

INTRODUCED: March 24, 2025

AN ORDINANCE No. 2025-055

To authorize the special use of the property known as 2700 North Avenue for the purpose of an outpatient professional office building, upon certain terms and conditions, and to repeal Ord. No. 97-174-190, adopted June 9, 1997, and all amendatory ordinances thereto. (3<sup>rd</sup> District)

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Patron – Mayor Avula (By Request)

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Approved as to form and legality  
by the City Attorney

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PUBLIC HEARING: APR 28 2025 AT 6 P.M.

WHEREAS, the owner of the property known as 2700 North Avenue, which is situated in a R-6 Single-Family Attached Residential District, desires to use such property for the purpose of an outpatient professional office building, which use, among other things, is not currently allowed by section 30-412.1, concerning permitted principal uses, 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:           0                    NOES:           8                    ABSTAIN:           

ADOPTED:                      REJECTED:           APR 28 2025          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 2700 North Avenue and identified as Tax Parcel No. N000-0703/010 in the 2025 records of the City Assessor, being more particularly shown on a survey entitled “Physical Improvement Survey of 5 Parcels of Land Lying Along the North Line of West Norwood Ave, City of Richmond, Virginia,” prepared by James River Surveying, and dated March 28, 2024, 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 an outpatient professional office building, hereinafter referred to as “the Special Use,” substantially as shown on the plans entitled “2700 North Avenue, Existing Floorplan Layout,” prepared by an unknown preparer, and undated, 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 an outpatient professional office building, as substantially shown on the Plans.

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

§ 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 certificate of occupancy for the Special Use subject to the terms and conditions set forth in this ordinance. An application for the certificate of occupancy shall be made within 1,096 calendar days following the date on which this ordinance becomes effective. If the application for the





# City of Richmond

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

## Master

**File Number: Admin-2025-0101**

**File ID:** Admin-2025-0101      **Type:** Request for Ordinance or Resolution      **Status:** Regular Agenda

**Version:** 1      **Reference:**      **In Control:** City Attorney  
**Department:**      **File Created:** 01/31/2025  
**Subject:**      **Final Action:**

<b>Title:</b>
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**Internal Notes:**

**Patron(s):**      **Agenda Date:** 03/24/2025  
**Attachments:** AATF SUP - 2700 North Ave, Attachments - 2700 North Ave SUP      **Enactment Date:**  
**Contact:**      **Enactment Number:**  
**Drafter:**      **Introduction Date:**  
**Related Files:**      **Effective Date:**

**Approval History**

Version	Seq #	Action Date	Approver	Action	Due Date
1	1	2/25/2025	John Dickinson	Approve	2/27/2025
1	2	2/25/2025	Jonathan Brown	Approve	2/27/2025
1	4	2/25/2025	Kevin Vonck	Approve	3/4/2025
1	6	2/27/2025	Sharon Ebert	Approve	2/28/2025
1	8	2/27/2025	Jeff Gray	Approve	3/3/2025
1	9	3/3/2025	Sabrina Joy-Hogg	Approve	3/3/2025
1	10	3/4/2025	Mayor Avula	Approve	3/5/2025

**History of Legislative File**

Ver- sion:	Acting Body:	Date:	Action:	Sent To:	Due Date:	Return Date:	Result:

**Text of Legislative File Admin-2025-0101**

**DATE:** March 4, 2025

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

**THROUGH:** The Honorable Mayor Avula (by request)

(This in no way reflects a recommendation on behalf of the Mayor)

**THROUGH:** Sharon L. Ebert, DCAO for Planning & Economic Development

**FROM:** Kevin J. Vonck, Director of Planning & Development Review

**RE:** To authorize the special use of the property known as 2700 North Avenue for the purpose of an outpatient professional office building, upon certain terms and conditions, and to repeal Ord. No. 97-174-190, adopted June 9, 1997, and all amendatory ordinances thereto.

**ORD. OR RES. No.**

**PURPOSE:** The applicant is requesting a Special Use Permit to authorize adult outpatient professional office use within an R-6 Single Family District . This use is not permitted within the R-6 District. A Special Use Permit is therefore required.

**BACKGROUND:** The property is located in the Northern Barton Heights neighborhood on the corner of W Norwood Avenue and North Avenue The property is currently a 17183.25. ft. (.394 acre) parcel of land. The City’s Richmond 300 Master Plan designates a future land use for the subject property as Residential, which is defined as “Neighborhood consisting primarily of single-family houses on large- or medium-sized lots more homogeneous in nature... Intensity: Buildings are generally one to three stories. Lot sizes generally range up to 5,000 to 20,000+ sq. ft. Residential density of 2 to 10 housing units per acre. Primary Uses: Single-family houses, accessory dwelling units, and open space. Secondary Uses: Duplexes and small multi-family buildings (typically 3-10 units), institutional, and cultural. Secondary uses may be found along major streets.”

