

INTRODUCED: April 22, 2024

AN ORDINANCE No. 2024-125

To authorize the special use of the properties known as 3301 Maplewood Avenue and 800 Freeman Road for the purpose of a stadium, upon certain terms and conditions.

Patron – Mayor Stoney (By Request)

Approved as to form and legality
by the City Attorney

PUBLIC HEARING: MAY 28 2024 AT 6 P.M.

WHEREAS, the owner of the properties known as 3301 Maplewood Avenue and 800 Freeman Road, which are situated in a R-4 Single-Family Residential District, desires to use such properties for the purpose of a stadium, which use, among other things, is not currently allowed by section 30-408.1, concerning permitted principal uses, 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 congestion in streets, roads, alleys and other public ways and places in the area involved, will not

AYES: 8 NOES: 0 ABSTAIN: _____

ADOPTED: MAY 28 2024 REJECTED: _____ STRICKEN: _____

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.**

(a) Subject to the terms and conditions set forth in this ordinance, the properties known

as 3301 Maplewood Avenue and 800 Freeman Road, identified as Tax Parcel Nos. W000-1502/001 and W000-1583/001, respectively, in the 2024 records of the City Assessor being more particularly shown on a map entitled “Special Use Permit,” prepared by the Department of Planning & Development Review, and dated April 18, 2024, a copy of which is attached to and made a part of this ordinance, hereinafter referred to as “the Property,” are hereby permitted to be used for the purpose of a stadium, hereinafter referred to as “the Special Use,” substantially as shown on the plans entitled “Topographic Survey of City Stadium, City of Richmond, Virginia,” prepared by Draper Aden Associates, and dated January 16, 2020, hereinafter referred to 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 stadium, substantially as shown on the Plans. Permitted accessory uses to the Special Use shall include both those permitted by the applicable underlying zoning regulations and playing fields, concourses, seating, a press box, lighting, scoreboards, signage, irrigation, restrooms, locker rooms, concessions and the sale of alcohol, parking lots, landscaping, fencing, and customarily incidental and clearly subordinate accessory uses, structures, and improvements, as well as food truck courts, farmers markets, artisan markets, and city-sponsored events including concerts as described in the Deed of Ground Lease between the City of Richmond and operator of the Special Use.

(b) The height of the Special Use, including the scoreboard, shall not exceed 60 feet, with the exception of stadium lighting, which shall not exceed 100 feet.

(c) A scoreboard shall be permitted on the Property, no less than 46 feet from the Property line. The width of the scoreboard shall not exceed 80 feet and the height of the scoreboard, not including support columns or structures, shall not exceed 50 feet.

(d) Signs on the Property shall be limited to (i) signs permitted in all districts pursuant to section 30-505 of the Code of the City of Richmond (2020), as amended, and (ii) signs permitted in the TOD-1 Transit-Oriented Nodal District, pursuant to section 30-518.4. of the Code of the City of Richmond (2020), as amended, with the exception that animated signage shall not be permitted on the rear of the scoreboard.

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

(f) Prior to the issuance of any building permit for a scoreboard, concourse, seating, press box, restroom, locker room, concessions, or parking lot, a plan of development, or an amendment of the existing plan of development, for the Special Use, shall be approved by the Director of the Department of Planning and Development Review, or designee, pursuant to Article X, Division 4 of the Code of the City of Richmond (2020), as amended.

§ 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.

(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 (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.

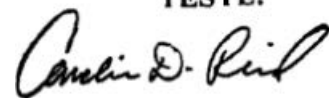
(e) The privileges granted by this ordinance may be revoked pursuant to the provisions of sections 30-1050.7 through 30-1050.11 of the Code of the City of Richmond (2020), as amended, and all future amendments to such laws. Failure to comply with the terms and conditions of this ordinance shall constitute 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 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.

