

February 22, 2022

**BY EMAIL AND UPS:** [DCDLanduseadmin@richmondgov.com](mailto:DCDLanduseadmin@richmondgov.com)

Department of Planning and Development Review  
Land Use Administration Division, Room 511  
City Hall  
900 East Broad Street  
Richmond, VA 23219

RE: Special Use Permit for 1114 Azalea Avenue, Richmond, VA 23227,  
Tax Map No. N0170026004 (the "Property").

Dear Sir or Madam:

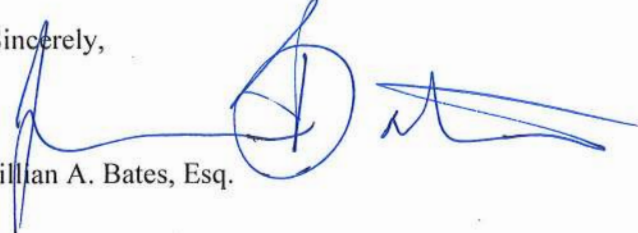
The Applicant is requesting a special use permit to build a freestanding ATM on the Property. Please find enclosed the following application items:

1. Application form;
2. Special Power of Attorney;
3. Application fee in the amount of \$1,800.00;
4. Applicant's Report;
5. Queuing Study; and
6. Hard copies of the plans and survey plat.

Electronic versions of the same have been emailed to the address above.

If you have any questions or need anything further, please let me know.

Sincerely,

  
Jillian A. Bates, Esq.

Enclosures

cc: Jeffrey P. Geiger (via email)  
Brian Miller (via email)  
Karen Kemerson (via email)

# **Application Form**



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: 1114 Azalea Ave Richmond, VA 23227 Date: 02/22/22  
 Tax Map #: N0170026004 Fee: \$1,800.00  
 Total area of affected site in acres: 0.03 acres

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

**Zoning**

Current Zoning: B-2 Business (Community Business)

Existing Use: Community Shopping Center

**Proposed Use**

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

Freestanding ATM with a two car stacking lane and sign

Existing Use: Community Shopping Center

Is this property subject to any previous land use cases?

Yes

No

If Yes, please list the Ordinance Number: \_\_\_\_\_

**Applicant/Contact Person:** Jillian A. Bates and Jeffrey P. Geiger

Company: Hirschler  
 Mailing Address: 2100 East Cary Street  
 City: Richmond State: VA Zip Code: 23223  
 Telephone: (804) 771-9564 Fax: ( )  
 Email: jbates@hirschlerlaw.com

**Property Owner:** BSV Premier Brookhill LLC

If Business Entity, name and title of authorized signee: Jeffrey P. Geiger

(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: 2100 East Cary Street  
 City: Richmond State: VA Zip Code: 23223  
 Telephone: (804) 771-9557 Fax: ( )  
 Email: jgeiger@hirschlerlaw.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 Power of Attorney**

## **JP Morgan Chase - Applicant Report**

1114 Azalea Avenue, Richmond, VA 23227

Tax Map No. N0170026004

### INTRODUCTION

JP Morgan Chase is the proposed user of the area shown on the site plan of the shopping center located at 1114 Azalea Avenue (the "Property") owned by BSV Premier Brookhill LLC (collectively referred to herein as the "Applicant"). The Property is in North Richmond at the southern end of the Brookhill Azalea Shopping Center (the "Shopping Center"), in the City's 3rd Council District.

Applicant plans to use the Property to construct a drive-up ATM machine, a two car stacking lane, and traffic signage (the "Project"). The Applicant's vision for the Property is to utilize excess parking in the Shopping Center to provide fast and convenient banking services for customers of the Shopping Center and surrounding businesses to enjoy.

### PROPOSED PROJECT PLAN

The Property is zoned B-2 – Business (Community Business). Standalone, drive-up ATM machines are not permitted by right in the B-2 District, so the Applicant is requesting a special use permit to allow the construction of a drive-up ATM, a two car stacking lane, and traffic signage on the Property.

As shown on the Project's elevations, rendering, site plan, survey plat, queuing study, and signage plans (collectively, the "Plans"), attached hereto, the Applicant seeks to construct a freestanding, drive-up ATM with a two car stacking lane and appropriate signage to promote the ATM and direct traffic flow. This will allow the Applicant to provide customers of the Shopping Center and surrounding businesses with convenient access to cash and the ability to make deposits and check their account balances.

