

INTRODUCED: April 24, 2017

AN ORDINANCE No. 2017-085

To rezone a portion of the property known as 3900 West Broad Street from the B-3 General Business District to the I Institutional District; and to conditionally rezone a portion of the property known as 3900 West Broad Street from the B-3 General Business District to the B-3 General Business District (Conditional).

\_\_\_\_\_  
Patron – Mayor Stoney (By Request)

\_\_\_\_\_  
Approved as to form and legality  
by the City Attorney  
\_\_\_\_\_

PUBLIC HEARING: MAY 22 2017 AT 6 P.M.

THE CITY OF RICHMOND HEREBY ORDAINS:

§ 1. That, as shown on the drawing entitled “United Methodist Family Services (UMFS), 3900 W. Broad Street, Richmond, Virginia 23230”, prepared by Clark Nexsen, and dated July 15, 2016, a copy of which is attached to, incorporated into, and made a part of this ordinance, the property known as 3900 West Broad Street, with Tax Parcel No. N000-1940/001 as shown in the 2017 records of the City Assessor, is excluded from the B-3 General Business District and shall no longer be subject to the provisions of sections 30-438.1 through 30-438.5 of the Code of the City of Richmond (2015), as amended; that the portion of such property labeled “Institutional” on

AYES:            9            NOES:            0            ABSTAIN: \_\_\_\_\_

ADOPTED:    MAY 22 2017    REJECTED: \_\_\_\_\_    STRICKEN: \_\_\_\_\_

the attached drawing is included in the I Institutional District and shall be subject to the provisions of sections 30-432.1 through 30-432.9 and all other applicable provisions of Chapter 30 of the Code of the City of Richmond (2015), as amended; and that the portion of the property labeled as “B-3” on the attached drawing is included in the B-3C General Business District (Conditional) and shall be subject to the provisions of sections 30-438.1 through 30-438.5 and all other applicable provisions of Chapter 30 of the Code of the City of Richmond (2015), as amended.

§ 2. That the rezoning of the portion of the property labeled as “B-3” on the attached drawing shall be conditioned upon the compliance by the owner or owners with all of the proffered conditions in the document entitled “Proffered Conditions,” dated April 11, 2017, a copy of which is attached to, incorporated into, and made a part of this ordinance. These conditions, having been proffered by the owner or owners and accepted by the City, shall continue in full force and effect until a subsequent amendment to the City’s zoning ordinance changes the zoning of this portion of property rezoned by this ordinance and specifically repeals such conditions.

§ 3. This ordinance shall be in force and effect upon adoption.



# City of Richmond

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

## Item Request

File Number: PRE. 2017.120

**RECEIVED**

APR 07 2017

OFFICE OF CITY ATTORNEY

O & R Request

**Received**

MAR 20 2017

4-6353

Office of the

Chief Administrative Officer

DATE: March 17, 2017

EDITION:1

TO: The Honorable Members of City Council

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

*JS 4/5/17*

THROUGH: Selena Cuffee Glenn, Chief Administrative Officer

*SLG*

THROUGH: Peter L. Downey, Jr., Deputy Chief Administrative Officer for Economic Development and Planning

*PLD*  
*UMP*

FROM: Mark A. Olinger, Director, Dept. of Planning and Development Review

RE: To rezone the property known as 3900 West Broad Street from the B-3 General Business District to the B-3C - General Business District (conditional) and the I - Institutional District.

ORD. OR RES. No. \_\_\_\_

**PURPOSE:** To rezone the property known as 3900 West Broad Street from the B-3 General Business District to the B-3C - General Business District (conditional) and the I - Institutional District.

**REASON:** The applicant has requested a rezoning of the property in order to impose proffered conditions on portion of the subject property along West Broad Street for future commercial development and to change the zoning of the remainder of the property to I - Institutional in order to accommodate the continued institutional use of that portion of the property.

**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 May 1, 2017, meeting. A letter outlining the Commission's recommendation will be forwarded to City Council following that meeting.

