



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

Project Name: THE PARKWOOD Date: August 19, 2016

Property Address: 3003 Parkwood Avenue Tax Map #: W0001354013

Fee: \$2,400.00 Total area of affected site in acres: 0.686
(See page 3 for fee schedule, please make check payable to the "City of Richmond")

Zoning

Current Zoning: R-5

Proposed Use

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

Existing Use: Assisted Living Facility
Is this property subject to any previous land use cases?
Yes No

adaptive reuse as multi-family dwelling

If Yes, please list the Ordinance Number:
1984-019-28

Applicant/Contact Person: Jeff Geiger (Representative)

Company: HIRSCHLER FLEISCHER

Mailing Address: Post Office Box 500

City: Richmond State: VA Zip Code: 23218-0500

Telephone: (804) 771-9557 Fax: (804) 644-0957

Email: jgeiger@hf-law.com

Property Owner: Dr. Sik Niaz, Manager, AMPAK Properties, LLC

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: 4906 Cutshaw Avenue

City: Richmond State: VA Zip Code: 23230

Telephone: _____ Fax: _____

Email: _____

Property Owner Signature: 
Jeffrey P. Geiger - Attorney-in-Fact

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)

005118-2016

SPECIAL LIMITED POWER OF ATTORNEY

KNOW ALL MEN BY THESE PRESENTS:

1. That I, S.K. Niazi, Manager of
AMPAK Properties, L.L.C., a Virginia limited liability company
(Telephone) 804-387-2541 (SKN)
(Address) ~~P. O. Box 15419, Richmond, VA 23227~~ 4906 CUTSHAW AVE.
RICHMOND, VA 23230
as owner of the property described as:
2. City of Richmond Tax Map Number W0001354013
and authorized to take such action, do hereby make, constitute and appoint:
3. Jeffrey P. Geiger (771-9557), Julian A. Pedini (771.9531), James W. Theobald (771.9513), and Penny Giles (771-5613), any one of whom may act, all of whom have an office address of Hirschler Fleischer, P. O. Box 500, Richmond, VA 23218-0500
to act as my true and lawful attorney-in-fact for and in my name, place and stead with full power and authority I would have if acting personally to seek rezoning, rezoning, special use permit, conditional use, and/or special exception, and to set forth and offer such legally acceptable voluntarily proffered conditions including any additions, amendments, modifications or deletions thereto that in his discretion are deemed reasonable, appropriate and necessary except as follows:
4. None.

5. In witness thereof, I have hereto set my hand and seal this 18th day of AUGUST, 2016.

AMPAK PROPERTIES, L.L.C.,
a Virginia limited liability company

By: S.K. Niazi
Name: SAIFULLAH KHAN NIAZI
Title: MANAGER

STATE OF Virginia
COUNTY/CITY OF Richmond to-wit:

This day S.K. Niazi, Manager of AMPAK Properties, L.L.C., a Virginia limited liability company, personally appeared before me, Lacy G. Keith, a Notary Public in and for the County and State said, and swore or affirmed that the matters stated in the foregoing Special Limited Power of Attorney are true to the best of his/her knowledge and belief.

Given under my hand this 18th day of August, 2016.

Lacy G. Keith
Notary Public

Registration No. 223235

My commission expires: April 30, 2019



August 19, 2016

APPLICANT'S REPORT

*Modification of Special Use Permit
3003 Parkwood Avenue, Richmond, Virginia
Map Reference Number: W0001354013*

Submitted to:	City of Richmond Department of Community Development Land Use Administration 900 East Broad Street, Suite 511 Richmond, Virginia 23219
Submitted by:	3003 Parkwood, LLC c/o Crescent Preservation & Development Co. 600 Ridge Top Road Richmond, VA 23229
Prepared by:	Hirschler Fleischer, Attorneys at Law Jeffrey P. Geiger, Esquire 2100 East Cary Street Richmond, Virginia 23223

Introduction

3003 Parkwood, LLC (the "Applicant") is the contract purchaser of a certain parcel of property as shown on the City of Richmond tax map as parcel W0001354013. Said parcel, commonly referred to as 3003 Parkwood Avenue (the "Property" or "The Parkwood"), is zoned R-5 Residential (Single Family) and contains approximately .686 acres of land and 24,432 square feet of improvements. The Property is located in the Carytown South neighborhood which is in the Near West Planning District that is made up of a variety of land uses, including a major commercial service center and surrounded by residential neighborhoods.

