

INTRODUCED: July 23, 2018

AN ORDINANCE No. 2018-213

To authorize the special use of the properties known as 2600 Idlewood Avenue and 309 South Robinson Street for the purpose of a social service delivery use and accessory parking, upon certain terms and conditions.

Patron – Mayor Stoney

Approved as to form and legality
by the City Attorney

PUBLIC HEARING: SEPT 10 2018 AT 6 P.M.

WHEREAS, the owner of the properties known as 2600 Idlewood Avenue, which is situated in a R-63 Multifamily Urban Residential District, and 309 South Robinson Street, which is situated in a B-6 Mixed-Use Business District, desires to use such properties for the purpose of a social service delivery use and accessory parking, which uses, among other things, are not currently allowed by sections 30-419.2 through 30-419.4 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 (2018), 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

AYES: 8 NOES: 0 ABSTAIN: _____

ADOPTED: SEPT 10 2018 REJECTED: _____ STRICKEN: _____

safety, health, morals and general welfare of the community involved, will not tend to create congestion in streets, roads, alleys and other public ways and places in the area involved, will not create hazards from fire, panic or other dangers, will not tend to overcrowding of land and cause 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 2600 Idlewood Avenue and identified as Tax Parcel No. W000-1156/015 in the 2018 records of the City Assessor, being more particularly shown on a sketch entitled “‘Exhibit A’ – Page 1 of 4,” prepared by an unknown preparer, and undated, a copy of which is attached to and made a part of this ordinance, and the property known as 309 South Robinson Street and identified as Tax Parcel No. W000-1113/030 in the 2018 records of the City Assessor, being more particularly described in a deed recorded as Instrument No. 96-11100 in the land records of the Circuit Court of the City of Richmond, a copy of which is attached to and made a part of this ordinance, with both of which together are hereinafter referred to as “the Property,” are hereby permitted to be used for the purpose of a social service delivery use and accessory parking, hereinafter referred to as “the Special Use,” substantially as shown on the plans entitled “1st Floor,” prepared by Carol Adams, and dated May 4, 2018, and “2nd Floor,” prepared by Carol Adams, and dated May 4, 2018, all of which are 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 portion of the Property known as 2600 Idlewood Avenue shall be as a social service delivery use located within a building accessory to a church, substantially as shown on the Plans and in the Applicant's Report, a copy of which is attached to and incorporated into this ordinance, but shall not include shelter use, medical care services, or feeding services.

(b) Up to four off-street parking spaces shall be provided at the portion of the Property known as 309 South Robinson Street for the Special Use at the portion of the Property known as 2600 Idlewood Avenue.

(c) Signage pertaining to the Special Use on the portion of the Property known as 2600 Idlewood Avenue shall be limited to (i) signage permitted in all districts as set forth in section 30-505 of the Code of the City of Richmond (2015), as amended, and (ii) one wall sign no greater than four square feet in area.

(d) 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 (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, 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 730 calendar days following the date on which this ordinance becomes effective. If the application for the certificate of occupancy is not made within the time period stated in the previous sentence, 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

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

Item Request File Number: PRE.2018.256

RECEIVED

JUL 16 2018

OFFICE OF CITY ATTORNEY

O & R Request

O & R REQUEST

4-7936

JUN 26 2018

Office of the
Chief Administrative Officer

DATE: June 26, 2018

EDITION: 1

TO: The Honorable Members of City Council

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

THROUGH: Selena Cuffee Glenn, Chief Administrative Officer

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

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

RE: To authorize the special use of the property known as 2600 Idlewood Avenue and 309 South Robinson Street for the purpose of a social service delivery use and accessory parking, upon certain terms and conditions.

ORD. OR RES. No. _____

PURPOSE: To authorize the special use of the property known as 2600 Idlewood Avenue and 309 South Robinson Street for the purpose of a social service delivery use and accessory parking, upon certain terms and conditions.

REASON: The applicant is requesting a special use permit to authorize a social service delivery use within a building accessory to a church and accessory parking within the church's parking area. The R-63 Multi-Family Urban Residential District does not permit social service delivery use. 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 September 4, meeting. A letter outlining the Commission's recommendation will be forwarded to City Council following that meeting.

BACKGROUND: The subject property consists of a 15,772 SF or .4 acre parcel of land improved with two 2 story buildings as well as a church which, together, total 11,150 square feet. The building directly associated to this application is 4,250 square feet and was constructed, per tax assessment records, in 1928 and is located in the Near West Planning District. The property is located within the Fan neighborhood.

The City of Richmond's current Near West Planning District Land Use Plan designates a future land use category for the subject property as SF-MD (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. Includes residential support uses such as schools, places of worship, neighborhood parks and recreation facilities, and limited public and semi-public uses. Typical zoning classifications that may accommodate this land use category: R-5A, R-6 and R-7." (Richmond Master Plan, Chapter 10, Land Use, p. 133)

Nearby properties are a combination the R-63, R-7 Single- & Two-Family Urban Residential and B-6 Mixed-Use Business Districts. A mix of residential, commercial, and industrial land uses are present in the vicinity.

