

INTRODUCED: March 28, 2022

AN ORDINANCE No. 2022-100

As Amended

To authorize the special use of the properties known as 6 West 21st Street and 20 West 21st Street for the purpose of a community center, office use, and special events, upon certain terms and conditions.

Patron – Mayor Stoney (By Request)

Approved as to form and legality
by the City Attorney

PUBLIC HEARING: APR 25 2022 AT 6 P.M.

WHEREAS, the owner of the properties known as 6 West 21st Street and 20 West 21st Street, which are situated in a R-7 Single- and Two-Family Urban Residential District, desires to use such properties for the purpose of a community center, office use, and special events, which use, among other things, is not currently allowed by section 30-413.2 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

AYES: 9 NOES: 0 ABSTAIN: _____

ADOPTED: MAY 9 2022 REJECTED: _____ STRICKEN: _____

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 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 6 West 21st Street and 20 West 21st Street and identified as Tax Parcel Nos. S000-0412/020 and S000-0412/018, respectively, in the 2022 records of the City Assessor, being more particularly shown on a plat entitled “Map Showing the Improvements on Lots 55, 56, 57, 58 and a Portion of Lot 59, ‘Atkinsons Plan,’ in the City of Richmond, VA.,” prepared by Virginia Surveys, and dated March 24, 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 community center, office use, and special events, hereinafter referred to as “the Special Use,” substantially as shown on the plans entitled “Office Building at 6 W 21 Street, Richmond, Virginia 23225,” prepared by ARC Design, and dated January 10, 2021, and an untitled plan prepared by Garry M. Callis, and dated July 6, 2021, provided as an overlay on the plat entitled “Map Showing the Improvements on Lots 55, 56, 57, 58 and a Portion of Lot 59, ‘Atkinsons Plan,’ in the City of Richmond, VA.,” prepared by Virginia Surveys, and dated March 24, 2021, 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 community center, office use, and special events, substantially as shown on the Plans and, except as provided in subsection (h) of this section, as described in the applicant's report, revised April 18, 2022, a copy of which is attached to and made a part of this ordinance. The office use of the Property may include professional and administrative offices, and studios of writers, designers, and artists engaged in the arts.

(b) The Special Use shall not include any social service delivery use, emergency housing use, or any dwelling use.

(c) No off-street parking shall be required for the Special Use.

(d) No fewer than six bicycle parking spaces shall be provided on the Property, substantially as shown on the Plans.

(e) The operations of the Special Use shall cease by ~~[10:00]~~ 8:00 p.m. daily.

(f) In addition to signs permitted in all districts, pursuant to section 30-505 of the Code of the City of Richmond (2020), as amended, signs meeting the requirements of section 30-507.1 of the Code of the City of Richmond (2020), as amended, shall also be permitted on the Property.

(g) Any outdoor use of the Property relating to the ~~[Special Use]~~ community center or office use shall be limited to a maximum of 20 individuals ~~[, with the exception of]~~. Any outdoor or indoor use of the Property relating to special events~~[, which]~~ shall be limited to a maximum of 40 individuals.

(h) The number of employees located in the building on the Property and relating to the community center or office use shall ~~[comply with the applicable regulations of the Virginia Statewide Building Code]~~ not exceed five employees.

(i) ~~[Special]~~ The number of special events taking place on the Property on a Saturday or Sunday shall be limited to a maximum of 15 special events annually. The number of special events taking place on the Property on a Monday through Friday shall not be limited annually. Special events on the Property may be unrelated to the community use of the Property.

§ 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.

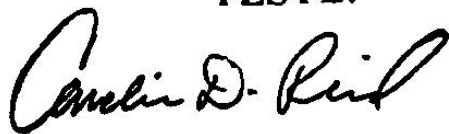
(f) When the privileges granted by this ordinance terminate and the special use permit granted hereby becomes null and void, whether as a result of the Owner relinquishing this special use permit in a writing addressed to the Director of Planning and Development Review or otherwise, use of the Property 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:

A handwritten signature in black ink, appearing to read "Camille D. Reed". The signature is fluid and cursive, with the first name "Camille" being more prominent.

