

INTRODUCED: July 14, 2014

AN ORDINANCE No. 2014-159-151

To authorize the special use of the property known as 4900 Augusta Avenue for the purpose of certain identification signage, upon certain terms and conditions.

Patron – Mayor Jones (By Request)

Approved as to form and legality
by the City Attorney

PUBLIC HEARING: SEPT 8 2014 AT 6 P.M.

WHEREAS, the owner of the property known as 4900 Augusta Avenue, which is situated in a RO-2 Residential-Office District, desires to install a 73 ½ square foot sign on such property, which sign section 114-509 of the Code of the City of Richmond (2004), as amended, currently does not allow; and

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

AYES: 9 NOES: 0 ABSTAIN: _____

ADOPTED: SEPT 8 2014 REJECTED: _____ STRICKEN: _____

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 114-1050.1 of the Code of the City of Richmond (2004), 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 property known as 4900 Augusta Avenue and identified as Tax Parcel No. W019-0062/010 in the 2014 records of the City Assessor, being more particularly shown on a survey, which is attached to and made a part of this ordinance, hereinafter referred to as “the Property,” is hereby permitted to be used for the purpose of certain identification signage, hereinafter referred to as “the Special Use,” substantially as shown on the plan entitled “Girls Scouts of the Commonwealth of Virginia,” prepared by Talley Sign Company, dated January 22, 2013, and last revised February 17, 2014, 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 identification sign situated on the Property shall be permitted substantially as shown on the Plans.

§ 4. **Supplemental Terms and Conditions.** This special use permit is conditioned on the following supplemental terms and conditions:

(a) 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 (2004), as amended, and all future amendments to such laws.

(b) 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 114-1220 of the Code of the City of Richmond (2004), 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 114-1050.7 through 114-1050.11 of the Code of the City of Richmond (2004), 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 114-1080 of the Code of

the City of Richmond (2004), 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, 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 building permit substantially in accordance with the Plans for the Special Use subject to the terms and conditions set forth in this ordinance. An application for the building permit shall be made within 730 calendar days following the date on which this ordinance becomes effective. If either the application for the building permit is not made within the time period stated in the previous sentence or the building permit terminates under any provision of the Virginia Statewide Building Code, 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
Richmond, VA 23219
www.Richmondgov.com

Intracity Correspondence

Report: TMP-251

File Number: TMP-251

To authorize the special use of the property known as 4900 Augusta Avenue for the purpose of authorizing certain identification signage, upon certain terms and conditions.

O & R Request

RECEIVED
JUN 04 2014

DATE: May 14, 2014 EDITION: 1

TO: The Honorable Members of City Council

OFFICE OF CITY ATTORNEY

THROUGH: Dwight C. Jones, Mayor (Patron: Mayor, by Request)
(This in no way reflects a recommendation on behalf of the Mayor.)

THROUGH: Byron C. Marshall, Chief Administrative Officer

THROUGH: Peter H. Chapman, Deputy Chief Administrative Officer for Economic Development and Planning

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

RE: To authorize the special use of the property known as 4900 Augusta Avenue for the purpose of authorizing certain identification signage, upon certain terms and conditions.

ORD. OR RES. No.

PURPOSE: To authorize the special use of the property known as 4900 Augusta Avenue for the purpose of authorizing certain identification signage, upon certain terms and conditions.

REASON: The RO-2 Residential Office zoning district permits wall signs up to 12 square feet for street frontages of less than 100 feet. The proposed sign is 73.5 square feet. 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 Commission at its July 7, 2014 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 City's Far West Planning District on the on the block bounded by Fitzhugh Avenue to the north, Staples Mill Road to the east and Augusta Avenue to the south. The property consists of one parcel totaling 0.43 acre and is improved with a 25,899 square foot building, which serves as the offices for the Girl Scouts of the Commonwealth

of Virginia.

The property is currently zoned RO-2 Residential Office District, which permits up to 12 square feet of wall signage for street frontages less than 100 feet. The proposed wall sign is just over 73.5 square feet.

For the Far West Planning District, the City of Richmond's Master Plan designates this property as Transitional Office. Primary uses for Transitional Office areas include, "low-to-medium intensity professional, business and administrative offices, and medical and dental clinics that are compatible with adjacent residential uses and serve as separation between residential areas and nearby commercial or other higher intensity land uses or features" (p. 134). The Master Plan further states, "The commercial area south of Broad Street, along Staples Mill Road, should not be allowed to encroach into adjacent residential neighborhoods to the east" (p. 180).

