

INTRODUCED: March 10, 2025

AN ORDINANCE No. 2025-048

To authorize the special use of the property known as 2701 Garland Avenue for the purpose of adult transitional housing, under certain terms and conditions, and to repeal Ord. No. 97-174-190, adopted Jun. 9, 1997, and all amendatory ordinances thereto. (3rd District)

Patron – Mayor Avula (By Request)

Approved as to form and legality
by the City Attorney

PUBLIC HEARING: APR 14 2025 AT 6 P.M.

WHEREAS, the owner of the property known as 2701 Garland Avenue, which is situated in a R-6 Single-Family Attached Residential District, desires to use such property for the purpose of adult transitional housing, 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 2701 Garland Avenue and identified as Tax Parcel No. N000-0703/016 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 adult transitional housing, hereinafter referred to as “the Special Use,” substantially as shown on the plans entitled “Garland Residential Treatment Center, 2701 Garland Ave, Richmond, VA 23222,” prepared by Yellow Room Incorporated, with sheets A1 through A2, and A4 through A5, undated, and sheet A3, undated, and last revised August 15, 2024, 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 adult transitional housing, substantially as shown on the Plans.

(b) No more than 25 patients may be treated at the Special Use at any given time.

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

(d) Signs on the Property shall be limited to signs permitted in all districts pursuant to section 30-505 of the Code of the City of Richmond (2020), as amended, and signs for non-dwelling uses permitted by conditional use permit in the R-6 Single-Family Attached Residential District, pursuant to section 30-506(2) of the Code of the City of Richmond (2020), as amended. Internally illuminated signs shall not be permitted.

(e) All elevations and site improvements shall be substantially as shown on the Plans.

(f) 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 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 1,096 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. **Repeal of Prior Ordinances.** That Ordinance No. 97-174-190, adopted June 9, 1997, and all amendatory ordinances thereto, be and are hereby repealed.

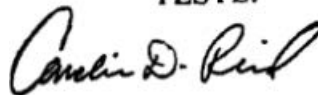
§ 8. **Effective Date.** This ordinance shall be in force and effect upon adoption.

APPROVED AS TO FORM:

CITY ATTORNEY'S OFFICE

A TRUE COPY:

TESTE:



City Clerk



City of Richmond

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

Master

File Number: Admin-2024-1342

File ID: Admin-2024-1342

Type: Request for Ordinance or Resolution

Status: Regular Agenda

Version: 2

Reference:

In Control: City Attorney

Department:

File Created: 10/21/2024

Subject:

Final Action:

Title:

Internal Notes:

Agenda Date: 03/10/2025

Patron(s):

Enactment Date:

Attachments: Ordinance - AATF, Application Documents - 2701
Garland Ave

Enactment Number:

Contact:

Introduction Date:

Drafter:

Effective Date:

Related Files:

Approval History

Version	Seq #	Action Date	Approver	Action	Due Date
2	1	2/24/2025	Matthew Ebinger	Approve	2/25/2025
2	3	2/24/2025	Kevin Vonck	Approve	3/3/2025
2	5	2/24/2025	Sharon Ebert	Approve	2/26/2025
2	7	2/28/2025	Jeff Gray	Approve	2/26/2025
2	8	3/3/2025	Sabrina Joy-Hogg	Approve	3/4/2025
2	9	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:
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Text of Legislative File Admin-2024-1342

DATE: February 21, 2025

TO: The Honorable Members of City Council

THROUGH: The Honorable Dr. Danny Avula, Mayor (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 2701 Garland Avenue for the purpose of adult transitional housing, under certain terms and conditions, and to repeal Ord. No. 97-174-190, adopted Jun. 9, 1997, and all amendatory ordinances thereto.

ORD. OR RES. No.

PURPOSE: The applicant is requesting a Special Use Permit to authorize adult transitional housing 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 Ave and Garland Ave. The property is currently a 12, 398sq. ft. (.285 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 1, 2025

FISCAL IMPACT: \$1800 application fee.

DESIRED EFFECTIVE DATE: Upon adoption

REQUESTED INTRODUCTION DATE: March 10, 2025

CITY COUNCIL PUBLIC HEARING DATE: April 14, 2025

REQUESTED AGENDA: Consent

RECOMMENDED COUNCIL COMMITTEE: Planning Commission (April 1, 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



DEPARTMENT OF
**PLANNING AND
DEVELOPMENT
REVIEW**

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

<https://rva.gov/planning-development-review>

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: 2701 Garland Avenue, Richmond, VA 23222 Date: 1 / 28 / 2025

Parcel I.D. #: N0000703016 Fee: 2400.00

Total area of affected site in acres: 30,457.17 square feet

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

Zoning

Current Zoning: R6

Richmond 300 Land Use Designation: Residential

Proposed Use

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

See Attached appendix - Residential Treatment Center (Please include lots 2705 & 2715 as part of the ordinance for parking.)

Existing Use: Non Profit Religious/Church

Is this property subject to any previous land use cases?

