

INTRODUCED: October 8, 2018

AN ORDINANCE No. 2018-277

To amend and reordain Ord. No. 2018-051, adopted Mar. 26, 2018, which authorized the special use of the properties known as 1911 and 1915 Grove Avenue for the purpose of a day nursery within a church, to authorize the special use of the property known as 1915 Grove Avenue for the purpose of two two-family dwellings, upon certain terms and conditions.

Patron – Mayor Stoney (By Request)

Approved as to form and legality
by the City Attorney

PUBLIC HEARING: NOV 13 2018 AT 6 P.M.

I. That Ordinance No. 2018-051, adopted March 26, 2018, be and is hereby amended and reordained as follows:

WHEREAS, the owner of the properties known as 1911 and 1915 Grove Avenue, which are situated in a R-6 Single-Family Attached Residential District, and desires to use such property for the purpose of a day nursery within a church located at 1911 and 1915 Grove Avenue and two two-family dwellings located at 1915 Grove Avenue, which use, among other things, does not meet the requirements of [~~section~~] sections 30-402.2(3) and 30-412.4(3) of the Code of the City of Richmond (2015), as amended; and

AYES: 9 NOES: 0 ABSTAIN: _____

ADOPTED: NOV 13 2018 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, the properties known as 1911 and 1915 Grove Avenue and identified as Tax Parcel Nos. W000-0855/007 and W000-0855/006, respectively, in the 2018 records of the City Assessor, being more particularly shown on a survey entitled “Tabernacle Baptist Church, City of Richmond, Virginia, Existing Site Plan,” prepared by Hulcher & Associates, Inc., dated November 14, 2014, and last revised January 22, 2018, a copy of which is attached to and made a part of ~~[this ordinance]~~ Ordinance No. 2018-051, adopted March 26, 2018, and on a survey entitled “Tabernacle Subdivision, City of Richmond, Virginia,” prepared by Hulcher & Associates, Inc., and dated May 17, 2018, a copy of which is attached to and made a part of this amendatory ordinance, hereinafter referred to as “the Property,” is hereby permitted to be used for the purpose of a day nursery within a church and two two-family dwellings, hereinafter referred to as “the Special Use,” substantially as shown on the survey entitled “Tabernacle Baptist Church, City of Richmond, Virginia, Existing Site Plan,” prepared by Hulcher & Associates, Inc., dated November 14, 2014, and last revised January 22, 2018, ~~[hereinafter referred to as “the Plans,”]~~ a copy of which is attached to and made a part of ~~[this ordinance]~~ Ordinance No. 2018-051, adopted March 26, 2018, as modified by the survey entitled “Tabernacle Subdivision, City of Richmond, Virginia,” prepared by Hulcher & Associates, Inc., and dated May 17, 2018, and the plans entitled “1913 Grove Avenue, Richmond, Virginia, Existing Conditions,” prepared by Stonewall Construction, and undated, hereinafter referred to,

collectively, as “the Plans,” copies of which are attached to and made a part of this amendatory 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) Approximately 7,100 square feet of outdoor play area, including incidental play equipment or structures, shall be provided, substantially as shown on the Plans attached to Ordinance No. 2018-051, adopted March 26, 2018. The number of children using the outdoor play area at one time shall meet the requirements of the Virginia Department of Social Services or its successor agency.

(b) A concrete block and wrought iron decorative fence not to exceed 75 inches in height and labelled as “A,” “B,” “C,” and “D” on the Plans attached to Ordinance No. 2018-051, adopted March 26, 2018, shall be permitted. Any future expansion of the fence on the Property along Grove Avenue must first be approved by of the Director of Planning and Development Review.

(c) The fencing labelled as F, G, and H on the Plans attached to Ordinance No. 2018-051, adopted March 26, 2018, shall not exceed 60 inches in height and may be either opaque or non-opaque.

(d) No fewer than 13 off-street parking spaces shall be provided, substantially as shown on the Plans attached to Ordinance No. 2018-051, adopted March 26, 2018. Up to four of these

parking spaces may be used between the hours of 6:00 p.m. through 8:00 a.m. to satisfy the parking condition set forth in subdivision (2) of subsection (g) of this section 3.

(e) Subsections (a) through (d) of this section shall only apply to the day nursery use.

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

(g) The following conditions shall apply to the two two-family dwellings:

(1) The two-family dwellings shall be substantially as shown on the Plans.

(2) One off-street parking space per dwelling unit shall be provided within a radius of 500 feet of the Property.

(3) The height shall not exceed the height shown on the Plans.

(4) Prior to the issuance of any certificate of occupancy, the establishment of three lots, substantially as shown on the survey attached to this amendatory ordinance, shall be accomplished by obtaining approval from the City and by recording appropriate plats among the land records of the Clerk of the Circuit Court of the City of Richmond.

§ 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~~] building permit substantially in accordance with the Plans for the Special Use subject to the terms and conditions set forth in this amendatory ordinance. An application for the [~~certificate of occupancy~~] building permit shall be made within 730 calendar days following the date on which this ordinance becomes effective. If the application for the [~~certificate of occupancy~~] building permit 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.

II. This amendatory 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.2018.294

O & R REQUEST

RECEIVED

SEP 26 2018

SEP 12 2018

4-8170

Office of the

Chief Administrative Officer

OFFICE OF CITY ATTORNEY

O & R Request

DATE: September 10, 2018

EDITION: 1

TO: The Honorable Members of City Council

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

JS 7/25/18

THROUGH: Selena Cuffee Glenn, Chief Administrative Officer

SCG

THROUGH: Douglas C. Dunlap, Interim Chief Administrative Officer for Economic
Development and Planning

DD
WOP

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

RE: To amend and reordain Ordinance No. 2018-051, adopted March 26, 2018, which authorized the special use of the properties known as 1911 and 1915 Grove Avenue for the purpose of a day nursery within a church, to also authorize the special use of the property know as 1915 Grove Avenue for the purpose of two two-family dwellings, upon certain terms and conditions.

ORD. OR RES. No. _____

PURPOSE: To amend and reordain Ordinance No. 2018-051, adopted March 26, 2018, which authorized the special use of the properties known as 1911 and 1915 Grove Avenue for the purpose of a day nursery within a church, to also authorize the special use of the property know as 1915 Grove Avenue for the purpose of two two-family dwellings, upon certain terms and conditions.

REASON: The applicant is requesting to amend an existing Special Use Permit which pertains to a day nursery within a church. The amended special use permit would authorized two existing buildings on the church property to be used as two-family dwellings, which would not meet the lot size or lot width requirements of the Zoning Ordinance.

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 November 5, 2018, meeting. A letter outlining the Commission's recommendation will be forwarded to City Council following that meeting.

BACKGROUND: The subject property consists of a 10,612 SF, .24 acre parcel of land located in the Fan District neighborhood of the Near West planning district. The property is improved with three buildings. One of the buildings is currently being used as a day-care center within Tabernacle Church to the rear of the parcel. The two former residential buildings fronting Grove Avenue are the subject of the proposed amendment.

The former residential buildings were used in conjunction with church operations but are currently vacant. The applicant proposes to subdivide the parcel into three lots encompassing the church building and former residential buildings, respectively, and renovate the former residential buildings into two-family dwellings.

The City of Richmond's current Master Plan designates a future land use category for the subject property as Single Family Residential at Medium densities. Primary uses for this category "...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. (City of Richmond Master Plan, 133)

The proposal would yield a residential density of approximately 17 units per acre and would reestablish residential use consistent with the historic pattern of development along Grove Avenue.

The current zoning for this property is R-6 (Single Family Attached Residential). All adjacent properties are located within the same R-6 Residential Zone.