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

REQUESTED INTRODUCTION DATE: July 23, 2018

CITY COUNCIL PUBLIC HEARING DATE: September 10, 2018

REQUESTED AGENDA: Consent.

RECOMMENDED COUNCIL COMMITTEE: None.

CONSIDERATION BY OTHER GOVERNMENTAL ENTITIES: City Planning Commission, September 4, 2018.

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 ORD. OR RES.: None.

REQUIRED CHANGES TO WORK PROGRAM(S): None.

ATTACHMENTS: Application Form, Applicant's Report, Draft Ordinance, 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.richmondva.gov/>

SUP-03165.3-2018

RECEIVED

MAR 07 2018

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: 2600 Idlewood Avenue / 309 S. Robinson Street

LAND USE ADMINISTRATION

Date: 02/21/2018

Tax Map #: Wood1156015 Fee: \$300.00 (Wood1113030) Church Parking Lot

Total area of affected site in acres: _____

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

Zoning

Current Zoning: R-43

Existing Use: Vacant

Proposed Use

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

Business and Educational Use

Existing Use: _____

Is this property subject to any previous land use cases?

Yes

No

If Yes, please list the Ordinance Number: _____

Applicant/Contact Person: Carol D. Adams

Company: Carol Adams Foundation, Inc.

Mailing Address: 2600 Idlewood Avenue

City: Richmond

State: VA

Zip Code: 23220

Telephone: (804) 2,182,866

Fax: ()

Email: _____

Property Owner: Riverview Baptist Church

If Business Entity, name and title of authorized signer: Joyce C. Woodson, Trustee Ministry Chairman

(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: 2604 Idlewood Avenue

City: Richmond

State: VA

Zip Code: 23220

Telephone: (804) 3,536,135

Fax: (804) 3,533,370

Email: Riverviewbapt@verizon.net

Property Owner Signature:

RIVERVIEW BAPTIST CHURCH
Joyce C. Woodson, Chair Trustee Ministry

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

The proposed use for 2600 Idlewood Avenue is to conduct the administrative day to day business of the Carol Adams Foundation, Inc. (C.A.F.I.) Monday thru Saturday from 10 AM - till 8 PM.

CAFI is a Non-profit 503 (c)3, established to assist women, men and children impacted by Domestic Violence. CAFI was established in 2014, after 15 years of providing non-traditional assistance to families impacted by domestic violence in Central Virginia.

Our mission is to provide emergency assistance with housing, transportation, clothing, furniture and food for survivors of domestic violence. We receive calls from various agencies and individuals seeking guidance and support for families who have been displaced in times of crisis due to violence in their homes. We are connected to the regional hotline and provide services that frequently fall outside of the guidelines of traditional organizations which leave our families in vulnerable situations of homelessness.

The average daily occupancy would be less than 10, during enrichment sessions and activities the occupancy would be less than 60. The general populations of individuals we serve do not drive; therefore, we provide transportation to and from all programs and events.

