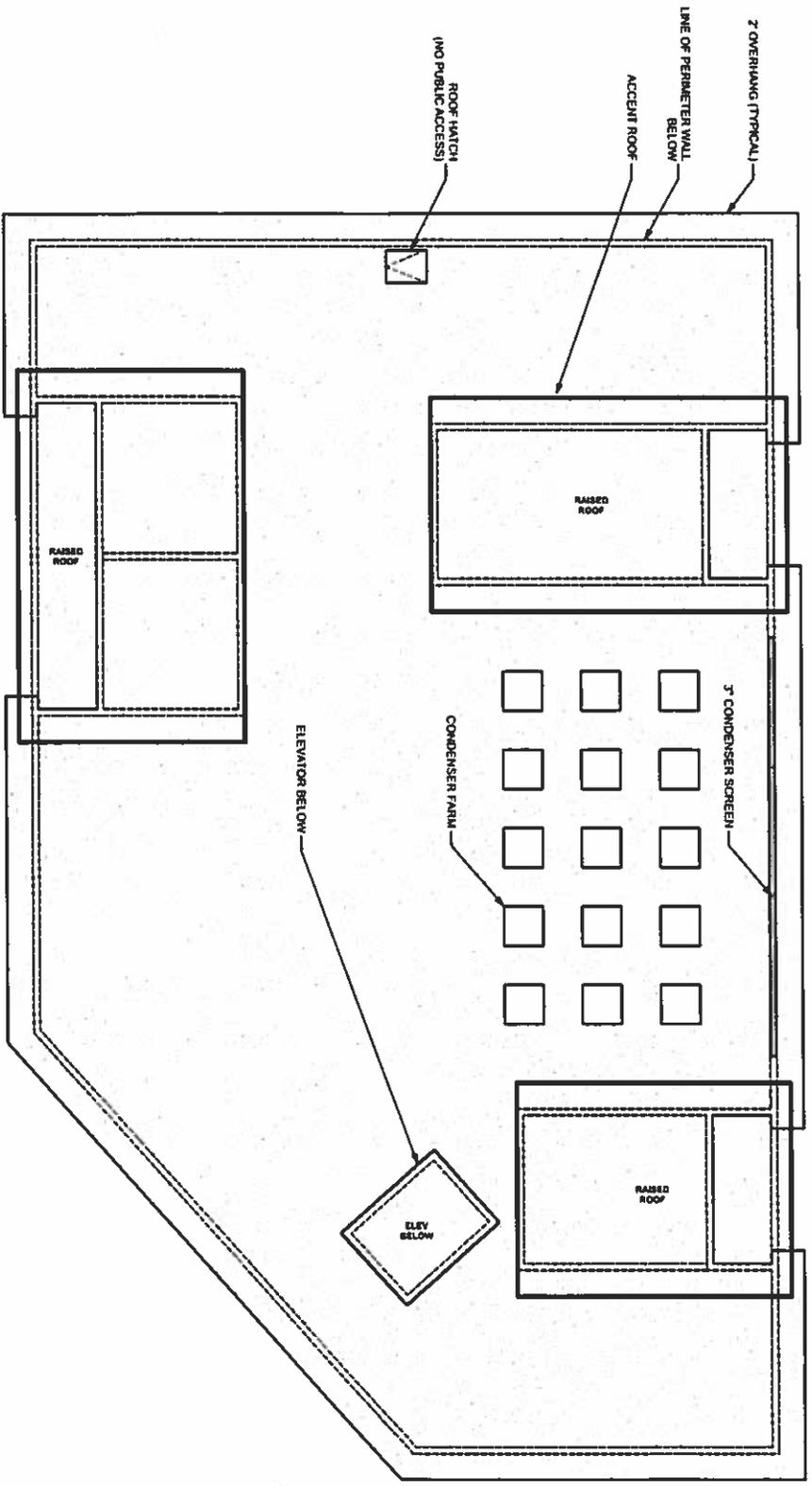


SK-06  
3/12/21  
PROJECT NO. 18005

PROPOSED THIRD FLOOR PLAN  
1005 WESTOVER HILLS BLVD  
RICHMOND, VIRGINIA

1 PROPOSED THIRD FLOOR PLAN  
SCALE: 1/8" = 1'-0"





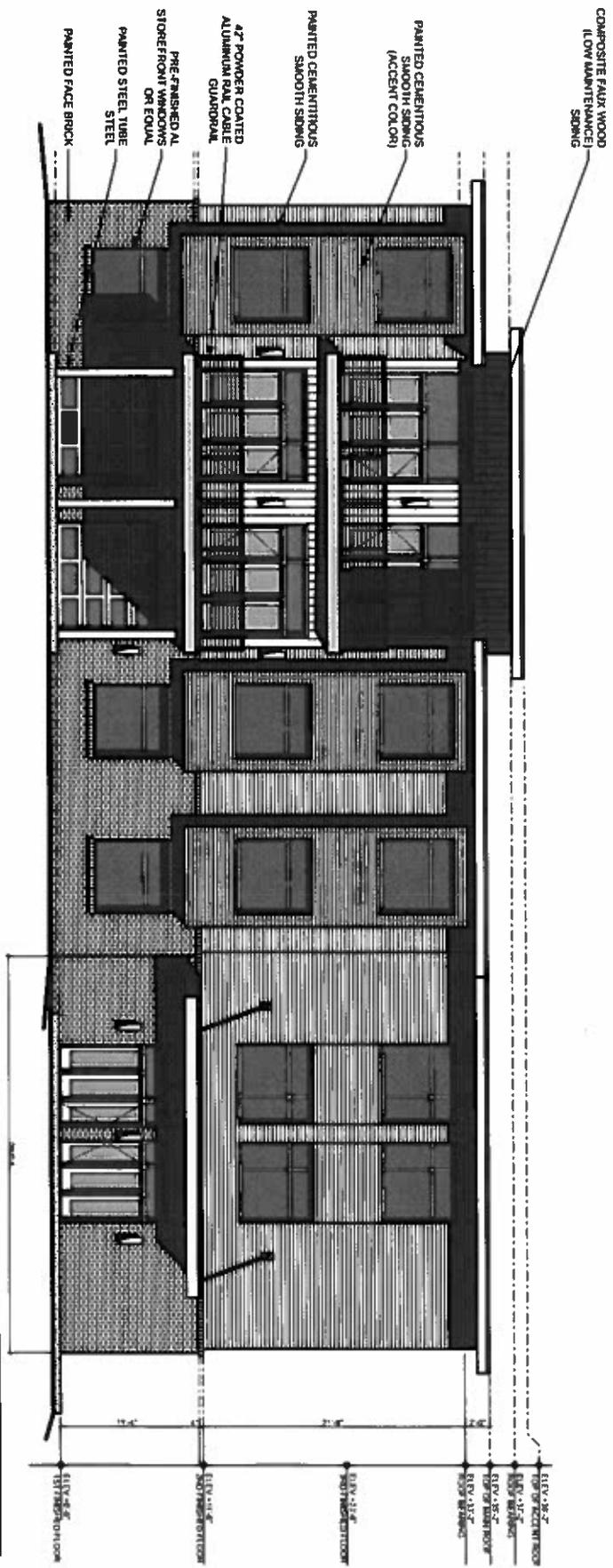
GENERAL NOTE:  
1. NO PUBLIC ACCESS TO ROOF

1 ROOF PLAN  
SCALE: 1/8" = 1'-0"



SK-07  
3/12/21  
PROJECT NO. 19005