Yes

No

☐☒

If Yes, please list the Ordinance Number: _____

Applicant/Contact Person: William Jones

Company: HYPE Counseling Services

Mailing Address: 5911 W. Broad Street

City: Richmond State: VA Zip Code: 23230

Telephone: (804) 213-0259 Fax: (804) 254-4656

Email: mrshilohjones@gmail.com wjones@hypecounselingservices.org

Property Owner: Troy Holding

If Business Entity, name and title of authorized signee: Frederick Wyatt, Vice President

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

Mailing Address: 8290 Carrolton Ridge Place

City: Mechanicsville State: VA Zip Code: 23111

Telephone: (804) 405-8911 Fax: ()

Email: pastorfredwyatt@hotmail.com

Property Owner Signature: *Frederick Wyatt*

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)



5911 West Broad Street
Henrico, VA 23230

PHONE: (804) 213-0259

FAX: (804) 254-4656

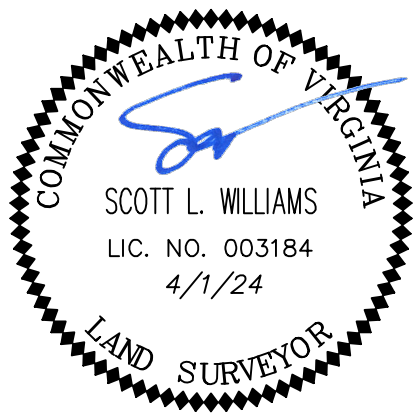
RE: Project: Garland Residential Treatment Center

The facility proposed to be located at Garland Ave., Richmond, 23222 will serve as a residential rehabilitation center for individuals with qualifying disabilities. This facility will be licensed by the Virginia Department of Behavioral Health and Developmental Services. This will be a locked facility and staffed 24 hours. Staff to client ratio will be maintained at 1:4 during service provision (7am – 11pm) and 1:8 overnight (11pm – 7am). The facility will only house males with a maximum capacity of 25. A single stay will not exceed 30 days and be decreased based upon progress. The overall goal of treatment is preparation for independence and self-sufficiency in the most appropriate and least restrictive environment.

The facility will be compatible with the surrounding area and in no way detrimental to the safety, health, morals, and general welfare of the community. Once individuals are admitted to the facility, they will remain within the facility only leaving the grounds for medical emergencies. All recreational and/or outdoor activities will occur within the facility, as there is a recreation area inside for exercise, etc.

Due to the maximum capacity of 25, no more than eight (8) staff will ever be on site. Additionally, the lot has adequate space to create on-site parking. Therefore, the facility will in no way create congestion in streets, roads, alleys or other public places in close proximity. The facility, patients, staff and grounds will all be self-contained and maintained solely on property established lot. The facility'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.

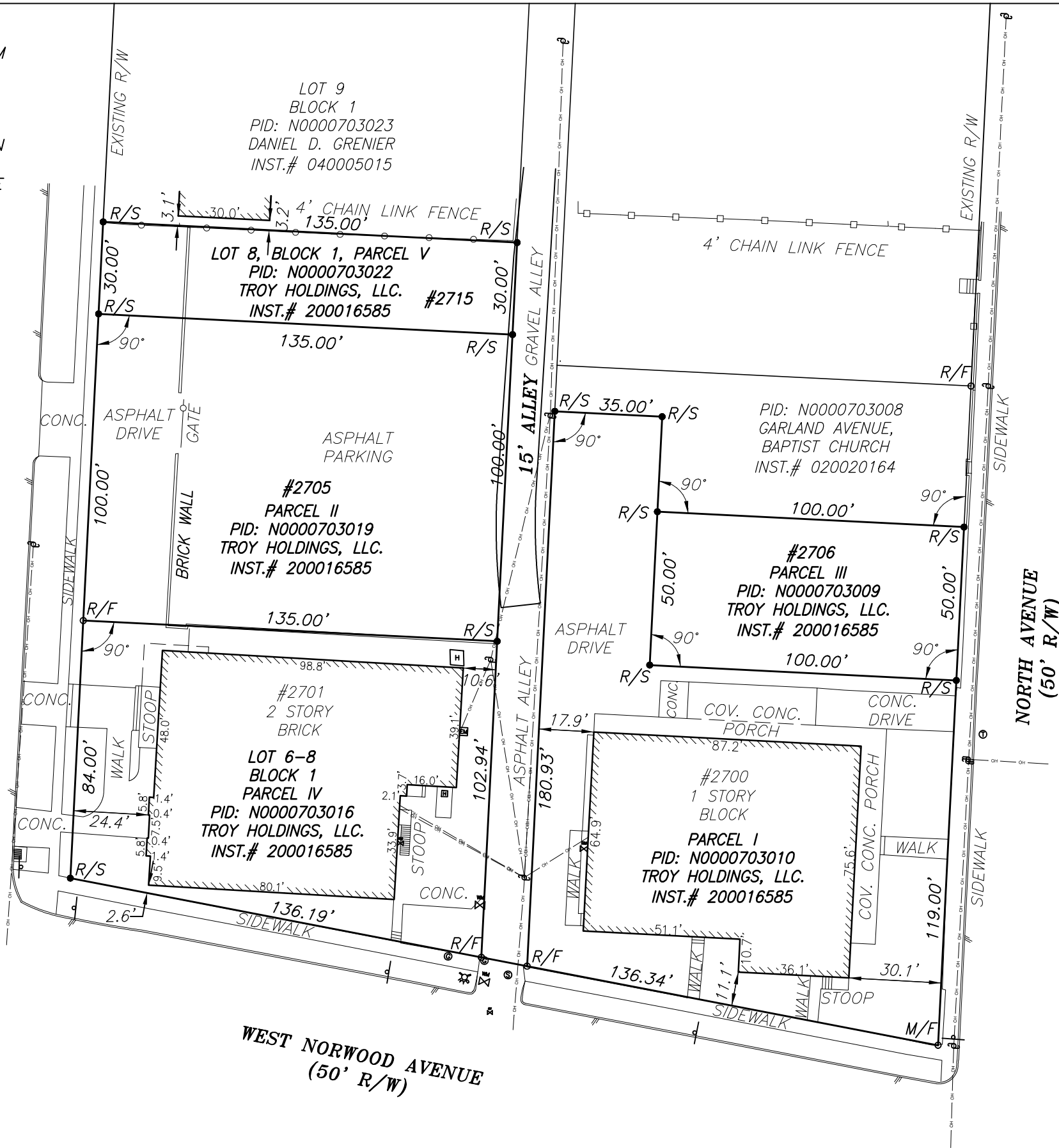
1. THIS SURVEY WAS COMPILED FROM A FIELD SURVEY COMPLETED ON 03/21/24 AND FROM DEEDS AND PLATS OF RECORD.
2. NO TITLE REPORT WAS FURNISHED FOR THIS SURVEY; ENCUMBRANCES MAY EXIST THAT ARE NOT SHOWN HEREON.
3. BY GRAPHICAL MEANS THE PROPERTY SHOWN HEREON APPEARS TO BE LOCATED WITHIN FLOOD ZONE "X" ON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