FISCAL IMPACT: The Department 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: \$1,800 application fee

DESIRED EFFECTIVE DATE: Upon adoption.

REQUESTED INTRODUCTION DATE: June 9, 2014

CITY COUNCIL PUBLIC HEARING DATE: July 14, 2014

REQUESTED AGENDA: Consent

RECOMMENDED COUNCIL COMMITTEE: None

CONSIDERATION BY OTHER GOVERNMENTAL AGENCIES: City Planning Commission, July 7, 2014

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 Letter, Draft Ordinance, Plans

STAFF: Willy Thompson, Senior Planner
Land Use Administration (Room 511)
646-5734

PDR O&R No. 14-21



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/>

RECEIVED
APR 11 2014
LAND USE ADMINISTRATION

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

Project Name: Girl Scout External Signage Date: 4/10/14

Property Address: 4900 Augusta Ave, Richmond Tax Map #: W019 0062012
23230

Fee: \$1800 Total area of affected site in acres: _____

(See page 3 for fee schedule, please make check payable to the "City of Richmond")

Zoning

Current Zoning: RO-2

Proposed Use

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

Existing Use: General Office

Is this property subject to any previous land use cases?

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

General office signage (see attached report)

Applicant/Contact Person: Viola Baskerville, CEO

Company: Girl Scouts of the Commonwealth of Virginia

Mailing Address: 7300 Hanover Green Dr

City: Mechanicsville State: VA Zip Code: 23111

Telephone: (804) 746-0590 Fax: (804) 764-3127

Email: vbaskerville@comgirlscouts.org

Property Owner: Augusta Investors, LLC

If Business Entity, name and title of authorized signee: Lennox B. Turnbull, Managing Partner

(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: 15 Robin Rd

City: Richmond State: VA Zip Code: 23226

Telephone: (804) 677 6431 Fax: ()

Email: Brock.Turnbull@Thalhimer.com

Property Owner Signature: _____

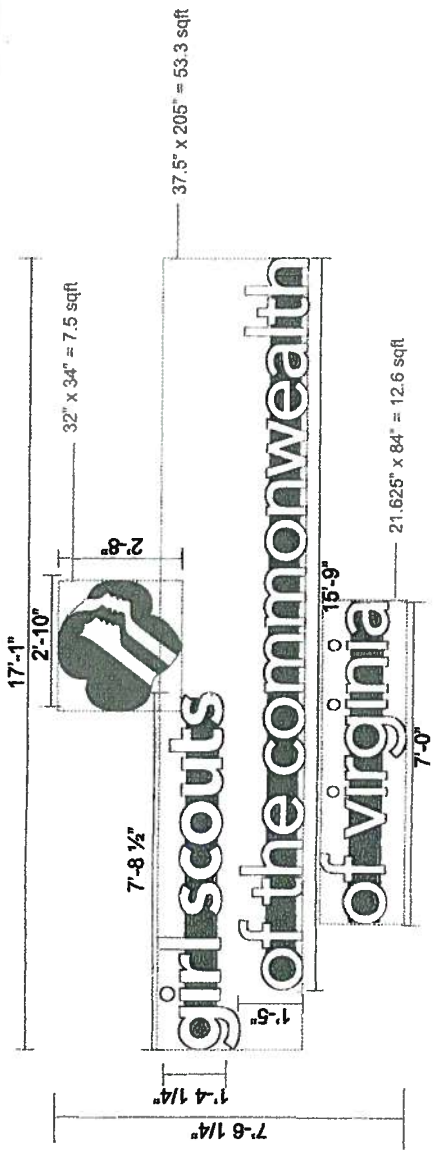
The names, addresses, telephone numbers and signatures of all owners of the property are required. Please attach additional sheets as needed. If a legal representative signs for a property owner, please attach an executed power of attorney. Faxed or photocopied signatures will not be accepted.

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

Special Use Permit: Purpose

Girl Scouts of the Commonwealth of Virginia (GSCV), a one hundred year old organization, is a non profit organization investing in the development of girls ages 5-17, empowering them to transform the communities they serve and beyond. We serve 12,000 girls and 5,500 adult members throughout our council district. The council is relocating its office and headquarters as well as its council shop to the City of Richmond after having been away for over forty years. Our council serves 30 counties and six cities including the City of Richmond. Our normal business hours are from 8:30am to 4:30pm Monday through Friday. Our shop will be open during business ours and half day on Saturday. We are closed on Sundays. Our board, staff and membership will have access to the building up until 9:00pm for meetings and/or activities.