PROPOSED ROOF PLAN  
1005 WESTOVER HILLS BLVD  
RICHMOND, VIRGINIA



1

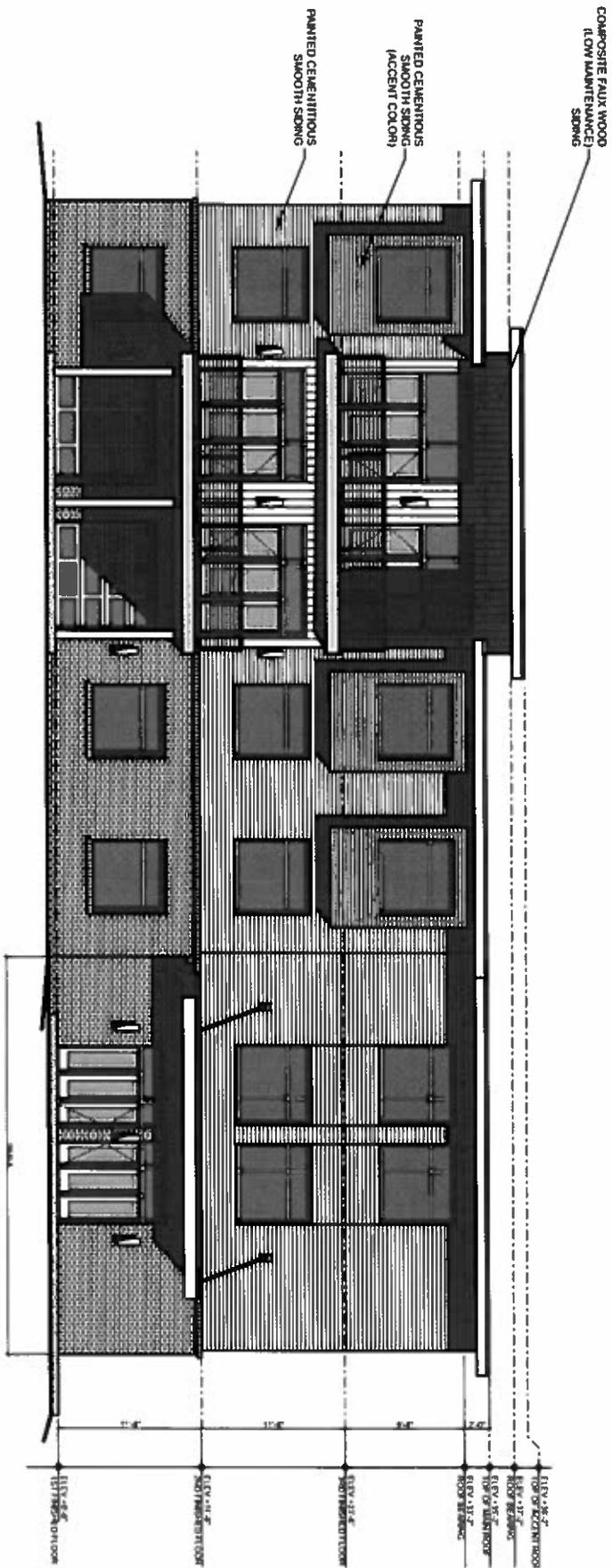
PROPOSED FRONT ELEVATION - SECOND FLOOR OPTION - APARTMENTS  
 SCALE: 1/8" = 1'-0"



GENERAL NOTE:  
 1. FLOOR TO FLOOR HEIGHTS APPROXIMATE (4'-1" UNTIL STRUCTURE HAS BEEN DETERMINED)  
 2. WINDOWS MAY BE SUBMITTED TO PROVIDE OPERABLE WINDOW.