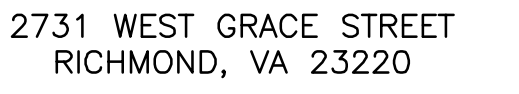
5 PARCELS OF LAND
LYING ALONG THE
NORTH LINE OF WEST
NORWOOD AVE

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



GARLAND RESIDENTIAL TREATMENT CENTER

2701 GARLAND AVE
RICHMOND, VA 23222

RECORD: _____ DATE: _____

SEAL: _____

DRAWING TITLE: _____

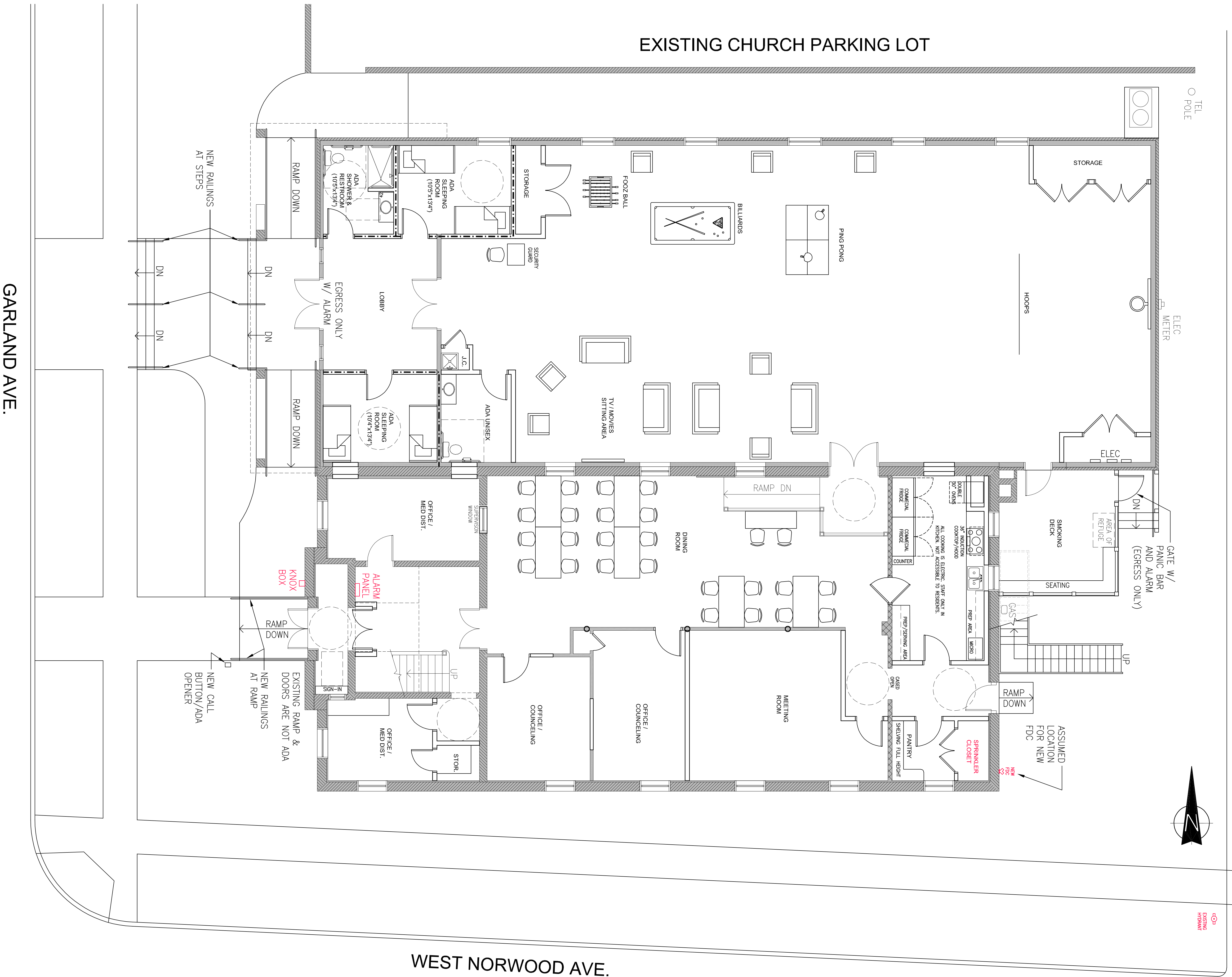
PROPOSED FIRST FLOOR PLAN

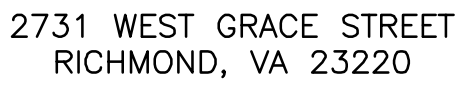
SHEET: _____

A1

PROJECT NUMBER:	2406
PROJECT NAME:	GARLAND AVE. TEMPORARY TREATMENT CENTER

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2701 GARLAND AVE
RICHMOND, VA 23222

