



## CITY OF RICHMOND

### Department of Planning & Development Review *Staff Report*

**Ord. No. 2018-158:** To conditionally rezone a portion of the property known as 5800 Patterson Avenue and the properties known as 5800, 5802, 5804, 5806, 5808, 5810, and 5812 Park Avenue; and 5801, 5803, and 5805 Pratt Street from the R-4 Single-Family Residential District to the B-7C Mixed-Use Business District (Conditional).

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**To:** City Planning Commission  
**From:** Land Use Administration  
**Date:** July 2, 2018

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#### **PETITIONER**

Bon Secours - St. Mary's Hospital of Richmond  
Economic Development Authority of the City of Richmond

#### **LOCATION**

5800 Patterson Avenue (portion)  
5800, 5802, 5804, 5806, 5808, 5810, and 5812 Park Avenue  
5801, 5803, and 5805 Pratt Street

#### **PURPOSE**

To conditionally rezone a portion of the property known as 5800 Patterson Avenue and the properties known as 5800, 5802, 5804, 5806, 5808, 5810, and 5812 Park Avenue; and 5801, 5803, and 5805 Pratt Street from the R-4 Single-Family Residential District to the B-7C Mixed-Use Business District (Conditional).

#### **SUMMARY & RECOMMENDATION**

The applicant has requested the rezoning to B-7C Mixed-Use Business District (Conditional) to authorize a mix of uses on the subject property, including a proposed 55,000 SF medical office building at 5800 Patterson Avenue, which would not be authorized by the existing R-4 Single-Family Residential zoning of the property. 5800 Patterson Avenue is subject to a ground lease and performance agreement between Bon Secours and the Economic Development Authority of the City of Richmond.

Staff finds that the proposed B-7C zoning designation and proffered conditions would be consistent with the mixed-use land use recommendation of the Master Plan and would foster continued development of the Libbie/Patterson Service Center.

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Staff further finds the proposed B-7C zoning designation and proffered conditions would provide appropriate standards for the development of uses associated with St. Mary's hospital. Such development would be limited to the area within Libbie Avenue, Paterson Avenue, and Maple Avenue, an area with a history of special approvals for uses associated with the hospital.

Staff further finds that the proffered conditions have removed many uses that would be potentially incompatible with the community and have restricted the maximum height allowed on the subject property. Furthermore, the proffered conditions have given staff additional oversight over future development of the subject property through the plan of development process.

However, staff finds that the Westhampton School possesses significant historic value and should be preserved. Staff is concerned by the lack of provisions provided by the applicant to preserve Westhampton School as part of the development of the subject property.

Therefore, staff is supportive of the overall request to conditionally rezone the subject property, however, staff is not supportive of the lack of provisions for the preservation of the 1917 and 1930 portions of the historic Westhampton School.

On June 18, 2018, the Planning Commission voted to continue this item to its July 2, 2018 meeting.

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## **FINDINGS OF FACT**

### **Property Description**

The subject property, known as a portion of 5800 Patterson Avenue, 5800, 5802, 5804, 5806, 5808, 5810, 5812 Park Avenue, and 5801, 5803, 5805 Pratt Street, are located in the City's Three Chopt Neighborhood of the Far West Planning District. 5804-5812 Park Avenue and 5805 Pratt border the County of Henrico. 5800 Patterson Avenue specifically is a component of the Libbie/Patterson Service Center.

The subject property consists of approximately 6 acres of land, the largest of which is 5800 Patterson Avenue (portion) at approximately 4.23 acres. This portion of 5800 Patterson Avenue is located at the intersection of Patterson Avenue and Libbie Avenue and is improved with the historic Westhampton School. Three of the ten parcels along Park Avenue and Pratt Street are improved with single-family detached dwellings, the remaining seven are vacant parcels.

### **Proposed Use of the Property**

The applicant has requested the rezoning to B-7C Mixed-Use Business District (Conditional) to authorize a mix of uses on the subject property, including a proposed 55,000 SF medical office building at 5800 Patterson Avenue, which would not be authorized by the existing R-4 Single-Family Residential zoning of the property. A letter of intent has been provided by the applicant stating, "Bon Secours desires to preserve at least the 1917 portion of the [Westhampton] School".