The freestanding, drive-up ATM machine will be located in an open, visible location near the entrance of the Shopping Center. The stacking lane will allow for two cars to stack in the drive-up lane beside the ATM machine. As shown in the "Proposed Use" section of the queuing study, this stacking lane is placed so that additional cars may stack in a safe drive isle that does not impact traffic in the parking area or block any access point. The Applicant will also erect a traffic sign near the ATM to facilitate the flow of traffic.

### EXISTING PROPERTY AND SURROUNDING AREA

The Property is located on one parcel off of Azalea Avenue in the Northside of Richmond. It is located within the Brookhill Azalea Shopping Center and is surrounded by grocery stores and auto-oriented businesses such as gas stations, a bank, and fast food restaurants, as well as a residential neighborhood to the south. Accordingly, the Project will provide a convenient amenity to consumers who are shopping, running errands, and dining in the area as well as residents of the nearby residential community.

## THE MASTER PLAN/ RICHMOND 300 PLAN

The Property is located in the Azalea Node. The City of Richmond's Master Plan designates the Property's future use as "Corridor Mixed-Use."

The Richmond 300 plan designates the Property as part of the "Azalea Node" with medium growth potential. The Richmond 300 plan indicates a designated future use of "Corridor Mixed-Use" in alignment with the Future Land Use Plan to allow for a "mix of uses for parcels in the immediate vicinity along Azalea Avenue." The Richmond 300 plan mentions how currently there are large parcels in this area with "more space devoted to parking than to buildings" and "the presence of auto-oriented businesses with large parking lots provides the opportunity for ample redevelopment." It further provides that these uses provide "an excellent opportunity to add more commercial uses" in the area. In line with these observations and goals, the Project poses a great opportunity to utilize the extra space in the Shopping Center's large parking area to provide commercial uses and services that will help increase local revenue.

## PROPOSED USE

The development of the Project as described herein is compatible with the surrounding area and an appropriate use for the site. The proposed drive up ATM is in line with the City's goal to utilize existing, large parking lots to redevelop and bring more commercial uses and services to the area. The Project is located within the Brookhill Azalea Shopping Center, and would serve as an appropriate accessory to the Shopping Center and a convenient amenity to its consumers and the consumers of surrounding businesses.

The Applicant performed a drive up ATM queuing study to understand the average queue length and wait times experienced by Chase customers at the proposed drive-up ATM located in the Shopping Center. The results of the study estimated an average of 1,200 monthly transactions. Accordingly, the average queue length is less than one car per transaction and the maximum theoretical queue that could result is two cars per transaction, although statistically, the latter is highly unlikely. This average queue length per transaction should easily be absorbed by the proposed two car stacking lane, the existing parking area drive isles, and the surrounding road network. Hence, there will not be an adverse impact to traffic flow in the parking lot even at peak usage times.

## SUITABILITY OF REZONING and FINDINGS OF FACT

The following are factors listed in Section 30-1050.1 of the Zoning Ordinance to be considered with the review of special use permit applications.

*The proposed SUP will:*

- *NOT be detrimental to the safety, health, morals, and general welfare of the community.*

Safety is a primary consideration in the planning of the Project. The Project will be located in an open, highly visible portion of the Shopping Center parking lot where there is plenty of space for the safe operation of the parking area. Security cameras will be strategically

incorporated into the Project to protect ATM users. The Project will also provide the opportunity to boost local spending, which will increase revenue to the City of Richmond.

- *NOT tend to create congestion in streets, roads, alleys, and other public ways and places in the area.*

The construction of a freestanding, drive-up ATM with a two car stacking lane should have a negligible impact on traffic in the area that will not affect any Shopping Center or local business access points.

- *NOT create hazards from fire, panic or other dangers.*

The Project will be constructed in accordance with applicable building and fire safety codes and energy conservation requirements.

- *NOT tend to overcrowding of land and cause an undue concentration of population.*

The Project's proposed use is well within the limits proposed in the Richmond 300 plan for the Property's "Corridor Mixed-Use" future land use designation.

- *NOT adversely affect or interfere with public or private schools, parks, playgrounds, water supplies, sewage disposal, transportation or other public requirements, conveniences and improvements.*

The above referenced City services will not be adversely affected by the construction of the Project. Utilities and infrastructure are in place and adequate for the proposed use. The proposed reuse of the Property will enhance the area without affecting existing public facilities.

- *NOT interfere with adequate light and air.*

The proposed development area is in a location with ample air, light and space components. The light and air available to the Property and adjacent properties will not change if the SUP is granted.

## CONCLUSION

This Project will increase revenue to the City of Richmond by bringing more consumers to the area and increasing local spending. It will be a safe and convenient amenity that customers in the area will appreciate and that will further the City's aspirations for this area.