[illegible]

SEAL:

DRAWING TITLE:

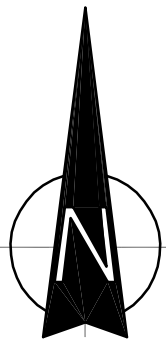
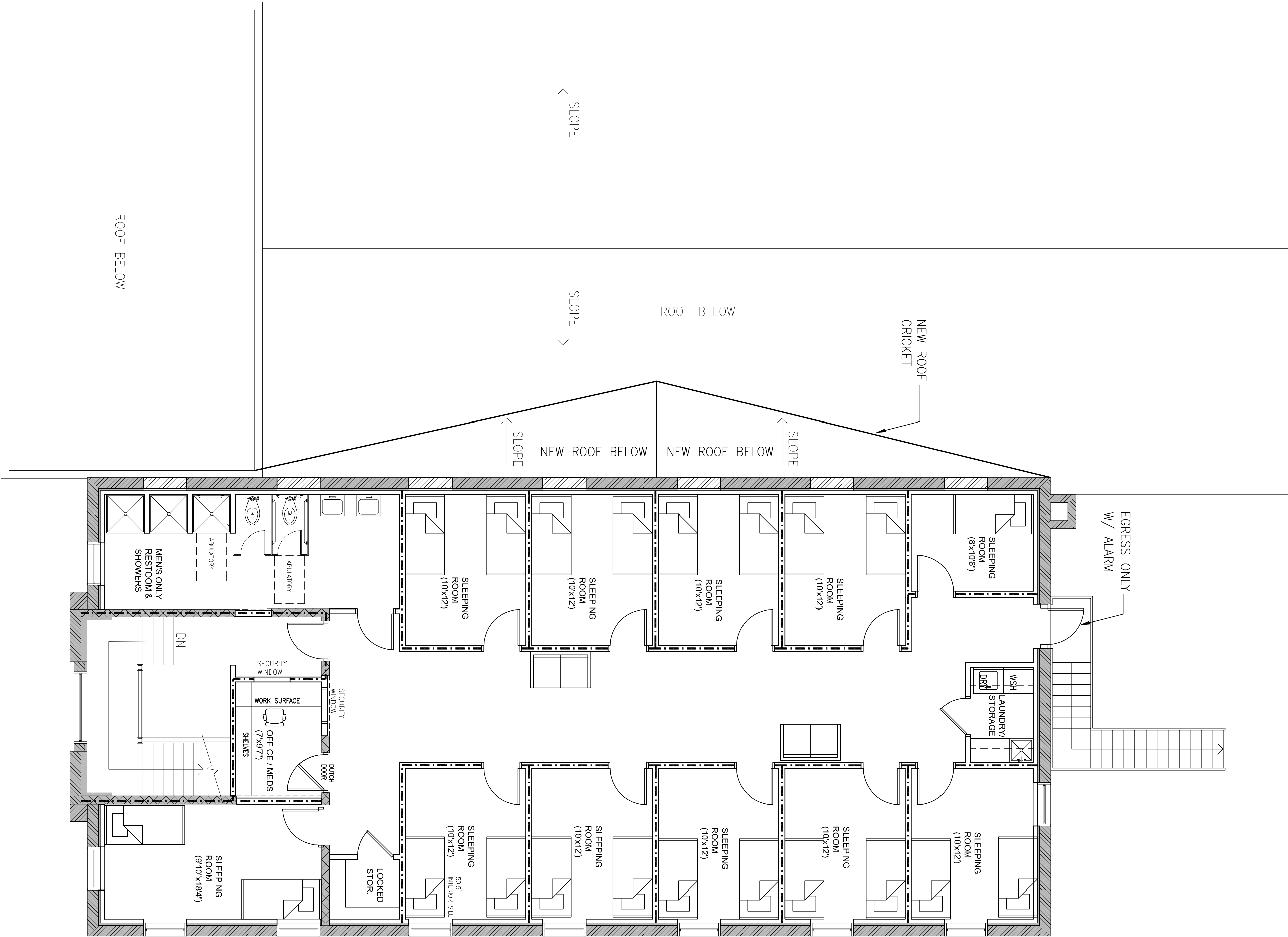
PROPOSED SECOND FLOOR PLAN

SHEET: _____

A2

PROJECT NUMBER: 2406
PROJECT NAME: GARLAND AVE. TEMPORARY
TREATMENT CENTER

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GARLAND RESIDENTIAL
TREATMENT CENTER

2701 GARLAND AVE
RICHMOND, VA 23222

RECORD: _____ DATE: _____
1 REVISED 8/15/2024

SEAL: _____

DRAWING TITLE:

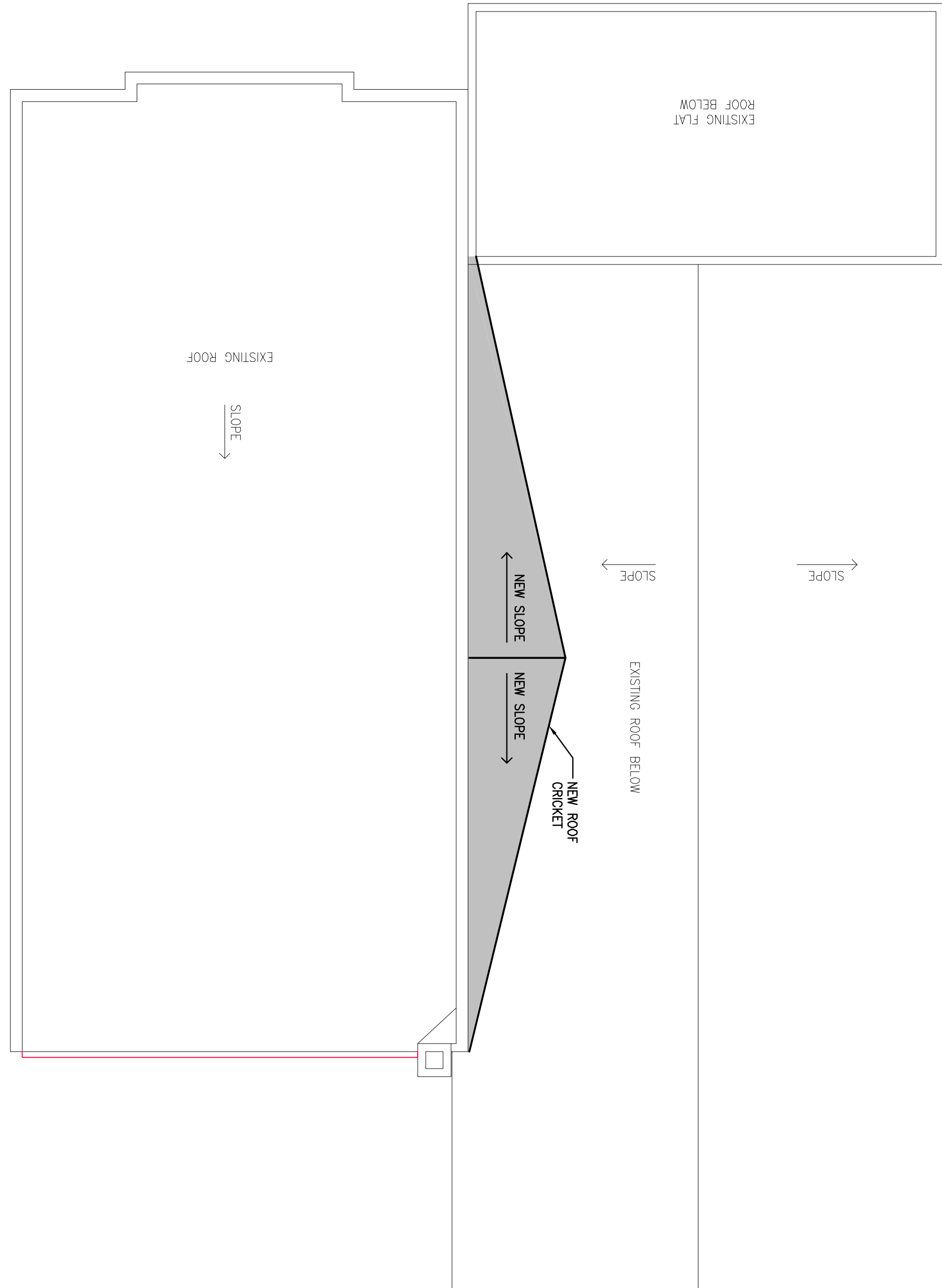
OCCUPANCY CALCS.
& PROPOSED ROOF
PLAN

SHEET: _____

A3

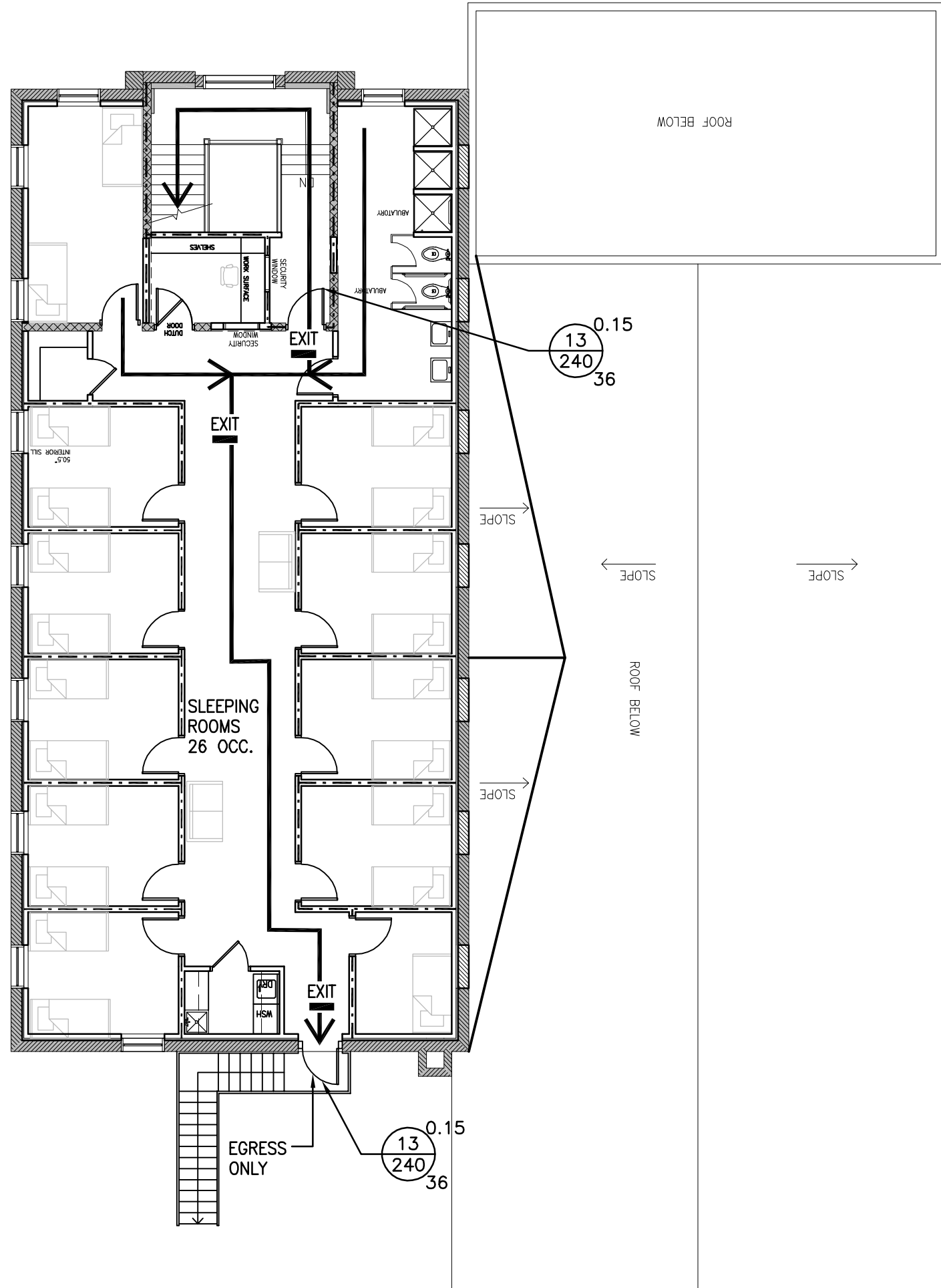
PROJECT NUMBER: 2406
