

INTRODUCED: May 23, 2016

AN ORDINANCE No. 2016-170

To authorize the special use of the property known as 616 North 25<sup>th</sup> Street for the purpose of authorizing a retail store and two-family attached dwelling with no parking required, upon certain terms and conditions.

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

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

PUBLIC HEARING: JUNE 27 2016 AT 6 P.M.

WHEREAS, the owner of the property known as 616 North 25<sup>th</sup> Street, which is situated in a R-63 Multifamily Urban Residential District, desires to use such property for the purpose of authorizing a retail store and a two-family attached dwelling with no parking required, which among other things, is not currently allowed by section 30-419.2 of the Code of the City of Richmond (2015), as amended; and

WHEREAS, in accordance with section 17.11 of the Charter of the City of Richmond (2010), 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:   JUNE 27 2016   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 (2015), 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 616 North 25<sup>th</sup> Street and identified as Tax Parcel No. E000-0335/009 in the 2016 records of the City Assessor, being more particularly shown on a survey entitled “Plat Showing Improvements on No. 616 N. 25<sup>th</sup> Street, in the City of Richmond, Virginia,” prepared by Fred A. Gibson and Associate, and dated June 3, 1992, 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 retail store and two-family attached dwelling with no parking required, hereinafter referred to as “the Special Use,” substantially as shown on the plans entitled “Alterations to 2415 Jefferson Ave., Richmond, VA 23223,” prepared by The Chesapeake Design Group, and dated March 8, 2016, 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 use of the garage on the northern portion of the Property, known as 2415 Jefferson Avenue, shall be as a retail store, substantially as shown on the Plans.

(b) No parking shall be required either for the retail use or for the existing two-family attached dwelling.

(c) The Owner may subdivide the Property, substantially as shown on the Plans.

(d) Hours of operation for the retail store shall be limited to the hours between 6:00 a.m. and 8:00 p.m., Sunday through Saturday.

(e) The number of employees for the retail store shall be limited to no more than six employees.

(f) Lighting and signage for the retail store shall be provided, 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 (2015), 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 (2015), 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 (2015), 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 (2015), 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 or when the Special Use of the Property as authorized by this ordinance is abandoned for a period of 730 consecutive calendar days, 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.



# City of Richmond

## Intracity Correspondence

Pre Introduction to Council: PRE. 2016-126

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

RECEIVED

MAY 13 2016

File Number: PRE. 2016-126

OFFICE OF CITY ATTORNEY

To authorize the special use of the property known as 616 North 25th Street and 2415 Jefferson Avenue for the purpose of authorizing a retail store, upon certain terms and conditions.

### O & R Request

4-5063  
O & R REQUEST

APR 19 2016

Chief Administration Office  
City of Richmond

DATE: April 12, 2016

EDITION: 1

TO: The Honorable Members of City Council

THROUGH: Dwight C. Jones, Mayor *DCJ*  
(This in no way reflects a recommendation on behalf of the Mayor)

THROUGH: Selena Cuffee-Glenn, Chief Administrative Officer *SCG*

THROUGH: Peter L. Downey, Deputy Chief Administrative Officer for Economic Development and Planning *PLD*

FROM: Mark A. Olinger, Director, Department of Planning and Development Review *MAO*

ORD. OR RES. No.

**PURPOSE:** To authorize the special use of the property known as 616 North 25th Street and 2415 Jefferson Avenue for the purpose of authorizing a retail store, upon certain terms and conditions.

**REASON:** The applicant is seeking permission to convert an existing garage into a retail store and waive the parking requirements for the retail store and the two-family attached dwelling unit. The property is zoned R-63, which does not permit the proposed retail store. Therefore, the applicant is requesting a special use permit.

**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 June 6, 2016, meeting. A letter outlining the Commission's recommendation will be forwarded to City Council following that meeting.

**BACKGROUND:** The subject property is an improved lot of .078 acre with street frontage on North 25th Street and Jefferson Avenue. There is an existing two-family attached dwelling fronting on North 25th Street and a garage fronting on Jefferson Avenue.

The property is currently zoned R-63 Multi-Family Urban Residential, which does permit the two-family attached dwelling but does not permit the proposed retail store in the existing garage. The garage is 344 square feet in size and would not be expanded as part of the retail store. The applicant has also requested parking waivers for the two-family dwelling (two spaces) and retail store (two spaces) for a total waiver of four spaces. Finally, as part of the proposed SUP, the ordinance would authorize the subdivision of the property for the purposes of splitting the retail store from the residential property.

The Richmond Master Plan designates this area as Single-Family (medium density). "Primary uses are single-family and two-family dwellings, both detached and attached, at densities of 8 to 20 units per acre. Included are residential support uses such as schools, places of worship, neighborhood parks and recreation facilities, and limited public and semi-public uses" (p. 133).