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: October 8, 2018

CITY COUNCIL PUBLIC HEARING DATE: November 13, 2018

REQUESTED AGENDA: Consent.

RECOMMENDED COUNCIL COMMITTEE: None.

CONSIDERATION BY OTHER GOVERNMENTAL ENTITIES: City Planning Commission, November 5, 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)

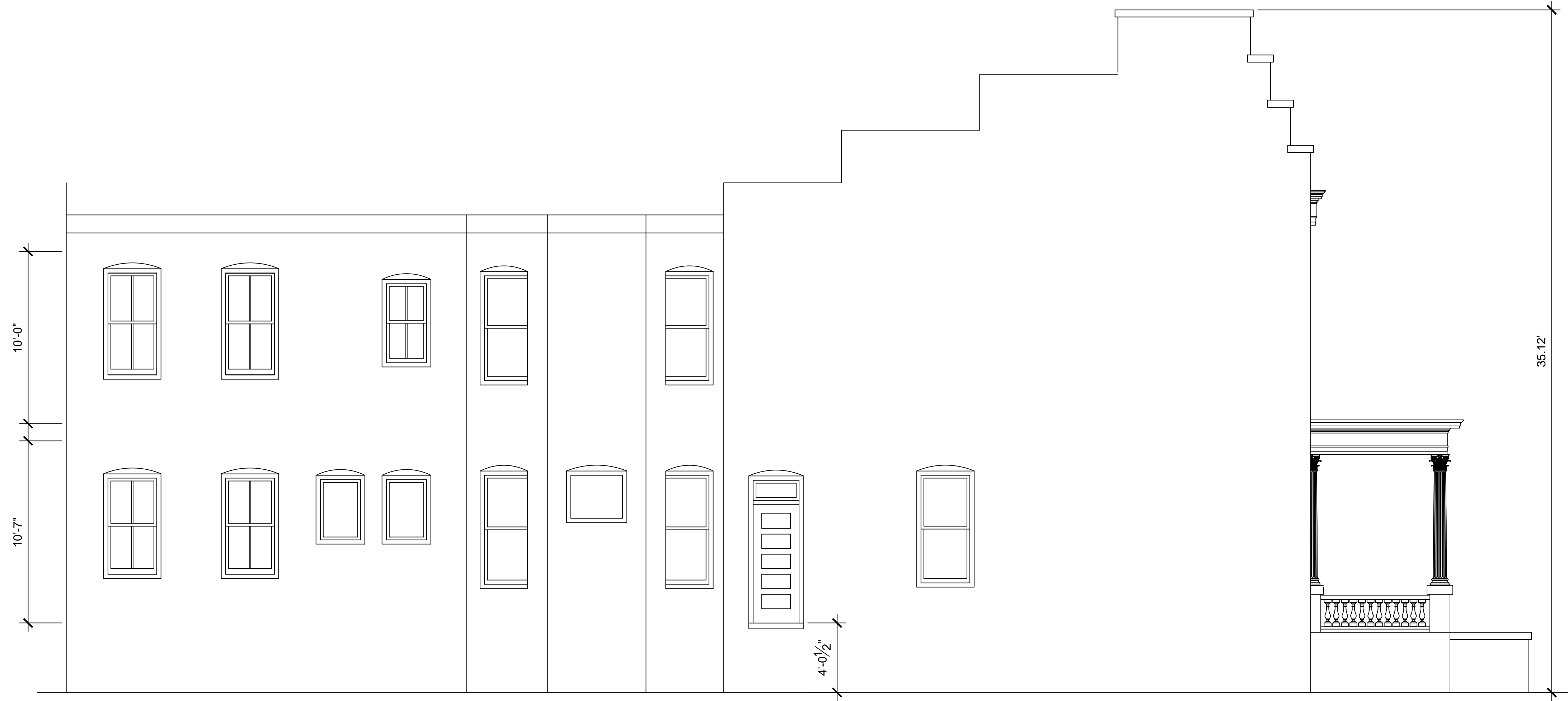
RELATIONSHIP TO EXISTING ORD. OR RES.: Amend Ordinance No. 2018-051

REQUIRED CHANGES TO WORK PROGRAM(S): None.

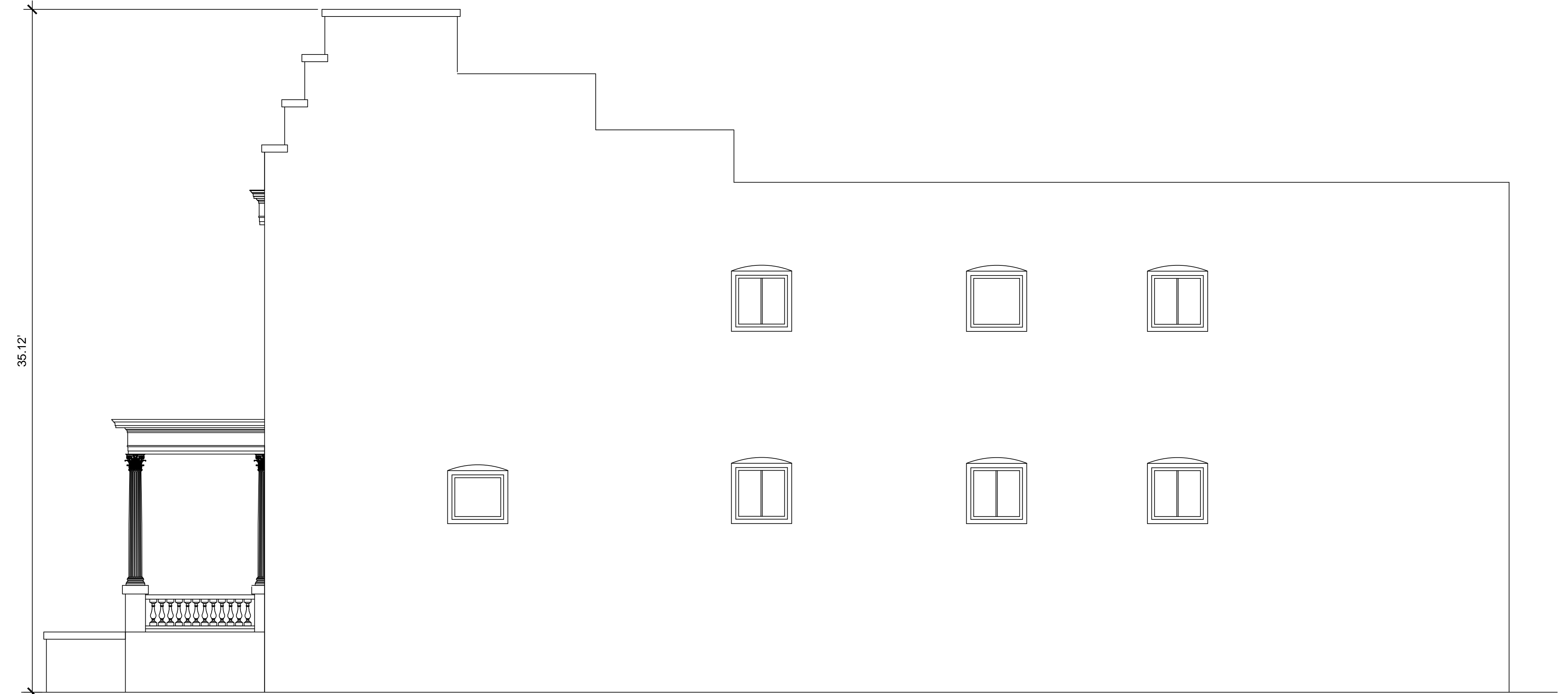
ATTACHMENTS: Draft Ordinance, Application Form, Applicant's Report, Plans, Survey, Map