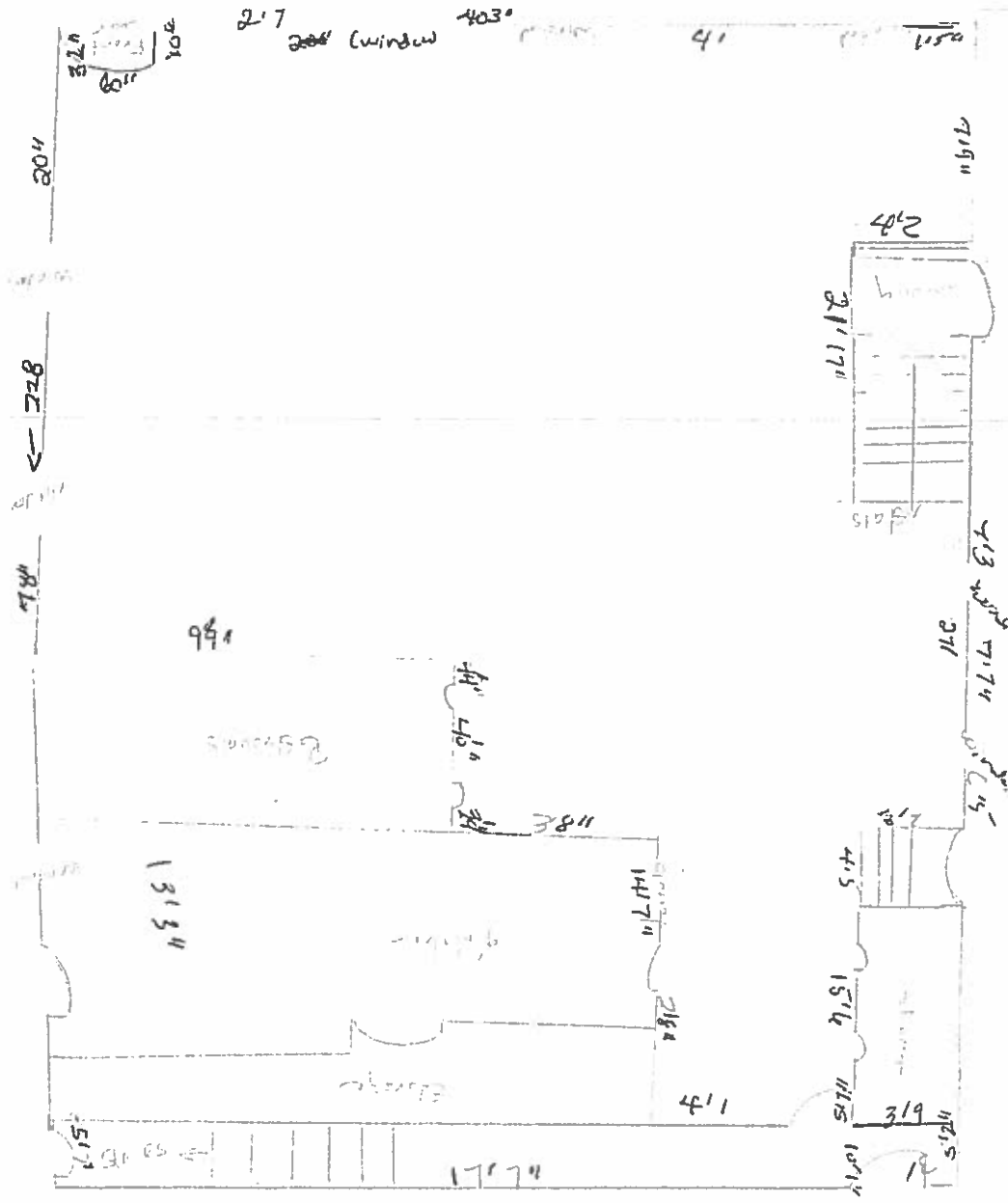
CAFI's requested use is compatible to church programs and activities, although we are a separate entity of Riverview Baptist Church, we are partners and CAFI's overall goals and objectives must be aligned with the Church.

We will have 2-3 employees' onsite daily and 4-5 additional volunteers to assist and manage group activities. Educational activities hosted and facilitated at this site will not exceed the occupancy code, and the church parking lot will facilitate attendees parking needs.

The day to day operations include the following:

- (1) CAFI Business (Taxes, SCC, ect.)
- (2) Managing calls from the regional domestic violence hotline
- (3) Needs Assessment
- (4) Providing referrals for calls from Hotline
- (5) Housing Assistance
- (6) Transportation
- (7) Marketing
- (8) Event Planning
- (9) Educational Forums
- (10) Hosting Empowerment Sessions
- (11) Enrichment Activities for families
- (12) Board Meetings

The conditions of the special use will be fulfilled because it is my duty to abide by the law and city code. I've spent the last 27 years of my life working in Public Safety enforcing the Laws governing the state of Virginia.



Checked
 & approved
 by
 5/14/2017

PG 0417 123285

220

GRAYLAND AVENUE

ROBINSON STREET

WOOD AVE

W0001156026

W0001156025

W0001156022

W0001156003

W0001156004

W0001156005

W0001156006

W0001156007

W0001156008

W0001156009

W0001156010

W0001156011

W0001156012

W0001156039

W000-1156014

N64°53'19"W

131.25

EXISTING PARKING

W0001156015

EXISTING RIVERVIEW BAPTIST CHURCH

EXISTING STEEPLE TO BE MODIFIED FOR TELEPHONE EXCHANGE

N25°06'12"E 120.26'

N25°06'12"E 120.26'

N64°53'19"W

131.25'

W0001113

W000111330

W000111340

"EXHIBIT A" - PAGE 1 of 4

96-11100

PG0524 MAY 31 1996

THIS DEED, made this 21st day of MAY, 1996, by and between STUART VICTOR GRANDIS, a/k/a STUART V. GRANDIS, Grantor, and DENISE A. COLEMAN, LLOYD HUGHES, LINDA B. JONES, GEORGE POWELL, PRISCILLA SNEAD, SIDNEY VANCE, CRENDLE ANDERSON, MOZELLE S. BAXTER, THELMA CAMPBELL, JAMES COSBY, SR., CLYDE R. JONES, DR. EARL C. McCLENNEY, JR., SPENCER REAVES, DR. WILLIAM S. THORNTON and DELORES Y. NUTTALL AS TRUSTEES OF RIVERVIEW BAPTIST CHURCH OF RICHMOND, VIRGINIA, Grantees,

W I T N E S S E T H:

That for and in consideration of Ten Dollars (\$10.00) cash in hand paid and other good and valuable consideration, receipt of which is hereby acknowledged, the Grantor hereby grants and conveys with General Warranty and English Covenants of Title unto the Grantees, the real estate described in Schedule A attached hereto, subject to conditions, restrictions and easements of record to the extent they may lawfully apply.

