#### INTRODUCED:

#### AN ORDINANCE No. 2025-090

To authorize the special use of the property known as 2000 North 29<sup>th</sup> Street for the purpose of a private school, upon certain terms and conditions.

Patron – Mayor Avula (By Request)

Approved as to form and legality by the City Attorney

\_\_\_\_

PUBLIC HEARING: MAY 27 2025 AT 6 P.M.

WHEREAS, the owner of the property known as 2000 North 29<sup>th</sup> Street, which is situated in a R-5 Single-Family Residential District, desires to use such property for the purpose of a private school, which use, among other things, is not currently allowed by sections 30-410.6, concerning lot coverage, and 30-410.7, concerning height, of the Code of the City of Richmond (2020), as amended; and

WHEREAS, in accordance with section 17.11 of the Charter of the City of Richmond (2020), 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

AYES:	9	NOES:	0	ABSTAIN:
		_		
ADOPTED:	JUN 2 2025	REJECTED:		STRICKEN:

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 (2020), 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.

- Subject to the terms and conditions set forth in this ordinance, the property known (a) as 2000 North 29th Street and identified as Tax Parcel No. E012-0401/019 in the 2025 records of the City Assessor, being more particularly shown on a survey entitled "Athletic Field, Anna Julia Cooper Episcopal School, City of Richmond, Virginia," prepared by Hulcher & Associates, Inc., dated September 22, 2021, and last revised December 20, 2021, a copy of 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 a private school, hereinafter referred to as "the Special Use," substantially as shown on the plans entitled "Anna Julia Cooper, Lower School," prepared by Brockenbrough, dated January 24, 2025, and last revised January 31, 2025, and "Anna Julia Cooper School, Lower School Site Plan - Schematic Design Progress," "Anna Julia Cooper School Lower School, First Floor Plan – Schematic Design Progress," "Anna Julia Cooper School Lower School, Second Floor Plan - Schematic Design Progress," "Anna Julia Cooper School Lower School, Elevations -Schematic Design Progress," prepared by Bartzen + Ball, and dated March 5, 2024, and "Anna Julia Cooper School, New Lower School," prepared by Bartzen + Ball, dated December 10, 2024, and last revised January 29, 2025, hereinafter referred to, collectively, as "the Plans," copies of which are 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 as a private school, substantially as shown on the Plans.
- (b) The height of the Special Use shall not exceed two stories, substantially as shown on the Plans.
- (c) Signs on the Property shall be limited to signs permitted in all districts pursuant to section 30-505 of the Code of the City of Richmond (2020), as amended. Internally illuminated signs shall not be permitted.
- (d) All building materials, elevations, and site improvements shall be substantially as shown on the Plans.
- (e) All mechanical equipment serving the Property shall be located or screened so as not to be visible from any public right-of-way.
- § 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 (2020), as amended, and all future amendments to such laws.
- The Owner shall make improvements within the right-of-way, including the (e) installation of a City of Richmond standard alley entrance with sidewalk over entrance along Tate Street, a City of Richmond standard alley entrance with sidewalk over entrance along Purcell Street, a Virginia Department of Transportation standard CG-2 curb along the alley that runs between Tate Street and Purcell Street, and a sidewalk along North 29th Street, substantially as shown on the Plans, which improvements may be completed in one or more phases as approved by the Director of Public Works. All improvements and work within the public right-of-way shall be (i) completed in accordance with the requirements of the Director of Public Works, (ii) considered completed only upon written confirmation by the Director of Public Works or the designee thereof that such improvements and work are in accordance with such requirements, (iii) transferred to the City, following the written confirmation by the Director of Public Works or the designee thereof, pursuant to a transfer of interest document approved as to form by the City Attorney and accepted by the Chief Administrative Officer or the designee thereof on behalf of the City. The Chief Administrative Officer or the designee thereof, for and on behalf of the City, is hereby authorized to accept, in the manner for which this subsection provides, all improvements and work required by and meeting the requirements of this subsection. The final certificate of occupancy shall not be issued for the Property until all requirements of this subsection are fully satisfied.
- (f) 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 (2020), 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 (2020), 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 (2020), 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 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

1,096 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.