A TRUE COPY:
TESTE:



City Clerk



City of Richmond

900 East Broad Street
2nd Floor of City Hall
Richmond, VA 23219
www.rva.gov

Master

File Number: Admin-2024-0218

File ID: Admin-2024-0218

Type: Request for Ordinance or Resolution

Status: Regular Agenda

Version: 1

Reference:

In Control: City Clerk Waiting Room

Department:

Cost:

File Created: 03/15/2024

Subject:

Final Action:

Title:

Internal Notes:

Code Sections:

Agenda Date: 04/22/2024

Indexes:

Agenda Number:

Patron(s):

Enactment Date:

Attachments: Admin-2024-0218 - Ordinance AATF,
Admin-2024-0218 - 3301 Maplewood Avenue -
Application Documents

Enactment Number:

Contact:

Introduction Date:

Drafter: Shaianna.Trump@rva.gov

Effective Date:

Related Files:

Approval History

Version	Seq #	Action Date	Approver	Action	Due Date
1	1	4/18/2024	Matthew Ebinger	Approve	4/22/2024
1	2	4/18/2024	Kris Daniel-Thiem - FYI	Notified - FYI	
1	3	4/18/2024	Kevin Vonck	Approve	4/25/2024
1	4	4/18/2024	Alecia Blackwell - FYI	Notified - FYI	
1	5	4/19/2024	Sharon Ebert	Approve	4/22/2024
1	6	4/19/2024	Caitlin Sedano - FYI	Notified - FYI	
1	7	4/19/2024	Jeff Gray	Approve	4/23/2024
1	8	4/19/2024	Lincoln Saunders	Approve	4/23/2024
1	9	4/19/2024	Mayor Stoney	Approve	4/23/2024

History of Legislative File

Ver- sion:	Acting Body:	Date:	Action:	Sent To:	Due Date:	Return Date:	Result:
-----------------------	---------------------	--------------	----------------	-----------------	------------------	-------------------------	----------------

Text of Legislative File Admin-2024-0218

City of Richmond
Intracity Correspondence

O&R Transmittal

DATE: April 18, 2024

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)
THROUGH: J.E. Lincoln Saunders, Chief Administrative Officer
FROM: Kevin J. Vonck, Director of Planning & Development Review
RE: To authorize the special use of the properties known as 3301 Maplewood Avenue and 800 Freeman Road for the purpose of a stadium, upon certain terms and conditions.

ORD. OR RES. No.

PURPOSE: The applicant is requesting a Special Use Permit to authorize a freestanding scoreboard replacement and additional signage in an R-4 Single-Family Residential zoning district, which would exceed the permitted square footage and height requirements within the R-4 District. A Special Use Permit is therefore required.

BACKGROUND: The property is located in the Stadium neighborhood on Maplewood Avenue between Freeman Road and McCloy Street. The property improved with the stadium is a 16.5-acre parcel of land. The parcel known as 800 Freeman Road consists of 3.43 acres of lang improved with a surface parking lot serving the stadium. The City's Richmond 300 Master Plan designates a future land use for the subject property as Residential, which is defined as, "Neighborhood consisting primarily of single-family houses on large- or medium-sized lots more homogeneous in nature" (Richmond 300, p. 54).

Intensity: Buildings are generally one to three stories. Lot sizes generally range up to 5,000 to 20,000+ sq. ft. Residential density of 2 to 10 housing units per acre. Primary Uses: Single-family houses, accessory dwelling units, and open space. Secondary Uses: Duplexes and small multi-family buildings (typically 3-10 units), institutional, and cultural. Secondary uses may be found along major streets

The current zoning for this property is R-4 Single-Family District. The area is generally residential properties.

COMMUNITY ENGAGEMENT: The surrounding neighborhood is being engaged as part of this process.

STRATEGIC INITATIVES AND OTHER GOVERNMENTAL: None

FISCAL IMPACT: The Department of Planning and Development Review does not anticipate any impact to the City's budget for this or future fiscal years.

DESIRED EFFECTIVE DATE: Upon adoption

REQUESTED INTRODUCTION DATE: April 22, 2024

CITY COUNCIL PUBLIC HEARING DATE: May 28, 2024

REQUESTED AGENDA: Consent

RECOMMENDED COUNCIL COMMITTEE: Planning Commission, May 21, 2024

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

RELATIONSHIP TO EXISTING ORD. OR RES.: None

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

STAFF: Matthew Ebinger, Planning Supervisor, Land Use Administration (Room 511) 646-9221



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: 3301 MADLEWOOD AVENUE* Date: 2/23/24

Parcel I.D. #: W0001502001 Fee: \$ 300

Total area of affected site in acres: site is 16.598 acres, signage less than 1 acre

(See **page 6** for fee schedule, please make check payable to the "City of Richmond") *800 Freeman Rd

Zoning

Current Zoning: R-4

W0001583001

Richmond 300 Land Use Designation: _____

Proposed Use

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

ADDITIONAL SIGNAGE AT STADIUM - REPLACE EXISTING SIGNBOARD PER LEASE AGREEMENT
Existing Use: SIGNBOARD (FROM 1994)

Is this property subject to any previous land use cases?