STAFF: Jonathan Brown, Senior Planner
Land Use Administration (Room 511) 646-5734

PDR O&R No. 18-48



EAST ELEVATION
SCALE: 1/4" = 1'-0"



WEST ELEVATION
SCALE: 1/4" = 1'-0"



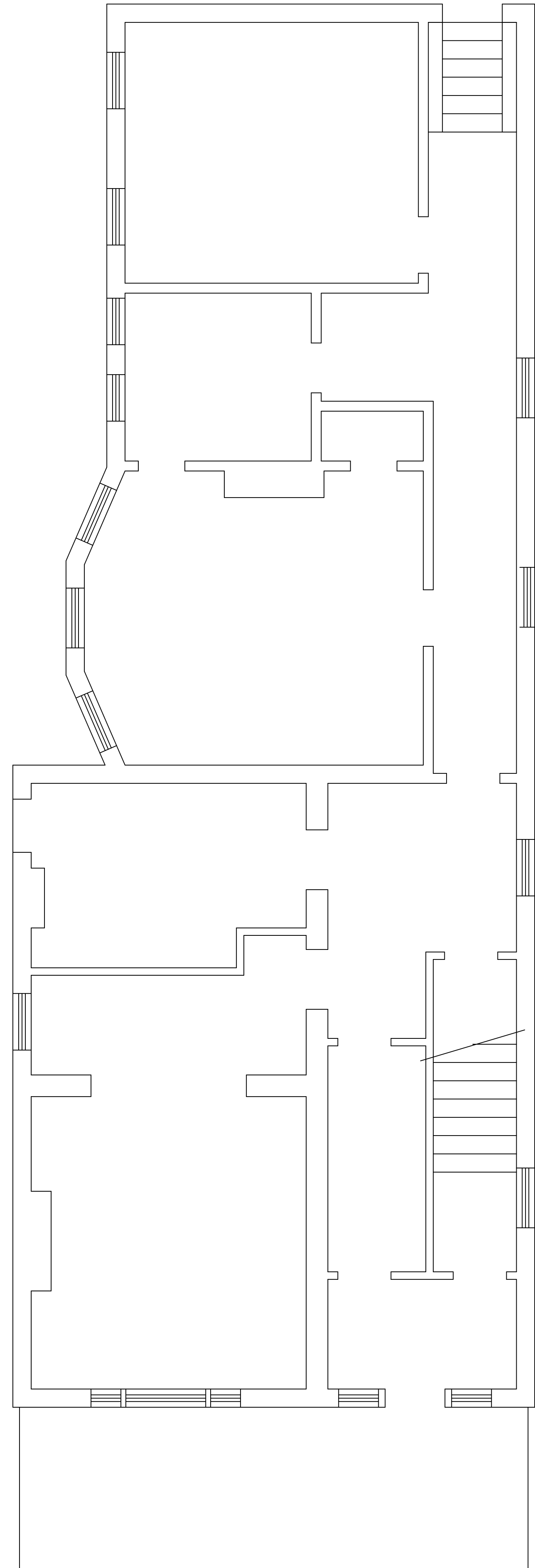
NORTH ELEVATION
SCALE: 1/4" = 1'-0"



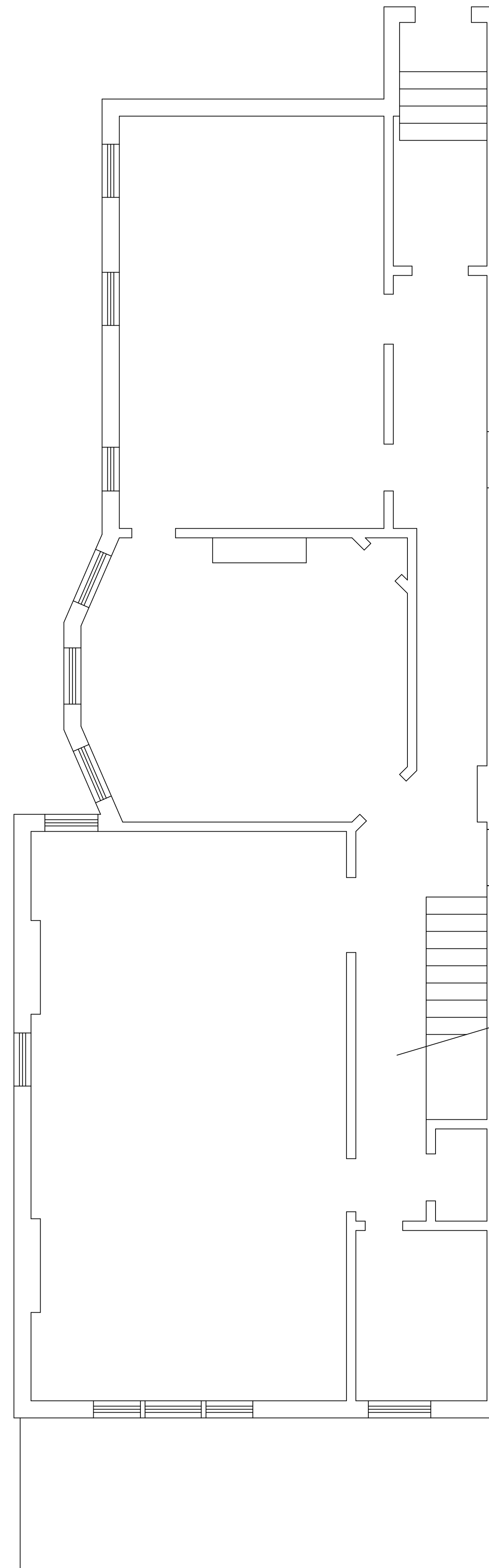
STONEWALL CONSTRUCTION
RICHMOND, VIRGINIA