The medical office building and future development of all parcels of the subject property would follow the requirements of the B-7 District and proffered conditions. A plan of development would also be required for the medical office building and other future development of the subject property.

### **Historic Analysis of Westhampton School**

The Westhampton School campus is made up of two buildings connected by a hyphen. The western most building in the complex was built in 1917 as the Westhampton High School. It was designed by Benjamin West Poindexter (1870-1928) and Marcellus E. Wright (1881-1962), Associated Architects. The Colonial Revival style building is representative of the "open air school" movement in school design that emphasized maximum ventilation and natural light. The school was the third school for children in the Westhampton community and indicative of the rapid growth in the area after the extension of the trolley lines from the city in 1901.

The second building, including the auditorium, was completed in 1930 and designed by Raymond Victor Long, architect for the State Board of Education. Long designed an elegant connector between the building that was not constructed. Of note is that the new building was designed as a separate building of equal architectural character and not as an annex or addition to the existing structure. The High School students were moved to the new building and the elementary and Junior High students were moved from the school on Maple Avenue.

The buildings were annexed into the Richmond city school system in 1942 and the upper grade students were transferred to nearby Thomas Jefferson High School. The 1917 building, Westhampton Elementary School, housed grades primary to 5<sup>th</sup> and the 1930 building, Westhampton Junior High School, served grades 6 to 8. In 1948, the firm of Marcellus Wright & son designed the connector between the two buildings.

In 1958, three African American students from the nearby Westwood neighborhood applied to attend Westhampton School. The Virginia Pupil Placement Board denied their application. Oliver Hill appealed the decision to the United States District Court -- Eastern District and in 1961 they handed down an individual decision that Daisy Jane Cooper could attend Westhampton Junior High School. Miss Cooper was the only African American student to integrate Westhampton Junior High School and the third student to integrate Richmond Public schools. She would go on to graduate from Thomas Jefferson High School.

From 1972 to 1974, the memorial Foundation for Children operated a special education facility for emotionally disturbed students at Westhampton. It was the only school of its kind. From 1990 – 2009, Westhampton School was the home for Richmond Community High School. Founded in 1977, Richmond Community High School was the first full-time, four year, public high school for academically talented students from minority and low-income families.

For a property to be listed on the National Register of Historic Places it must be associated with at least one historic context or criteria and retain sufficient integrity to convey its significance. The four criteria for evaluation or historic contexts identified by the Park Service are an association with a significant event; an association with a significant persons; an architectural association with a distinctive characteristics of a type, period, or style of architecture or a particular architect/craftsman/builder; or a potential archaeological association. The Westhampton School is associated with three of the four criteria for listing:

- Event/Events -- the western expansion of the City of Richmond, the Civil Rights Movement and the integration of Richmond City schools, and changes in education and pedagogy
- Persons -- Oliver Hill and Daisy Jane Cooper
- Architecture – Colonial Revival style, changing theories of school design, Benjamin West Poindexter, Marcellus E. Wright, and Raymond Victor Long

Westhampton School also retains a high level of integrity as defined by the National Park Service. The buildings have been minimally altered over the years and convey their significance through integrity of location, design, setting, material, workmanship, feeling and association. The Westhampton School is individually eligible for listing on the National Register.