SK-08  
 3/12/21  
 PROJECT NO. 19005

PROPOSED FRONT ELEVATION - SECOND FLOOR OPTION - APARTMENTS  
 1005 WESTOVER HILLS BLVD  
 FICHARD, VIRGINIA



1

PROPOSED FRONT ELEVATION - SECOND FLOOR OPTION - PROFESSIONAL OFFICES  
 SCALE: 1/8" = 1'-0"



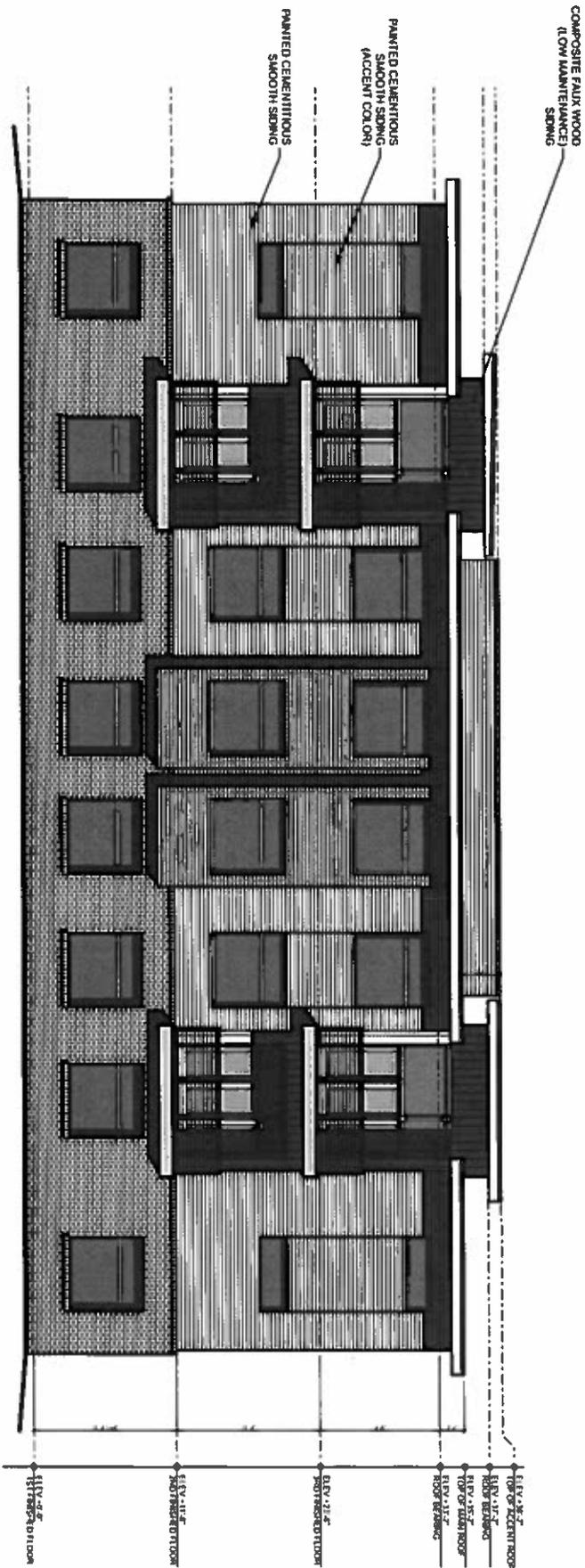
PROPOSED FRONT ELEVATION - SECOND FLOOR OPTION - PROFESSIONAL OFFICE

1005 WESTOVER HILLS BLVD

RICHMOND, VIRGINIA

SK-08A  
 3/12/21  
 PROJECT NO. 19005





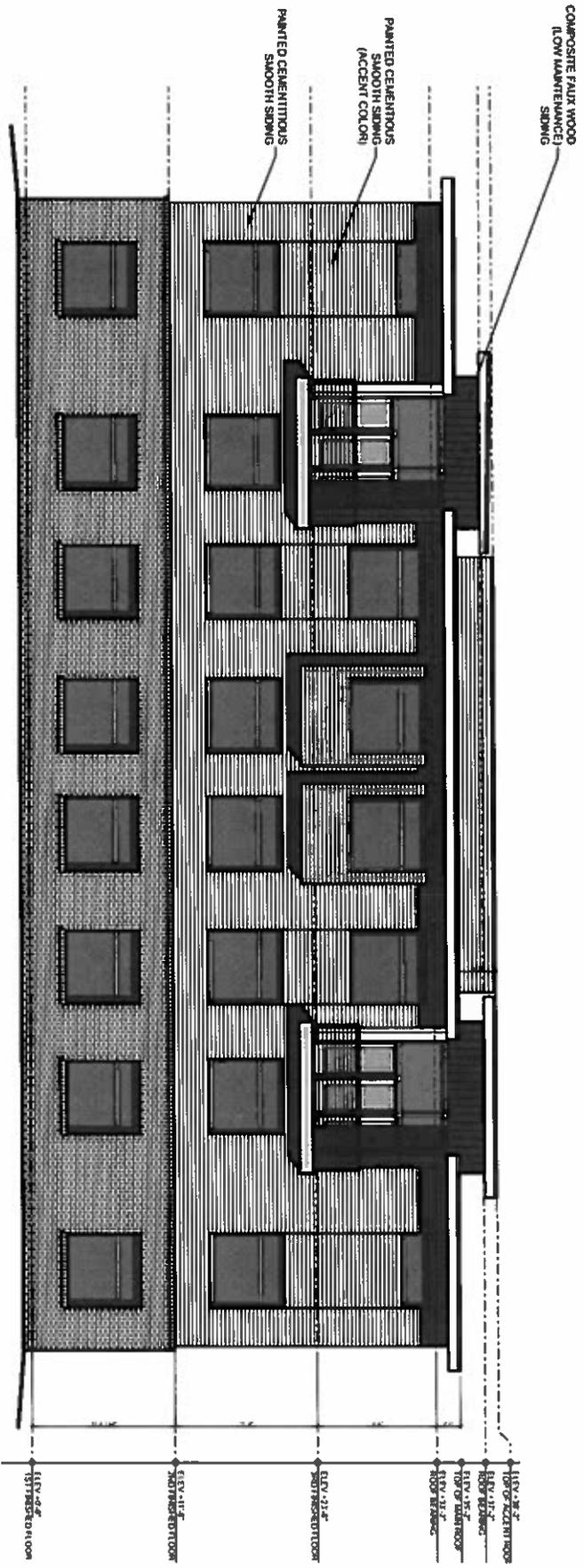
GENERAL NOTE:  
 1. FLOOR TO FLOOR HEIGHTS APPROXIMATE (+/- 1" UNTIL STRUCTURE HAS BEEN DETERMINED)  
 2. WINDOWS MAY BE SUBMITTED TO PROVIDE OPERABLE WINDOW.

1

PROPOSED REAR ELEVATION - SECOND FLOOR OPTION - APARTMENTS  
 SCALE: 1/8" = 1'-0"

SK-09  
 3/12/21  
 PROJECT NO. 19005

PROPOSED REAR ELEVATION - SECOND FLOOR OPTION - APARTMENTS  
