

# WILLIAMS MULLEN

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## VIA E-MAIL

City of Richmond Department of Planning and Development Review  
Land Use Administration Division  
Attn. Mark A. Olinger, Director

### **Re. Special Use Permit Amendment for 5607 Grove Avenue**

Ladies and Gentlemen:

This firm is counsel to 5607 Grove Avenue, LLC (the “Applicant”), on whose behalf we submit the enclosed the materials referenced on Exhibit A (collectively, the “Application”) to amend the special use permit in effect for certain property owned by the Applicant pursuant to Section 30-1050.1 *et seq.* of the Code of the City (the “Code”). The proposed amendment would authorize certain exterior improvements to the existing structure on the Applicant’s property, specifically the addition of four windows. This letter will serve as the Applicant’s Report.

### Property

The subject property, presently owned by 5607 Grove Avenue, LLC, is 0.331 acres, more or less, located in the Westhampton neighborhood near the intersection of Libbie and Grove Avenues, and is comprised of the tax parcel described immediately below (the “Property”).

Address	Tax Parcel ID	Acreage	Existing Zoning
5607 Grove Avenue	W0200186014	0.331	R-4

### Current Use & Zoning District Regulation

The Property, designated as R-4 Residential District on the Zoning Map of the City, is currently comprised of a brick building constructed in 1963 and currently used as an office, pursuant to the special use permit enacted as Ordinance No. 1995-244-274 (the “1995 SUP”). Nearby properties are designated as R-4 and Urban Business, as shown on the Zoning Map excerpt at right.



**Proposed Improvements to the Property**

The Applicant proposes to improve the Property through interior and modest exterior changes. Specifically, the Applicant would like to install windows in the existing solid brick façades of the building that fronts Grove Avenue and along the surface parking lot. This improvement will enhance the authorized use of the Property as a professional office. Photographs of the existing façades and corresponding renderings of the proposed design are shown below.



**Existing**

**Proposed**



**Proposed Amendment to Special Use Permit 1995-244-274**

Section 3(g) of the 1995 SUP limits the Applicant’s right to modify the exterior the existing building on the Property. Specifically, Section 3(g) provides “[t]here shall be no exterior alterations or additions to the existing building except for normal repair and maintenance.”

This Application seeks to amend the 1995 SUP by striking Section 3(g) in its entirety. Removing this restriction from the Property will not be detrimental to the Westhampton neighborhood, which has a well-established urban centered at the intersection of Libbie and Grove Avenues. In fact, many of the parcels in the immediate vicinity of the Property are designated in the Urban Business

zoning district. The Urban Business district does not impose a blanket restriction on exterior improvements such as the proposed improvements here. Likewise, the R-4 zoning district does not impose such scrutiny on improvements to neighboring residential properties. As such, the Property is subject to a much higher level of regulation regarding exterior improvements than similarly situated properties in the Westhampton neighborhood.

### **Conformance with Master Plan**

The City of Richmond's Master Plan recommends Community Commercial land use for the subject Property. Primary uses in this category include office uses. In addition, the Master Plan specifically recommends B-2, UB, and UB-2 zoning districts in areas designed for Community Commercial land use. While the Applicant is not requesting a rezoning at this time, the proposed amendment is consistent with the by right uses in the recommended zoning districts B-2, UB, and UB-2, and will facilitate the uses of the Property contemplated by the Master Plan.

### **Conclusion**

The proposed special use permit amendment would support a commercial use specifically recommended for the Property in the City's Master Plan. The proposed improvements will create a more modern and inviting office workspace, which will advance the land use policy priorities of City Council evidenced in the Master Plan. The proposed improvements are consistent with the character of the surrounding properties and will conserve the value of land, buildings and structures, while encouraging the most appropriate use of the subject Property, as required by Section 17.12 of the Charter of the City.

Based on the foregoing, the proposed use on the Property meets the criteria set forth in the Charter of the City of Richmond that the Application is not (i) 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.

Thank you for your consideration of this matter. Please confirm your determination that the Application has been received and deemed complete by your office, and kindly contact us should you have any questions or require additional materials.

Very truly yours,

/s/

T. Preston Lloyd, Jr.

Enclosures

EXHIBIT A  
APPLICATION MATERIALS

In connection with the proposed Special Use Permit Amendment Application for 5607 Grove Avenue (Tax Parcel No. W0200186014), the following materials are enclosed:

1. Special Use Permit Amendment Application form;
3. Survey of present conditions, prepared by Bruce Robertson Land Surveying, P.C., dated January 2, 2020, as last revised January 7, 2020;
4. Conceptual Landscape Plan, titled "HDCVA OFFICE - 5607 GROVE AVE," prepared by HG Design Studio, dated May 1, 2020;
5. Land Use Special Power of Attorney from 5607 Grove Avenue, LLC; and
5. Check made payable to City of Richmond in the amount of \$1,200.00.