**BACKGROUND:** The subject property consists of an approximately 28 acre parcel of land improved with the United Methodist Family Services of Virginia Campus. The campus is located along the City's

border with Henrico County in the Sauer's Garden neighborhood of the Far West Planning District and is bound by West Broad Street (along the Pulse Bus Rapid Transit line), North Hamilton Street, and I-195.

The City of Richmond's Master Plan recommends Mixed Use land use for the property. The Master Plan defines the primary uses for this category as "combinations of office, retail, personal service, general commercial and service uses and, in some cases, multi-family residential and dwelling units above ground floor commercial. Generally, such areas consist of a mix of several types of uses, designed and arranged to be compatible with one another" (p. 134).

Specifically for the subject property, the Master Plan states "provides an opportunity for significantly more development than that which is currently on the site. This location is identified on the Land Use Plan map as mixed use, Appropriate uses could include additional housing at medium to high densities, expansion of existing institutional uses such as a school, or offices and some opportunity for retail along Broad Street" (p. 184).

The subject property is a part of the study area for the draft Pulse (BRT) Corridor Plan. The plan is not yet adopted, but it does include the Broad Street frontage of the subject property in an area recommended for Corridor Mixed-Use land use. Such a land use designation is found along major thoroughfares that have traditionally been commercial corridors. Medium-density pedestrian- and transit-oriented development is to be encouraged on vacant or underutilized parcels (p. 28).

The subject property is located within the B-3 - General Business District that encompasses the Broad Street corridor from the City's border with Henrico County to the North Boulevard area. The subject property, as well as 1620 North Hamilton Street and 3840 Mastin Lane, are subject to a special use permit (Ord. No. 2010-047-57) which authorizes the institutional and related uses currently found on the campus. A mix of multi-family, commercial, office, and mixed-use land uses are present in the immediate vicinity of the subject property.

**FISCAL IMPACT / COST:** The Department 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:** \$4,200

**DESIRED EFFECTIVE DATE:** Upon Adoption

**REQUESTED INTRODUCTION DATE:** April 10, 2017

**CITY COUNCIL PUBLIC HEARING DATE:** May 8, 2017

**REQUESTED AGENDA:** Consent

**RECOMMENDED COUNCIL COMMITTEE:** None.

**CONSIDERATION BY OTHER GOVERNMENTAL ENTITIES:** City Planning Commission, May 1, 2017

**AFFECTED AGENCIES:** Office of Chief Administrative Officer  
Law Department (for review of draft ordinance)  
City Assessor (for preparation of mailing labels for public notice)

**RELATIONSHIP TO EXISTING ORD. OR RES.:** Companion ordinance to proposed ordinance to amend existing special use permit (Ord. No. 2010-47-57).

**REQUIRED CHANGES TO WORK PROGRAM(S):** None.

**ATTACHMENTS:** Draft Ordinance, Proffered Conditions, Exhibit, Application Form & Applicant's Report, Map

**STAFF:** Matthew J. Ebinger, AICP, Acting Principal Planner  
Land Use Administration (Room 511)  
804-646-6308

*PDR O&R No. 17-03*

### PROFFERED CONDITIONS

1. On the portion of the Property zoned B-3, no parking shall be located closer to West Broad Street than the buildings located on the portion of the Property zoned B-3.
2. On the portion of the Property zoned B-3, there shall be no drive thru in connection with any food or beverage sale.
3. There shall be no sale of gasoline on the portion of the Property zoned B-3.