A TRUE COPY:

TESTE:

City Clerk



# City of Richmond

# Intracity Correspondence

#### **O&R** Transmittal

**DATE:** March 5, 2025

**TO:** The Honorable Members of City Council

**THROUGH:** The Honorable Mayor Avula (by request)

(This in no way reflects a recommendation on behalf of the Mayor)

THROUGH: Sabrina Joy-Hogg, Interim Chief Administrative Officer

THROUGH: Sharon L. Ebert, DCAO for Planning & Economic Development

**FROM:** Kevin J. Vonck, Director of Planning & Development Review

**RE:** To authorize the special use of the property known as 2000 North 29<sup>th</sup> Street for

the purpose of a private school, upon certain terms and conditions.

ORD.	OR RES. No.	

**PURPOSE:** The applicant is requesting a Special Use Permit to authorize a private school in an R-5 Single-Family Residential District. While the use is a permitted principal use, it exceeds height restrictions and permitted lot area coverage, therefore, an special use permit is required.

**BACKGROUND:** The property is located in the Woodville neighborhood, between Tate Street and Purcell Street. The property is currently a 50,355.36 sq ft (1.156 acre) parcel of land. The City's Richmond 300 Master Plan designates a future land use for the subject property as Neighborhood Mixed-Use, which is defined as "Existing or new highly-walkable urban neighborhoods that are predominantly residential with a small, but critical, percentage of parcels providing retail, office, personal service, and institutional uses... Intensity: Building heights are generally two to four stories. Buildings taller than four stories may be found along major streets (see Street Typologies Map). Parcels are generally between 1,500 and 5,000 sq. ft. Primary Uses: Single-family houses, accessory dwelling units, duplexes, small multi-family buildings (typically 3-10

units), and open space. Secondary Uses: Large multifamily buildings (10+units), retail/office/personal service, institutional, cultural, and government."

The current zoning for this property is R-5 Single-Family Residential and is currently a vacant lot surrounded by R-5 Zoning. This private school would be an addition to the existing Anna Julia Cooper School in the adjacent parcel.

**COMMUNITY ENGAGEMENT:** This property is not within the limits of an active civic group. Required notices will be sent by mail after introduction.

STRATEGIC INITIATIVES AND OTHER GOVERNMENTAL: Richmond 300 Master

Plan; Ordinance to be considered by the Planning Commission on May 20, 2025

FISCAL IMPACT: \$2400 application fee.