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

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

**BUDGET AMENDMENT NECESSARY:** No budget amendment is necessary.

**REVENUE TO CITY:** \$1,800 application fee.

**DESIRED EFFECTIVE DATE:** Upon adoption.

**REQUESTED INTRODUCTION DATE:** May 9, 2016

**CITY COUNCIL PUBLIC HEARING DATE:** June 13, 2016

**REQUESTED AGENDA:** Consent

**RECOMMENDED COUNCIL COMMITTEE:** None

**CONSIDERATION BY OTHER GOVERNMENTAL AGENCIES:** City Planning Commission, June 6, 2016

**AFFECTED AGENCIES:** Office of Chief Administrative Officer; Law Department (for review of draft ordinance); City Assessor (for preparation of mailing labels for public notice)

**RELATIONSHIP TO EXISTING ORDINANCES:** None.

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

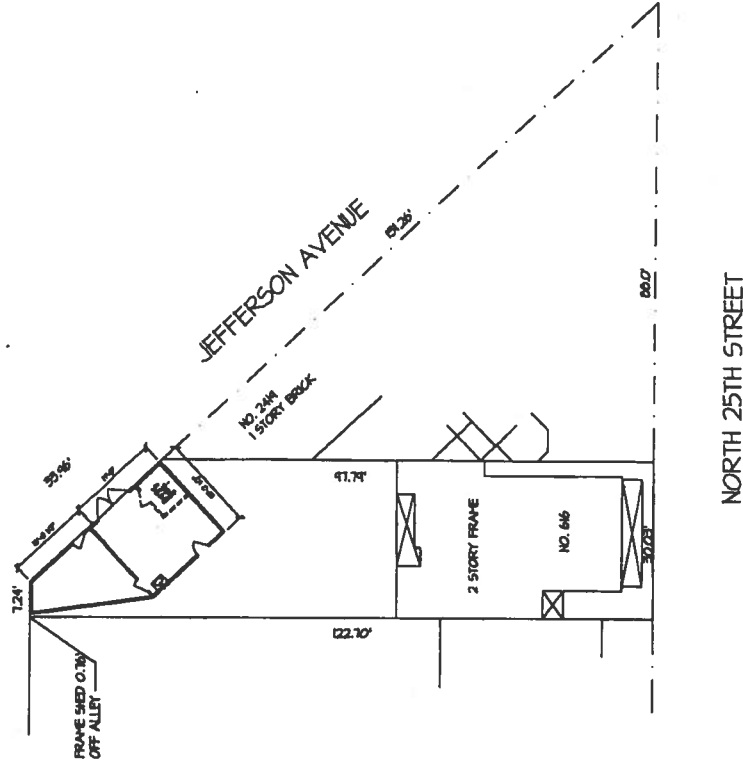
**STAFF:** Willy Thompson, Senior Planner; Land Use Administration (Room 511); 646-5734











**ICDG**  
INDEPENDENT CONSULTING DESIGN GROUP  
ARCHITECTS, ENGINEERS

418 North Chester Street  
Richmond, Virginia 23201  
P: (804) 771-2022  
F: (804) 771-2023  
E: info@icdg.com

SCALE

**REVISIONS**  
1. REVISIONS TO BE MADE TO THE DRAWING SHALL BE INDICATED BY A CIRCLE WITH A NUMBER IN THE CORNER OF THE SHEET. THE REVISIONS SHALL BE MADE TO THE DRAWING BY THE DESIGNER AND SHALL BE APPROVED BY THE ENGINEER. THE REVISIONS SHALL BE MADE TO THE DRAWING BY THE DESIGNER AND SHALL BE APPROVED BY THE ENGINEER. THE REVISIONS SHALL BE MADE TO THE DRAWING BY THE DESIGNER AND SHALL BE APPROVED BY THE ENGINEER.

NO.	DESCRIPTION	DATE
1	ISSUED FOR PERMIT	01/11/2019
2	ISSUED FOR PERMIT	01/11/2019
3	ISSUED FOR PERMIT	01/11/2019
4	ISSUED FOR PERMIT	01/11/2019
5	ISSUED FOR PERMIT	01/11/2019
6	ISSUED FOR PERMIT	01/11/2019
7	ISSUED FOR PERMIT	01/11/2019
8	ISSUED FOR PERMIT	01/11/2019
9	ISSUED FOR PERMIT	01/11/2019
10	ISSUED FOR PERMIT	01/11/2019