City Clerk

City of Richmond

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

Item Request File Number: PRE.2021.761

O & R Request

DATE: March 15, 2022

EDITION: 2

TO: The Honorable Members of City Council

THROUGH: The Honorable Levar M. Stoney, Mayor (Mayor, by Request)
(This is no way reflects a recommendation on behalf of the Mayor.)



THROUGH: J.E. Lincoln Saunders, Chief Administrative Officer



THROUGH: Sharon L. Ebert, Deputy Chief Administrative Officer for Economic Development and Planning



FROM: Kevin J. Vonck, Director, Department of Planning and Development Review



RE: To authorize the special use of the properties known as 6 West 21st Street and 20 West 21st Street for the purposes of a community center, office use, and special events, upon certain terms and conditions.

ORD. OR RES. No. ____

PURPOSE: To authorize the special use of the properties known as 6 West 21st Street and 20 West 21st Street for the purposes of a community center, office use, and special events, upon certain terms and conditions.

REASON: The applicant is requesting a Special Use Permit which would allow for a community center, office use, and event space within an R-7 Single- and Two-Family Urban Residential District. The proposed uses are not permitted within in this district. A Special Use Permit is therefore 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 April 18, 2022, meeting.

BACKGROUND: The properties are located in the Swansboro neighborhood on West 21st Street, between Hull and Bainbridge Streets. The contiguous properties are currently a combined 15,042 sq. ft. (.35 acre) parcels of land. The application is for a commercial use within the 3,872 sq. ft., 2 story building at 6 West 21st St., and for an event space on the unimproved, adjacent parcel at 20 West 21st St.

The City's Richmond 300 Master Plan designates a future land use for the subject property as Community Mixed Use. This designation is defined as a "Cluster of medium density, walkable commercial and residential uses that provide neighborhood services to nearby residential communities and sometimes feature regional attractions." Primary Uses: Retail/office/personal service, multi-family residential, cultural, and open space. Secondary Uses: Single family houses, institutional, and government. (p. 58)

The current zoning for this property is R-7 Single- and Two-Family Urban Residential. Adjacent properties to the north and west are located within the same R-7 district. Properties to the south and east are zoned B 3 General Business District.

The surrounding land uses include a mix of residential, commercial, and institutional uses.

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

FISCAL IMPLICATIONS: Staff time for processing the request; preparation of draft ordinance; and publishing, mailing and posting of public notices.

BUDGET AMENDMENT NECESSARY: No

REVENUE TO CITY: \$2,400 application fee

DESIRED EFFECTIVE DATE: Upon adoption

REQUESTED INTRODUCTION DATE: March 28, 2022

CITY COUNCIL PUBLIC HEARING DATE: April 25, 2022

REQUESTED AGENDA: Consent

RECOMMENDED COUNCIL COMMITTEE: None

CONSIDERATION BY OTHER GOVERNMENTAL ENTITIES: City Planning Commission
April 18, 2022

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

RELATIONSHIP TO EXISTING ORD. OR RES.: None

REQUIRED CHANGES TO WORK PROGRAM(S): None

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

STAFF: Jonathan Brown, Senior Planner, Land Use Administration (Room 511) 646-5734



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: 6 W 21ST RICHMOND, VA 23224

Date: APRIL 1, 2021

Tax Map #: S0000412020 Fee: \$2400

Total area of affected site in acres: 0.145

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

Zoning

Current Zoning: R7

Existing Use: VACANT

Proposed Use

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

OFFICE SPACE/WAREHOUSE (RESOURCE CENTER)

Existing Use: OFFICE SPACE/WAREHOUSE

Is this property subject to any previous land use cases?