**DESIRED EFFECTIVE DATE:** Upon adoption

**REQUESTED INTRODUCTION DATE:** April 28, 2025

CITY COUNCIL PUBLIC HEARING DATE: May 27, 2025

**REQUESTED AGENDA:** Consent

**RECOMMENDED COUNCIL COMMITTEE:** Planning Commission, May 20, 2025

**AFFECTED AGENCIES:** Office of Chief Administrative Officer; Law Department (for review of draft ordinance)

**RELATIONSHIP TO EXISTING ORD. OR RES.:** 

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

STAFF: Madison Wilson, Planner, Land Use Administration (Room 511) 646-7436



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.richmondoov.com/

Application is hereby submitted for: (check one)  special use permit, new		
<ul><li>special use permit, plan amendment</li><li>special use permit, text only amendment</li></ul>		
Project Name/Location		D - h - M 20 2004
Property Address: 2000 N. 29th Street Parcel I.D. #: E0120401019 Fee:		Date: May 20 2024
Total area of affected site in acres: 1.156		<del></del>
(See <i>page 6</i> for fee schedule, please make check payable to the "City	y of Richmond'	
Zoning		
Current Zoning: R-5		
Richmond 300 Land Use Designation: Neighborhood Mixed-Use		_
Proposed Use (Please include a detailed description of the proposed use in the requirement. Se	ired applicant's rep e attached ap	ort) plicant's report.
Existing Use: vacant		
Is this property subject to any previous land use cases?  Yes  No  If Yes, please list the Ordinance Number:		
Applicant/Contact Person: Jennifer Mullen Company: Roth Jackson		
Mailing Address: 1519 Summit Avenue, Suite 102		
City: Richmond	State: VA	Zip Code: <u>23220</u>
Telephone: _(804) 977-3374	Fax: _(	)
Email: jmullen@rothjackson.com		
Property Owner: Anna Julia Cooper School		
If Business Entity, name and title of authorized signee: _		
(The person or persons executing or attesting the execution of this Apshe has or have been duly authorized and empowered to so execute o		of the Company certifies that he or
Mailing Address: 2124 N 29TH ST		
City: Richmond	State: VA	Zip Code: 23223
Telephone: _()Email:	Fax: _(	)
Property Owner Signature:	nowir of a	Horny
The names, addresses, telephone numbers and signatures of all owner sheets as needed. If a legal representative signs for a property owner, 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)



Jennifer D. Mullen

Richmond Office (804) 977-3374 jmullen@rothjackson.com

BY HAND DELIVERY Matthew J. Ebinger, AICP Planning and Development Review 900 E. Broad St., Room 511 Richmond, VA 23219

May 20, 2024

RE: Special Use Permit: E0120401019, 2000 N 29th St Richmond, VA 23223 (the "Property")

Dear Matthew:

This letter shall serve as the Applicant's Report for the accompanying application for a Special Use Permit ("SUP") for the Property to authorize use of the Property to waive feature requirement of lot coverage from the R-5 district regulations. The Property is located on N. 29<sup>th</sup> Street between Purcell Street and Tate Street. The surrounding parcels are zoned R-5 and R-53 across N. 29<sup>th</sup> Street which is the Creighton Court neighborhood. The Applicant operates the Anna Julia Cooper Episcopal School (the "School") on the parcels adjacent to the Property along 29<sup>th</sup> Street between Purcell Street and Selden Street. The Anna Julia Cooper School is an independent, faith-based school providing full-tuition scholarships to students of limited economic resources primarily from the surrounding neighborhood.

This proposed use is compatible with the surround neighborhood uses and provides additional opportunities to create a lower school building and ultimately expand the School. The School is committed to helping its students change the trajectory of their lives and playing an important role in the community. The Property is identified as Neighborhood Mixed-Use in the Land Use recommendations of the Richmond300. The School use fits within the use recommendations, as well as the design of the building, creating a new street wall with appropriate yard and outdoor recreational spaces.

The Special Use Permit would authorize a slight increase in the lot coverage to develop this important use on the Property. The proposed use the requirements set forth in the City Charter 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 the 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

Matthew J. Ebinger, AICP May 20, 2024 Page 2

disposal, transportation or other public requirements, conveniences and improvements; or (vi) interfere with adequate light and air.

Sincerely

James D-Mill

Jennifer D. Mullen

Cc: Michael Maruca via email Laura McGowan via email

# SPECIAL LIMITED POWER OF ATTORNEY LAND USE APPLICATIONS

KNOW ALL MEN BY THESE PRESENTS, that the undersigned is authorized on behalf of the ANNA JULIA COOPER SCHOOL, a non-stock Virginia corporation, has made, constituted and appointed, and by these presents do hereby make, constitute and appoint JENNIFER D.

MULLEN or KIMBERLY M. LACY, either of whom may act, our true and lawful attorney-in-fact ("Attorney"), to act as our true and lawful attorney-in-fact in our name, place and stead with such full power and authority we would have, if acting personally, to file all such applications required by the City of Richmond, Virginia (the "City"), with respect to that certain real property currently under contract the undersigned, such real estate being located in the City of Richmond, commonly known as situated along 2100 N. 29th Street (the "Property"), including, but not limited to, an application for a special use permit for Property. Our said Attorney is also authorized and directed to sign, seal, acknowledge and deliver all such documentation and consents as required for the special exception and variance applications, and to do, execute and perform all and every other act or acts, thing or things in law needful and necessary to be done as required for the rezoning and conditional use permit applications and related to the Property, as fully as we might or could do if acting personally.