 1005 WESTOVER HILLS BLVD  
 RICHMOND, VIRGINIA



**GENERAL NOTE:**  
 1. FLOOR TO FLOOR HEIGHTS APPROXIMATE (4'-1" UNTIL STRUCTURE HAS BEEN DETERMINED)  
 2. WINDOWS MAY BE SUBMITTED TO PROVIDE OPERABLE WINDOW.

1

PROPOSED REAR ELEVATION - SECOND FLOOR OPTION - PROFESSIONAL OFFICES  
 SCALE: 1/8" = 1'-0"



SK-09A  
 3/12/21  
 PROJECT NO. 18005

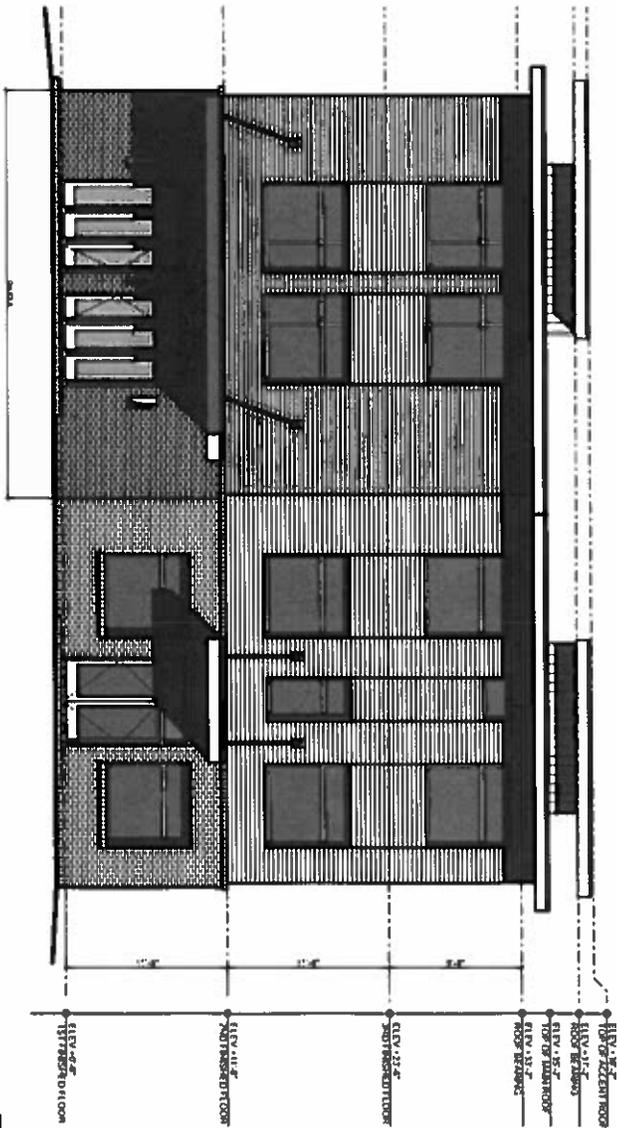
PROPOSED REAR ELEVATION - SECOND FLOOR OPTION - PROFESSIONAL OFFICES  
 1005 WESTOVER HILLS BLVD  
 RICHMOND, VIRGINIA



SK-10  
3/12/21  
PROJECT NO. 18005

PROPOSED RIGHT SIDE ELEVATION  
1005 WESTOVER HILLS BLVD  
RICHMOND, VIRGINIA

1 PROPOSED RIGHT SIDE ELEVATION  
SCALE: 1/8" = 1'-0"



GENERAL NOTE:  
1. FLOOR TO FLOOR HEIGHTS APPROXIMATE (+/-) UNTIL STRUCTURE HAS BEEN DETERMINED  
2. WINDOWS MAY BE SUBDIVIDED TO PROVIDE OPERABLE WINDOW.