The current zoning for this property is R-6 Single-Family Residential and was previously operating as a funeral home. Adjacent properties are zoned R-6 with single-family attached homes, and a church across the street.

**COMMUNITY ENGAGEMENT:** Battery Park Civic Association was notified of the application;



additional community notification will take place after introduction.

**STRATEGIC INITIATIVES AND OTHER GOVERNMENTAL:** Richmond 300 Master Plan;  
Ordinance to be considered by the Planning Commission on April 15, 2025

**FISCAL IMPACT:** \$3600 application fee.

**DESIRED EFFECTIVE DATE:** Upon adoption

**REQUESTED INTRODUCTION DATE:** March 24, 2025

**CITY COUNCIL PUBLIC HEARING DATE:** April 28, 2025

**REQUESTED AGENDA:** Consent

**RECOMMENDED COUNCIL COMMITTEE:** Planning Commission (April 15, 2025)

**AFFECTED AGENCIES:** Office of Chief Administrative Officer

Law Department (for review of draft ordinance)

**RELATIONSHIP TO EXISTING ORD. OR RES.:** Ord. No. 97-174-190

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

**STAFF:** Madison Wilson, Planner, Land Use Administration (Room 511) 646-7436



## 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: 2700 North Avenue

Date: 9/10/2024

Parcel I.D. #: N0000703010 Fee: \$2,400

Total area of affected site in acres: 0.394

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

### Zoning

Current Zoning: R-6- Residential (Single Family Attached)

Richmond 300 Land Use Designation: Residential Use (Per Future Land Use Map, Richmond 300)

### Proposed Use

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

Adult Day Care and office professional use

Existing Use: Funeral Home

Is this property subject to any previous land use cases?

Yes

No

☐☒

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

**Applicant/Contact Person:** Fred Wyatt

Company: Troy Holdings LLC

Mailing Address: 8290 Carrollton Ridge Place

City: Mechanicsville

State: Va.

Zip Code: 23111

Telephone: (804) 405-8911

Fax: ( )

Email: pastorfredwyatt@gmail.com

**Property Owner:** Troy Holdings LLC

If Business Entity, name and title of authorized signee: Fred Wyatt, Owner

(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 6133

City: Woodbridge

State: Va

Zip Code: 22195

Telephone: (804) 405-8911

Fax: ( )

Email: pastorfredwyatt@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- 2700 North Avenue**

The building proposed to be located at 2700 North Ave., Richmond, 23222 will serve as a

Outpatient professional office building for individuals in need of outpatient therapy. The zoning we are requesting is professional use, general business, and office use.

The building and intended business operations will be compatible with the surrounding area and in no way detrimental to the safety, health, morals, and general welfare of the community.

We anticipate maximum capacity of no more 40. Additionally, the lot has adequate space to create on-site parking. Therefore, the building/business will in no way create congestion in streets, roads, alleys or other public places in close proximity. Individuals coming to this building to engage in services and therapeutic activities will be either transported by public transportation, to and from the building by company vehicles, and/or occasionally their own vehicles. The building, its clients, therapists and grounds will all be self-contained and maintained solely on property established lot. The building's or business's presence in the community will not adversely affect or interfere with schools, parks, playgrounds, water supplies, sewage disposal, transportation or any other public requirements, conveniences or improvements, but will actually support the community for those seeking outpatient therapy services.