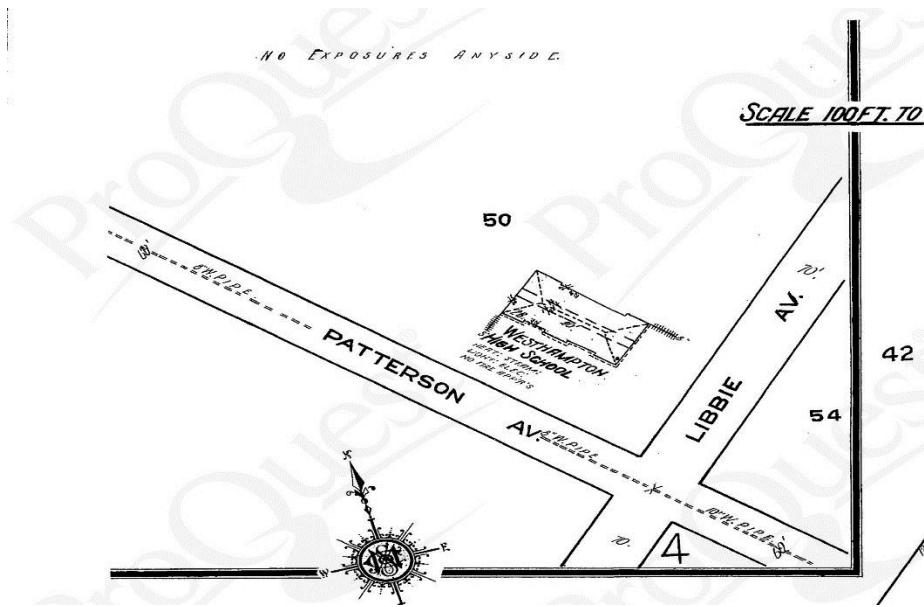


Figure 1: 1921 Westhampton Sanborn Map

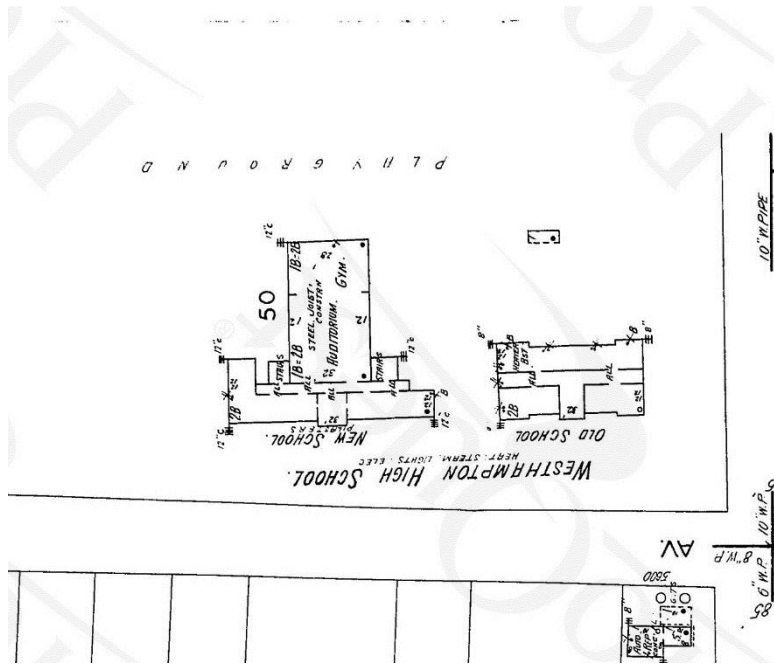


Figure 2: 1931 Westhampton Sanborn Map

## **Master Plan**

### 5800 Patterson Avenue

The 2012 amendment of the City's Master Plan recommends the future land use for 5800 Patterson Avenue to be mixed-use land use and public & open space land use.

Primary uses for the mixed-use land use category include combinations of office, retail, personal service, general commercial and service uses and, in some cases, multi-family residential and dwelling units above ground floor commercial. Generally, such areas consist of a mix of several types of uses, designed and arranged to be compatible with one another. Each type of use could function independently, but all benefit from proximity to one another. Typical zoning classifications that may accommodate this land use category: B-5, UB, UB-2, B-6, and B-7 (p. 134).

Primary uses for the public & open space land use category include publicly owned and operated parks, recreation areas, open spaces, schools, libraries, cemeteries, and other government and public service facilities (p. 135).

The mixed-use portion covered the Westhampton School site and the public & open space portion covered the Westhampton playground site. The Westhampton playground has since been relocated, therefore the mixed-use land use recommendation can be considered appropriate for the entire 4.23 acre portion of 5800 Patterson Avenue.

The Master plan also states that further commercial development within the District should occur within the Libbie/Grove, Libbie/Patterson, and Patterson/Three Chopt Service Centers...The vitality of the commercial Service Centers at Libbie/Grove, Libbie/Patterson, and Patterson/Three Chopt should be maintained by placing limitations on the extent and character of expansions to those areas (p. 180-3).