DRAWN BY:
BRYAN L. TOWNES
CLAREMONT PRESERVATION CONSULTING

PROJECT TITLE
1913 GROVE AVENUE
RICHMOND, VIRGINIA
EXISTING CONDITIONS



FIRST FLOOR PLAN

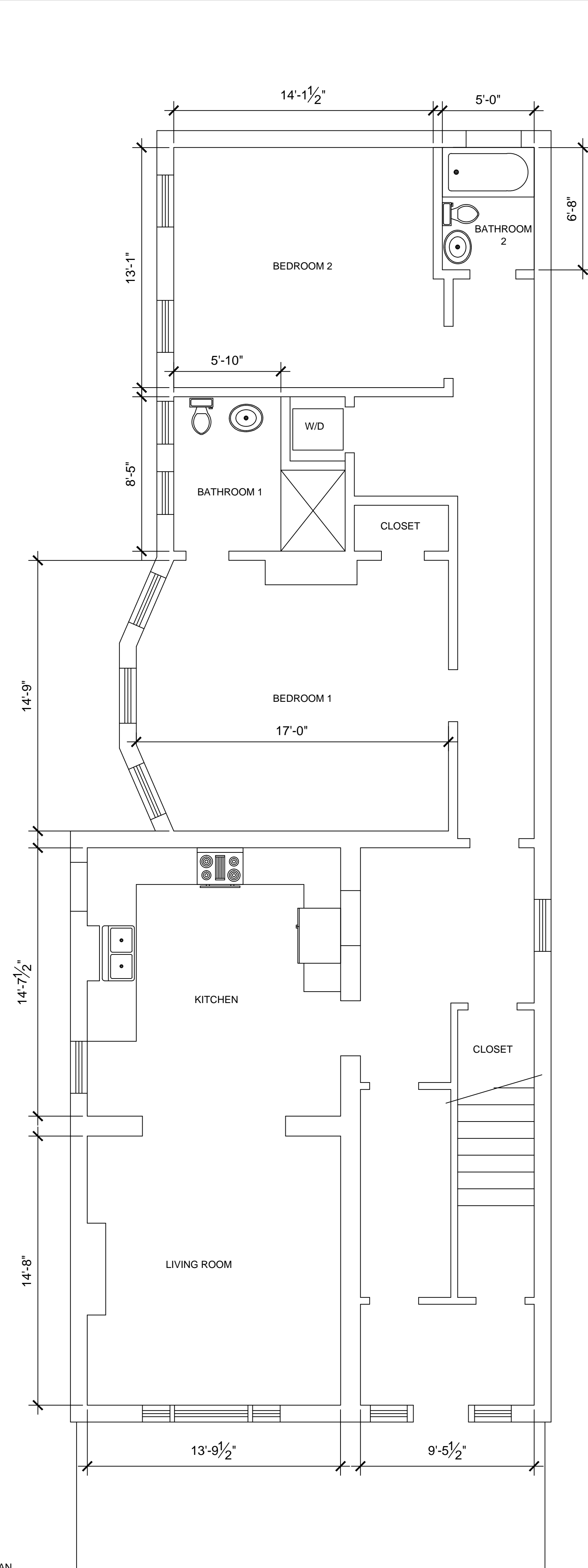


SECOND FLOOR PLAN

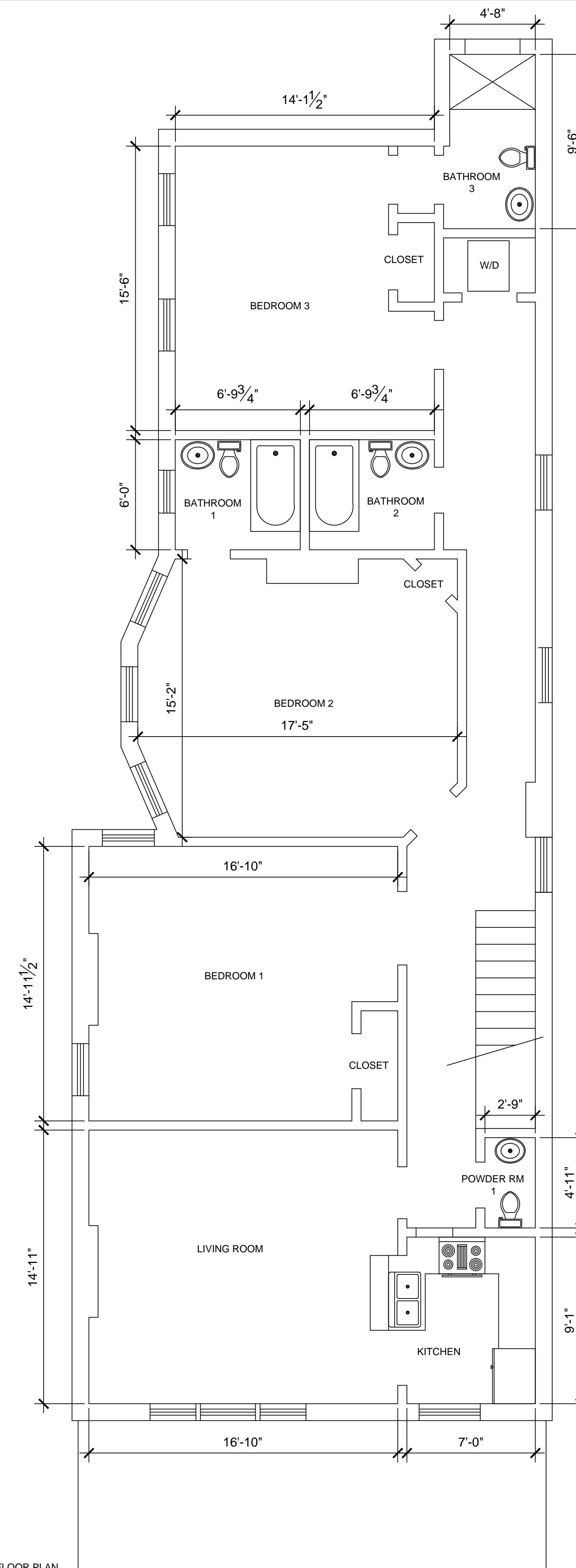
STONEWALL CONSTRUCTION
RICHMOND, VIRGINIA

DRAWN BY:
BRYAN L. TOWNES
CLAREMONT PRESERVATION CONSULTING

PROJECT TITLE
1913 GROVE AVENUE
RICHMOND, VIRGINIA
EXISTING CONDITIONS



FIRST FLOOR PLAN



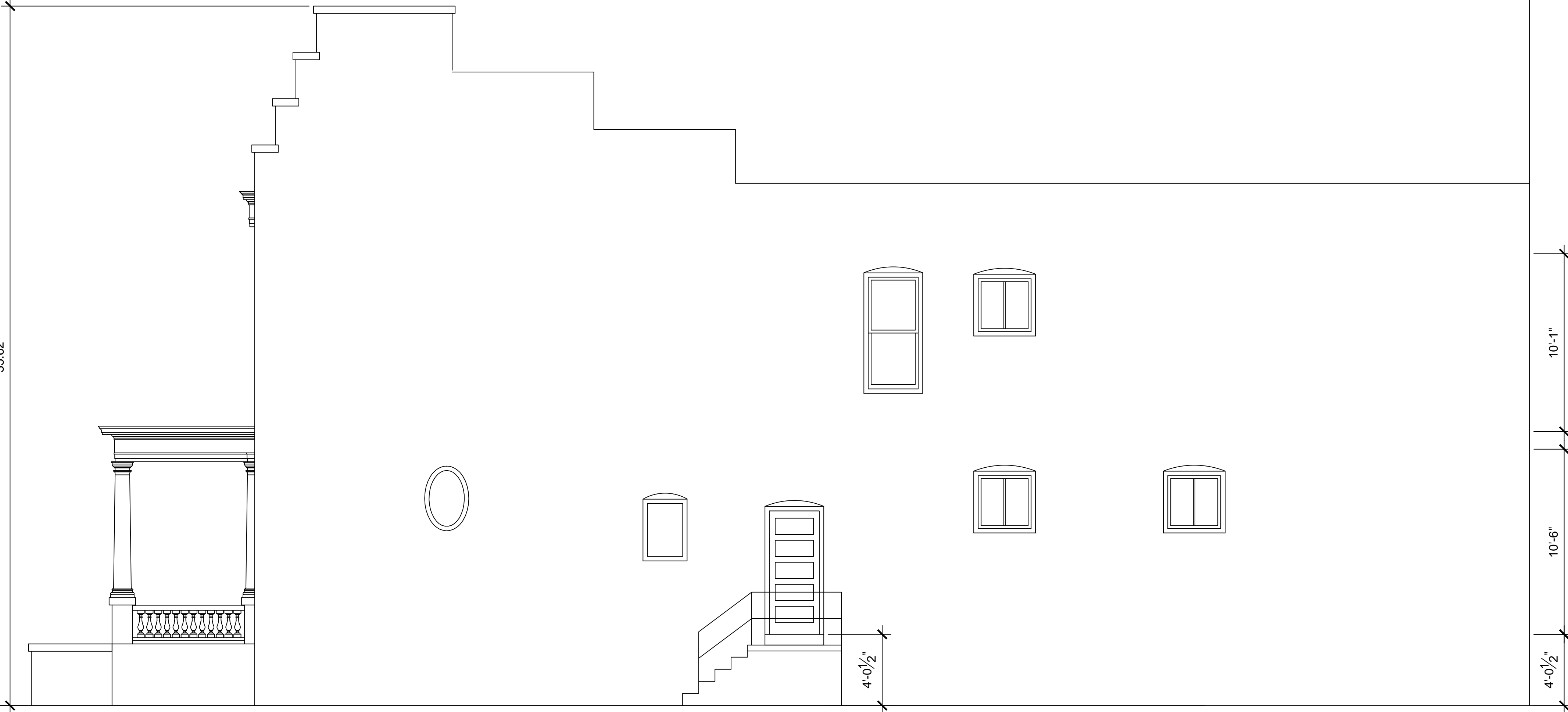
SECOND FLOOR PLAN

STONEWALL CONSTRUCTION
 RICHMOND, VIRGINIA
 DRAWN BY:
 BRYAN L. TOWNES
 CLAREMONT PRESERVATION CONSULTING

PROJECT TITLE
1913 GROVE AVENUE
 RICHMOND, VIRGINIA
 PROPOSED



EAST ELEVATION
SCALE: 1/4" = 1'-0"



