



CITY OF RICHMOND

Department of Planning & Development Review *Staff Report*

Ord. No. 2014-193: To amend and reordain Ord. No. 88-249-225, adopted Oct. 10, 1988, as previously amended by Ord. No. 91-283-92-1, adopted Jan. 13, 1992, which authorized the special use of the property known as Highland Park School, containing 2.61 acres, more or less, located on the southwest corner of Brookland Park Boulevard and Second Avenue, for an apartment building for the elderly (persons 60 years of age and older), for the purpose of reducing the residency age requirement for at least 80 percent of the occupied units to persons 55 years of age and older.

To: City Planning Commission
From: Land Use Administration
Date: October 6, 2014

PETITIONER

Jennifer Mullen
Roth Doner Jackson Gibbons Condlin, PLC
919 E. Main Street Suite 2110, Richmond, VA 23219

LOCATION

1221 East Brookland Park Boulevard

PURPOSE

To amend an existing special use permit to reduce the residency age requirement for at least 80 percent of the occupied units to persons from 60 to 55 years of age and older for an existing multifamily dwelling at 1221 East Brookland Park Boulevard.

SUMMARY & RECOMMENDATION

The subject property is located at the intersection of East Brookland Park Boulevard, Meadowbridge Road, Dill Avenue, and 2nd Avenue. The property contains approximately 2.61 acres of land in area and is the site of the former Highland Park School. The current use of the property was authorized by special use permit in 1988. The zoning then (and today) for this property is R-5, Single-Family Residential. Schools, owned or operated by a governmental agency and primarily intended to serve residents of adjoining neighborhoods, are a permitted principal use in this district. However, this zoning district does not allow multi-family residential as a permitted principal use. For this reason, the applicant, in 1988, had to apply for a special use permit to allow for the conversion of the school to provide 77 apartments for persons 60 years of age and older.

The applicant wishes to decrease the residency age requirement in order to attract more residents. Therefore, the applicant wishes to amend the text of the special use permit to allow for a reduction in the residency age requirement to persons 55 years of age and older in at least 80 percent of the occupied units.

The subject property is immediately surrounded by a variety of uses including restaurants, a bank, residential, vacant parcels, and churches. The Master Plan designation for the subject property and much of the immediately surrounding area to the south and west is Single-Family (low density). A large area of Master Plan designated Neighborhood Commercial is located adjacent to the subject property at the previously described intersection.

Staff finds that, while the proposed use is not entirely consistent with the recommendations of the Master Plan, it was authorized by special use permit in 1988, and the proposed text amendment will have a negligible impact on the Ordinance, and by extension, the use of the property and its impact on the neighborhood. Staff also finds that, with the proposed text amendment to the existing special use permit, the safeguards contained within the City Charter, relative to the granting of special use permits, will continue to be met. Therefore, staff recommends approval of the special use permit request.

FINDINGS OF FACT

Site Description

The subject property is located at the intersection of East Brookland Park Boulevard, Meadowbridge Road, Dill Avenue, and 2nd Avenue. The property contains approximately 2.61 acres of land in area and is the site of the former Highland Park School.

Proposed Use of the Property

The applicant has requested a text-only amendment to a previously approved special use permit (SUP). The SUP, adopted by City Council in 1988, authorized the use of the former Highland Park School for up to 77 apartments for persons 60 years of age and older. The applicant is requesting to reduce the residency age requirement for at least 80 percent of the occupied units to persons 55 years of age and older.

Master Plan

The Master Plan designation for the subject property and much of the immediately surrounding area to the south and west is Single-Family (low density). A large area of Master Plan designated Neighborhood Commercial is located adjacent to the subject property at the previously described intersection.

Zoning & Ordinance Conditions

The applicant is requesting to reduce the residency age requirement for at least 80 percent of the occupied units to persons 55 years of age and older.

There are other conditions of the original ordinance that will continue to apply. The property must provide a fire access lane, landscaping, and a total of eighteen parking spaces substantially as shown on the 1991 plans. Signage will continue to be limited to one 12 square foot freestanding sign and one 6 square foot sign attached flat against the building as well as retaining the original "Highland Park School" sign.

The owner will be required to apply for a Certificate of Zoning Compliance within 12 months of adoption. If that does not occur, the amendments to the ordinance will become null and void.

Surrounding Area

The subject property is immediately surrounded by a variety of uses including restaurants, a bank, residential, vacant parcels, and churches. Across 2nd Avenue from the subject property is an area zoned B-2. There is a pocket of B-3 across Brookland Park Boulevard and along Meadowbridge and Dill Avenue. Diagonally across the intersection from the subject property, between 2nd Avenue and Dill Avenue, is a large section of R-6 zoned property.

Neighborhood Participation

Staff has notified the following civic associations and requested their feedback on the proposed amendment: Green Park Civic Association, Highland Park Plaza Community Association, and Highland Park Southern Tip Neighborhood Association. To date, staff has received no letters of opposition or support regarding this proposal.

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