Hours of operation will be from 9a-5p

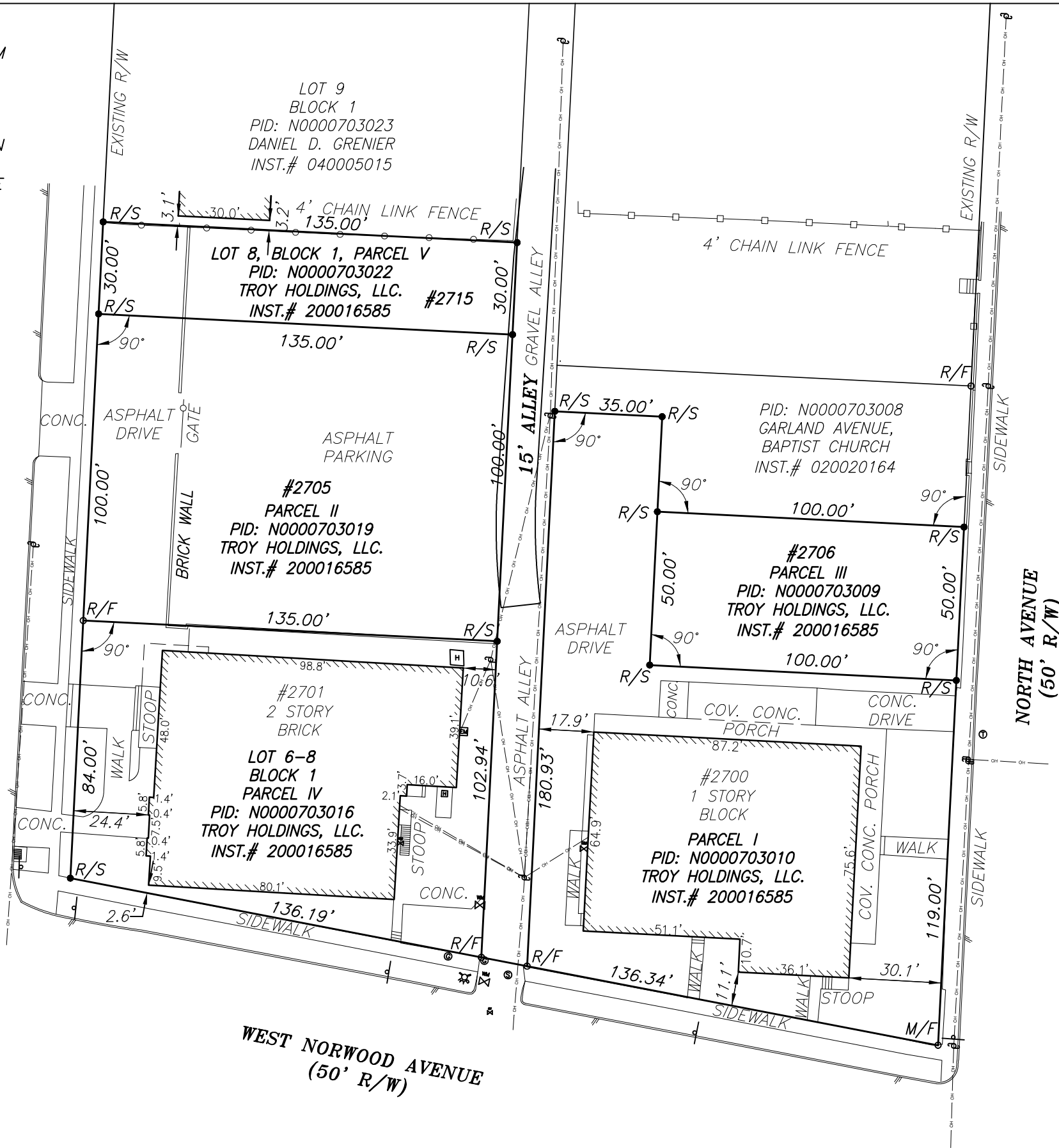
1. THIS SURVEY WAS COMPILED FROM A FIELD SURVEY COMPLETED ON 03/21/24 AND FROM DEEDS AND PLATS OF RECORD.
2. NO TITLE REPORT WAS FURNISHED FOR THIS SURVEY; ENCUMBRANCES MAY EXIST THAT ARE NOT SHOWN HEREON.
3. BY GRAPHICAL MEANS THE PROPERTY SHOWN HEREON APPEARS TO BE LOCATED WITHIN FLOOD ZONE "X" ON FLOOD INSURANCE RATE MAP NO. 5101290033D, WITH AN EFFECTIVE DATE OF 4/2/2009.



**James River**  
SURVEYING

PO BOX 18293  
805 GLENBURNIE ROAD  
RICHMOND, VIRGINIA 23226  
PHONE: (804) 986-5594  
SURVEYOR@JAMESRIVERSURVEYING.COM

GARLAND AVENUE  
(60' R/W)



WEST NORWOOD AVENUE  
(50' R/W)

PB. 16 PG. 35

- [H] HVAC
- [EM] ELEC. METER
- [WM] WATER METER
- [X] UTILITY POLE
- [GM] GAS METER
- [GV] GAS VALVE
- [S] SEWER MANHOLE
- [F] FIRE HYDRANT
- [T] TELE. MANHOLE
- [X] GAS VALVE
- [S] SIGN
- R/W RIGHT OF WAY
- R/F ROD FOUND
- R/S ROD SET
- [OH] OVERHEAD WIRE