DATE: 01/11/2019  
SCALE: AS NOTED  
PROJECT #: 19000000  
BUILDING AREA: 114, 114 FL  
FOUNDER: DR. CEB, CHAIRMAN: DR. CEB

**PROJECT TITLE**  
ALTERATIONS TO  
2416 JEFFERSON AVE  
RICHMOND, VA 23228

**SHEET TITLE**  
SITE PLAN  
**SHEET NO. SPL-100-00**

XXXX BKT 0000000

**1 SITE PLAN**  
DATE: 01/11/2019



**ICDG**  
International Council  
Development Group  
410 North Charles Street  
Baltimore, Maryland 21201  
Tel: 410.527.2850  
Fax: 410.527.2851

SEAL

PROPOSED IMPROVEMENTS

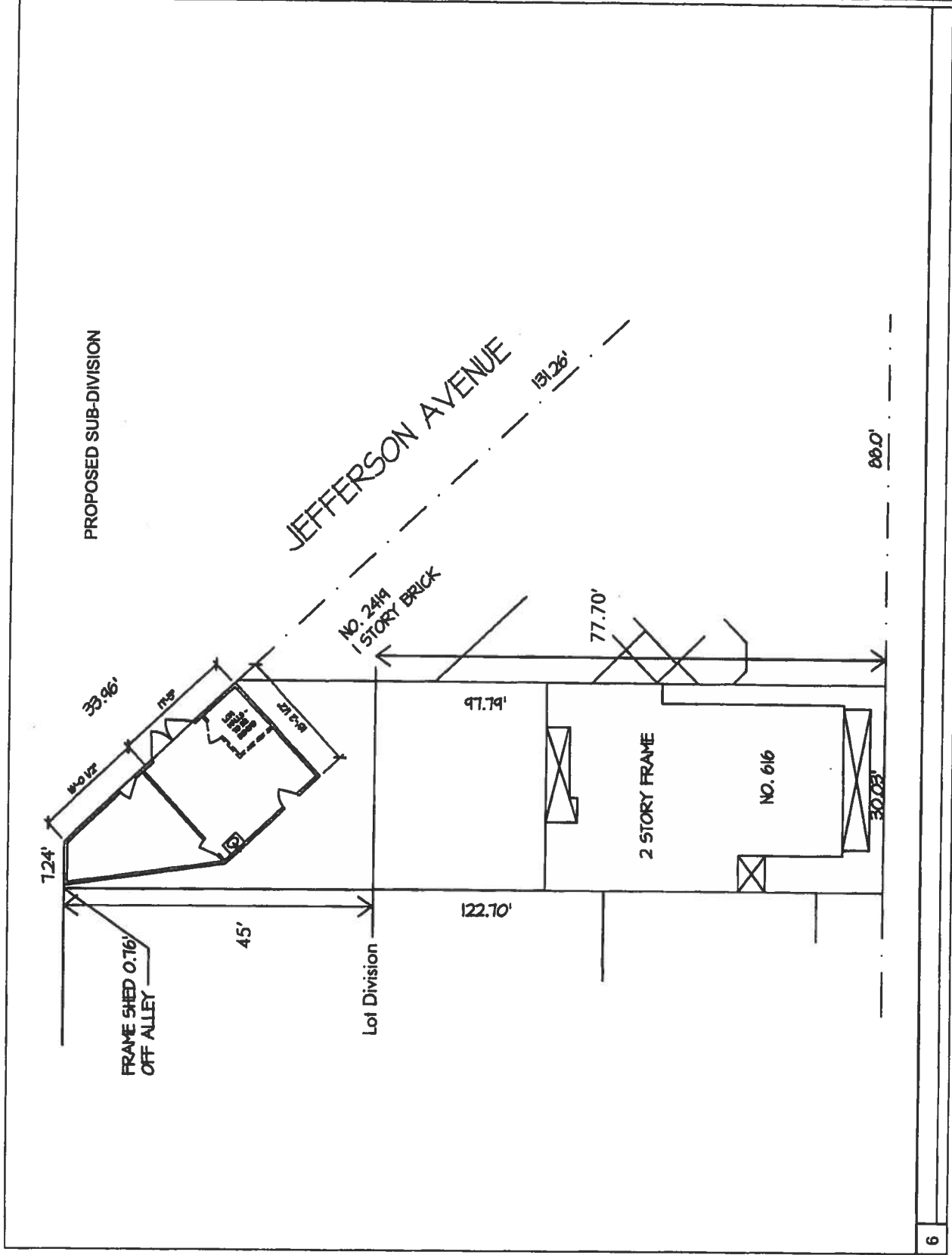
NO.	DESCRIPTION	DATE
1	PROPOSED IMPROVEMENTS	10/1/00

