

INTRODUCED: September 11, 2017

AN ORDINANCE No. 2017-180

To authorize the special use of the properties known as 3801 Seminary Avenue (and alternatively as 1010 West Laburnum Avenue), 3800 Chamberlayne Avenue, and 3802 ½ Chamberlayne Avenue for the purpose of a vocational school accessory to a church, upon certain terms and conditions.

Patron – Mayor Stoney (By Request)

Approved as to form and legality
by the City Attorney

PUBLIC HEARING: OCT 9 2017 AT 6 P.M.

WHEREAS, the owner of the properties known as 3801 Seminary Avenue (and alternatively as 1010 West Laburnum Avenue), which is situated in a R-1 Single-Family Residential District, and 3800 Chamberlayne Avenue and 3802 ½ Chamberlayne Avenue, which are situated in a R-48 Multifamily Residential District, desires to use a portion of those properties for the purpose of a vocational school accessory to a church, which use, among other things, is not currently allowed by sections 30-402.2 or 30-416.2 of the Code of the City of Richmond (2015), as amended; and

AYES: 9 NOES: 0 ABSTAIN: _____

ADOPTED: OCT 9 2017 REJECTED: _____ STRICKEN: _____

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 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, a portion of the properties known as 3801 Seminary Avenue (and alternatively as 1010 West Laburnum Avenue), 3800 Chamberlayne Avenue, and 3802 ½ Chamberlayne Avenue, identified as Tax Parcel Nos. N000-1899/013, N000-1899/012, and N000-1899/011, respectively, in the 2017 records of the City Assessor, being more particularly described in deeds recorded as instrument numbers 738 and 739 among the land records of the Clerk of the Circuit Court of the City of Richmond, hereinafter referred to as “the Property,” is hereby permitted to be used for the purpose of a vocational school accessory to a church, hereinafter referred to as “the Special Use,” substantially as shown on the plans entitled “THIRD FLOOR- 1/8 = 1-0,” prepared by Wright, Jones & Wilkerson Architects, dated January 15, 1964, and last revised February 25, 1964, hereinafter referred to as “the Plans,” a copy of which is 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 a vocational school accessory to a church. The vocational school shall occupy portions of the third floor of the building at 1010 West Laburnum Avenue for classrooms and office space, substantially as shown on the Plans. Principal and accessory uses permitted by the underlying zoning shall also be permitted on the Property.

(b) The vocational school shall provide only classroom instruction in the fields of barbering; carpentry; cosmetology; electricity; heating, ventilation and air conditioning; plumbing; and residential maintenance. No heavy machinery, welding equipment, or internal combustion engine shall be used in conjunction with the Special Use.

(c) The Special Use shall be served by no fewer than 70 parking spaces located at 3800 Chamberlayne Avenue and 3802 ½ Chamberlayne Avenue.

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

(e) Hours of operation of the vocational school shall be limited to Monday through Thursday between the hours of 8:30 a.m. and 9:00 p.m.

(f) Students of the vocational school shall be at least 16 years of age.

(g) A maximum of no more than 60 students shall be enrolled at any time.

§ 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.

(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 Zoning Administrator is authorized to issue a certificate of zoning compliance subject to the terms and conditions set forth in this ordinance. An application for the certificate of zoning compliance shall be made within 180 calendar days following the date on which this ordinance becomes effective. If the application for the certificate of zoning compliance 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. 2017.342

RICHMOND

AUG 31 2017

OFFICE OF CITY ATTORNEY

O & R Request

O & R REQUEST

4-6920

AUG 18 2017

Office of the
Chief Administrative Officer

EDITION:1

DATE: August 16, 2017

TO: The Honorable Members of City Council

THROUGH: The Honorable Levar M. Stoney, Mayor
(This in 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

SUBJECT: To authorize the special use of a portion of the property known as 1010 West Laburnum Avenue, 3800 Chamberlayne Avenue, and 3802 1/2 Chamberlayne Avenue for the purpose of a vocational school accessory to a church, upon certain terms and conditions.