Yes

No

If Yes, please list the Ordinance Number: _____

Applicant/Contact Person: Rob UKROP

Company: RVA SPORTS FOUNDATION

Mailing Address: 2001 MAYNILL STREET SUITE 205

City: Richmond

State: VA

Zip Code: 23230

Telephone: (804) 467-7070

Fax: ()

Email: RUKROP@RICHMONDRICKERS.COM

Property Owner: City of Richmond

If Business Entity, name and title of authorized signee: _____

(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: _____

City: _____ State: _____ Zip Code: _____

Telephone: () Fax: ()

Email: _____

Property Owner Signature: Linda Sanders

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)

RVA Sports Foundation
2001 Maywill Street
Suite 205
Richmond, Virginia 23230

March 15,2024

Applicant's Report for City Stadium Special Use Permit (SUP)

We are excited to work with the City of Richmond to continue to upgrade and refresh City Stadium. Our proposal will continue to put the RVA Sports Foundation way ahead of the timeline for improvements required by our agreement with the City of Richmond. As we continue to make City Stadium a community hub for activity, we proudly have hosted over 500 events from across the region at the stadium over the last three years in coordination with our partners at the Richmond Kickers Pro Soccer Club.

Currently, we have a signed contract in place, including a deposit paid, for a Plainview LED Video Board sized 65.62 ft W x 35.43 ft H. We believe this improvement will be a huge addition to the modernization of City Stadium. We seek to move the new video board closer to the field, approximately 30-45 feet lower than where the existing 1994 scoreboard sits on the hill. We believe this helps the neighborhood as the video board will sit lower in the stadium. We also believe the new board will help improve the storytelling atmosphere for attendees at City Stadium events, while highlighting those that continue to support our investment in making City Stadium a world-class venue.

We would also like to secure the ability to put co-branded signage on the fencing both inside and outside in the near future at City Stadium. We believe this provides a cleaner look in the short-term for the neighborhood, while highlighting partners that allow us to continue to invest in the stadium. It also will make the perimeter of City Stadium look more uniformed, while also encouraging folks who attempt to watch games/events from the outside of the fence to come into the venue for the full experience.

While there is much still to be done in the future at City Stadium, we believe these two opportunities will help us continue to make City Stadium the place to be in the city for engagement with others from around the region. There will little impact on the neighborhood, only amplifying the existing events, while providing huge upside to future events. The upcoming 2024 calendar will be similar to past events we have hosted over last three years.

Thank you for your consideration.

On Behalf of the RVA Sports Foundation,

Rob Ukrop
Chairman/CEO
Richmond Kickers Pro Soccer
M: 804-467-7070
E: rukrop@richmondkickers.com