Yes

No

☐☒

If Yes, please list the Ordinance Number: _____

Applicant/Contact Person: REV. GARRY M. CALLIS, SR

Company: CHILDREN OF LIGHT FOUNDATION

Mailing Address: 3512 BRIEL ST

City: RICHMOND

State: VA

Zip Code: 23223

Telephone: 804 357-0772

Fax: ()

Email: childrenoflightministriesllc@gmail.com

Property Owner: TOM ROBINSON

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: 239 BILLUPS CREEK LN

City: MOON,

State: VA

Zip Code: 23119

Telephone: (804)240-4065

Fax: ()

Email: _____

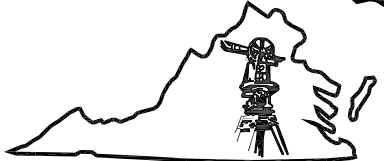
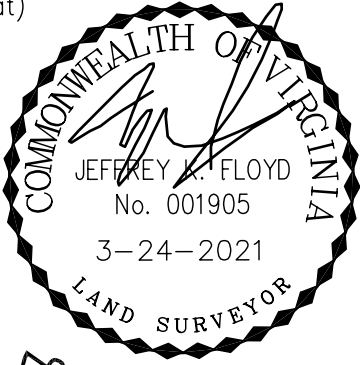
Property Owner Signature: _____

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)

This is to certify to the PURCHASER/OWNER shown hereon, and his TITLE INSURER and Lender, that on 3-15-2021 I made an Accurate survey of the premises shown hereon and that there are no easements or encroachments visible on the ground other than those shown hereon. This survey has been made without the benefit of a title search and is subject to any uses recorded and unrecorded and other pertinent facts in which a title search may disclose. Copies of this plat without the certifying surveyor's seal with an original signature are INVALID.

NOTE
This survey is based on several deeds and plats of record which differ from the Plat of Atkinson's Property. It is apparent that the current position of lots 7, 8, 9, 55, 56, 57, 58, 59, 60 and 61 have been shifted approx. 11.5' south from the intended location according to Plat of Atkinson's Property (1867) Plat Book 1, Page 3 (Husting Court) . I believe this error occurred around 1900 based on the building that sits on the current position of lot 55.
DB.562 Pg.484 (plat),
DB.356 Pg.151 (plat)
Deed: 2007-10381