In order to establish our location and provide visibility of our headquarters, we are applying for a special use permit for signage with our official logo. The official logo of the council includes the name of the council as well as the Girl Scout trefoil. The proposed location of the signage is on the upper left hand corner of the Staples Mill Road side of the building at 4900 Augusta Avenue. (Please see the attached rendering to scale including dimensions). The proposed signage will be a total of 73.5 square feet. The proposed signage will be back lit at night with white LEDs.

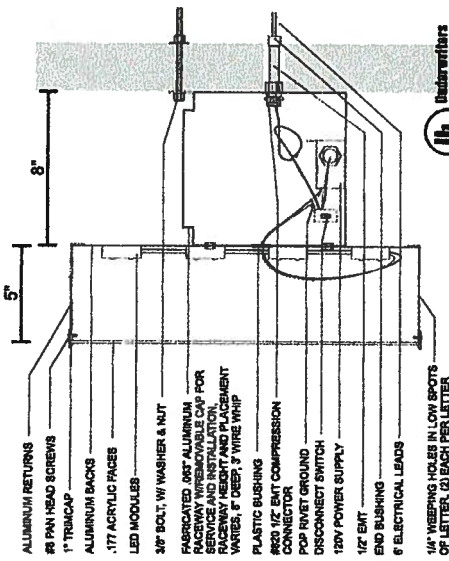


73.5 SQFT

(1) FACE LIT CHANNEL LETTERS ON A RACEWAY

- FACES:
-177 WHITE ACRYLIC
WITH FIRST SURFACE APPLIED VINYL COPY
- BACKS:
.040 WHITE ALUM
- TRIMCAP:
1" BLACK & GREEN
- RETURNS:
.040 ALUM. 5" BLACK & GREEN
- RACEWAY:
8" x 8" FABRICATED ALUMINUM
- ILLUMINATION:
WHITE LED, 120V 60W POWER SUPPLY

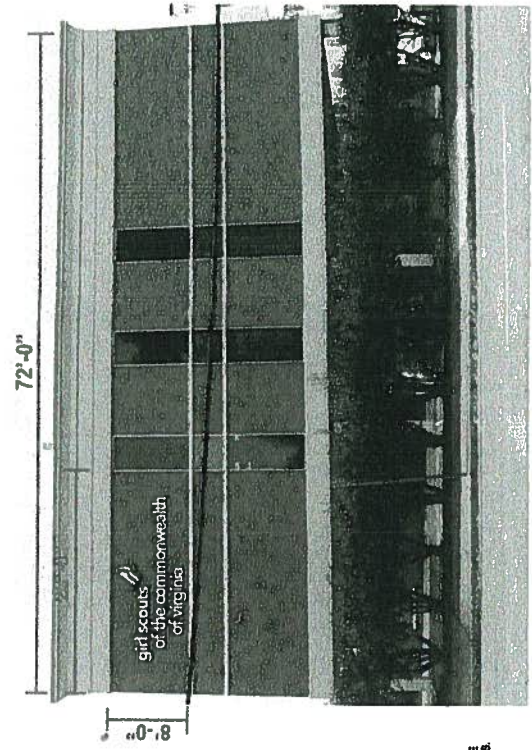
- COLOR KEY
- VINYL
 - AVERY PMS 355 GREEN
 - PAINT
 - BLACK
 - PMS 355
 - TO MATCH BRICK



NOTES:
-ALL CHANNEL LETTERS MUST BE BONDED AND GROUND
-SEAL ALL PENETRATIONS WITH CLEAR SILICONE CAULK

PFCL ON RACEWAY SECTION SCALE: N.T.S.

END VIEW



PROPOSED SIGNAGE. PHOTO NOT TO SCALE

OPTION B

TALLEY SIGN COMPANY
ARCHITECTURAL & COMMERCIAL
1908 Chamberlayne Ave. P.O. Box 27395 Richmond, Va. 23261
Phone 804-648-0325 Fax 804-643-1721

CLIENT: Girl Scouts of The Commonwealth of Virginia

DATE: 1/22/13 SCALE: 1/2"= 1'-0" JOB#: girriscout cl

REP: Michael Dudley BY: SGC

LOC: 4900 Augusta Ave, Richmond VA

REVISION:

1	2/17/14
2	
3	
4	
5	

Notes:
This drawing is the property of Talley Sign Company. The undersigned agrees it shall not be reproduced, copied, or disposed of directly or indirectly, nor used for any other purpose without express permission of Talley Sign Company.

Name _____ Date _____