WEST ELEVATION
SCALE: 1/4" = 1'-0"



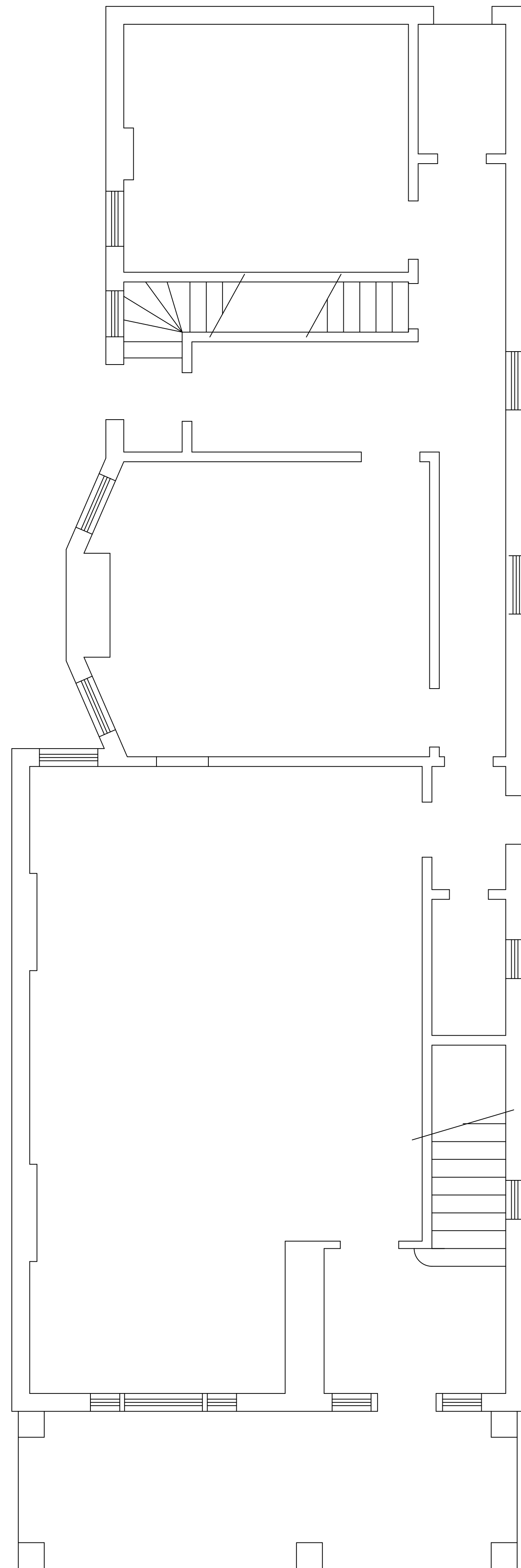
NORTH ELEVATION
SCALE: 1/4" = 1'-0"



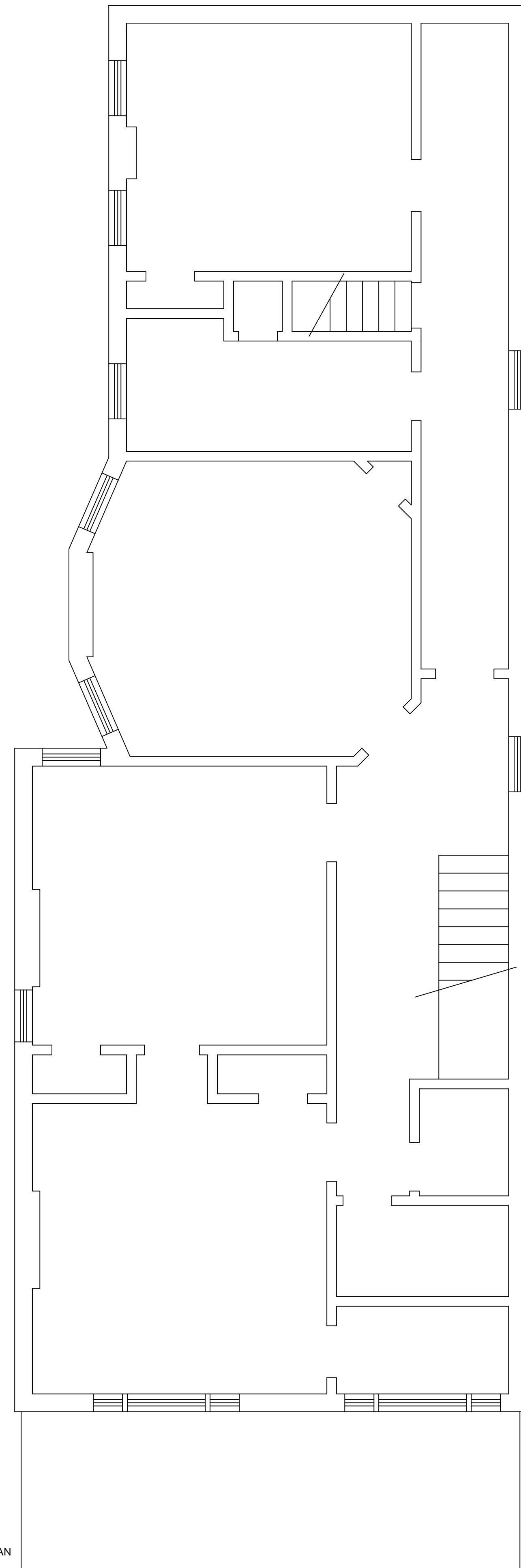
STONEWALL CONSTRUCTION
RICHMOND, VIRGINIA