Date: Apr. 14, 2017



William H. Shewmake, Agent



Application for REZONING/CONDITIONAL REZONING

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/

RZON-007249-2016

Project Name/Location

Project Name: UMFS campus Date: 10-4-16

Property Address: 3900 West Broad Street Tax Map #: N0001940001

Fee: \$4,200 Total area of affected site in acres: 27.3
(See page 3 for fee schedule, please make check payable to the "City of Richmond")

Zoning

Current Zoning: B-3

Proposed Zoning/Conditional Zoning

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

Existing Use: not-for-profit campus and services

Is this property subject to any previous land use cases? Corporate Office Park CUP

Yes No

If Yes, please list the Ordinance Number: Special Use Permit
1982-262-82
2010-047-57

Applicant/Contact Person: UMFS C/O William H. Shewmake, agent

Company: LeClair Ryan

Mailing Address: 912 East Main St. 24th Floor

City: Richmond State: Va Zip Code: 23219

Telephone: (804) 783-7595 Fax: (804) 783-7695

Email: w.shewmake@leclairryan.com

Property Owner: United Methodist Family Services of Virginia

If Business Entity, name and title of authorized signee: William H. Shewmake, a Her Majesty's agent
(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.)

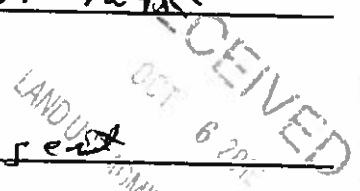
Mailing Address: 3900 West Broad St.

City: Richmond State: Va Zip Code: 23230

Telephone: (804) 353-4461 x1102 Fax: (804) 239-1245

Email: jziel@umfs.org

Property Owner Signature: [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.)

**LIMITED POWER OF ATTORNEY**

United Methodist Family Services of Virginia ("UMFS") is the owner of property in the City of Richmond, Virginia, known as 3900 West Broad Street, Richmond, Virginia, Parcel Id N0001940001 (the "Property"), and hereby grants a limited power of attorney to William H. Shewmake and the law firm of LeClairRyan to file on behalf of UMFS any and all documents, including without limitation, applications and proffered conditions, relating to any rezoning or special use permit involving the Property.

UNITED METHODIST FAMILY SERVICES  
OF VIRGINIA

By: Greg Peters

Its: President + CEO

COMMONWEALTH OF VIRGINIA

City/County of RICHMOND, to-wit:

I hereby certify that on this 29 day of September, 2016, before me, the undersigned Notary Public in and for the Commonwealth of Virginia, at large, personally appeared GREG PETERS, known to me or satisfactorily proven to be the person whose name is subscribed to the foregoing instrument and acknowledged that s/he executed the foregoing instrument for the purposes set forth herein.

[Signature]  
Notary Public

My Commission Expires: 11.30.2019  
Registration Number: 7639745





## Rezoning Applicant's Report

### Introduction

The applicant, United Methodist Family Services of Virginia ("UMFS"), is the owner of the subject property located at 3900 W. Broad Street Richmond, Virginia (the "Property"), and has been providing services to children, adolescents and families on the Property for 116 years. The UMFS staff uses the campus buildings and open space to offer a variety of services as authorized by the current special use permit, including educational, residential treatment, treatment foster care, adoption-related services, and other services. Additionally, because of the Property's location, UMFS is increasingly called upon to host a variety of state and local governmental and other agency groups and meetings in UMFS's meeting and conference spaces, which places further stress on staff meeting space.

Given the aging infrastructure of the UMFS campus, anticipated growth on the UMFS campus, and ever-growing demand for UMFS's services, the UMFS Board of Directors commissioned a master plan for the Property. The first organizational meeting on the master plan was held in March of 2013, and the subsequent plan was approved by the Board on August 19, 2014. The plan was publicized in the print media and via an event on campus two months later. Since that time, UMFS has met with numerous stake holders, including representatives of the City, to discuss UMFS's plan for the future and for UMFS to receive their input. Although the master plan is a blue print for transforming UMFS's vision into reality, the plan of course remains a guide, which in turn gives UMFS the flexibility to meet unforeseen needs and provide any evolving or emerging services. The plan includes the demolition of certain buildings, the construction of several new buildings, reworked roadways, expanded parking, and a relocated main entrance. Additionally, an important phase of the plan involves the commercial

development along Broad Street. Currently, UMFS is working on developing the final vision for that phase, which includes improvement of road access from Broad Street.