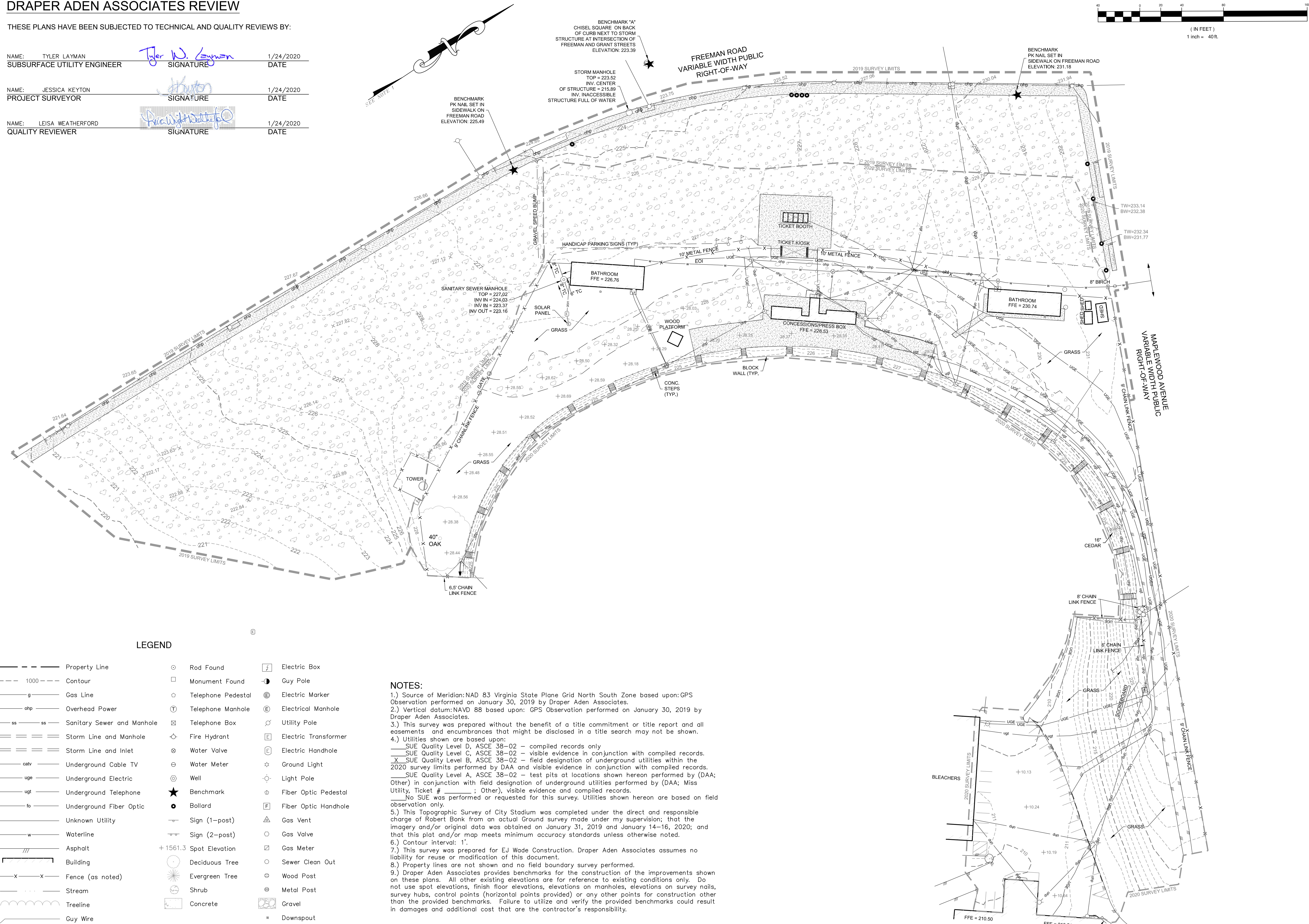
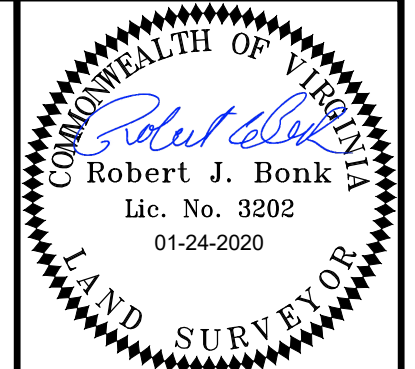
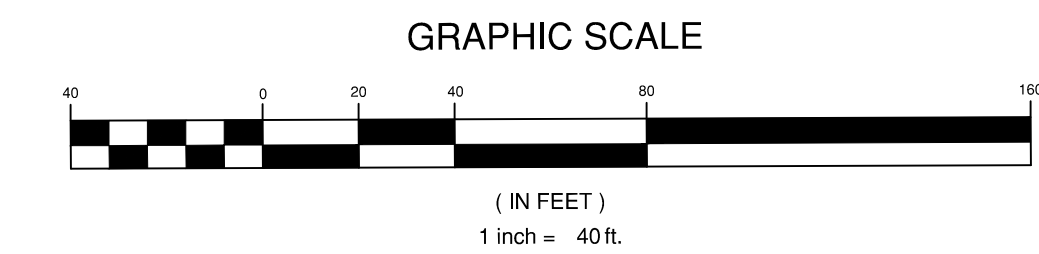
DRAPER ADEN ASSOCIATES REVIEW

THESE PLANS HAVE BEEN SUBJECTED TO TECHNICAL AND QUALITY REVIEWS BY:

NAME: TYLER LAYMAN
SUBSURFACE UTILITY ENGINEER
SIGNATURE: *Tyler W. Layman*
DATE: 1/24/2020

NAME: JESSICA KEYTON
PROJECT SURVEYOR
SIGNATURE: *Jessica Keyton*
DATE: 1/24/2020

NAME: LEISA WEATHERFORD
QUALITY REVIEWER
SIGNATURE: *Leisa Weatherford*
DATE: 1/24/2020