DRAWN BY:
BRYAN L. TOWNES
CLAREMONT PRESERVATION CONSULTING

PROJECT TITLE
1915 GROVE AVENUE
RICHMOND, VIRGINIA
EXISTING CONDITIONS



FIRST FLOOR PLAN

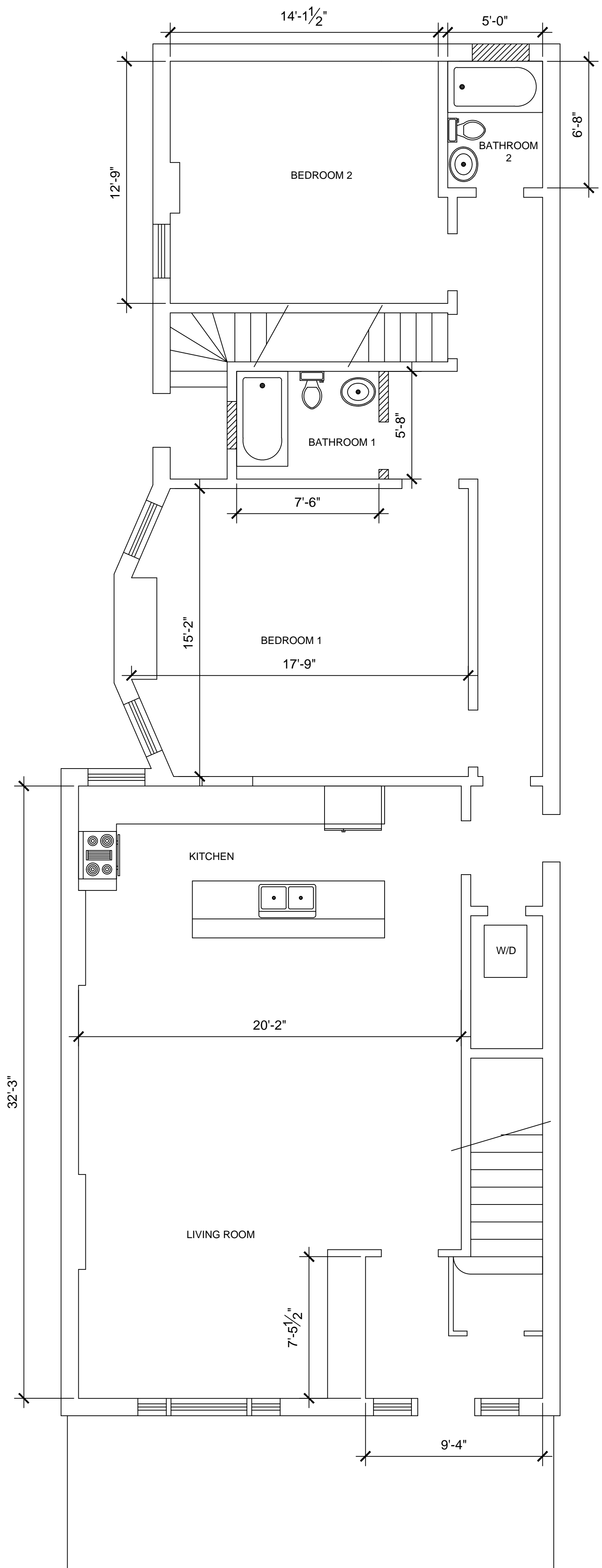


SECOND FLOOR PLAN

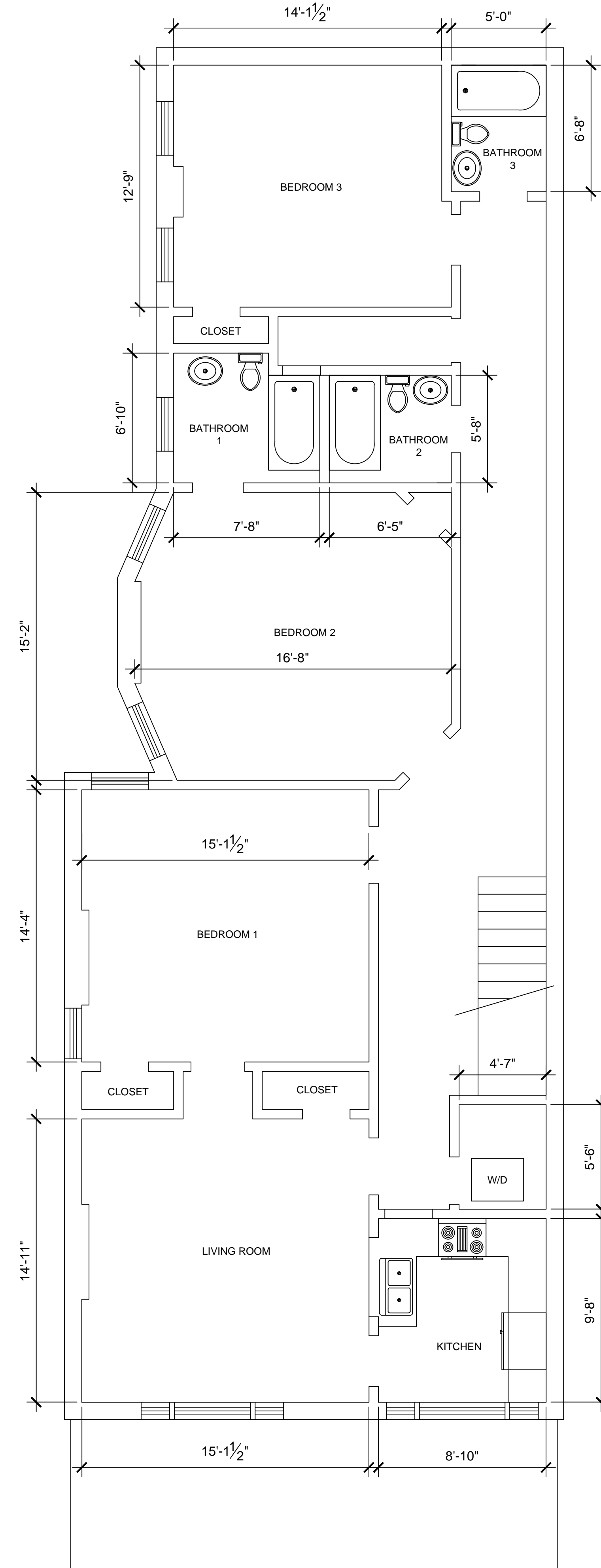
STONEWALL CONSTRUCTION
RICHMOND, VIRGINIA