Given its size and location, the Property's West Broad Street frontage is uniquely situated to meet the City's vision for the area. Consistent with the City's vision, UMFS intends to devote the frontage along West Broad Street to a mix of uses, including, commercial, office and residential. This will provide significant tax revenue to the City while also helping to fund UMFS's expansion of its campus and the services that UMFS provides to others who are in desperate need of such services. In an effort to maximize and realize the potential of the commercial the frontage, UMFS has engaged an architect, Robert Mills, who is intimately familiar with Richmond, the surrounding market, and the City's long term plans for the area.

In order to achieve UMFS's goals, UMFS is seeking this rezoning. Notably, the Property will retain its existing B-3 zoning designation along West Broad Street, but UMFS is submitting proffered conditions that will help ensure that the B-3 zoned portion of the Property will be developed consistent with the City's vision for the corridor. That is why, for example, UMFS has proffered there shall be no parking between West Broad Street and the buildings along West Broad Street, and that there shall be no gasoline sales as well as no drive thru in connection with any food or beverage sales. The change in zoning classification will only occur on the balance of the Property. UMFS is seeking to rezone the remainder of the Property to the institutional district classification, which will eliminate the need for UMFS to seek an amendment to its existing Special Use Permit ("SUP") every time UMFS wants to change, relocate or expand the services and uses that it offers. In conjunction with this rezoning application, UMFS also is submitting a special use permit (SUP) application to allow UMFS to erect a non-electronic sign visible from I - 195 that will be restricted to the promotion of the mission and causes

of UMFS as well as to allow the use of an educational trailer. No commercial advertisement would be allowed on the sign.

The current special use permit was last amended in March of 2010.

Impact by employees/estimated number

Approximately 260-270 staff is based on the UMFS Campus. When the new campus is complete, UMFS will be providing substantially more employment opportunities and many of the employees will likely live in Richmond. In addition, the mixed use development will provide additional employment opportunities, although the exact number is not known at this point. UMFS would note that the Property is strategically located to provide employment opportunities to Richmond residents because the Property is conveniently located and directly on both regular and PULSE bus routes.

Hours of operation

UMFS administrative offices are currently open from 8:30 am until 4:30 pm, Monday through Friday, for all UMFS buildings with the exception of Charterhouse School buildings (7:30 am until 3:30 pm, Monday through Friday), and residential treatment buildings for youth who live on campus. Those cottages are staffed every day of the year, 24 hours per day. The exact hours of any institutional uses may vary from time to time. The Property along Broad Street will include retail and commercial uses. The exact hours for those businesses have not yet been determined, but the uses may include a restaurant with outdoor seating. Such a restaurant and outdoor seating will improve the streetscape, and provide amenities for residents, while being separated from existing residential neighborhoods.

### Discussion about vehicular traffic changes

Implementation of the master plan and commercial development of the West Broad Street frontage require changes to the movement of vehicular traffic internally, as well as to and from the UMFS campus. Internal improvements will remove vehicular traffic from the most sensitive treatment portion of the campus (residential treatment cottages), and improve traffic lanes and congestion in the area of school buildings and classrooms. Additionally, because there is currently no left turn access to the campus eastbound on West Broad Street, relocation of the main entrance with a new traffic signal is vitally important if the Property is to realize its potential. A recently commissioned traffic study supports a traffic signal on West Broad Street as well as left turn access (non-peak) at West Broad Street's intersection with Hamilton Street. Signalized access will also increase safety by reducing the number of u-turns. In short, there needs to be signalized access to and from Broad Street if the Property is to realize not only UMFS's vision, but also the City's vision for the area as well. While the exact increase in any traffic cannot be known at this time, attached is a traffic summary analysis from the traffic engineers that UMFS engaged. UMFS has met with Department of Public Works ("DPW"), and UMFS will be incorporating many of DPW's recommendations during the site plan process. While the specific improvements shall be determined at time of site plan based on the actual development of the site, transportation improvements that may be required as part of the construction of a signalized intersection at the entrance to the Property from West Broad Street may include the following:

1. Mitigating improvements within the right of way at the Broad/N Hamilton Street intersection with traffic signal timing and ADA ramps and crosswalks.
2. An interior street dedicated with public access and to standards acceptable to DPW from Mastin Lane to N Hamilton Street which is constructed to standards required by DPW.
3. Pedestrian improvements along frontage of the Property.
4. The relocation of the primary entrance to line up with the cross street (Kent Rd).
5. A left turn lane at the intersection. If required, the lanes of Broad St. would be adjusted to the south to create space.