Originally built in 1940 as the administrative offices for the Virginia Commission for the Blind, The Parkwood's architecture and grounds were a prominent feature and source of pride for the neighborhood. However, after the Property was granted a Special Use Permit to operate an 89 bed assisted living facility, The Parkwood has seen a steady decline in its appearance and utility which was a contributing factor for the current owner and administrator of the facility to cease operations. The Applicant hereby requests a modification of the Special Use Permit to allow for the revitalization and adaptive re-use of the Property

to a less-intense, multi-family, residential (rental or condominium) use that will permit the preservation of this historic structure and restore The Parkwood into the source of pride for the neighborhood it once was.

The Carytown South neighborhood is attractive to Carytown employees, young professionals and empty nesters because it abuts and is within walking or biking distance to the Carytown Service Center, a significant employment center providing jobs to over 4,000 people and one of the most successful and unique commercial districts in the City. Dubbed the “Mile of Style”, Carytown contains Ellwood Thompson’s, Virginia’s largest organic grocery store, as well as a hip concentration of independent, eclectic boutiques, eateries and health, wellness and beauty shops, together with the historic Byrd Theatre and other venues for arts, music, nightlife and festivals such as the Carytown Watermelon Festival, all of which distinguish Carytown from other commercial areas that typically offer only common corporate retail chain stores and restaurants. Carytown is an established tourism destination, and has been ranked as one of the top 15 trendiest retail markets in the United States by Cushman & Wakefield for connecting to millennials and incubating retail trends¹. Other developments in the Carytown area include the 2012 opening of Carytown Place, an attractive re-use of an existing building that includes pedestrian-friendly areas with bike racks and benches, and plans for a new gateway sign as a collaborative effort between the City and the Carytown Merchants’ Association.

Existing Conditions

HISTORICAL SIGNIFICANCE

The Parkwood is an example of collegiate neo-Georgian style architecture and was designed by J. Binford Walford, a notable Virginia architect who also designed buildings on college campuses around Virginia during the same era. The two-story building was originally constructed in 1940. Between 1940 and 1980, The Parkwood was used as administrative offices for the Virginia Commission for the Blind. The Parkwood has historic significance due to its association with Lucian Louis Watts because it is the resource that best embodies his achievements in addressing social welfare and education of the blind population of the Commonwealth.

The Applicant desires to preserve this historic building and has submitted to the Virginia Department of Historic Resources (“VDHR”) for historical designation. VDHR’s preliminary review resulted in a score of 39, which is well above the typical 31 – 33. Therefore, the Applicant expects that the historical designation will be granted.

SITE DESCRIPTION AND EXISTING LAND USE

The Parkwood is located south of Carytown on the southwest corner of Parkwood Avenue and South Sheppard Street, having an underlying zoning classification of R-5 Residential (Single Family). The Property is situated mostly among single family houses, with some scattered multi-family dwellings and commercial uses, and contains approximately 29,877 square feet (0.686 acres) of lot area. The Parkwood has most recently been used and maintained as an adult residential rest care facility pursuant to a Special Use Permit adopted by Ordinance No. 84-19-28 on February 27, 1984.

During the course of operations as an assisted living facility, The Parkwood and its grounds have fallen in to disrepair. For example, a recent inspection report issued by the Virginia Department of Social Services on February 26, 2016 noted a history of exposed and frayed wires, loose plaster, mildew, holes in ceiling

¹ Richmond Times-Dispatch June 29, 2016 (www.richmond.com)

tiles, cracked and peeling paint, stained walls, missing baseboard, camera lines hanging on sprinkler pipes, and unsealed exterior doors allowing air and creatures to enter. Outside, the building needs paint, and the existing wrought iron fence needs to be repaired and painted. The owner has decided to cease operations and sell the Property instead of reinvesting in the Property.



City of Richmond Parcel Map



City of Richmond Parcel Map (Bird's Eye View)

MASTER PLAN DESIGNATION

The Property is designated by the City of Richmond's Master Plan (the "Master Plan") for Single Family (low density) use, and is adjacent to a Single-Family (medium density) use area. The Land Use plan designation is a change in use from the existing use permitted by the Special Use Permit, and the proposal would decrease the housing density compared to existing conditions, resulting in a less intense use. Staff confirmed in our pre-application meeting that the requested density is consistent with other multi-family properties in the area.