### Park Avenue and Pratt Street Parcels

The Master Plan's future land use recommendation for the remaining parcels on Park Avenue and Pratt Street is single-family (low density) land use. Primary uses for this category include single-family detached dwellings at densities up to seven 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-1, R-2, R-3, R-4, and R-5 (p. 133).

Specifically for the Far West Planning District, the Master Plan states that any expansion of St. Mary's Hospital and its related facilities, including parking, into City residential neighborhoods to the south should not be allowed (p. 184). The Master Plan further states the hospital's development and expansion will have potentially negative impacts on adjacent neighborhoods in the City, particularly with regard to traffic and demand for parking (p. 179)

However, the neighborhood to the south of St. Mary's Hospital is no longer an intact residential neighborhood. The parcels between St. Mary's Hospital and the Westhampton School site, within the City, contain uses associated with St. Mary's Hospital: a parking area at 1200 Chase Street (authorized by the Board of Zoning Appeals) and the Reinhardt Guest House fronting Chase Street and Libbie Avenue (authorized by a special use permit approved by City Council). Bon Secours – St. Mary's Hospital also owns an additional parcels, the majority of which are vacant. The remaining parcels not pertaining to Bon Secours – St. Mary's Hospital are generally used as single-family detached rental housing.

All future development of the subject property under the requested B-7 zoning will be required to follow the standard parking requirements pertaining to B-7 properties. No reduction of parking requirements is being requested as part of this conditional rezoning. Traffic impact issues will be considered by the Department of Planning and Development Review and Department of Public Works during the Plan of Development review process.

### **Zoning and Ordinance Conditions**

The subject property is zoned R-4 Single-Family Residential, which does not permit medical office use or commercial uses. If rezoned as proposed, the subject property would be regulated by the provisions of the B-7 Mixed-Use Business District and the proffered conditions.

The B-7 district regulations are intended to encourage appropriate infill development on undeveloped land, promote adaptive reuse of vacant or underutilized buildings and enable redevelopment of properties where continuation of current uses or adaptive reuse is not feasible. The district regulations are also intended to safeguard the character of adjoining properties, to maintain the predominant existing streetscape character by providing continuity of building scale and setbacks, to enhance public safety and encourage an active pedestrian environment appropriate to the mixed-use character of the district by providing for windows in building facades along street frontages. Finally, the district regulations are intended to assure adequate accessible parking and safe vehicular and pedestrian circulation, to facilitate a streetscape with minimum setbacks along principal street frontages and to provide for limited interruption by driveways and vehicular traffic across public sidewalk areas along principal street frontages.

The development requirements of the B-7 district, including a mix of permitted uses, setbacks, screening, parking areas, height, and building façade fenestration, would apply to the property. The proffered conditions are contained in the agreement entitled “Second Amended and Restated Proffered Conditions” and dated May 23, 2018, a copy of which is attached to this staff report.

Pursuant to the proffered conditions, a Plan of Development for any building or parking area on the subject property shall be filed regardless of the floor area of the building or number of spaces of the parking area. According to the Zoning Ordinance, the intent of the Plan of Development review and approval process is to ensure compliance with the technical requirements of this chapter, as well as the site planning criteria set forth in this division and elsewhere in this chapter, and to enhance the general character and overall quality of development by encouraging efficient and functional relationships among the various elements of site plans, encouraging safe pedestrian movement by reducing vehicular conflicts with pedestrians, promoting compatible arrangement of abutting sites, and minimizing potential adverse influences on and ensuring compatibility with nearby uses.

### **Surrounding Area**

Properties to the north and east are also located in the R-4 district. Properties to the south and east, along Patterson Avenue, are zoned B-2 Community Business. Properties to the west are zoned R-4 and R-53 Multi-family Residential. A mix of commercial, mixed-use, institutional (St. Mary’s Hospital and its associated facilities), and residential (single-, two- and multi-family) land uses are present in the vicinity of the subject property.

### **Neighborhood Participation**

Civic Associations and property owners in proximity of the subject property were notified of the application. Letters of support and opposition regarding this application have been received by staff.

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