SK-11  
3/12/21  
PROJECT NO.: 18005

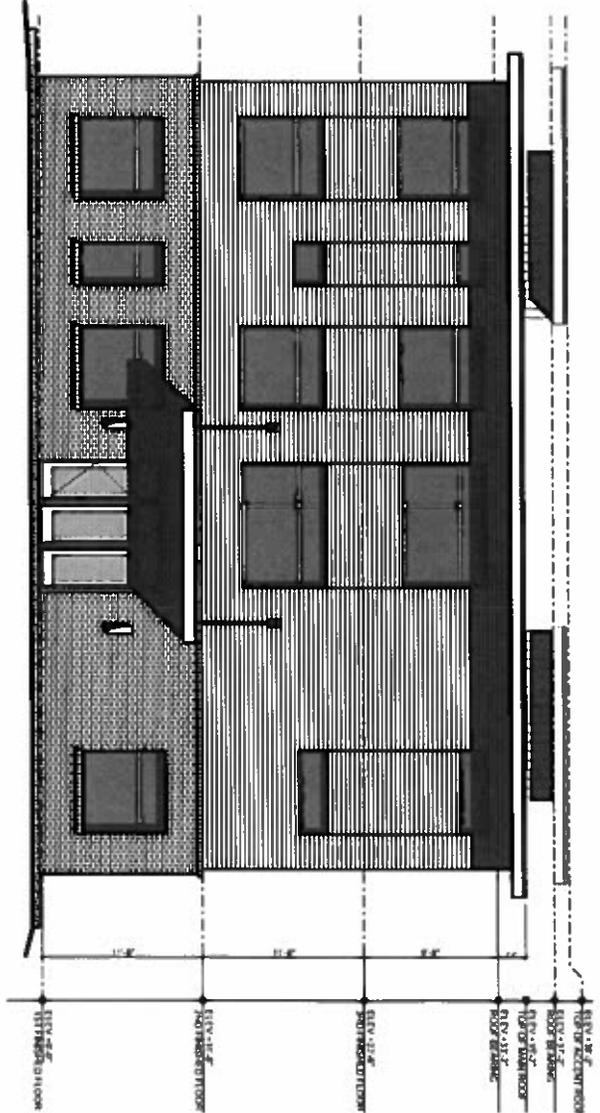
PROPOSED LEFT SIDE ELEVATION  
1005 WESTOVER HILLS BLVD  
RICHMOND, VIRGINIA

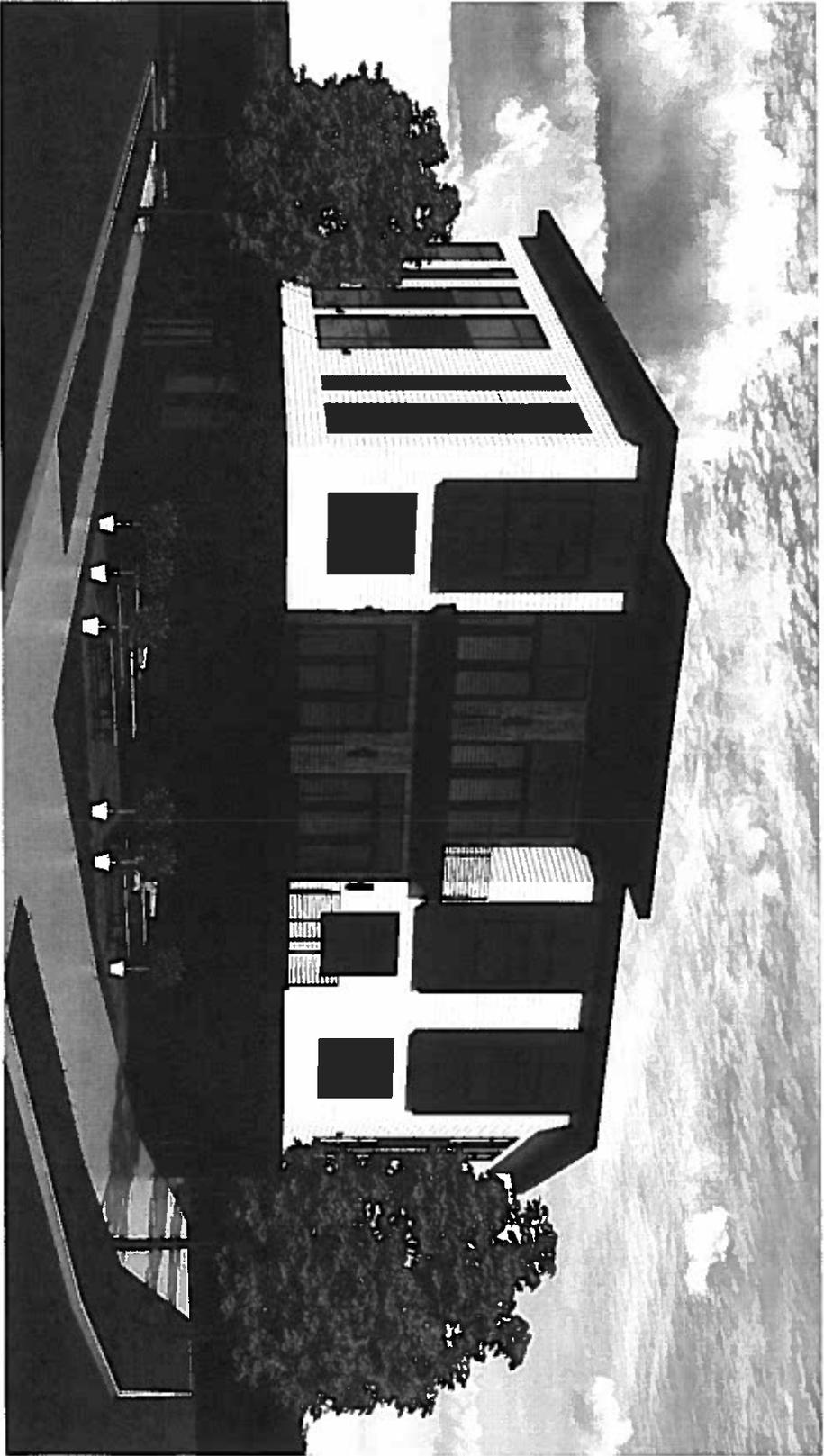


1 PROPOSED LEFT SIDE ELEVATION  