PROJECT NAME: GARLAND AVE. TEMPORARY
TREATMENT CENTER

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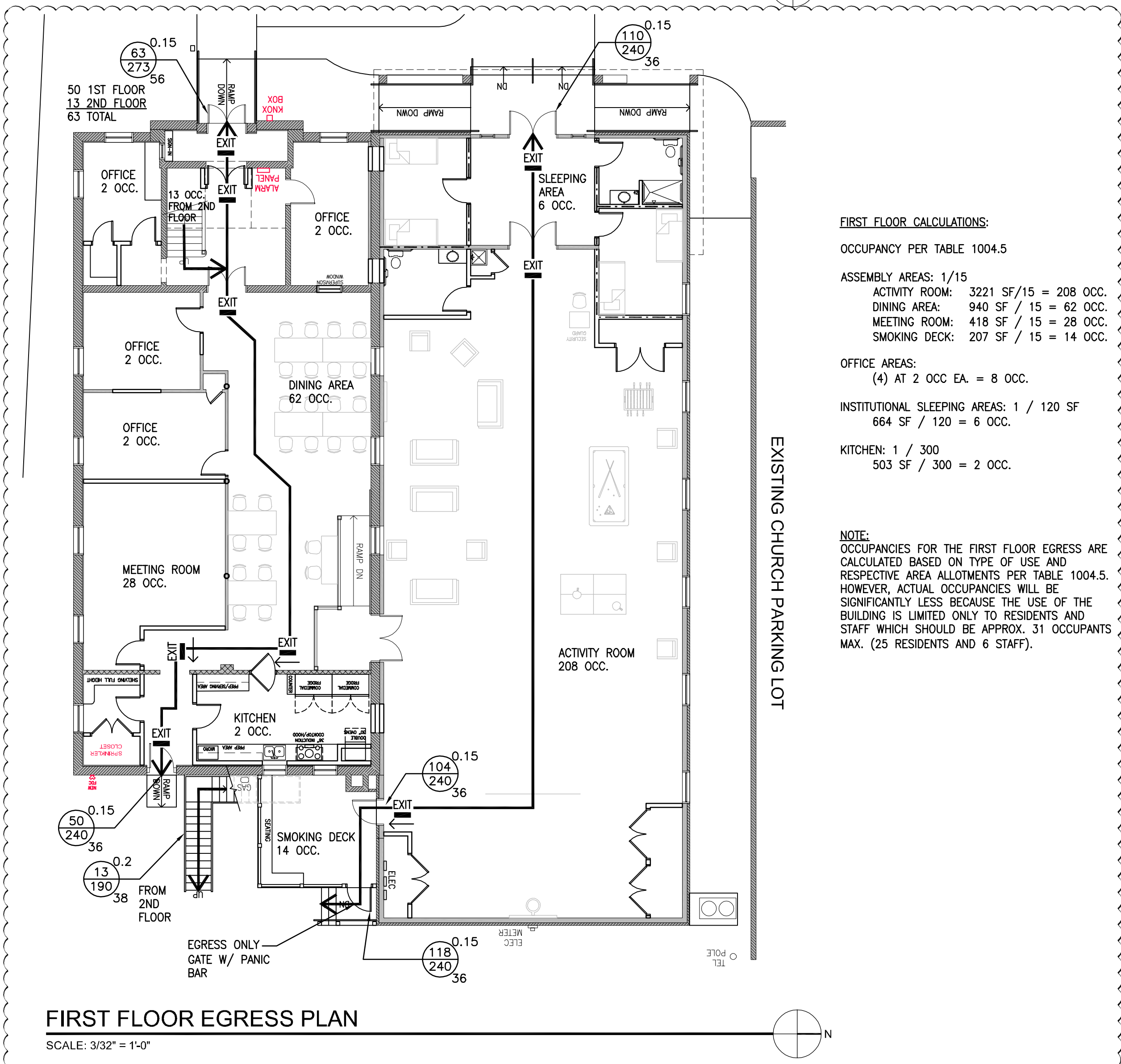
ROOF PLAN