The Master Plan of the City of Richmond anticipates future redevelopment activities in the Near West Planning District. Demand for urban living continues to grow. The prospective residents creating this demand desire newly renovated, repurposed spaces located in urban areas with a mixture of uses that are easily accessible without a car. The Carytown South neighborhood is starting to see some investment and rejuvenation in the existing housing stock. The investment in this property will continue this effort to revitalize this residential community and will provide a catalyst for further investment and rejuvenation in the existing housing stock. This Special Use Permit modification request is in keeping with the redevelopment that this area is enjoying currently and will continue the trend of revenue growth for the City of Richmond by bringing more consumers to the area, particularly those who are looking to live, work and play all within walking distance. As Carytown South becomes rejuvenated and revitalized, the area will become more vibrant by offering the live-work, urban community sought by the prospective residents of the Property.

As noted on page 26 of the Master Plan, key strategies and directions seek to eliminate substandard housing without unduly compromising the architectural, historic and cultural heritage of Richmond neighborhoods and states that housing improvement activities in historic neighborhoods should emphasize rehabilitation of the existing housing stock over demolition and new construction. This project is consistent with that strategy since it proposes an adaptive reuse which will replace an aging and deteriorating assisted living facility with modern dwelling units, achieving the goal of a market-generated evolution to a less intense use that also preserves this historic building.

The Parking Policies and Strategies found on page 60 in the Transportation section of the Master Plan seek to encourage parking decals in residential neighborhoods to help ensure reasonable on-street parking for residents, especially residents who are adversely affected by the parking demands of nearby institutions. At our community meeting, some neighbors acknowledged the adverse impact that the commercial section of Carytown has had on available on-street parking in the neighborhood. They have asked for reserved parking signage for the on-site spaces, which the Applicant is providing. See signage detail on Sheet A.112 of the enclosed plans prepared by Walter Parks Architect. The neighbors also requested that the Applicant implement a permit system for resident on-site parking. The Applicant has agreed to do so to ensure that they are available to residents, consistent with the Parking Strategy in the Master Plan.

In Carytown, commercial areas are located in close proximity to residential neighborhoods. Such land use conflicts are a significant issue in the Near West Planning District. Page 228 of the Master Plan mentions concerns over traffic, parking, noise and housing deterioration. The proposed adaptive re-use and redevelopment of The Parkwood is a long-term land use strategy that will enhance the residential environment by mitigating these types of conflicts while preserving this historical structure and the urban character of this established neighborhood in keeping with the Master Plan's goals for Carytown.

Proposal

PROJECT SUMMARY

The proposed development includes interior structural improvements and modernization of the existing building systems. VDHR requires the main corridor on each floor of the building to remain, so the layout of residential units on each floor is constrained by this requirement. In response to input received from neighbors, and in order to mitigate adverse impacts to the surrounding community, the Applicant worked diligently with Walter Parks Architects to minimize the number of bedrooms. By limiting the number of 2-bedroom units and having no 3-bedroom units, the Applicant has sought to avoid appealing to the student rental market. Additionally, having fewer multiple-bedroom units will reduce the overall number of drivers living at The Parkwood and will lessen demand for on-street parking in the vicinity. With the constraints imposed by VDHR and with respect to community feedback, the repurposing and conversion of this assisted living facility will create 1 studio unit, 28 one-bedroom units and 3 two-bedroom units for a total of 32 units.

The exterior of The Parkwood will be repaired, cleaned and refreshed with new paint and other improvements. The ornamental iron fence will remain and be repaired and repainted. The grounds will receive fresh landscaping and the addition of a gathering area for residents to meet, recreate and cookout, thereby preserving green space and promoting the residential character of the area. Bike storage will be provided inside the building. Twenty-seven parking spaces will be created along the alley for residents to use in addition to the sixteen on-street parking spaces adjacent to the Property. The alley parking follows established parking along the alley and places the spaces next to and across from existing parking and parking garages. To the extent the new parking spaces extend into a required yard setback supplemental screening is provided around these spaces as shown on the enclosed plans and as discussed during the pre-application meeting with staff. The Applicant seeks to maximize the amount green space on the west side of the building in lieu of creating parking on this side of the building.