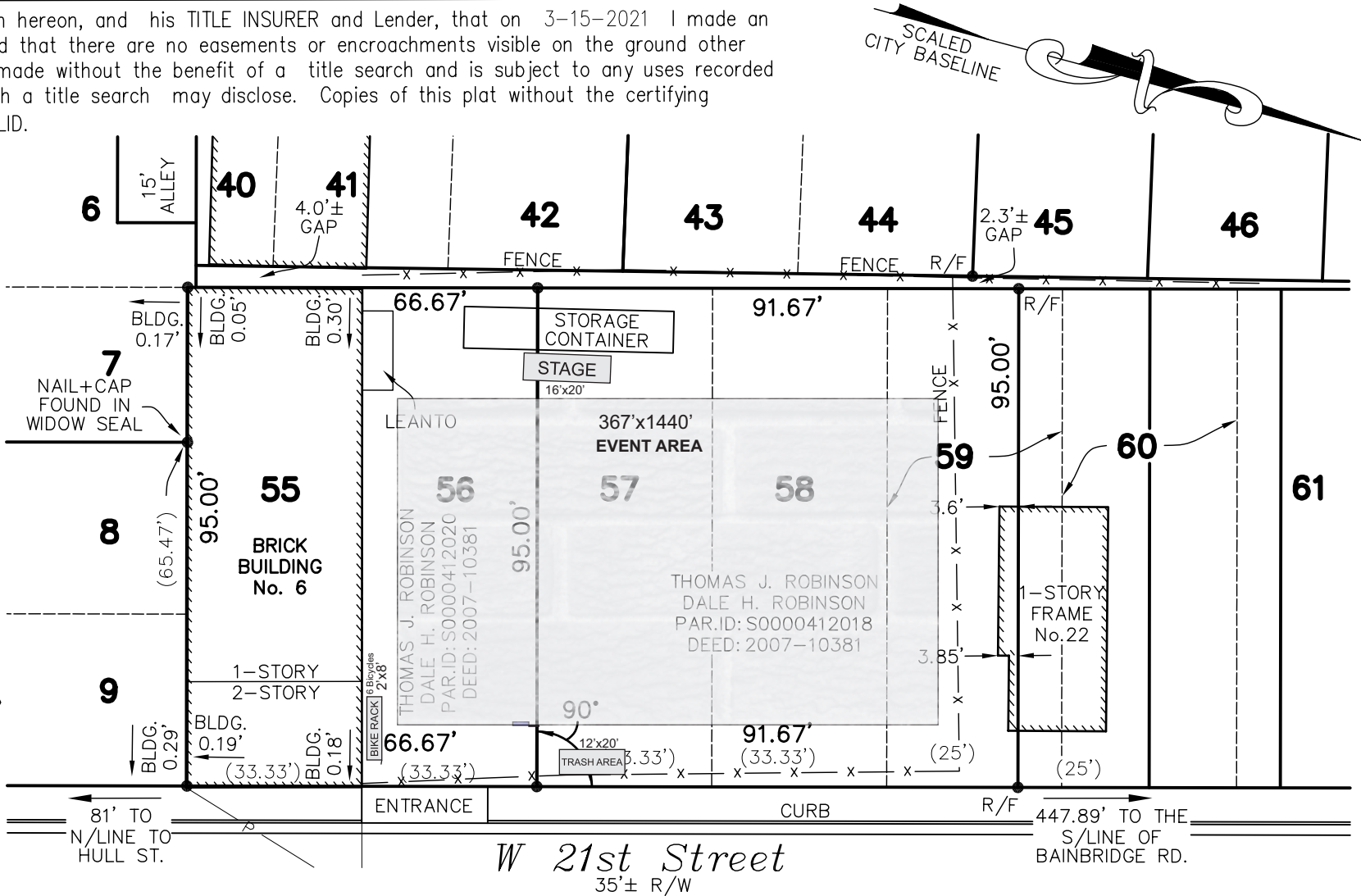


Virginia Surveys
P.O. BOX 118
CHESTERFIELD, VA 23832
(804) 748-9481
COPYRIGHT © VIRGINIA SURVEYS
All rights reserved.

DATE: 3-24-2021
CERTIFIED BY JEFFREY K. FLOYD
VIRGINIA CERTIFICATE NO. 001905

SCALE: 1"=30'
JOB NO. 210213966

This Site Plan was created by Garry M. Callis, Sr. on 7/06/21



MAP SHOWING THE IMPROVEMENTS
ON LOTS 55, 56, 57, 58
AND A PORTION OF LOT 59
"ATKINSONS PLAN"
IN THE CITY OF RICHMOND, VA.

This is to certify to the PURCHASER/OWNER shown hereon, and his TITLE INSURER and Lender, that on 3-15-2021 I made an Accurate survey of the premises shown hereon and that there are no easements or encroachments visible on the ground other than those shown hereon. This survey has been made without the benefit of a title search and is subject to any uses recorded and unrecorded and other pertinent facts in which a title search may disclose. Copies of this plat without the certifying surveyor's seal with an original signature are INVALID.

NOTE

This survey is based on several deeds and plats of record which differ from the Plat of Atkinson's Property. It is apparent that the current position of lots 7, 8, 9, 55, 56, 57, 58, 59, 60 and 61 have been shifted approx. 11.5' south from the intended location according to Plat of Atkinson's Property (1867) Plat Book 1, Page 3 (Husting Court). I believe this error occurred around 1900 based on the building that sits on the current position of lot 55.