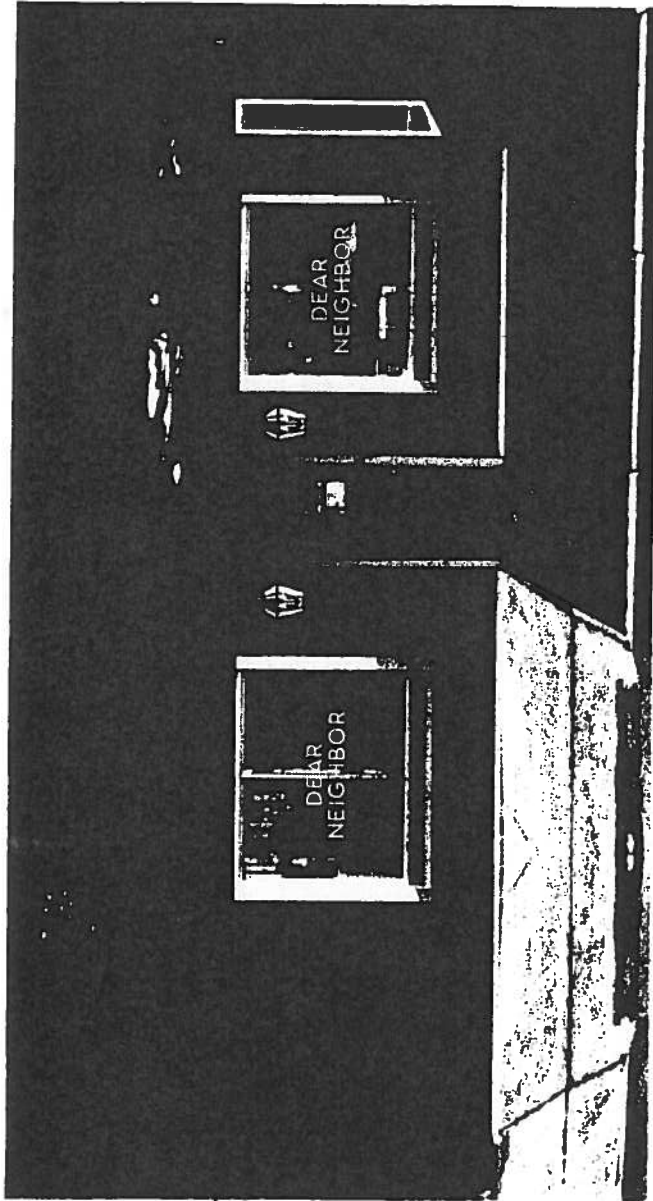
DATE SUBMITTED  
SCALE AS NOTED  
PROJECT # : 100000  
BUILDING AREA : 100,000

PROJECT TITLE  
ALTERATIONS TO  
2415 JEFFERSON AVE  
RICHMOND, VA 23223

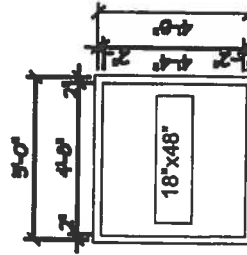
SHEET TITLE  
Proposed Sub-Division  
SHEET NO. SPL-100-00

XXXX SET 000000

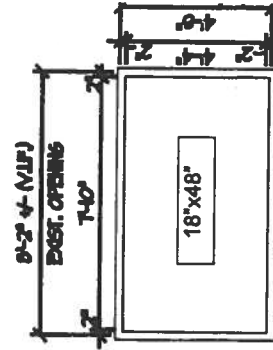




# LIGHTING



Window Signage: Window 2



Window Signage: Window 1



Hanging sign  
20'x36'

## SIGNAGE PLAN

Two outdoor sconces on each side of door.



**ICDG**  
Interior Design Group  
Architectural, Interiors

410 North Quaker Street  
Baltimore, Maryland 21201  
Tel: 410.527.1234  
Fax: 410.527.1235

BSA

### REVISIONS

NO.	DESCRIPTION	DATE
1	ISSUED FOR PERMIT	04/15/10
2	REVISED PER COMMENTS	04/15/10
3	REVISED PER COMMENTS	04/15/10
4	REVISED PER COMMENTS	04/15/10
5	REVISED PER COMMENTS	04/15/10
6	REVISED PER COMMENTS	04/15/10
7	REVISED PER COMMENTS	04/15/10
8	REVISED PER COMMENTS	04/15/10
9	REVISED PER COMMENTS	04/15/10
10	REVISED PER COMMENTS	04/15/10