IN WITNESS WHEREOF, the Grantor has executed this deed.

[Signature] (SEAL)
Stuart Victor Grandis

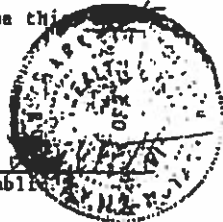
STATE OF VIRGINIA

CITY OF RICHMOND, to-wit:

The foregoing instrument was acknowledged before me this day of MAY, 1996, by STUART VICTOR GRANDIS.

My Commission expires 3-31-98

[Signature]
Notary Public



Grantees' Address:

2600 Idlewood Avenue
Richmond, Virginia 23220

SCHEDULE A

Part of Parcels 31, 32, 34, 35 and 37, of Block W1113 in the City of Richmond, Virginia, as shown on Right of Way Plan Sheet No. 11 of the Plans of Richmond Metropolitan Authority for the Downtown Expressway Portion of the Richmond Expressway System, bounded on the west by the east line of Robinson Street, on the north by the south line of an alley 18 feet wide, on the east by the east line of Parcel 31 and on the south by the limited access line of the Downtown Expressway, which limited access line is described as follows:

BEGINNING at a point on the east line of Robinson Street 35.00 feet north of the intersection of said east line with the north line of Idlewood Avenue; thence through said parcels S. 80° 39' 28" E. 155.81 feet to a point at its intersection with the east line of Parcel 31, 45.76 feet distant along said parcel line from the south line of the 18 foot alley, said lands containing 9,881 square feet of land, more or less.

BEING the same real estate conveyed to Stuart Victor Grandis (also known as Stuart V. Grandis), by the following:

- (1) Deed of Gift to Stuart Victor Grandis, by deed from Helen K. Grandis, widow, dated March 5, 1975, recorded March 26, 1975, in the Clerk's Office, Circuit Court, City of Richmond, Virginia, in Deed Book 695-C, page 527;
- (2) Whereas a Marital Deduction Trust was created under Article 6 of the Will of Reuben Grandis, dated May 11, 1969, probated March 20, 1970, in the Clerk's Office, Circuit Court of the City of Richmond, Virginia, in Will Book 95, page 757, whereas Helen K. Grandis, widow of Reuben Grandis, died March 26, 1994, and the Marital Deduction Trust terminated upon her death and whereas Helen K. Grandis exercised her power of appointment under the said Will of Reuben Grandis, by her Will dated March 24, 1975 and probated on May 3, 1994, in the Clerk's Office, Circuit Court of Henrico County, Virginia, and recorded in the Clerk's Office, Circuit Court of the City of Richmond, Virginia, in Will Book 30, page 1407, and by her first codicil attached thereto, dated February 23, 1976, appoints the assets of the said trust to her Estate and by her second codicil attached thereto devises the real estate to her son, Stuart Victor Grandis;
- (3) By Deed of Confirmation, by and between Crestar Bank (formerly United Virginia Bank) and Stuart Victor Grandis, Co-Trustees under the Will of Reuben Grandis, deceased, and Stuart V. Grandis, Executor under the Will of Helen K. Grandis, deceased, dated August 17, 1994, and recorded October 14, 1994, in the aforesaid Clerk's Office, in Deed Book 416, page 1772; and
- (4) By Deed of Confirmation, by and between Stuart V. Grandis, Executor under the Will of Helen K. Grandis, deceased, and Stuart V. Grandis, dated September 26, 1994, and recorded October 14, 1994, in the aforesaid Clerk's Office, in Deed Book 416, page 1775.

VIRGINIA:
IN THE CLERK'S OFFICE OF THE CIRCUIT COURT OF THE CITY OF RICHMOND

This deed was presented, and, with the Certificate annexed, admitted to record

on MAY 31 1996 at 3:03 o'clock P.M.

The Tax imposed by Sec. 58.1-802 Code of Va. has been paid.

301 Clerk's Fee	\$ 12.00 + 1.00
212 Transfer Fee	\$ 1.00
039 State Tax	\$ 1.00
214 City Tax	\$ 1.50
220 City Grantors Tax	\$ 11.50
038 State Grantors Tax	\$ 11.50
TOTAL	\$ 37.00

File: Harrison Bruce
TESTE:

Bevill M. Dean
Bevill M. Dean, Clerk