SCALE: 1/8" = 1'-0"



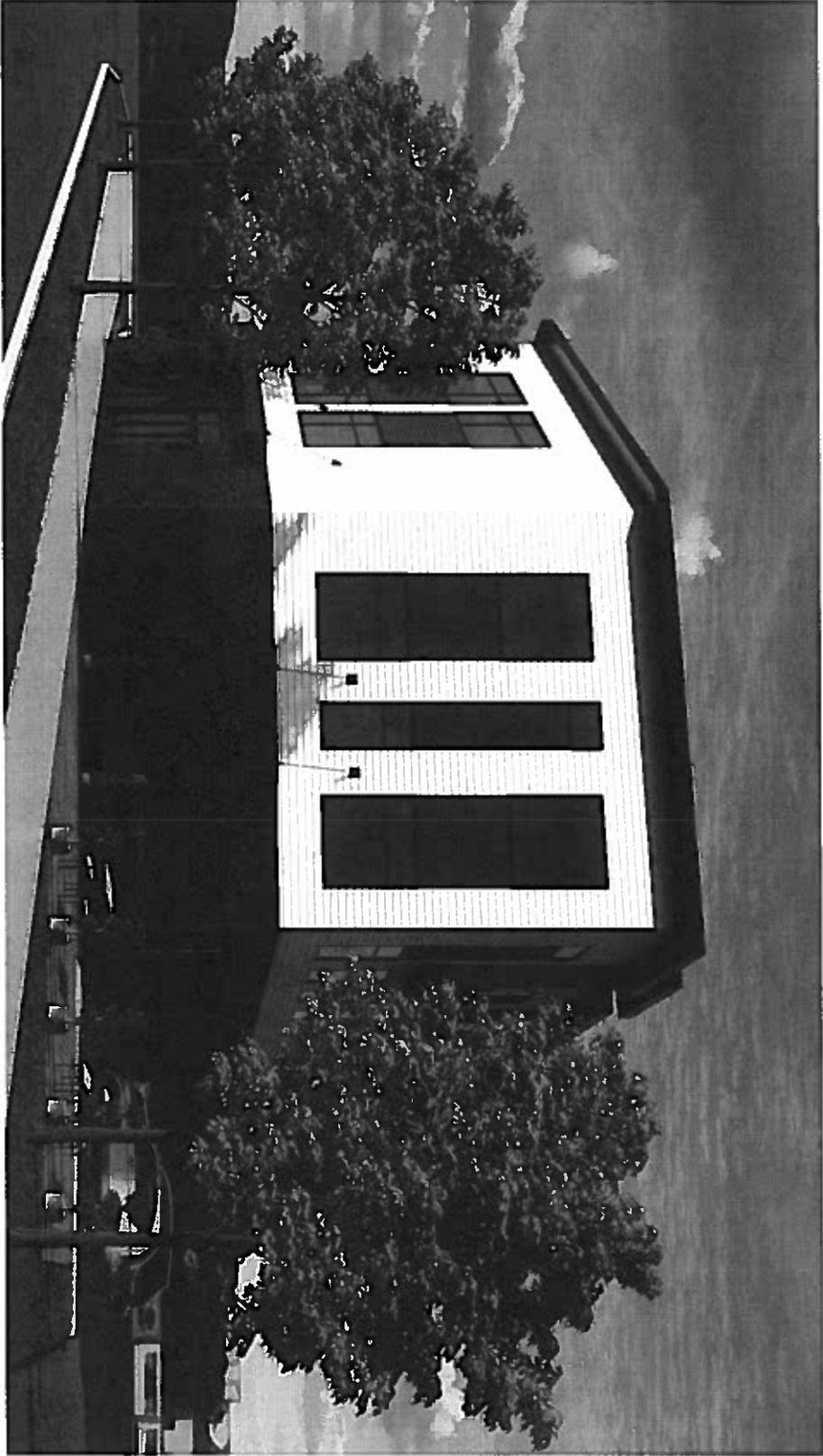
GENERAL NOTE:  
1. FLOOR TO FLOOR HEIGHTS APPROXIMATE (4'-1" UNTIL STRUCTURE HAS BEEN DETERMINED)  
2. WINDOWS MAY BE SUSPENDED TO PROVIDE OPERABLE WINDOW.