LEGEND

--- Property Line	○ Rod Found	⊞ Electric Box
- - - 1000 - - - Contour	□ Monument Found	● Guy Pole
-g- Gas Line	○ Telephone Pedestal	⊞ Electric Marker
-ohp- Overhead Power	⊞ Telephone Manhole	⊞ Electrical Manhole
-ss- Sanitary Sewer and Manhole	⊞ Telephone Box	⊞ Utility Pole
- - - Storm Line and Manhole	⊞ Fire Hydrant	⊞ Electric Transformer
- - - Storm Line and Inlet	⊞ Water Valve	⊞ Electric Handhole
-catv- Underground Cable TV	⊞ Water Meter	☆ Ground Light
-uge- Underground Electric	⊞ Well	○ Light Pole
-ugt- Underground Telephone	★ Benchmark	○ Fiber Optic Pedestal
-fo- Underground Fiber Optic	● Bollard	⊞ Fiber Optic Handhole
- - - Unknown Utility	⊞ Sign (1-post)	△ Gas Vent
-w- Waterline	⊞ Sign (2-post)	⊞ Gas Valve
-///- Asphalt	+1561.3 Spot Elevation	⊞ Gas Meter
- - - Building	○ Deciduous Tree	○ Sewer Clean Out
-x-x- Fence (as noted)	○ Evergreen Tree	⊞ Wood Post
- - - Stream	○ Shrub	⊞ Metal Post
- - - Treeline	□ Concrete	⊞ Gravel
- - - Guy Wire	⊞ Downspout	

NOTES:

- Source of Meridian: NAD 83 Virginia State Plane Grid North South Zone based upon: GPS Observation performed on January 30, 2019 by Draper Aden Associates.
- Vertical datum: NAVD 88 based upon: GPS Observation performed on January 30, 2019 by Draper Aden Associates.
- This survey was prepared without the benefit of a title commitment or title report and all easements and encumbrances that might be disclosed in a title search may not be shown.
- Utilities shown are based upon:
 - SUE Quality Level D, ASCE 38-02 - compiled records only
 - SUE Quality Level C, ASCE 38-02 - visible evidence in conjunction with compiled records.
 - SUE Quality Level B, ASCE 38-02 - field designation of underground utilities within the 2020 survey limits performed by DAA and visible evidence in conjunction with compiled records.
 - SUE Quality Level A, ASCE 38-02 - test pits at locations shown hereon performed by (DAA; Other) in conjunction with field designation of underground utilities performed by (DAA; Miss Utility, Ticket # _____; Other), visible evidence and compiled records.
- No SUE was performed or requested for this survey. Utilities shown hereon are based on field observation only.
- This Topographic Survey of City Stadium was completed under the direct and responsible charge of Robert Bonk from an actual Ground survey made under my supervision; that the imagery and/or original data was obtained on January 31, 2019 and January 14-16, 2020; and that this plot and/or map meets minimum accuracy standards unless otherwise noted.
- Contour interval: 1'.
- This survey was prepared for EJ Wade Construction. Draper Aden Associates assumes no liability for reuse or modification of this document.
- Property lines are not shown and no field boundary survey performed.
- Draper Aden Associates provides benchmarks for the construction of the improvements shown on these plans. All other existing elevations are for reference to existing conditions only. Do not use spot elevations, finish floor elevations, elevations on manholes, elevations on survey nails, survey hubs, control points (horizontal points provided) or any other points for construction other than the provided benchmarks. Failure to utilize and verify the provided benchmarks could result in damages and additional cost that are the contractor's responsibility.

Draper Aden Associates
Engineering • Surveying • Environmental Services

1030 Wilmer Avenue, Suite 100
Richmond, VA 23227
804-264-2228 Fax: 804-264-8773
www.daa.com

• Blacksburg, VA
• Fayetteville, NC
• Charlottesville, VA
• Hampton Roads, VA
• Northern Virginia
• Virginia Beach, VA

TOPOGRAPHIC SURVEY OF
CITY STADIUM
CITY OF RICHMOND, VIRGINIA

REVISIONS	
DESIGNED BY:	
DRAWN BY:	JDK
CHECKED BY:	LWW
SCALE:	1" = 40'
DATE:	01/16/2020
PROJECT NUMBER:	19020633-010502



**City of Richmond
Department of Planning
& Development Review**

Special Use Permit

LOCATION: 3301 Maplewood Avenue &
800 Freeman Road

COUNCIL DISTRICT: 5

Prepared by: City of Richmond
Department of Planning and Development Review
on April 18, 2024