ORD. OR RES. No. _____

PURPOSE: To authorize the special use of a portion of the property known as 1010 West Laburnum Avenue, 3800 Chamberlayne Avenue, and 3802 1/2 Chamberlayne Avenue for the purpose of a vocational school accessory to a church, upon certain terms and conditions.

REASON: The applicant is requesting a special use permit to authorize a vocational school accessory to a church. The property is located in the R-1 and R-48 zoning districts, which do not permit a vocational school accessory to a church. Therefore, a special use permit is 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 Planning Commission at its October 2, 2017 meeting. A letter outlining the Commission's recommendation will be forwarded to City Council following that meeting.

BACKGROUND: The subject property is located in the Ginter Park neighborhood of Richmond. The vocational school would be located at 1010 West Laburnum Avenue, which contains approximately 31,744 square feet of lot area and is currently improved with a circa 1921 three-story brick church. Parking for the vocational school would be provided by the existing parking area at 3800 Chamberlayne Avenue and 3802 1/2 Chamberlayne Avenue.

The City of Richmond's Master Plan recommends single-family low density land use for 1010 West Laburnum Avenue. This category includes residential support uses such as schools, places of worship, neighborhood parks and recreation facilities, and limited public and semipublic uses. (p. 133). The Master Plan recommends multi-family medium density land use for 3800 Chamberlayne Avenue and 3802 1/2 Chamberlayne Avenue, a category which also includes residential support uses such as schools, places of worship, neighborhood parks and recreation facilities, and limited public and semipublic (p. 133).

1010 West Laburnum Avenue is located in an R-1 Single-Family Residential Zoning District, and 3800 Chamberlayne Avenue and 3802 1/2 Chamberlayne Avenue are located in an R-48 Single-Family Residential Zoning District. The surrounding properties are also located in the R-1 Single-Family Zoning District to the north, south and west and the R-48 Multi-Family Zoning Districts to the east. Most of the surrounding properties are located in the R-1 Single-Family Zoning District. Residential land use predominates the area.

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

COST TO CITY: Staff time for processing the request; preparation of draft ordinance; and publishing, mailing and posting of public notices.

REVENUE TO CITY: \$1,200 application fee

DESIRED EFFECTIVE DATE: Upon adoption

REQUESTED INTRODUCTION DATE: September 11, 2017

CITY COUNCIL PUBLIC HEARING DATE: October 9, 2017

REQUESTED AGENDA: Consent

RECOMMENDED COUNCIL COMMITTEE: None

CONSIDERATION BY OTHER GOVERNMENTAL AGENCIES: City Planning Commission October 2, 2017

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 Report, Draft Ordinance, Plans, Map

STAFF: Leigh V. Kelley, Planner II, Land Use Administration (Room 511) 646-6384

PDR O&R No.17-26



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/>

9860

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 Ginter Park United Methodist Church
Property Address: 1010 W. LABURNUM AVE., RICHMOND, VA 23227 **Date** 1-21-17
Tax Map #: _____ **Fee:** 1800.00
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: CHURCH

Existing Use: CHURCH

Proposed Use

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

Using existing rooms to teach classes in the Industrial Arts
Existing Use: Educational Building

Is this property subject to any previous land use cases?

- Yes No If Yes, please list the Ordinance Number: _____

Applicant/Contact Person: Joseph Frazier
Company: Christ Ministry / Shipping Stone Career Training
Mailing Address: 7472 Academy Dr.
City: MECHANICSVILLE **State:** VA **Zip Code:** 23116
Telephone: (804) 387-6226 **Fax:** ()
Email: R.T. Joy JOE @ GMAIL.COM

Property Owner: Ginter Park United Methodist Church
 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: Ginter Park United Methodist Church, 1010 Laburnum Ave.
City: Richmond, Va. **State:** VA **Zip Code:** 23227
Telephone: (804) 262-8651 **Fax:** ()
Email: _____