The undersigned hereby confirm all lawful acts done by our Attorney pursuant to this Special Limited Power of Attorney. We further declare that as against ourselves or persons claiming under us, everything which our Attorney shall do pursuant to this Special Limited Power of Attorney shall be valid and binding in favor of any person or entity claiming the benefit hereof who has not received actual written notice that this Special Limited Power of Attorney has been revoked.

This Special Limited Power of Attorney has been executed pursuant to due authorization as of the date first above written.

Anna Julia Cooper School, a non-stock Virginia corporation

By: M. Marine

STATE OF TINIA

CITY/COUNTY OF HENRICO

To-wit

Notary Public

My commission expires:

Notary registration no.: 4295241

SaraAnne Hancock Burgess NOTARY PUBLIC Commonwealth of Virginia

Reg. #7295241 36 2

Lic. No. 5225 12-20-21

HOOL

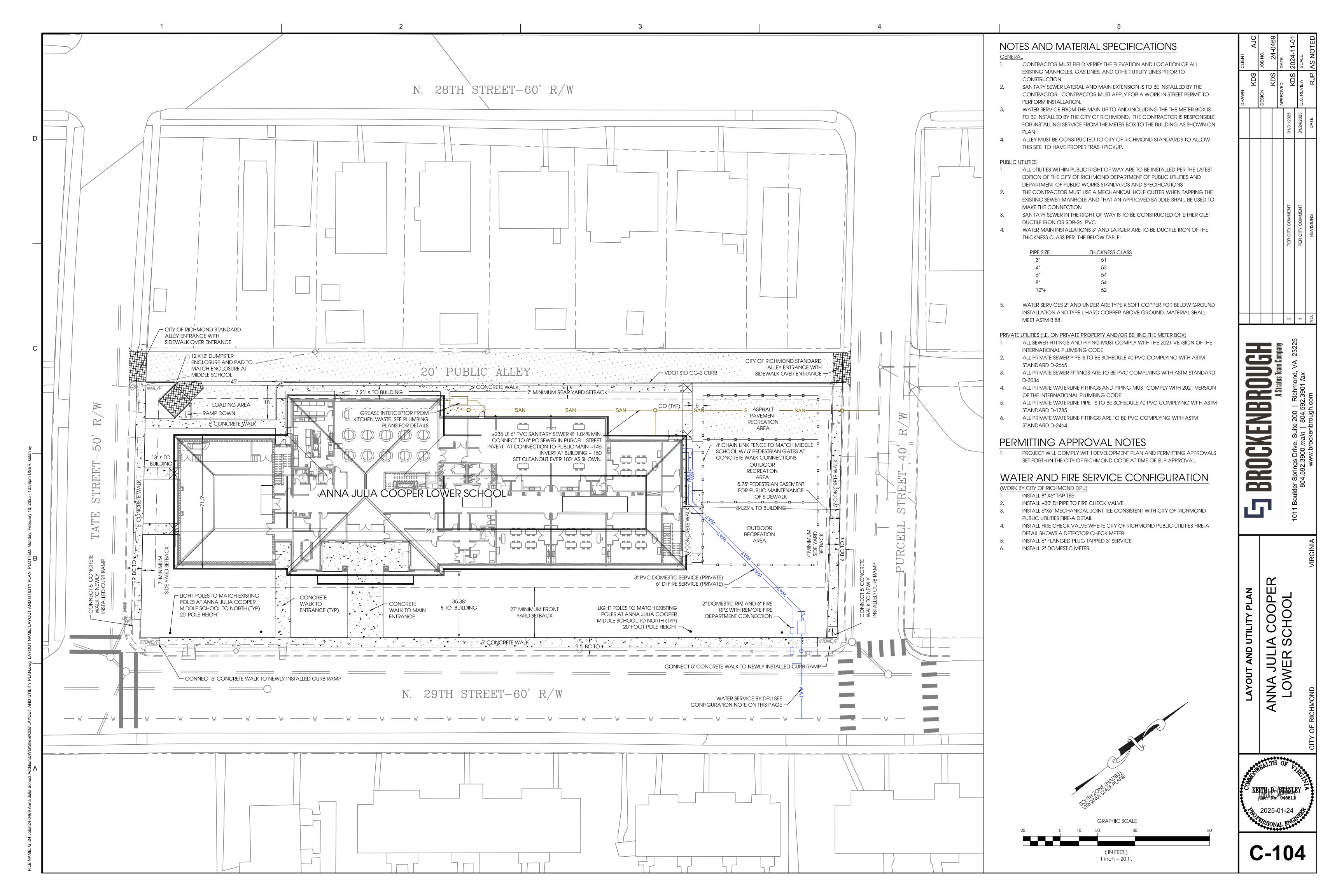
11-12-21 CITY COMM.