APPROPRIATENESS

Today's residents want to spend less time in their car and more time in their community. Daily living at The Parkwood will not require a car. The residents in the repurposed building will enjoy the walkable lifestyle of Carytown where they will be able to walk to work, to the grocery store and to hundreds of other shops, services and restaurants. Repurposing The Parkwood to multi-family residential rental units will continue the rejuvenation of Carytown South by attracting more residents looking for a vibrant, urban, live-work community. In keeping with the existing character of the neighborhood, the design of the proposed plan provides for market-rate, comfortable living spaces of varied size and configuration with immediate and direct access to natural light, outdoor common area and parking. The residences will be attractive to Carytown employees, young professionals and empty-nesters. The proposed redevelopment will have little to no negative impact on the community given that the overall number of residents will decrease and fewer trips will be generated as a result of the elimination of visits from medical staff and support services for the current residents of the Parkwood. Sufficient parking for residents and visitors will be available as a combination of on-site and on-street parking spaces. Other infrastructure is currently in place and adequate to serve the redeveloped Property. The proposed development and approval of the modification of the Special Use Permit is in keeping with the adaptive reuse and revitalization the area is enjoying currently and will provide revenue to the City of Richmond through the increased consumer base the development will generate and property taxes.

Findings of Fact

The following are factors indicated in Section 17.11 of the Charter and Section 114-1050.1 of the Zoning Ordinance relative to the approval of special use permits by City Council. The proposed modification of the Special Use Permit will:

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

The modification of this Special Use Permit for an adaptive re-use will not negatively impact the safety, health, morals and general welfare of the nearby neighborhoods. The proposal would allow for the conversion, use and revitalization of this assisted living facility as a market-rate residential facility. This redevelopment will benefit the surrounding community and will be consistent with the goal of this area becoming a vibrant, urban, live-work area. The conversion of this historic building to a new multi-family residence will leverage existing infrastructure and provide on-site parking for the residents in addition to the on-street parking available nearby. This conversion will attract more active consumers to this area and to the City of Richmond. Approval of this adaptive reuse, repurposing and revitalization of The Parkwood will have a positive impact on the safety, health, morals and general welfare of the community and will provide a further catalyst for the rejuvenation of existing housing stock that has started to take place.

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

The proposed development will not create congestion in the streets, roads, alleys and other public ways and places in the area involved. Carytown has an established network of grid-like streets and alleys that have supported the residential uses in the area and the proposed change in use will result in a decrease in housing density. The existing network of streets and alleys will be more than sufficient to handle the residential trips associated with the redevelopment of this Property. Future residents may walk to work, restaurants and retail shops in Carytown, thereby reducing traffic congestion and the demand on parking. This project will increase the number of on-site parking spaces to twenty-seven (27) while reducing the density on the Property and eliminating the parking generate by medical services, care givers and social services, thereby helping to reduce the overall demand for on-street parking in the community.

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

The adaptive reuse of the Property will have no negative impact relative to fire, panic or other dangers. The existing building housing the multi-family residential units is a steel and reinforced concrete structure with brick exterior walls and foundation and a slate roof. This project will preserve the structural elements of the existing building, and the property will be developed in a manner consistent with the requirements of the building code and in accordance with the requirements of Fire and Emergency Services. The City's codes applicable to this development are designed to eliminate such hazards. Furthermore, the Property will be sprinklered, and adequate emergency exits will be provided.

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

The requested modification of the Special Use Permit will not tend to overcrowd the land or create an undue concentration of population. The building already exists, and its adaptive reuse will not cause any sort of overcrowding of land because the footprint of the existing building will

not change. The proposal will result in a decrease in population concentration, since the overall number of bedrooms will be fewer than that which currently exists in The Parkwood. On-site and on-street parking adequately supports the proposed number of residential units.

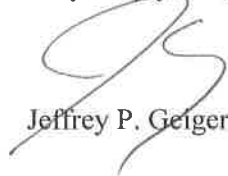
- ***NOT adversely affect or interfere with public or private schools, parks, playgrounds, water supplies, sewage disposal, transportation or other public requirements, conveniences and improvements.***

The modification of the Special Use Permit would not adversely affect the above-referenced City services. In fact, the proposed improvements represent an investment in the City that will bring new consumers into Richmond. The residential units that will be created on the Property do not typically generate school-age children. Since the project will reduce the number of bedrooms in the building, there will be a reduction in the demand on existing utilities and transportation infrastructure.

- ***NOT interfere with adequate light and air.***

The light and air available to the Property and adjacent properties will not be affected. The adaptive reuse of the Property will be contained in the existing building – no expansion is planned.

Very truly yours,



Jeffrey P. Geiger

JPG/jap

Enclosure

cc: The Honorable Parker Agelasto (via email w/ attachments)
Amy Robbins (via email w/attachments)
Mr. Zac Frederick (via email w/o attachments)
Mr. Carthan F. Currin, III (via email w/o attachments)
Nate Goodenow (via email w/o attachments)