DATE: 04/15/10

SCALE: AS NOTED

PROJECT # : 100004

BUILDING AREA : N/A, BQ, PL

### PROJECT TITLE

ALTERATIONS TO  
2416 JEFFERSON AVE  
RICHMOND, VA 23228

### SHEET TITLE

SIGNAGE/LIGHTING  
PLAN

SHEET NO: SPL-100-00

XXXX SET 04/05/10



## 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) 648-6304  
<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

Project Name: Dear Neighbor Retail / Gift Store Date: 02/09/2016

Property Address: 2415 Jefferson Ave / 616 N. 25th Street Tax Map #: E0000335009

Fee: \$1200.00 Total area of affected site in acres: Under 1 acre  
(See page 3 for fee schedule, please make check payable to the "City of Richmond")

### Zoning

Current Zoning: R-63

### Proposed Use

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

Existing Use: Home / Garage

Is this property subject to any previous land use cases? Conversion of garage into retail store.

Yes No

☐ If Yes, ☐ please list the Ordinance Number:

**Applicant/Contact Person:** Kristy Santelli

Company: \_\_\_\_\_

Mailing Address: 616 North 25th Street

City: Richmond State: VA Zip Code: 23223

Telephone: ( 317 ) 777- 1269 Fax: ( )

Email: kristy.santelli@gmail.com

**Property Owner:** Kristy Santelli

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: 616 North 25th Street

City: Richmond State: VA Zip Code: 23223

Telephone: ( 317 ) 777- 1269 Fax: ( )

Email: kristy.santelli@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's Report

### Subject Property:

Street Address: 616 N 25th St Richmond, VA 23223-6538

Alternate Street Addresses: 2415 Jefferson Ave

Tax Map Reference No/Parcel ID: E0000335009

To:

City of Richmond Department of Planning and Development Review  
900 East Broad Street  
Richmond, Virginia 23219

Submitted By:

Kristy I Santelli  
616 N 25th Street  
Richmond VA, 23223

### I. Introduction

The applicant proposes the conversion of the structure (hereinafter referred to as the "garage") on 2415 Jefferson Ave from a 550+/- sq. ft. garage into a small retail store. The design will be in harmony with the surrounding area, consistent with the city master plan and in accordance with The Richmond Commission of Architectural Review requirements. Furthermore, the store will support objectives of the city in the Jefferson Ave corridor to "be a vibrant street with thriving businesses." This retail shop will keep normal retail hours and operate no later than 8pm. We would like to be treated the same as the properties that are adjacent to our property, which currently have UB-PE zoning. We are requesting to wave parking requirements for the entire property. The owner of the property will also be owner of the store business, creating a work space in Churchill.

### II. Site

The subject property, 616 N 25th St/2415 Jefferson Ave, Richmond, Virginia is a "through" lot and consists of a 2 story house facing 25th Street and a 550 square foot "garage" facing Jefferson Ave. The garage is situated between Sub Rosa Bakery and the Family Resource Center and faces a currently empty lot. It is currently zoned R-63 - Residential (Multi-family Urban). The zoning for the adjacent and surrounding properties is UB-PE.

### III. Proposed Use

The applicant proposes to develop the garage facing Jefferson Ave into a small retail store. The garage will be updated to be consistent with other retail locations in the area, it would also keep the hours no earlier than 6am and no later than 8pm. The store will have between 2-6 employees.



The retail store in the developed garage will be occupied by Dear Neighbor which is a small gift/retail shop that will cater to the neighborhoods need for small retail items like stationary, small home goods and accessories. This store will be a positive influence to the surrounding homes, business and community. The proposed project is very much the essence of urban renewal and has the spirit of the surrounding area at its heart.

#### IV. Design

The design of the building and site seeks to update and improve the overall quality of construction while also honoring the existing design elements and remaining constant with CAR recommendations. The applicant's proposal extends the building height from 11'11" to 12'12" to accommodate updated lighting and HVAC. The main entrance door will stay in place where it exists and the garage door will be converted to a window. The addition of two windows will match the look of the building and create balance and harmony within the space. Furthermore, the design is being created by a Churchill resident who is streamlining the renovation to the surrounding neighborhood. This small store will not overcrowd the land or surrounding population, or interfere with adequate light and air. The proposed garage updates will meet or exceed all building code requirements and will not be a fire hazard to neighboring properties.

#### IV. Appropriateness

The store for all intents and purposes will be a "gift store". This will support the goals of the local area revitalization plan by supporting the walkable and growing business corridor of Jefferson Ave. The store will be a place where neighbors can go to buy gifts or small items for their selves and their home. Items such as, but not limited to: candles, ceramics, bags, jewelry, leather goods, and accessories. Items will be from national vendors as well as local Richmond vendors alike.