DRAWN BY:
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CLAREMONT PRESERVATION CONSULTING

PROJECT TITLE
1915 GROVE AVENUE
RICHMOND, VIRGINIA
EXISTING CONDITIONS



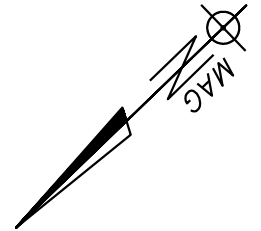
FIRST FLOOR PLAN



SECOND FLOOR PLAN

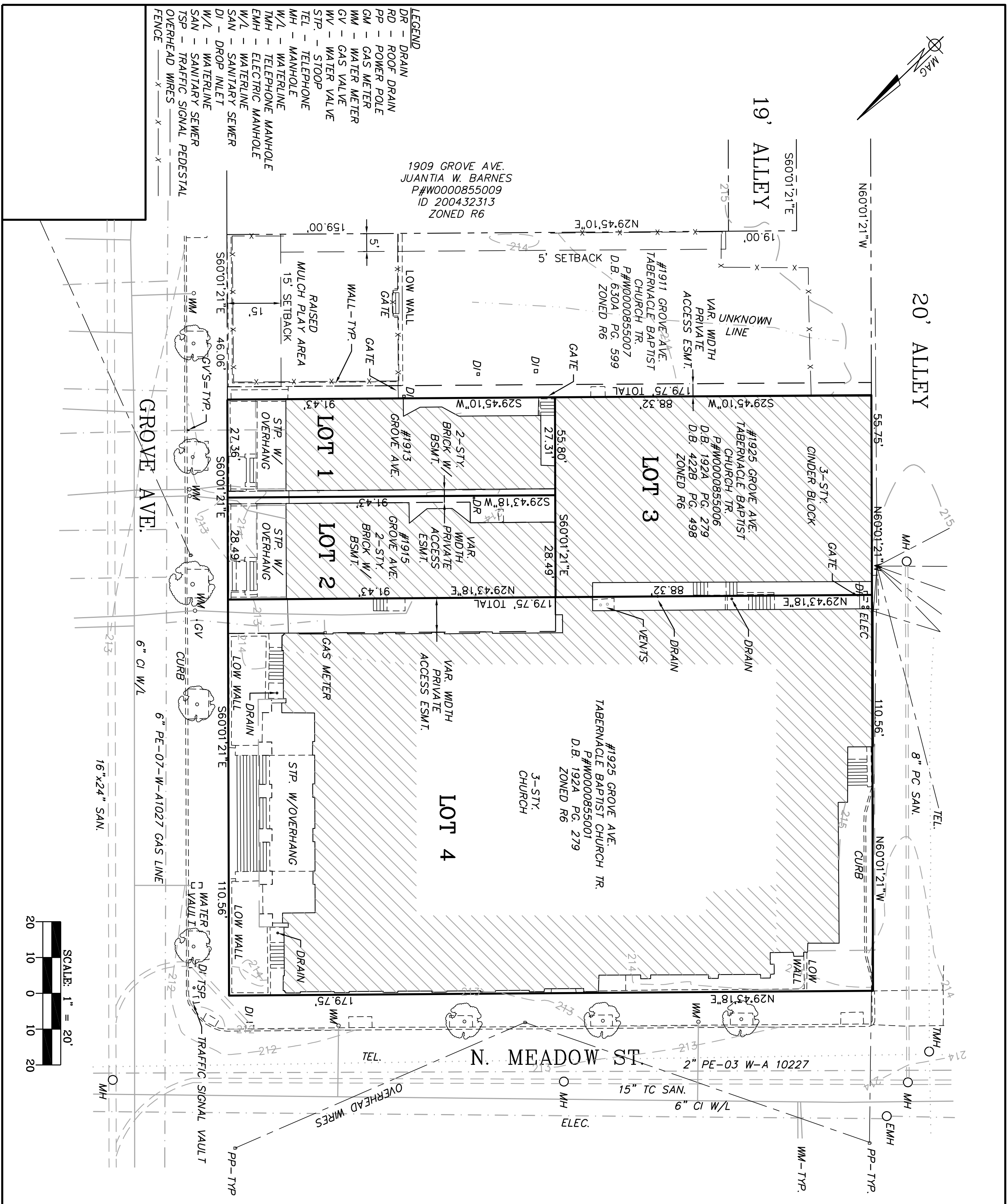
STONEWALL CONSTRUCTION
 RICHMOND, VIRGINIA
 DRAWN BY:
 BRYAN L. TOWNES
 CLAREMONT PRESERVATION CONSULTING

PROJECT TITLE
1915 GROVE AVENUE
 RICHMOND, VIRGINIA
 PROPOSED



20' ALLEY

19' ALLEY



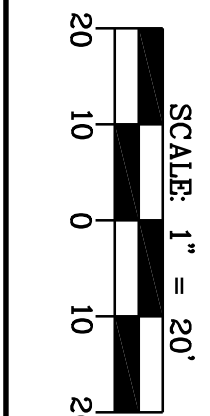
1909 GROVE AVE.
JUANITA W. BARNES
P#W0000855009
ID 200432313
ZONED R6

#1911 GROVE AVE.
TABERNACLE BAPTIST
CHURCH TR.
P#W0000855007
D.B. 6304 PG. 599
ZONED R6

#1925 GROVE AVE.
TABERNACLE BAPTIST
CHURCH TR.
P#W0000855006
D.B. 192A PG. 279
D.B. 422B PG. 498
ZONED R6

#1925 GROVE AVE.
TABERNACLE BAPTIST CHURCH TR.
P#W0000855001
D.B. 192A PG. 279
ZONED R6

LEGEND
DR - DRAIN
RD - ROOF DRAIN
PP - POWER POLE
GM - GAS METER
WM - WATER METER
CV - GAS VALVE
WV - WATER VALVE
STP - STOOP
TEL - TELEPHONE
MH - MANHOLE
W/L - WATERLINE
TMH - TELEPHONE MANHOLE
EMH - ELECTRIC MANHOLE
W/L - WATERLINE
SAN - SANITARY SEWER
DI - DROP INLET
W/L - WATERLINE
SAN - SANITARY SEWER
TSP - TRAFFIC SIGNAL PEDESTAL
OVERHEAD WIRES



LOT AREAS

LOT 1	= 2,499 SF (0.057 AC)
LOT 2	= 2,605 SF (0.060 AC)
LOT 3	= 4,926 SF (0.113 AC)
LOT 4	= 19,873 SF (0.456 AC)
TOTAL AREA	= 29,903 SF (0.686 AC)
AVG. LOT	7,475 SF (0.171 AC)

ZONING R-6
SETBACKS:
FRONT - 15 FT
SIDES - 5 FT
REAR - 5 FT

DATUM:
HORIZONTAL = MAGNETIC
VERTICAL = CITY SEWER MAP

TABERNACLE SUBDIVISION
CITY OF RICHMOND, VIRGINIA
DATE: MAY 17, 2018 SCALE: 1" = 20'

HULCHER & ASSOCIATES, INC.
ENGINEERS AND SURVEYORS
RICHMOND, VIRGINIA
(804) 883-7622 • FAX: 883-8815
SHEET 2 OF 2





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/>

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: 1913, 1915 Grove Avenue Date: 04/04/2018
 Tax Map #: W0000655008 Fee: \$300.00
 Total area of affected site in acres: 0.107 acres

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

Zoning

Current Zoning: R-6

Existing Use: Church Facilities, Child Care Center/Day Nursery, and permitted ancillary uses

Proposed Use

(Please include a detailed description of the proposed use in the required applicant's report)
Convert historic row houses currently owned by The Trustees of Tabernacle Baptist Church to have two apartments per row house for rental, keeping historical aspects of each row house as possible

Existing Use: Church Facilities

Is this property subject to any previous land use cases?

Yes No If Yes, please list the Ordinance Number: 2018-051

Applicant/Contact Person: Tabernacle Baptist Church, c/o Donna Soyars
 Company: Tabernacle Baptist Church
 Mailing Address: 1925 Grove Avenue
 City: Richmond State: VA Zip Code: 23220
 Telephone: (804) 921-0769 Fax: (804) N/A
 Email: soundsidedfa@gmail.com; severns@tbrichmond.org; shicks@williamsmullen.com

Property Owner: Trustees of Tabernacle Baptist Church
 If Business Entity, name and title of authorized signer: Kathleen McGraw, Trustee

(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: 8294 Stumpy Road
 City: Hanover State: VA Zip Code: 23069
 Telephone: (804) 337-3997 Fax: () N/A
 Email: mcgraw8294@comcast.net; shicks@williamsmullen.com

Property Owner Signature: Kathleen A. McGraw

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

SPECIAL USE PERMIT: Amendment to Approved Ordinance 2018-051
ADDRESSES: 1911-1915 Grove Avenue

INTRODUCTION

Tabernacle Baptist Church (TBC) has a remarkable 138-year history, being one of the largest Sunday Schools on the east coast in the 1940's through the 1960's. The two row houses adjacent to the church were deeded to TBC and its Trustees (1915 deeded on 9/4/1940; 1913 deeded on 2/1/1951) and used in TBC's heyday for Sunday School classes and church offices. Our educational building, aka the Williams Building, where the Tabernacle Child Care Center (TCCC) and other church educational classes occur, was dedicated on November 25, 1956. As the population move from the city to the suburbs occurred in the 1970's, the need for the two row houses to accommodate the large numbers of congregants dwindled. This lack of use and reduced resources resulted in the row houses receiving less attention that we would like over the years.