6. A submitted traffic study showing whether turning movements at the internal access road off of N Hamilton Street require that a right turn lane and taper are required.
7. Improvements at the intersection of Broad Street and N Hamilton Street necessitated by the Development.
8. Fully developed construction plans reviewed and approved prior to the issuance of any Work in Streets permits.

Whether and to what extent these or other improvements are necessary will depend on the ultimate density, uses and layout of the development, and will be determined by DPW at time of site plan.

Features of special use that will ensure compatibility with surrounding areas

Internal improvements to buildings, new buildings, planned green space, walkways and lanes will have no impact on UMFS's neighbors. However, relocation of the main entrance, and other changes to traffic flow, will improve access to the campus and allow the West Broad Street frontage to be developed in such a way as to provide amenities and enhance the area. As stated earlier, a traffic study has been conducted and UMFS has been working with the City including planners, Community Development, Public Works, and Council members as well as UMFS's neighbor across West Broad Street, Estes Express Lines, in an attempt to ensure the Property enhances the area.

Impact on safety, health, welfare and morals of the community

The master plan recommends demolition, adaptive reuse and/or the building of new residential and educational buildings, which will be designed to improve the efficiency of the buildings and enhance the effectiveness of programs. Recommendations about traffic flow to and from the campus will be made to enhance safety at these intersections. Additionally, the master plan recommends constructing a "Community Center" building close to the Broad Street frontage that will provide meeting, training and

culinary program space for staff and community functions alike. The recommendations will have no deleterious impact on the community and the City is better served by UMFS's expanded services.

Congestion on streets, roads, alleys and public ways

The development will improve interior lanes and facilitate the movement of buses and student transporters. UMFS also plans to provide public access through Mastin Lane once UMFS obtains signalized access to West Broad Street, which will enhance traffic circulation not only for the Property, but for the adjacent property to the west, which is being redeveloped. See also the comments above.

Dangers from fire, panic

Newer, more efficient buildings will reduce the threats of fire so no deleterious impact is foreseen, and the mixed used development along West Broad Street does not present a safety issue.