Property Owner Signature: Henric C. Tucke

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.**

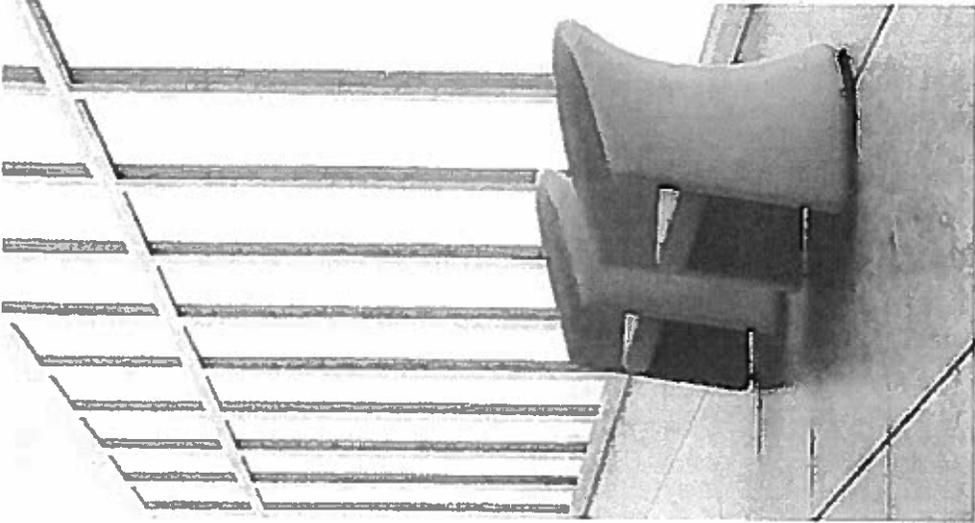
NOTE: Please attach the required plans, checklist, and a check for the application fee (see Filing Procedures for special use permits)

3. Applicant's Report

This is to fulfill your request to submit a written report to the Department of Planning and Development Review that we might receive a Special Use Permit.

The Pastor, Trustee and Facilities committees of the Ginter Park United Methodist Church at 1010 W. Laburnum Avenue have offered Stepping Stones Career Training School area in their Education Building to teach classes in the Industrial Arts.

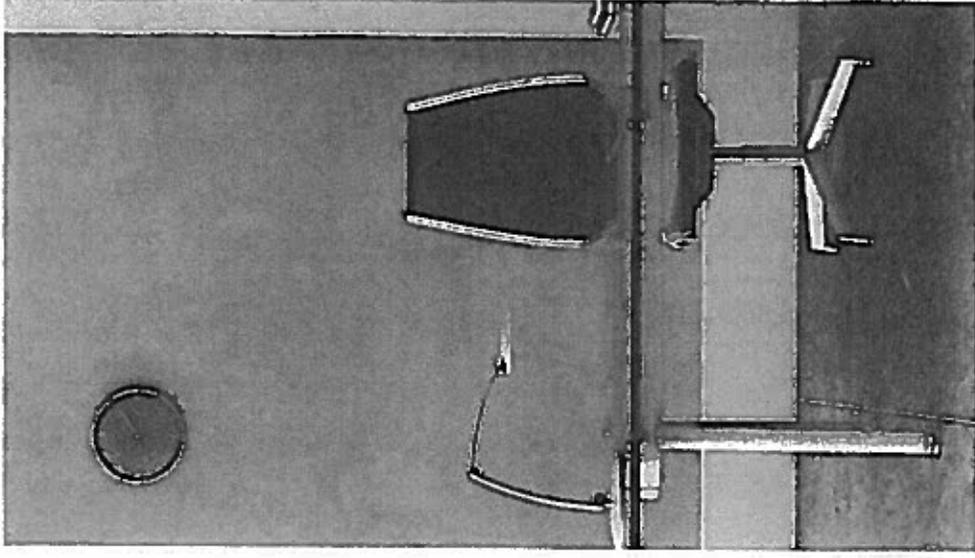
Stepping Stones Career Training Center will provide classroom and hands on training in the areas of carpentry/construction, electricity, HVAC and plumbing. The hours of operation will be Mondays thru Thursday from 8:30 a.m. to 3:30 p.m. with evening and night classes offered from 3:00 p.m. to 6 p.m. and 6:00 p.m. to 9:00 p.m. The number of employee is estimated to be eight to ten persons including Administration and Teachers. We estimate the amount of increase traffic to be minimal, due students and staff excess to public transportation. We also do not expect any safety or health issue due to this project, based on the fact that Ginter Park United Methodist Church has been apart is this community for a number of years as well as the location of other businesses and school in the area.