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



SECOND FLOOR EGRESS PLAN

SCALE: 3/32" = 1'-0"



FIRST FLOOR EGRESS PLAN

SCALE: 3/32" = 1'-0"

SECOND FLOOR CALCULATIONS:

OCCUPANCY PER TABLE 1004.5

INSTITUTIONAL SLEEPING AREAS

1 OCC. / 120 SF

3046 SF / 120 = 26 OCC.

$$\frac{1}{240} \times \frac{0.15}{36}$$

EXIT CAPACITY

W = EXIT CAPACITY FACTOR (INCH/PERSON)
X = OCCUPANTS USING EXIT (PERSON)
Y = EXIT CAPACITY (PERSON)
Z = CLEAR WIDTH (INCHES)

EXIT TRAVEL

EXIT SIGN

FIRST FLOOR CALCULATIONS:

OCCUPANCY PER TABLE 1004.5

ASSEMBLY AREAS: 1/15

ACTIVITY ROOM: 3221 SF/15 = 208 OCC.

DINING AREA: 940 SF / 15 = 62 OCC.

MEETING ROOM: 418 SF / 15 = 28 OCC.

SMOKING DECK: 207 SF / 15 = 14 OCC.

OFFICE AREAS:

(4) AT 2 OCC EA. = 8 OCC.

INSTITUTIONAL SLEEPING AREAS: 1 / 120 SF

664 SF / 120 = 6 OCC.

KITCHEN: 1 / 300

503 SF / 300 = 2 OCC.

NOTE:
OCCUPANCIES FOR THE FIRST FLOOR EGRESS ARE
CALCULATED BASED ON TYPE OF USE AND
RESPECTIVE AREA ALLOTMENTS PER TABLE 1004.5.
HOWEVER, ACTUAL OCCUPANCIES WILL BE
SIGNIFICANTLY LESS BECAUSE THE USE OF THE
BUILDING IS LIMITED ONLY TO RESIDENTS AND
STAFF, WHICH SHOULD BE APPROX. 31 OCCUPANTS
MAX. (25 RESIDENTS AND 6 STAFF).

GARLAND RESIDENTIAL
TREATMENT CENTER

2701 GARLAND AVE
RICHMOND, VA 23222

RECORD:DATE:

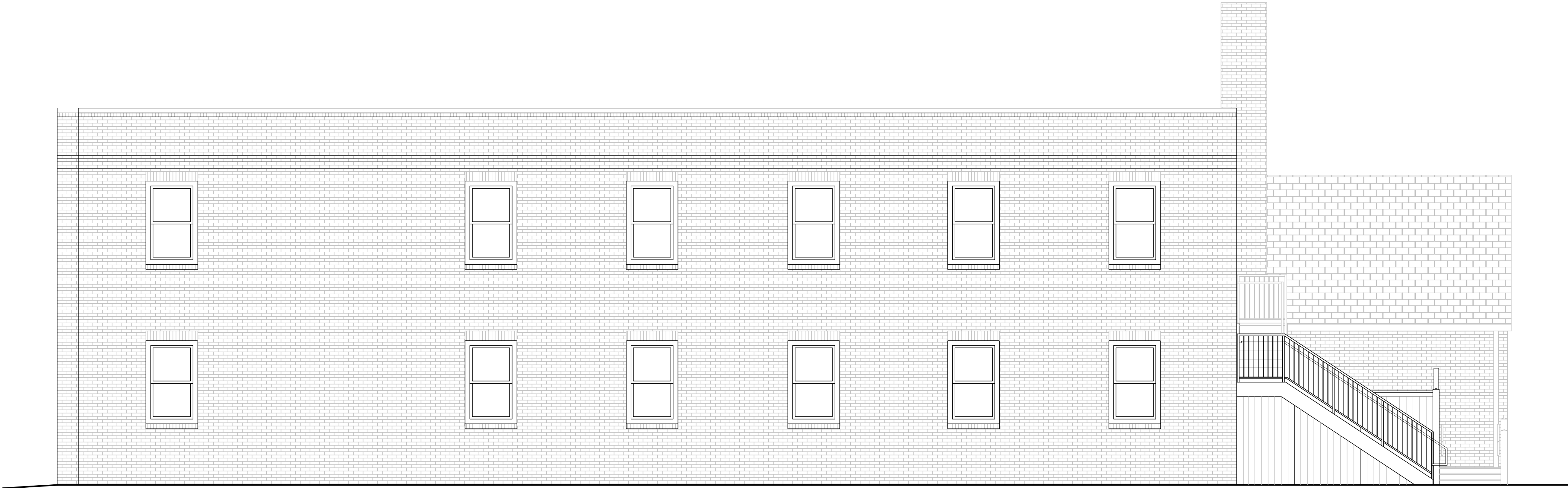
SEAL:

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PROPOSED EXTERIOR
ELEVATIONS