Overcrowding of land, concentrations of population

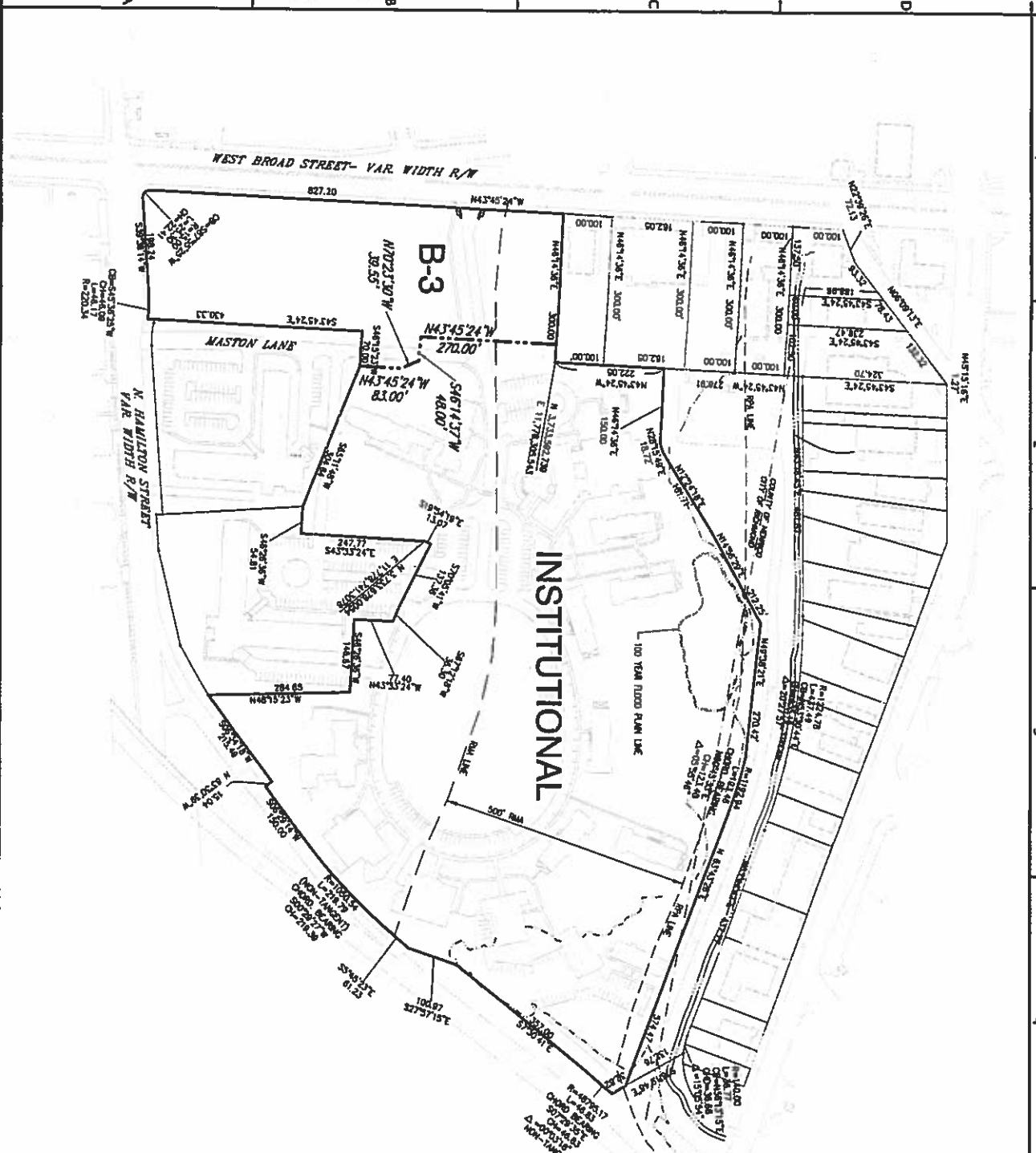
Careful consideration was undertaken to create "neighborhoods" or zones for residential services, educational services and supporting services as well as to accommodate the mixed uses along West Broad Street. The property comprises more than 27 acres, so overcrowding can be easily avoided and ample parking will exist. In addition, applicable height restrictions in the City Code help ensure that overcrowding will not occur.

Interference with schools, parks, playgrounds, water supplies, sewage, transportation

This rezoning and the related master plan improvements will have no adverse impact on neighborhood assets such as schools, parks and playgrounds, and the improvements will be implemented in accordance with codes and regulations related to utilities and transportation. Indeed, the rezoning will allow UMFS to expand the educational services it provides.

Interference with adequate light and air

There will be no impact for the reasons stated above.



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GRAPHIC SCALE(S)



**UNITED METHODIST FAMILY SERVICES (UMFS)**  
 3900 W. BROAD STREET  
 RICHMOND, VIRGINIA 23230

**NOT FOR  
 CONSTRUCTION  
 PROPOSED  
 REZONING  
 07/15/2016**

**CLARK NEXSEN**  
 1111 E. MAIN STREET, SUITE 1  
 RICHMOND, VIRGINIA 23219  
 (804) 771-0900  
 WWW.CLARKNEXSEN.COM

DATE: 07/15/2016  
 DESIGN: SJB  
 DRAWN: SJB  
 REVIEW: JAB  
 REVISIONS:

ZONING MAI

SHEET 1 OF