•Our Mission is to provide hope and career training opportunities through education and technical skill building™

Stepping Stones Career Trainings
1010 West Laburnum Avenue
Richmond, VA 23222

PLACE
STAMP
HERE

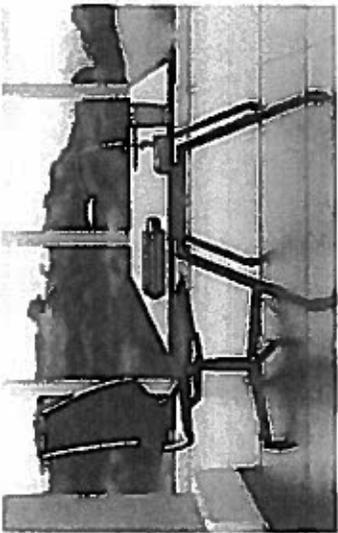


STEPPING STONES CAREER TRAINING

2017

Call 804-387-9226

Website: www.ssctva.org



Stepping Stones Career Training

The school will provide classroom, hand-on- training and real life projects. The goal is to offer adults an alternative to the streets by providing hope, knowledge, real life application and common sense knowledge to achieve success. Students are required to meet strict attendance guidelines and show an unsurpassed level of commitment and dedication for training.

Stepping Stones will provide training in the following areas:

- Barbering
- Carpentry
- Cosmetology
- Electricity
- Heating Ventilation and Air Conditioning
- Plumbing

Residential Maintenance

Stepping Stones Application for Admission

Date _____

1. Name: _____

Birth Date _____ Mo/Day/Year

2. Present Address: _____

Street _____ City _____ State _____ Zip _____

3. Telephone# _____

4. Social Security #: _____

5. Sex: M F Race: _____

6. Marital Status: () I am not married () I am married () I am separated # of Children _____

7. Are you 18 years of age older? Yes () No ()

8. Are you employed? Yes () No ()

9. Please list the name, address and telephone number of former employer beginning with the last one. _____ # _____

10. Education: High School _____

Did you graduate? Yes() No ()