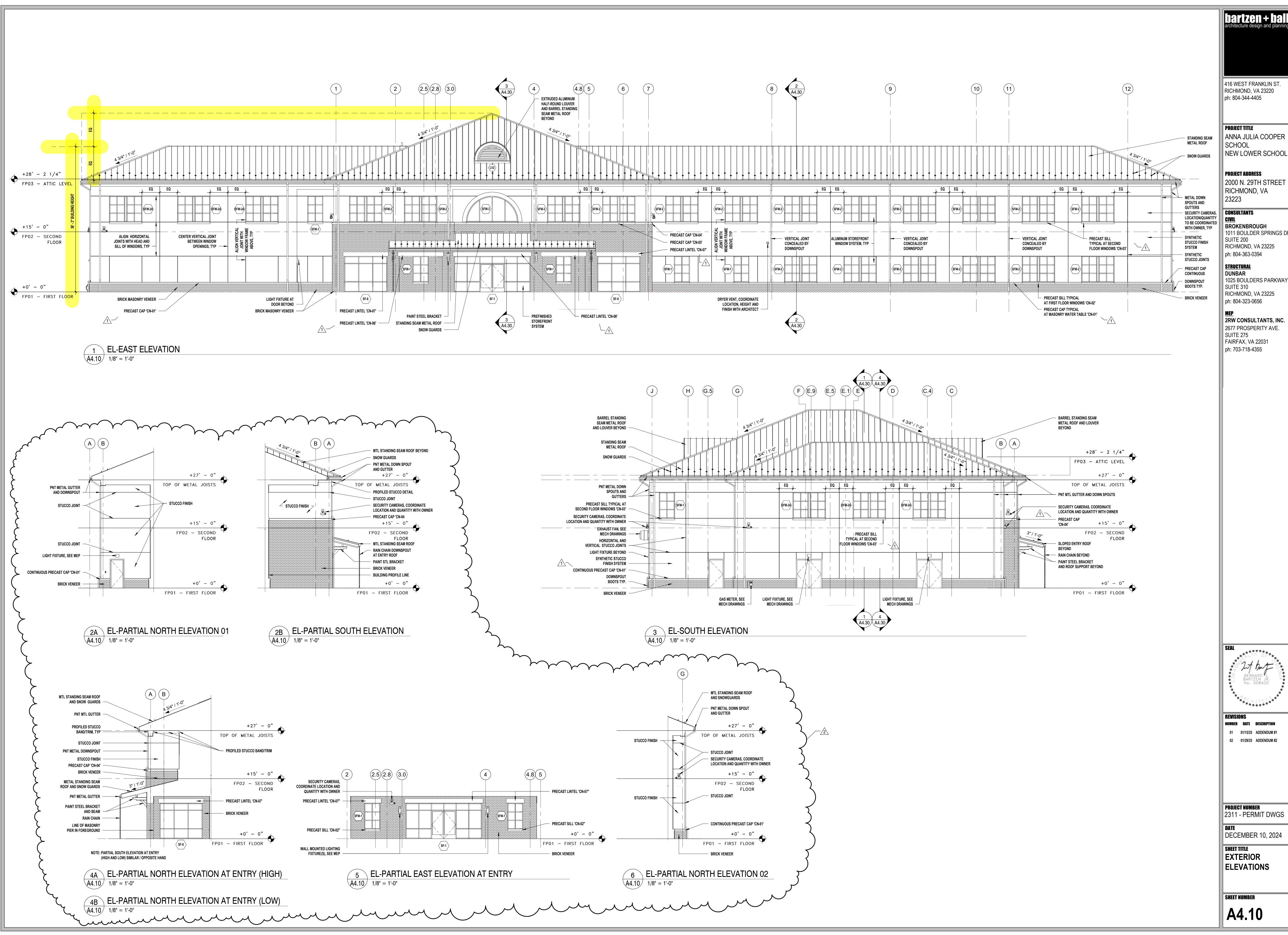
DATE: SEPT. 22, 2021 DESIGNED

DRAWN BY: GAE

CHECKED BY: BSH

SCALE: 1 = 20'





