



CITY OF RICHMOND

Department of Planning & Development Review *Staff Report*

Ord. No. 2020-204: To amend and reordain Ord. No. 83-67-66, adopted Apr. 25, 1983, as amended by Ord. No. 95-244-274, adopted Nov. 13, 1995, which authorized the use of the property known as 5607 Grove Avenue, for the purpose of a dance studio and the use of the existing building for office purposes, to allow exterior façade modifications, upon certain terms and conditions.

To: City Planning Commission
From: Land Use Administration
Date: October 5, 2020

PETITIONER

5607 Grove Avenue, LLC, represented by Preston Lloyd of Williams Mullen

LOCATION

5607 Grove Avenue

PURPOSE

To amend and reordain Ord. No. 83-67-66, adopted Apr. 25, 1983, as amended by Ord. No. 95-244-274, adopted Nov. 13, 1995, which authorized the use of the property known as 5607 Grove Avenue, for the purpose of a dance studio and the use of the existing building for office purposes, to allow exterior façade modifications, upon certain terms and conditions.

SUMMARY & RECOMMENDATION

The special use permit authorized by Ord. No. 1995-244-274 authorized an office use in the R-4 Single-Family Residential District. Section 3(g) of the ordinance states that “there shall be no exterior alterations or additions to the existing building except for normal repair and maintenance.” This amendment request seeks to remove this prohibition and allow building exterior and site improvements.

Staff finds that proposed amendments would be consistent with the Master Plan and would not adversely affect the continued use of the property as authorized by the current special use permit.

Staff finds that with the ordinance conditions the safeguards contained within the City Charter, relative to the granting of Special Use Permits, are met. Specifically, staff finds that the proposed amendment would not be detrimental to the general welfare of the community involved.

Therefore, staff recommends approval of this special use permit amendment request.

FINDINGS OF FACT

Site Description

The 14,399 square foot (0.331 acre) property is located on the east bound side of Grove Avenue near the intersection with Granite Avenue, in the Westhampton neighborhood.

Proposed Use of Property

The subject property will continue to contain office uses as authorized by special use permit. The applicant wishes to install a total of six new windows on two elevations of the building where currently no windows exist. The placement of four of these windows will necessitate modifications of the landscaping of the property. New landscaping would be approved as part of this amendment.

Master Plan

The City of Richmond's Master Plan designates the subject property for Transitional Office uses. Primary uses are low-to-medium intensity professional, business and administrative offices, and medical and dental clinics that are compatible with adjacent residential uses and serve as separation between residential areas and nearby commercial or other higher intensity land uses or features.

Zoning and Ordinance Conditions

The subject property is located in the R-4 Single-Family Residential District and is governed by Special Use Permit Ordinance 95-244-274 which was an amendment Ordinance No. 83-67-66. Office uses are only allowed in the R-4 Single-Family Residential District with the approval of a Special Use Permit.

As amended, the Special Use Permit allows office uses on the property upon certain terms and conditions. Among these conditions was a condition stating that exterior modifications shall not be permitted.

Zoning Administration provided the following comments:

The proposal is to amend the existing Special Use Permit on the property (Ord. No. 1995-244-274) through interior and exterior changes to the existing office building. 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 on the western side of the property. The 1995 SUP authorizes the office use in the R-4 Single-Family Residential District; however, Section 3(g) of the SUP limits the Applicant's right to modify the exterior the existing building on the property by stating "there shall be no exterior alterations or additions to the existing building except for normal repair and maintenance." This SUP amendment application seeks to remove Section 3(g) from the 1995 SUP.

If approved, the amended special use permit would include the following conditions:

- (a) Reserved.
- (b) That the owner of the property shall be bound by, observe, and shall comply with

all other laws, ordinances and rules and regulations adopted pursuant thereto, applicable to the land and building, except as otherwise provided in this ordinance.

(c) That the use of the property shall be limited to professional, business and administrative offices, medical and dental clinics, ~~and/or~~ and studios of writers, designers and artists engaged in the graphic arts.

(d) That a minimum of eight ~~(8)~~ parking spaces shall be provided substantially as shown on the ~~attached plans~~ plat entitled "ALTA / NSPS Land Title Survey, Survey Showing Improvements on Property Located at 5607 Grove Avenue, City of Richmond, Virginia," prepared by Bruce Robertson Land Surveying, P.C., dated January 2, 2020, and last revised January 7, 2020, which is attached to and made a part of this amendatory ordinance. The parking area, access aisles, and alley access to the parking area shall be paved with a dust-free, all weather surface and parking spaces shall be delineated on the pavement surface.

(e) That facilities for the collection of refuse shall be provided in accordance with the requirements of the Director of Public Works and such facilities shall be so located or screened as not to be visible from adjacent properties and public streets.

(f) Reserved.

(g) That storm or surface water shall not be allowed to accumulate on the land and adequate facilities for drainage of storm and surface water from the land or buildings shall be provided by the owner at its cost and expense so as not to adversely affect or damage adjacent properties or public streets and the use thereof.

(h) All ~~existing~~ landscaping, screening and fencing shall be retained and maintained, except as indicated on the ~~attached~~ plat attached to Ordinance No. 95-244-274, adopted November 13, 1995, as modified by the plan entitled "HDCVA Office - 5607 Grove Ave," prepared by HG Design, and dated May 1, 2020, a copy of which is attached to and made

a part of this amendatory ordinance, and additional fencing shall be provided as necessary to screen the parking area in accordance with the [~~attached~~] plans attached to Ordinance No. 95-244-274, adopted November 13, 1995.

(i) That identification of the premises shall be limited to one sign, not exceeding six square feet in area, mounted flat on a vertical surface of the building.

(j) The final grading and drainage plans shall be approved by the Director of [~~Community Development~~] Public Utilities prior to the issuance of building permits

Surrounding Area

Across Grove Avenue, to the north, are professional offices and commercial uses on properties located in the R-4 Single-Family Residential District. The adjacent properties to the east and west also contain commercial uses on property located in the R-4 Single-Family Residential Districts. These uses are enabled by Special Use Permits for each property. Adjacent to the south is a single-family dwelling on property located in the R-4 Single-Family Residential District.

Neighborhood Participation

Staff notified the Tuckahoe Terrace Civic Association and the Westhampton Citizen's Association, as well as adjacent residents and property owners. No comments were received.

Staff Contact

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