DB.562 Pg.484 (plat),
DB.356 Pg.151 (plat)
Deed: 2007-10381



Virginia Surveys

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CHESTERFIELD, VA 23832

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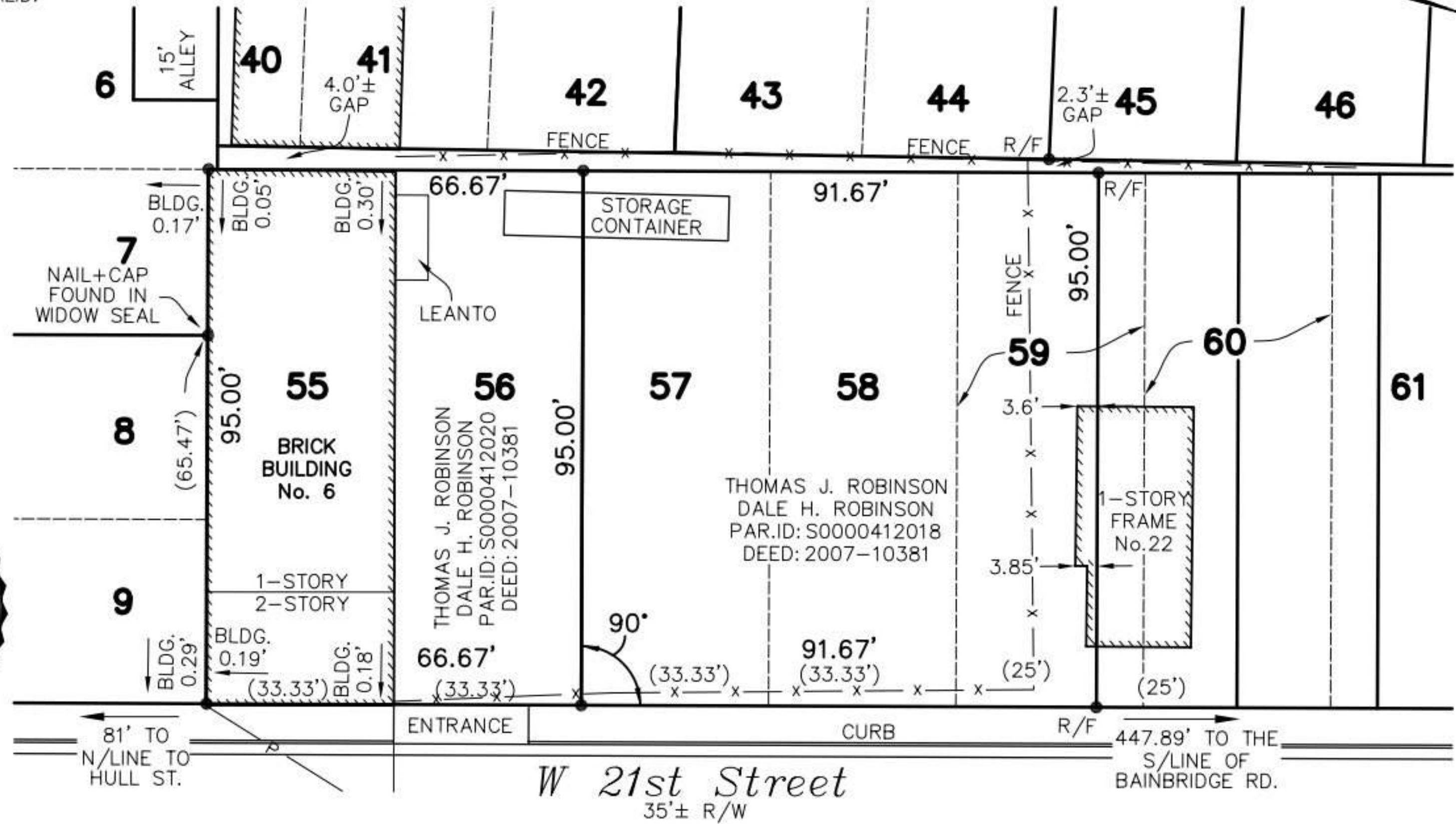
DATE: 3-24-2021

CERTIFIED BY JEFFREY K. FLOYD

VIRGINIA CERTIFICATE NO. 001905

SCALE: 1"=30'

JOB NO. 210213966



MAP SHOWING THE IMPROVEMENTS
ON LOTS 55, 56, 57, 58
AND A PORTION OF LOT 59
"ATKINSONS PLAN"
IN THE CITY OF RICHMOND, VA.