416 WEST FRANKLIN ST.

RICHMOND, VA 23220

ANNA JULIA COOPER

2000 N. 29TH STREET

1011 BOULDER SPRINGS DR RICHMOND, VA 23225

1025 BOULDERS PARKWAY

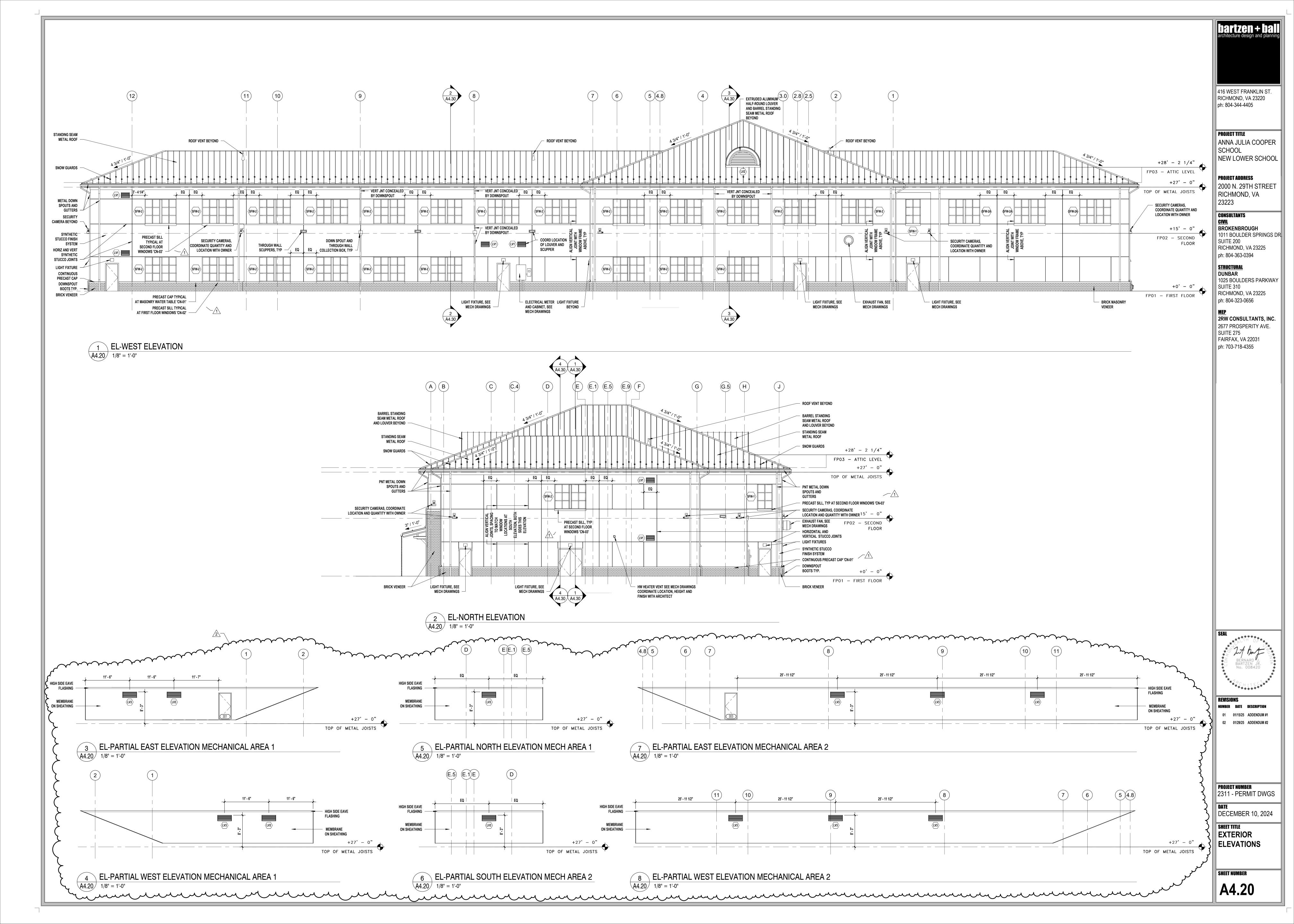
RICHMOND, VA 23225

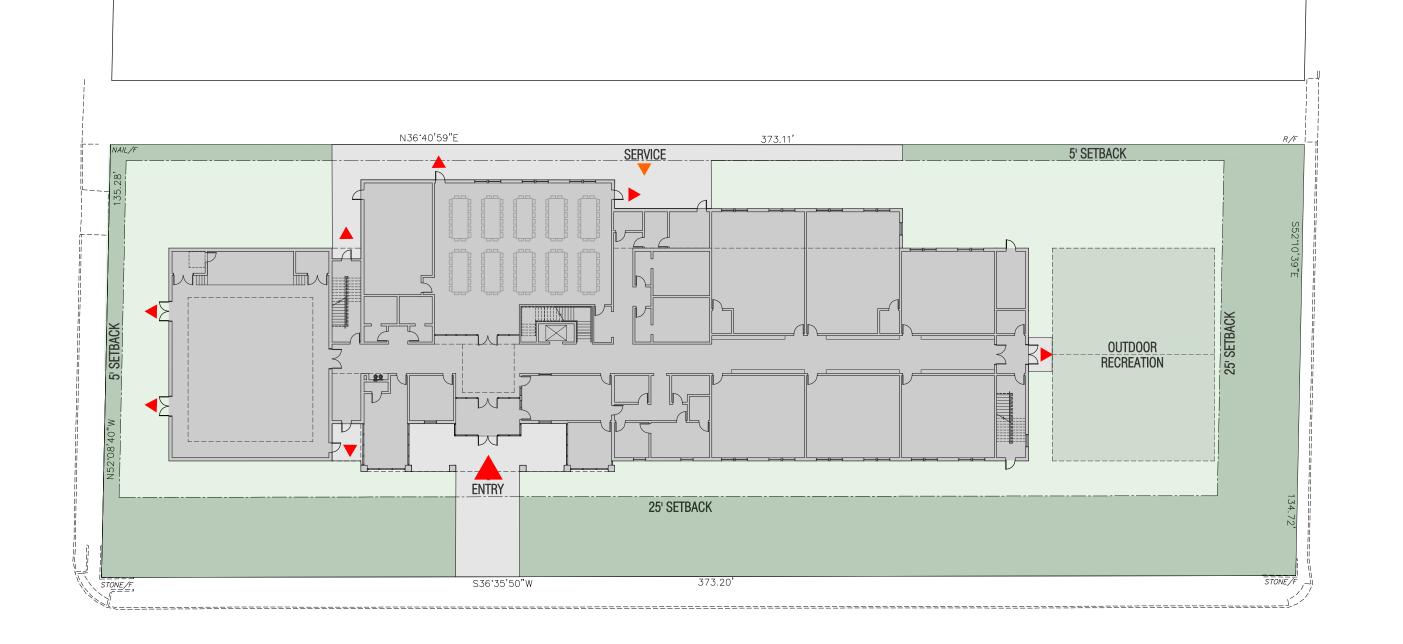
2RW CONSULTANTS, INC. 2677 PROSPERITY AVE.