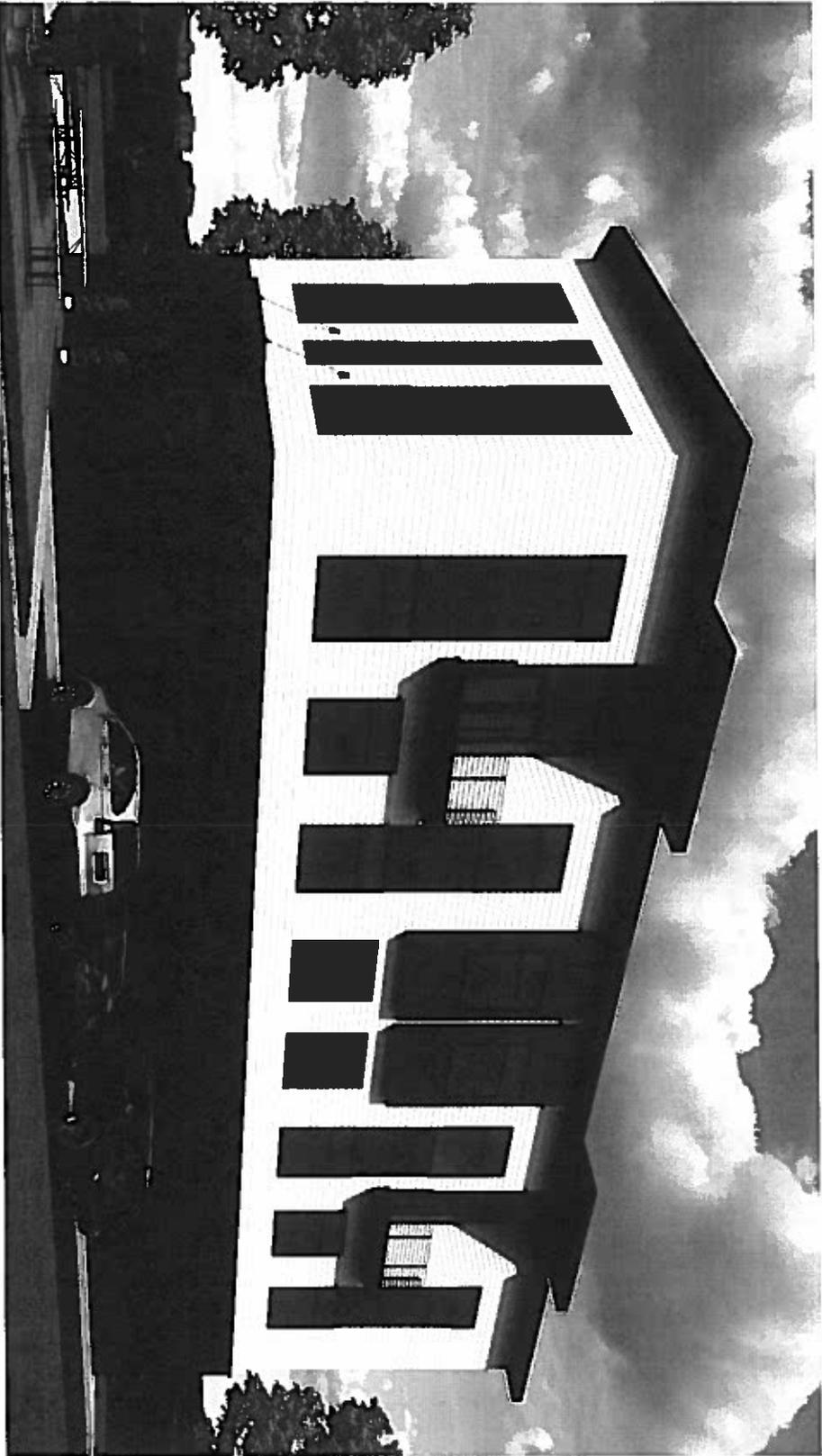
SK - 13 RENDERING IMAGE 1

3/12/21 Front View  
Office Option



SK - 14 RENDERING IMAGE 2

3/12/21 South View  
\*Office Option



SK - 15 RENDERING IMAGE 3

3/1/21 Rear View  
\*Office Option

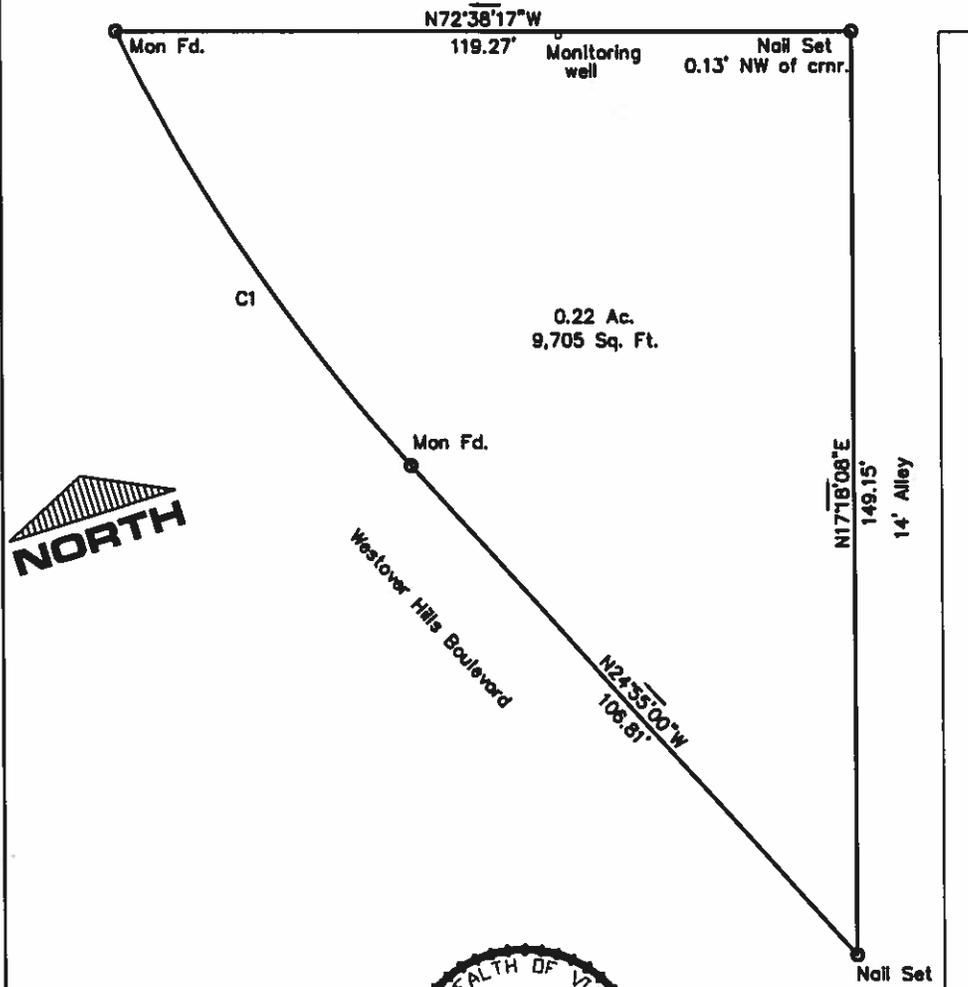
I hereby certify that an accurate survey of the property was made on November 18, 2019 and that any encroachments are noted herein. This survey was made without benefit of a title report and there may be encumbrances present that are not shown.

*Carl E. Duncan*

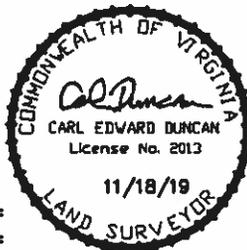
Carl E. Duncan, P.E., L.S.

CURVE TABLE						
CURVE	RADIUS	DELTA	TANGENT	LENGTH	CHORD DIRECTION	CHORD
C1	299.42	16°16'11"	42.80	84.74	S16°47'23"E	84.74

Dunston Avenue



Plat Showing the  
Physical Improvements to  
S0060371001  
1005 Westover Hills Boulevard  