CHILDREN OF LIGHT RESOURCE CENTER

4-6 W 21st Street Richmond, Virginia 23224

Applicants Report

Revised 4/18/2022

The Children Of Light Foundation, Inc. is a non-profit organization registered with the IRS. Our intention is to establish a community resource center located at 4- 20 W 21st Street Richmond, Virginia 23224 dubbed "The Lighthouse". The Children Of Light, established in 1998, is dedicated to the positive advancement of inner city youth, their families and the community at-large, by providing access to vital resources, viable information and relevant programs that will get our families on the road to independence, prosperity and self-sufficiency. To accomplish our goals, we have partnered with a myriad of community stakeholders, over the years, including: Richmond Public Schools, Democracy Centers Of Virginia, Richmond's Crusade For Voters, Metropolitan Business League, Richmond Sheriff's Department, Richmond Police Department, S.E.E.D Initiative, Communities In Schools, Second Baptist Church, Richmond's First Baptist Church, Swansboro Civic Association, Richmond Heritage Federal Credit Union, Stop The Violence RVA, Richmond's Liaison For Homeless Affairs, S.E.A.C, Gateway Community Health, N.A.A.C.P, VCU Pathways, Richmond Emergency Shelters and many others. Our normal hours of operation will be Monday-Saturday from 9am-8pm, although, our emergency intake hotline is always available 24 hours a day at (888) 787-6188.

Our main offices (4-6 W 21st Street, Lot #55 on site plan) will be staffed by 2 resource representatives and 1 resource manager. They will provide customer service/intake/referral services for a variety resources and services that include, but not limited to: voter registration and restoration of rights, case management for homeless referees, mental health services, continuing education, affordable housing, re-entry programs and services, financial literacy programs, job readiness training and placement programs, credit repair, legal services, bail bonding services, RPS programs, youth programs, ID recovery services, as well as, food and clothing distribution. Our main office will also be equipped to assist business owners with a robust suite of business services including business plans and assist in business establishment (LLC, EIN, business license, zoning permits, etc.), accounting services, taxes, printing services, graphic design, web design, mobile marketing, branding and creative networking services and a variety of promotional items. While our guests wait for certain services or resources to be delivered or completed, they may enjoy the "Lighthouse Courtyard".

The Lighthouse Courtyard, will be located on the properties northside (8-20 W21st St Lots #56-#59 on site plan). This fenced-in area (.20 acres) will allow our guests to benefit from the openness of the outside while enjoying our high- speed internet and other amenities such as; soft conversational music, shaded yard, cold beverages and light snacks. There will be seating available for up to 20 guests, at any given time, daily. Each month, we will hold special community events in the courtyard. These events can have a maximum guest list of 40 people and can include speakers, live music, games, movies, art exhibits, legislative presentations, yard sales and a variety of community related programs. We currently have plans to hold a maximum of 15 such events yearly, with the majority planned on weekends, between the hours of 10am-8pm. Though the majority of our events will be family-friendly, we will host

couple or adulted oriented events such as wine tastings, paint-n-sips, etc., that will include alcohol. The Lighthouse will be one of few outside venues in Southside safe for small social or private gatherings such as repasses, receptions that can be rented inexpensively. As a safety measure, we will have the brothers of Masonic Lodges Daniel #7 and Jacob #11, as well as, other security personnel present at all events. At no time will our activities interfere with the overall safety and serenity of our guests, our neighbors or the community-at large. For questions or concerns, please contact Rev. Garry M. Callis, Sr. at (804)357-0772