11. What term do you plan to enter? Fall () Winter () Spring () Summer () Class Date _____

12. Will you be a full-time or part-time student?
Full-time () Part-time ()

13. What is your intended major?

() Carpentry () Electrical () HVAC () Plumbing

() Barbering () Cosmetology

Signature: _____

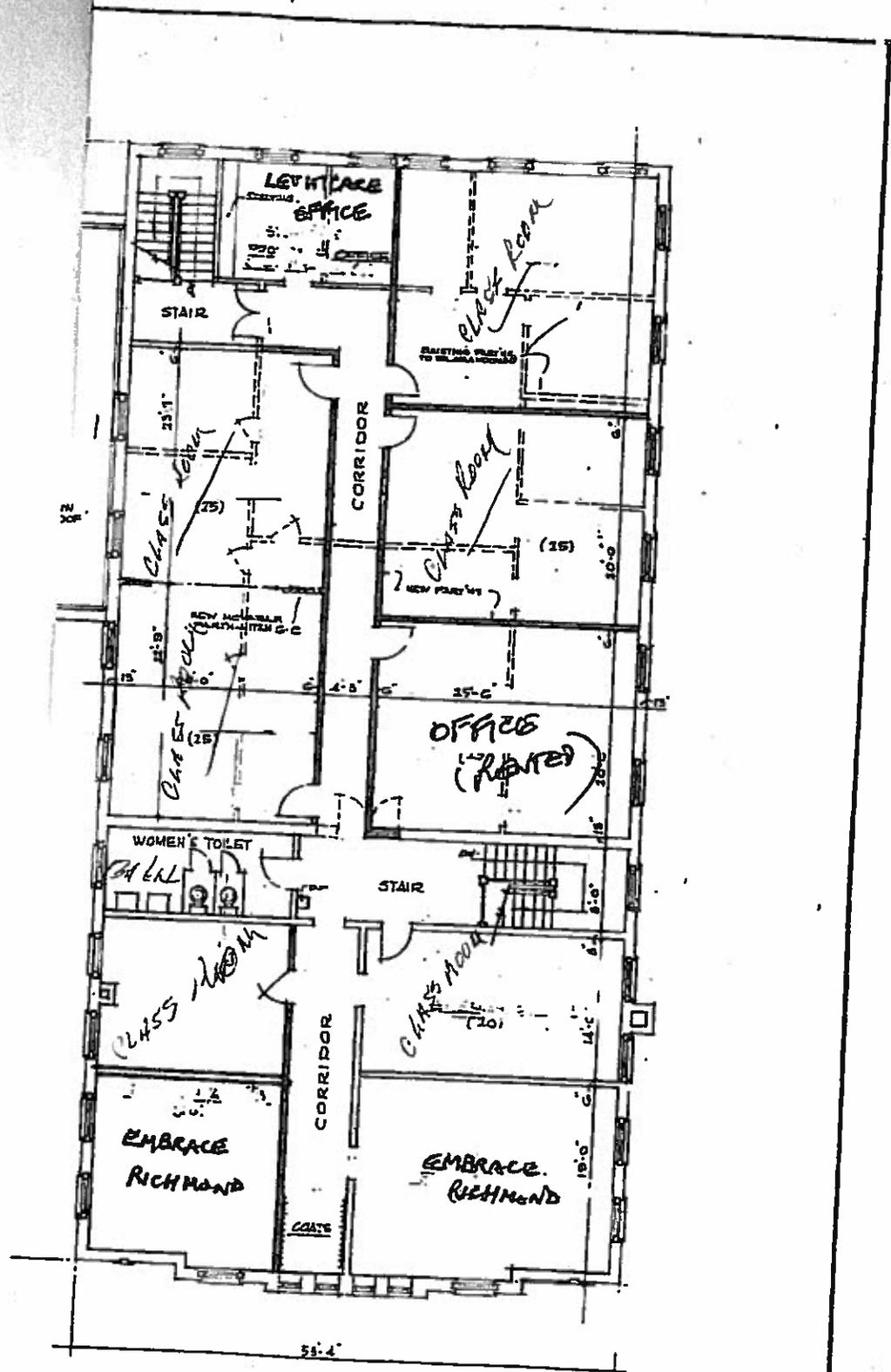
Director Message

We know that in order to stop the senseless violence, we must give our young adult and adults a new direction. That direction is in Jesus Christ, for without Christ, our young adults and many adults will continue to suffer. Each student has the opportunity to receive Christ as their Lord and Savior, the students have a choice to receive career technical training in field of his/her choice. They have the ability to earn a certification/license that indicates qualification and mastery of the required skills.

Rev. Joseph Frazier

Admission Requirements:

- A Student must be least 16 years old to enroll.
- All students who have not reached the age of 18 at the time of enrollment must have written permission of their parent/guardian or high school counselor. Proof of age (birth Certificate) is required to enroll.
- Any student 18 years of age or older will register as an adult.
- A veteran must submit DD214 letter at time of enrollment.



THIRD FLOOR - 1/8" = 1'-0"

2,460

JANUARY 15 1964
REV FEB. 25 1964

WRIGHT, JONES & WILKERSON
ARCHITECTS