

November 2, 2016

## APPLICANT'S REPORT

### Community Unit Plan

Addresses: 3000 and 3002 Stony Point Road; 9000 and 9006 West Huguenot Road

Map Reference Numbers: C0011105018; C0011105014; C0011105002 and  
C0011105008

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Submitted to:	<b>City of Richmond</b> Department of Community Development Land Use Administration 900 East Broad Street, Suite 511 Richmond, Virginia 23219
Submitted by:	<b>NRF VIII - Stony Point LLC c/o</b> c/o Marc Blum, President and Chief Operating Officer Next Realty, LLC 5215 Old Orchard Road, Suite 880 Skokie, IL 60077
Prepared by:	<b>Hirschler Fleischer</b> , Attorneys at Law 2100 East Cary Street Richmond, Virginia 23223

## Introduction

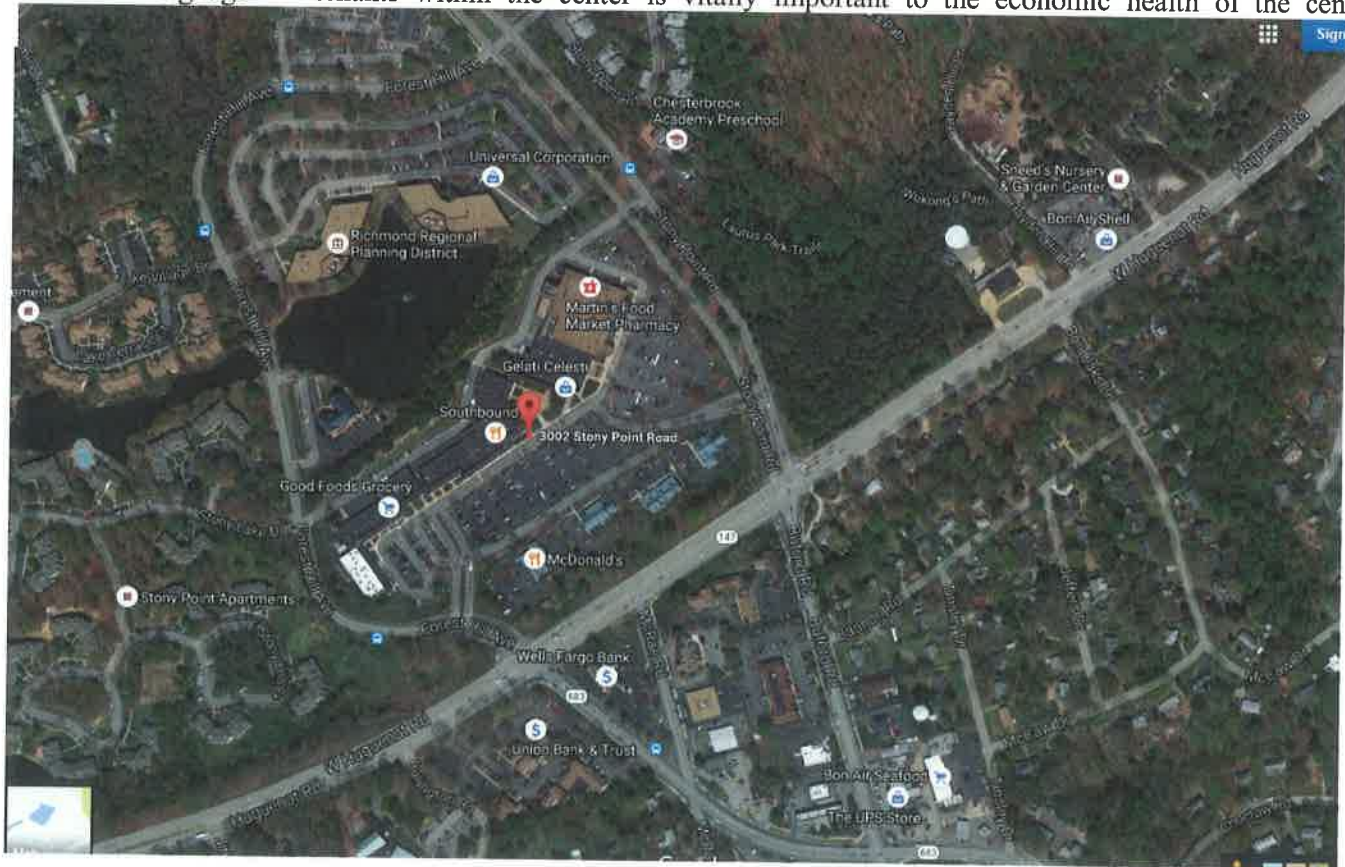
The applicant, NRF - VIII Stony Point LLC c/o Next Realty LLC ("Applicant"), owns the parcels located at 3000 and 3002 Stony Point Road, the main portion of the Stony Point Shopping Center (the "Next Realty Property"). McDonald's owns the parcel located at 9006 West Huguenot Road (the "McDonald's Property"), and TowneBank owns the parcel located at 9000 West Huguenot Road (the "TowneBank Property"). (Collectively, the Next Realty Property, the McDonald's Property and the TowneBank Property are the "Property"). The Applicant also manages and maintains the Property. The Property is part of the Southern Portion of the Stony Point Community Unit Plan and as such, is governed by the Stony Point CUP Ordinance (Ord. No. 2015-23-40 (the "CUP")). Signage for the four outparcels within the Stony Point Shopping Center, designated as Parcels "A", "B", "C" and "D" in the CUP, is governed by §2.A.(6)(c) of the CUP. The McDonald's Property is Parcel "A", and the TowneBank Property is Parcel "D". Currently, §2.A.(6)(c) of the CUP permits signage on Parcels "A" through "D" as limited in the B-1 Neighborhood Business district, provided that each parcel may have a freestanding sign not exceeding 16 square feet in area and 6 feet in height, and which may not be oriented toward Huguenot Road. Parcels "A" through "D" currently each have a freestanding sign internal to the shopping center. The Applicant is requesting §2.A.(6)(c) of the CUP be amended to permit one additional freestanding sign recognizing the shopping center and certain tenants not exceeding 175 feet in area and 16 feet in height on each of

Parcels "A" and "D". A plan indicating the two proposed locations of these freestanding signs adjacent to Huguenot Road and elevations of the signs have been filed with this request.