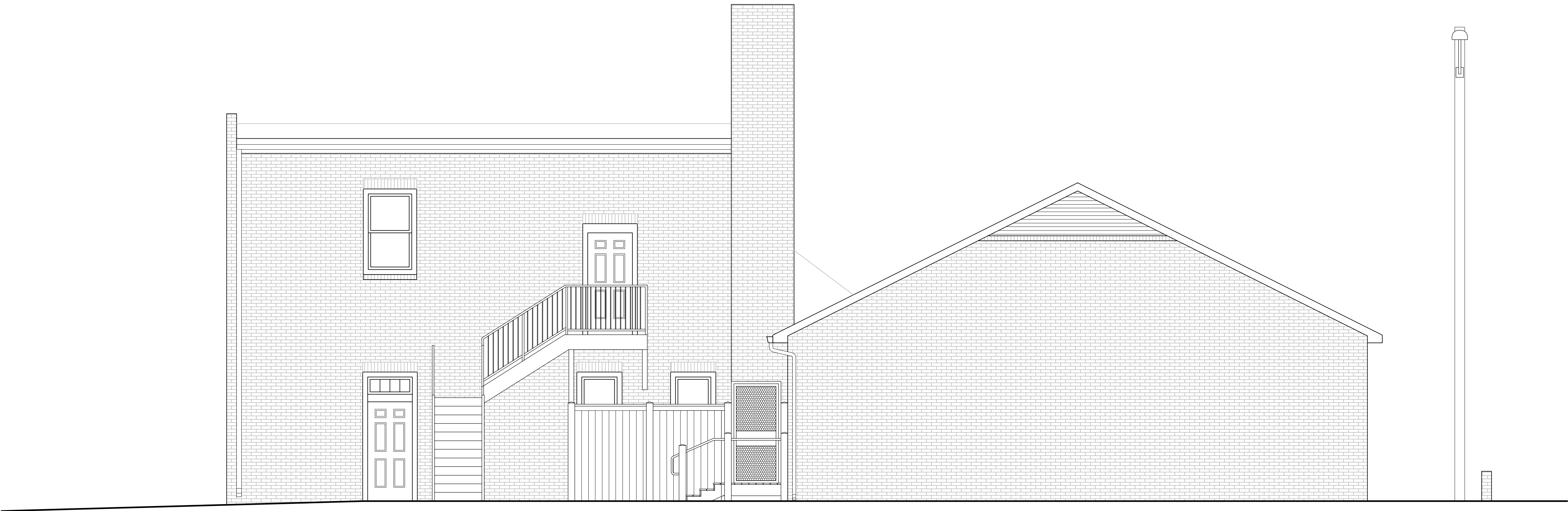
SHEET:

A4



1

SIDE ELEVATION (FROM WEST NORWOOD AVE.)
SCALE: 1/4" = 1'-0"



2

REAR ELEVATION (FROM ALLEYWAY)
SCALE: 1/4" = 1'-0"

GARLAND RESIDENTIAL
TREATMENT CENTER

2701 GARLAND AVE
RICHMOND, VA 23222

RECORD:DATE:

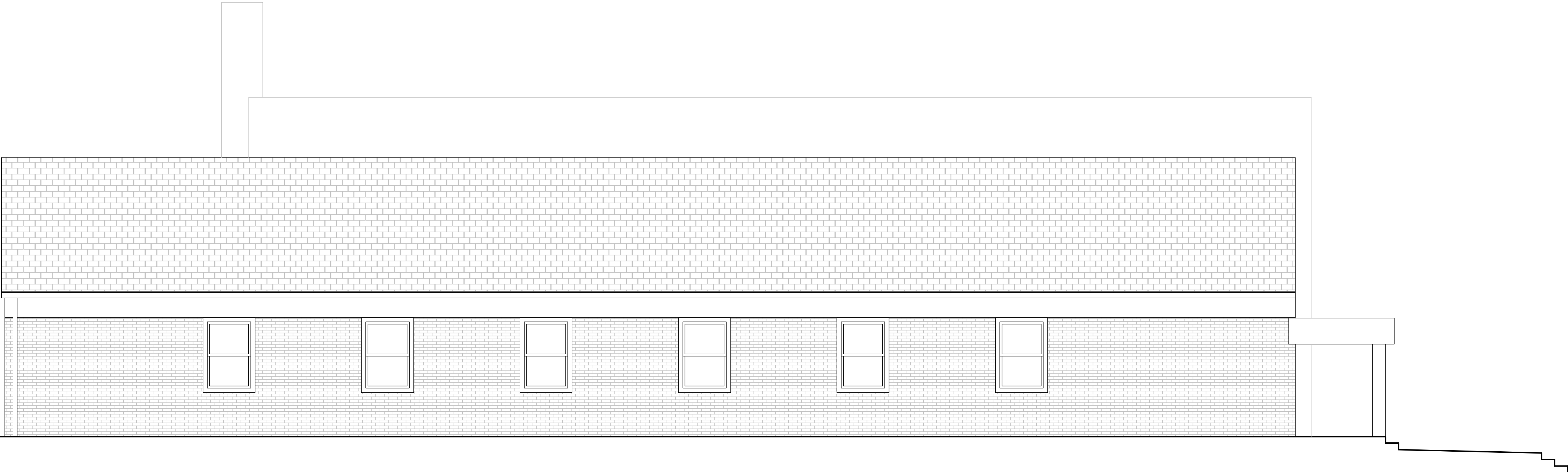
SEAL:

DRAWING TITLE:

PROPOSED EXTERIOR
ELEVATIONS

SHEET:

A5



1

SIDE ELEVATION (PARKING LOT)

SCALE: 1/4" = 1'-0"



2

FRONT ELEVATION (FROM GARLAND AVE.)

SCALE: 1/4" = 1'-0"