## PHYSICAL IMPROVEMENT SURVEY OF

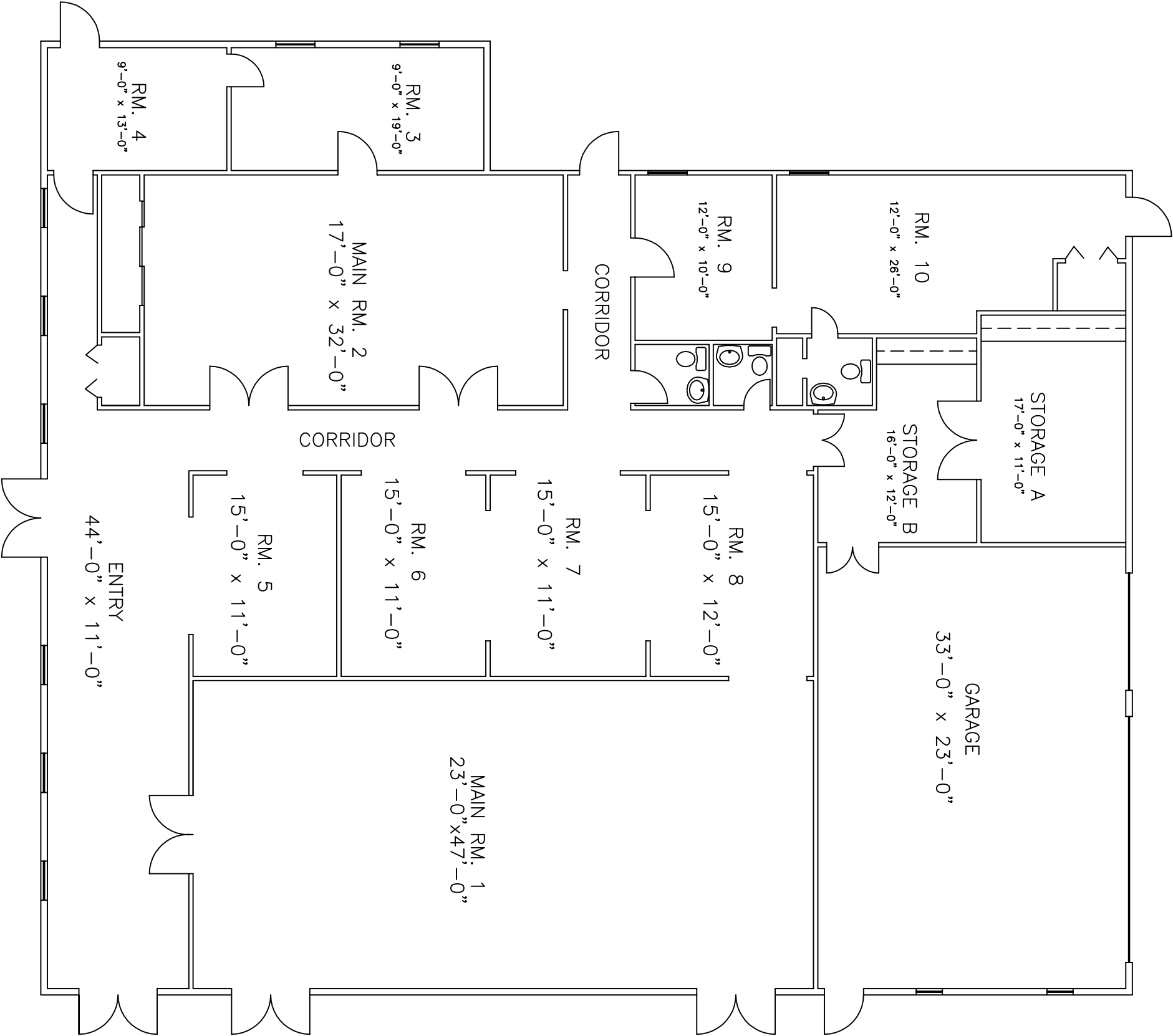
5 PARCELS OF LAND  
LYING ALONG THE  
NORTH LINE OF WEST  
NORWOOD AVE

CITY OF RICHMOND, VIRGINIA  
GRAPHIC SCALE



( IN FEET )  
1 inch = 40 ft.

PROJ#	SCALE : 1" = 40'
REVISED:	DATE: 03/28/24
	DRAWN BY: AKV
	CHECKED BY: SLW



# 2700 North Avenue

Existing Floorplan Layout