## Existing Conditions

### SITE DESCRIPTION AND EXISTING LAND USE

The Property is referenced by the City Assessor as four tax parcels, 3000 and 3002 Stony Point Road, and 9000 and 9006 West Huguenot Road, and are located on the north side of Huguenot Road between Stony Point Road and Forest Hill Avenue. The Property is part of the Stony Point Shopping Center constructed in 1984 and contains a total of approximately 17.99 acres of land area. The surrounding uses are a mixture of retail, business, and residential uses. The Huguenot Road frontage of the Property is at a much higher grade than the buildings within the Property, making it difficult to identify the tenants within the shopping center. The buildings in the main portion of the center are setback unusually far from the street, below road grade, and there is a significant tree screen along the Huguenot Road frontage. It is imperative that the Applicant provide its tenants and the public the best opportunity to see the services offered by Stony Point Shopping Center. Furthermore, we believe it is safer to have the additional signs so the public can readily see who is in the center as opposed to drivers straining to see past the trees, down the grade, at building-mounted signage looking for the store they want. Given the departure of the Martin's grocery store, the center and its tenants are attempting to assure that the center remains viable. Additional signage for tenants within the center is vitally important to the economic health of the center.



## **EXISTING ZONING**

The Property's underlying zoning classification is R-2 Single-Family Residential and is part of the Southern Portion of the Stony Point Community Unit Plan and as such, is governed by the Stony Point CUP Ordinance (Ord. No. 2015-23-40).

The surrounding properties on the north side of Huguenot Road are located within the same R-2 zoning district as the Property, and governed by the same CUP. Uses include office, residential and commercial. Laurus Park is to the east. The properties on the south side of Huguenot Road are in Chesterfield County, and are zoned and used for commercial and office purposes.

## **MASTER PLAN DESIGNATION**

The Master Plan recommends CM-CO "Community Commercial" for the Property, which includes a combination of office, retail, personal service, and other commercial and services uses, intended to provide the shopping and service needs of residents of a number of nearby neighborhoods or a section of the City. The shopping center and its environs are in keeping with the Master Plan designation.

# **Proposal**

## **PROJECT SUMMARY**

The Applicant desires to erect and maintain two freestanding signs on the Huguenot Road frontage of the Property recognizing the shopping center and certain tenants, not exceeding 175 feet in area and 16 feet in height, on each of the McDonald's Property and the TowneBank Property. A plan indicating the two locations of these freestanding signs and elevations of the signs have been filed with this request.

The Huguenot Road frontage of the Property is at a much higher grade than the buildings within the Property, making it difficult to identify the tenants within the shopping center. The buildings in the main portion of the center are setback unusually far from the street, below road grade, and there is a significant tree screen along the Huguenot Road frontage. It is imperative that the Applicant provides its tenants and the public the best opportunity to see the services offered by Stony Point Shopping Center. Furthermore, we believe it is safer to have the additional signs so the public can readily see who is in the center as opposed to drivers straining to see past the trees, down the grade, at building-mounted signage looking for the store they want. Given the departure of the Martin's grocery store, the center and its tenants are attempting to assure that the center remains viable. Additional signage for tenants within the center is vitally important to the economic health of the center.

The proposal is in keeping with the Master Plan recommendation of CM-CO "Community Commercial". No change in use is proposed.

## Findings of Fact

The following are factors indicated in Section 17.11 of the Charter and Section 114-1050.1 of the Zoning Ordinance relative to the approval of special use permits by City Council. The proposed special use permit will not:

- ***Be detrimental to the safety, health, morals and general welfare of the community involved.***

The proposed amendment to the CUP will not negatively impact the safety, health, morals and general welfare of the nearby neighborhoods. In fact, the proposed additional freestanding signs will assist the driving public in locating tenants within the Stony Point Shopping Center in a safer fashion.

- ***Tend to create congestion in streets, roads, alleys and other public ways and places in the area involved.***

The proposed CUP amendment will have no impact on traffic. The additional signage will assist the public in locating businesses within the Stony Point Shopping Center.

- ***Create hazards from fire, panic or other dangers.***

The request will create no hazards from fire, panic or other dangers as the request is related to signage only.

- ***Tend to overcrowding of land and cause an undue concentration of population.***

The request will not tend to overcrowd the land or create an undue concentration of land. The request is related to signage only - no building expansion is proposed.

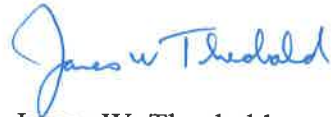
- ***Adversely affect or interfere with public or private schools, parks, playgrounds, water supplies, sewage disposal, transportation or other public requirements, conveniences and improvements.***

The request would not adversely affect the above-referenced City services. Signage has no impact on the above-referenced City services.

- ***Interfere with adequate light and air.***

The light and air available to the subject and adjacent properties will not be affected as the request is related to signage only.

Very truly yours,



James W. Theobald

JWT/pg