#### V. Community Outreach

The applicant has reached out to area neighbors, businesses and community associations to discuss the project (such as Sub Rosa and Union Market). The reaction has been beyond supportive and positive with our neighbors and local businesses owners exclaiming "we need a gift store up here!" Upon submission of the SUP, the applicant will secure letters and signatures in support of the project. We have no doubt that support will be overwhelmingly positive.

**Garage (550sq ft.)**  
 2415 Jefferson Ave  
 Facing Jefferson Ave.

Behind Subrosa  
 Located at the end of  
 "through" lot



**House**  
 616 N 25th St  
 Richmond 23223

ATM  
 ATM New  
 Generation



Tricycle Gardens

A  
 Jefferson Ave

Faces Jefferson Ave

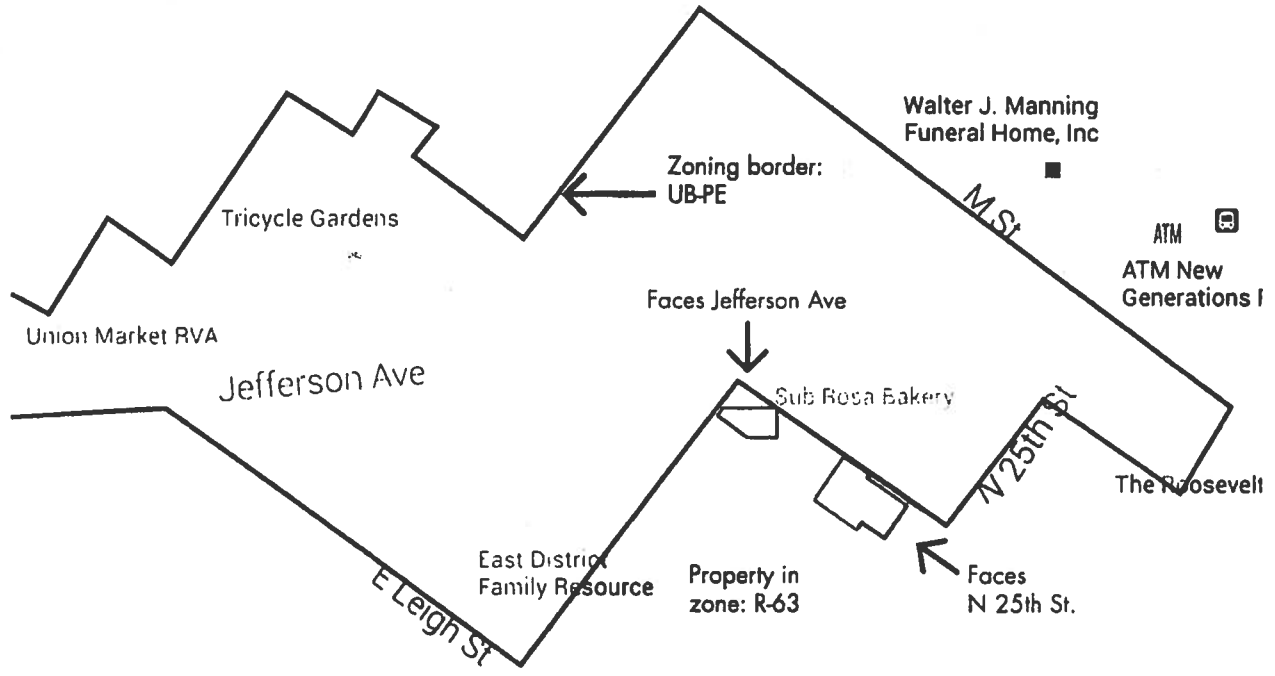
Sub Rosa Bakery

East District  
 Family Resource

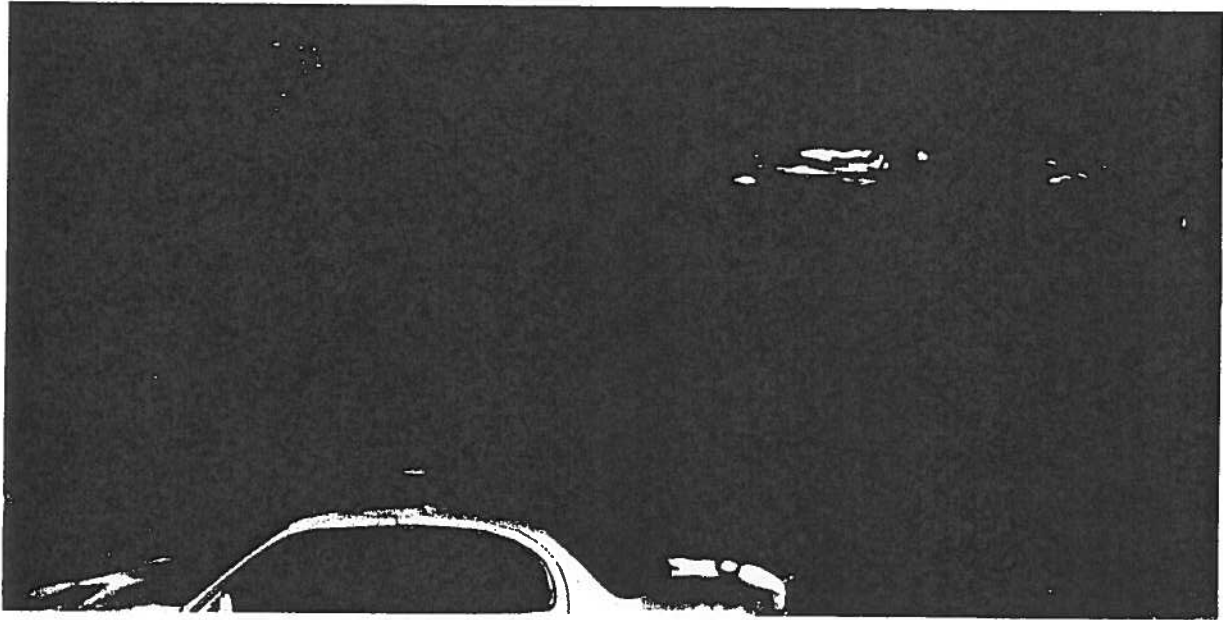
E Leigh St

Faces  
 N 25th St.

**Zoning Map**



Proposed building upgrade  
of 2415 Jefferson Ave

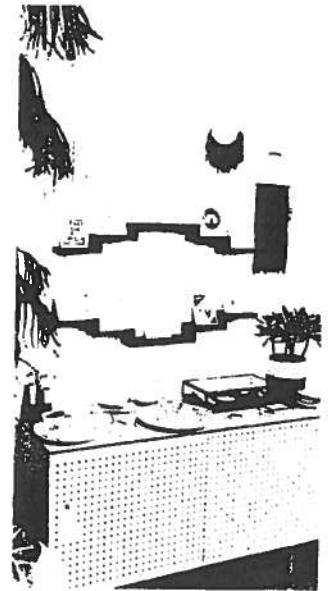
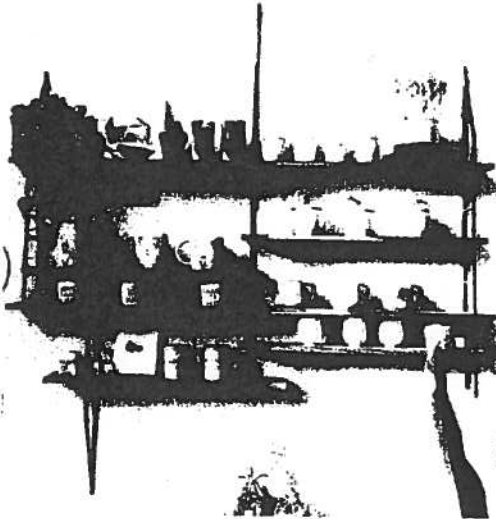