Our congregation has experienced a resurgence over the past ten years in both numbers of who are actively engaged in our ministry activities, as well as the amount of energy and effort applied to service to our community and the world at large. Yet, financial resources needed to achieve our goals in addressing the needs of some of our facilities remains one of the challenges we face. This is similar to stories of other urban churches in our area and our country in regards to the challenges we face and the financial resources available to us. TBC strives, as in the past, to be a vital partner in our neighborhood for service to its residents and how we address the physical appearance of the buildings we own. It is that partnership with our neighbors that allows us now to attempt to conserve and renovate the two row houses.

We are in a position to take on a project to conserve these historical buildings and convert them into apartments that will benefit both our community and our church. This renovation effort will require some relief from current City zoning requirements. It is our understanding that the current layout of the row houses and Williams Building on the referenced parcel occurred before the current R-6 zoning requirements were in place. We hope that this historical aspect will be given special consideration in the approval of this request.

The address for the parcels where these row houses are located is 1913 and 1915 Grove Avenue. Our Williams Building is located adjacent to the back of these two row houses. TBC received approval of ordinance 2018-051 on 3/26/18 concerning approval of SUP request SUP-023978-2017 providing relief from specific zoning requirements related to the size and location of our fenced playground at 1911 Grove Ave. and allowing for increased occupancy necessary to serve additional children for the Tabernacle Child Care Center located in the Williams Building, which occupies the rear portions of the parcels referenced herein. This SUP amendment request is being submitted to address requests related to the two row houses fronting Grove Avenue:

- additional R-6 zoning relief specific to the lot size and density requirements for 1913 and 1915 Grove Avenue,
- as well as a change in row house zoning type from single-family to two-family dwelling,
- and any other zoning restrictions applicable to the use of a portion of the parcels as rowhouses, as described herein, and as subdivided as shown on the enclosed plat.

We wish to keep the buildings as they exist in location and size (as described in the attached existing site plan), asking for relief of current zoning code requirements that ultimately will enable us to proceed with our planned conservation/renovation efforts.

TBC has made every effort to be prepared to implement our renovation plans upon obtaining the necessary approvals from the City of Richmond:

- TBC and its Trustees have been approved for a construction loan that will be used for this renovation project.
- We have met with our neighbors to introduce this conservation concept at a high level, and we have received very positive feedback regarding our desire to conserve these historic buildings.
- TBC has communicated with the Fan District Association (FDA), and we plan to continue this open communication regarding our plans as the project moves forward.
- Our selected contractor for row house renovation is ready to proceed with construction after TBC receives the approval of this amended SUP request, approval of a request for parcel split, and other building permit requirements.

EXISTING CONDITIONS

1913 and 1915 Grove Avenue are currently listed as Parcel #W0000855006, zoned as R-6. The tax parcel measures 59.41' in width at the Grove Avenue front and 179.5 feet in length. Our records indicate that the single tax parcel consists of two separate, subdivided parcels. The two row houses on provide a street appearance that has not changed over the years, with the typical front porch and small landscaping area that measure approximately 15.5' from house front to sidewalk. The two-story brick houses with basement measure as follows: 1913 Grove Ave. = 91.43' in length and 29.14' in width (though variable); 1915 Grove Ave. = 91.43' in length and 26.25' in width (though variable). The two row houses include a sidewalk measuring 3.5' wide between them starting at Grove Avenue, varying to 9.3' at the back of the houses. The row house identified as 1913 Grove Avenue is bordered on the east side by the church's walkway into the asphalt playground area, with that sidewalk measuring 3.5' feet in width. Row House 1915 Grove is bordered on the west side by the walkway to TBC's church offices, 10' feet in width at the Grove Avenue front and varying only slightly to the back of the row house.

Both row houses are adjacent to the Williams Building, comprising the entirety of the rear yards of the row house parcels, with an existing passageway from the 1913 row house into the Williams Building and a passageway from the basement of the 1915 row house into the main church building. Simultaneously with this proposed amendment to the existing SUP, TBC intends to subdivide the rowhouse parcels to (a) separate the Williams Building from the row houses, and limit each row house parcel to the footprint of each row house, as depicted on the enclosed plat.

The Williams Building is located on the remainder of this parcel of row house parcels, measuring approximately 59' wide (varies slightly for access alley between the Williams Building and the main church building) and 88.32' in length. The exterior of the three-story Williams Building is comprised of painted cinder block.

Secured parent/child access to the TCCC classrooms is provided via a main entrance located at the rear of the sidewalk separating the row houses from Grove Avenue. Street parking is used as needed

by all parents for drop-off and pick-up. Staff parking is available in the church's Granby Street parking lot.

Alley access to the Williams Building location is available for emergencies if needed. Additional egress doors are also available for child safety and safe access to the adjacent playground area.

The main church offices can be accessed from the entrance separate from TCCC entrance from Grove Avenue via the walkway that is on the west border of 1915 Grove Avenue. Parking is available in the church's parking lot on Meadow Street, as well as on the street as marked by applicable signage.

Existing Zoning: R-6

Master Plan Designation: Single Family – Medium Density

PROPOSAL

The applicant requests that the amended SUP permit Tabernacle Baptist Church (TBC) relief from the requirements and restrictions applicable to the parcels pursuant to the current R-6 zoning classification as provided under the City of Richmond Zoning Ordinance to allow for both row houses to be used as two-family dwellings, enabling TBC to convert the two row houses into two apartments per row house. Plans provided for each row house reflect our desire to construct within each row house (i) a single two-bedroom, two bathroom apartment and (ii) a single three-bedroom, three-bathroom apartment.

The applicant also requests that the SUP permit an exception to parcel density requirements for the current R-6 zoning, keeping the buildings as currently located on the current parcel and in existing footprint, size, and exterior style, as may be subdivided pursuant to the enclosed plat. TBC intends to submit a request to subdivide and consolidate the current parcels into three separate parcels, assuming approval of this SUP request, enabling us to separate each of the row houses and the Williams Building into individual lots. We recognize that this request will require an exception to current density requirements, noting that the row houses and the Williams Building will occupy the vast majority of each separate lot where they would be located and on lot sizes that are less than current code for two-family dwellings. TBC requests a waiver of R-6 zoning requirements related to the size of side and rear yards and related restrictions as applied to each newly created parcel.

Understanding that the row house conversion to apartments will require specific steps to address fire code requirements, TBC proposes that a two-hour fire wall be placed at the back of the row houses, adjacent to the Williams Building. This will require that:

- We relocate our current TCCC main entrance to be located on the east side of the Williams Building, utilizing a current exit door towards the playground. TBC will relocate the shed that would present a potential obstacle to that new entrance, as well as relocate the sandbox that borders the 1913 row house next to the shed. This new entrance will remain a secured entrance, with all parents using Grove Avenue for parking for drop-off and pick-up of their children. They will use the sidewalk access on the east side of the 1913 row house to access the new entrance.
- Plans include the new fire wall eliminating any direct access from the row houses to the Williams Building and to the church. The current access points will be cut off by the construction of the fire wall.
- The windows on the west side of the 1913 row house will be closed with masonry construction to also provide fire protection.

TBC will include the sidewalk access to the playground on the east side of 1913 Grove Avenue as part of the Williams Building lot in connection with the subdivision of the parcels. This access can be used to provide access for the apartment tenants to take their trash receptacles to the 20' alley behind the church's playground and the Williams Building for regularly scheduled City trash collection. We also plan to provide covered trash receptacle storage, convenient to each row house in the existing sidewalk access between the two row houses.

Apartment tenants will be provided one free parking space per apartment in our church-owned lot on Meadow Street to help alleviate any concerns related to parking availability on the street near the row houses.

FINDINGS OF FACT

The proposed use is appropriate for the subject property and it meets the criteria set forth in the Charter of the City of Richmond that the use 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 cause overcrowding of land and 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.

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