01 01/15/25 ADDENDUM #1 02 01/29/25 ADDENDUM #2

2311 - PERMIT DWGS

DECEMBER 10, 2024





20,137 GSF PROPOSED FIRST FLOOR AREA: PROPOSED SECOND FLOOR AREA: 16,137 GSF TOTAL BUILDING AREA: 36,274 GSF

PROPOSED FOOTPRINT SIZE: 20,795 GSF

LOT AREA: 50,365 GSF ALLOWABLE LOT COVERAGE (R-5): 35% PROPOSED LOT COVERAGE: 41%





## KEY:

1. VESTIBULE
2. CLASSROOM
3. LIBRARY
4. ART
5. MUSIC / THEATER
6. FLEX / MEETING
7. CAFETERIA-160 SEATS+
8. KITCHEN
9. JANITOR CLOSET
10. HUDDLE ROOM

11. KINDERGARTEN

- 12. STORAGE
  13. STUDENT TOILETS
  14. PUBLIC TOILETS
  15. STAFF TOILETS
  16. TOILET
  17. COVERED PORCH
- 16. TOILET 17. COVERED PORCH 18. LAUNDRY 19. NURSE / SICK ROO

22. COUNSELOR

- 19. NURSE / SICK ROOM 20. CONFERENCE 21. REFLECTION ROOM
- 25. ADMINISTRATION 26. TEACHER WORK SPACE 27. MAINTENANCE OFFICE 28. SWING OFFICE

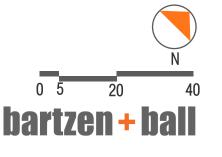
23. TITLE 1 OFFICE 24. PRINCIPAL

- 29. MECH. / ELEC. 30. GYM / MULTI-PURPOSE 31. SMALL CONFERENCE
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PROPOSED FIRST FLOOR AREA: 20,137 GSF PROPOSED SECOND FLOOR AREA: 16,137 GSF TOTAL BUILDING AREA: 36,274 GSF

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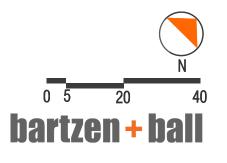
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ANNA JULIA COOPER SCHOOL LOWER SCHOOL SECOND FLOOR PLAN - SCHEMATIC DESIGN PROGRESS 3/5/2024



**EAST ELEVATION** 

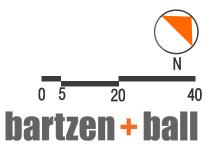


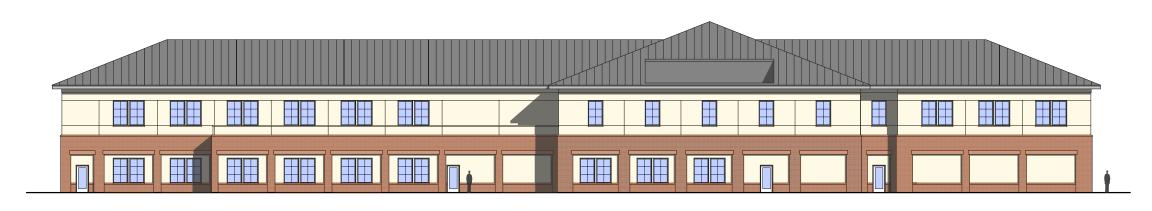
**NORTH ELEVATION** 

PROPOSED FIRST FLOOR AREA: 20,137 GSF PROPOSED SECOND FLOOR AREA: 16,137 GSF TOTAL BUILDING AREA: 36,274 GSF

PROPOSED FOOTPRINT SIZE: 20,795 GSF LOT AREA: 50,365 GSF

ALLOWABLE LOT COVERAGE (R-5): 35% PROPOSED LOT COVERAGE: 41%





**WEST ELEVATION** 



SOUTH ELEVATION

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