Upward Builders  
5th District  
City of Richmond



C. E. Duncan & Associates, Inc.  
3008 Rocky Oak Road  
POWhatan, VIRGINIA 23139  
(804) 598-8240 Fax: (804) 598-8240  
DATE: 11/18/19 SCALE: 1"=20'  
DRAWN BY: CED JOB NO.: 19-2336



# City of Richmond Department of Planning & Development Review

## Special Use Permit

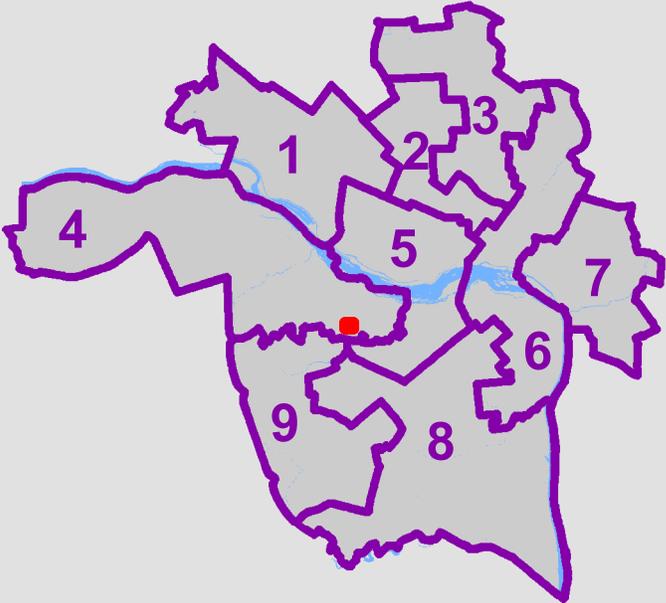
**LOCATION:** 1005 Westover Hills Blvd

**APPLICANT:** Zach Kennedy

**COUNCIL DISTRICT:** 4

**PROPOSAL:** To authorize the special use of the property known as 1005 Westover Hills Boulevard for the purpose of mixed-use building, including twelve dwelling units and commercial space, upon certain terms and conditions.

*For questions, please contact Matthew Ebinger at 804-646-5789 or [matthew.ebinger@richmondgov.com](mailto:matthew.ebinger@richmondgov.com)*



DIT