Before



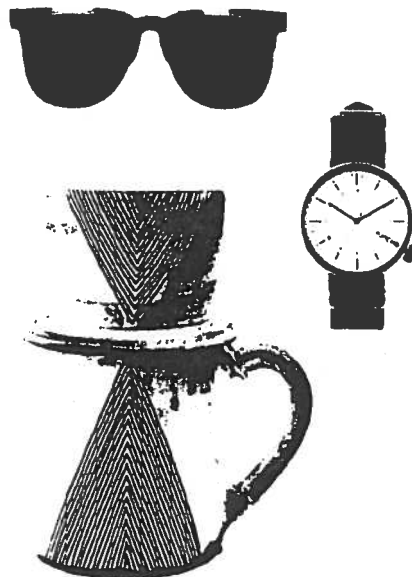
After

**Interior References\***



For reference only, not actual interior

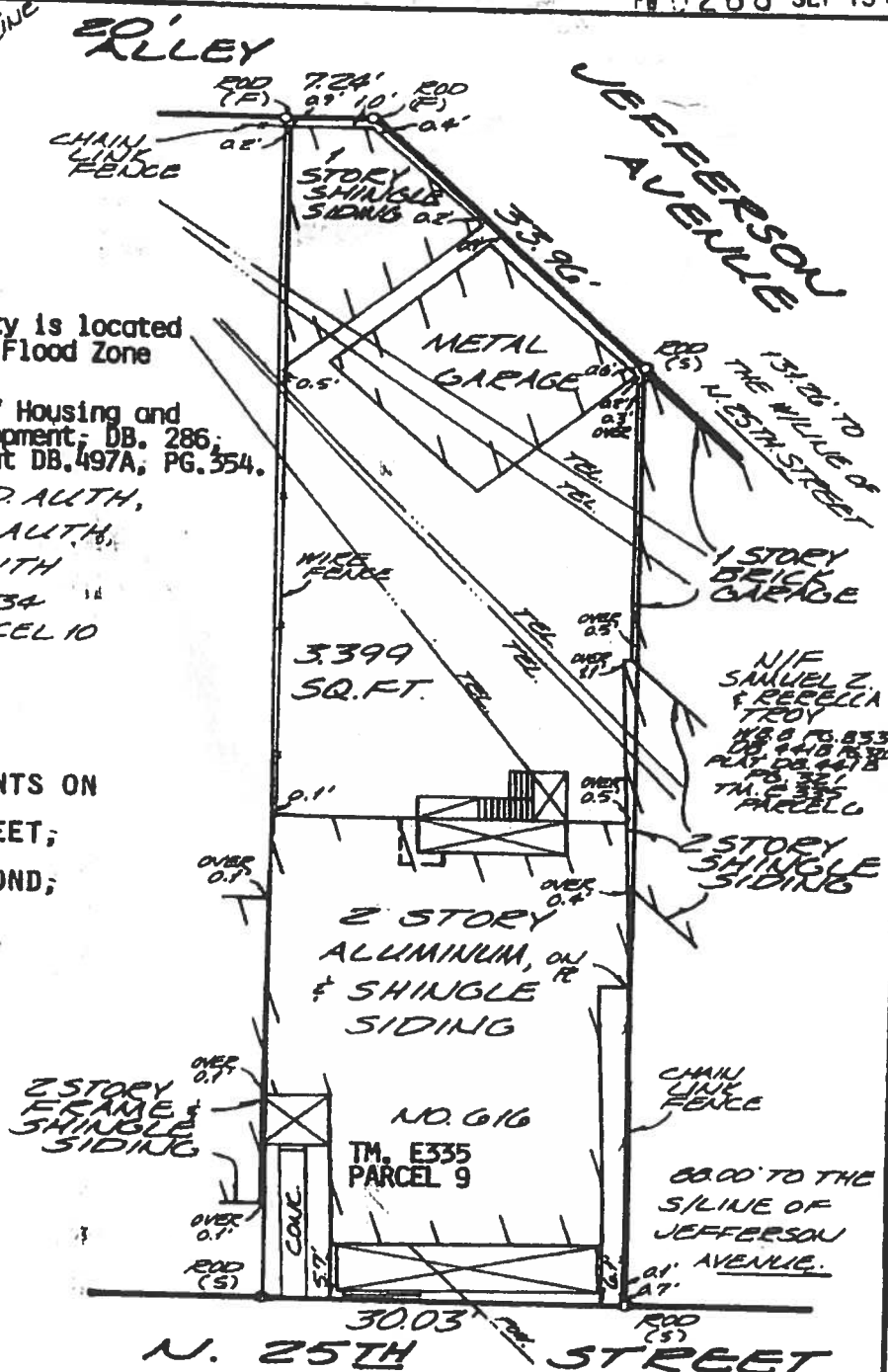
**Example Merchandise\***



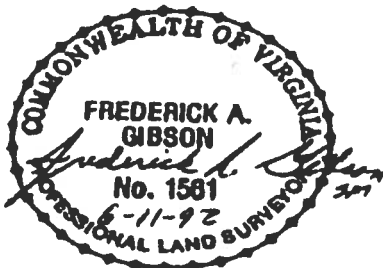
For reference only, not actual merchandise

Ref: Secretary Of Housing and  
Urban Development; DB. 286;  
PG.2124; Plat DB.497A; PG.354.

PLAT SHOWING IMPROVEMENTS ON  
NO. 616 N. 25TH. STREET;  
IN THE CITY OF RICHMOND;  
VIRGINIA.



**Re: Thomas A. Brickman**



This is to certify that on June 3, 1992, I made an accurate Field Survey of the premises shown hereon; that all improvements are shown hereon; that there are no encroachments by improvements either from adjoining premises or from subject premises upon adjoining premises, other than as shown hereon. This survey is being furnished without benefit of a title report. Premises shown hereon is subject to easements of record or otherwise.

**FRED A. GIBSON  
& ASSOCIATE  
PROFESSIONAL LAND SURVEYOR  
8728 B FOREST HILL AVENUE RICHMOND, VIRGINIA 23235  
PHONE 804 323-6060**

Date: 6-4-92  
Scale: 1" = 15'  
J.N. 9206-07

