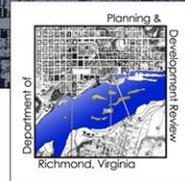


# CITY OF RICHMOND PLANNING AND DEVELOPMENT REVIEW LAND USE ADMINISTRATION



February 16, 2016

Andrew M. Condlin  
Roth Doner Jackson Gibbons Condlin, PLC  
919 E. Main Street, Suite 2110  
Richmond, VA 23219

**RE: 5702 & 5706 Grove Avenue  
Parcel Nos. W0200112016 & W0200112014  
File No. 9825**

Mr. Condlin:

Your special use permit application for the above referenced property has been circulated for review and comments have been prepared. Please review the following considerations and comments pertaining to your proposal to construct a mixed-use development that does not meet all requirements of the UB – Urban Business Zoning District, particularly the maximum height requirement, thereby requiring a special use permit.

The subject property is located within the block bound by Grove Avenue, Granite Avenue, York Road, and Libbie Avenue in the Westhampton neighborhood of the Far West planning district (Libbie/Grove Service Area) and is comprised of a total of 1.64 acres (71,220 SF). Specifically, the subject property consists of two contiguous parcels: 1. a 0.32 acre (13,939 SF) parcel of land (5702 Grove Avenue) improved with a corner surface parking area and one-story office building, constructed in 1950, per tax assessment records, and located at the northwest corner of the intersection of Grove and Granite Avenues, and 2. a 1.315 acre (57,281 SF) parcel of land (5706 Grove Avenue) improved with an existing movie theater, constructed in 1938, per tax assessment records, and rear surface parking area, with frontage on Grove Avenue, Granite Avenue, and York Road.

The subject property is located in the UB-PO1 - Urban Business Zoning District (Grove/Libbie Parking Overlay District) that encompasses much of the shopping district at the intersection of Libbie and Grove Avenues. Properties to the north and east are located in the R-4 - Single-Family Residential Zoning District. A mix of commercial, office, and residential land uses are present in the immediate vicinity of the subject property.

According to the Zoning Ordinance, “the intent of the UB - Urban Business District is to encourage business areas with a densely developed pedestrian-oriented urban shopping character, compatible with adjacent residential neighborhoods, and with minimal disruption from vehicle-oriented land uses and features that would detract from a safe, convenient and economically viable pedestrian environment. The district is intended to promote continuity of storefront character along principal street frontages, with minimum interruption by driveways and vehicle traffic across public sidewalk areas. The regulations within the district are intended to preserve the predominant scale and character of existing urban shopping areas, promote retention of existing structures and encourage that new development be compatible with such existing areas and structures.”

The City of Richmond’s Master Plan recommends Community Commercial land use for the subject property. Primary uses in this category “include office, retail, personal service and other commercial and service uses, intended to provide the shopping and service needs of residents of a number of nearby neighborhoods or a section of the City. As compared to Neighborhood Commercial, this category includes a broader range of uses of greater scale and intensity, with greater vehicular access and orientation, but that are also compatible with nearby residential areas (p. 134).

As a guiding land use principle for the Far West planning district, the Master Plan states “appropriate infill development (where possible) should be of similar density and use to what currently exists in the surrounding area” (p. 180).

In March 2010, the Department of Planning and Development Review initiated, at the request of then 1st District Council Representative Bruce Tyler, a Master Plan Amendment study with a public meeting among residents, stakeholders, and City staff to discuss the future of land use and zoning in the Libbie, Patterson, and Grove Avenue area. As a result of this meeting, a study area was established which included the subject property. Three subsequent public meetings and two additional public hearings led to the adoption by City Council on February 13, 2012, of Ord. No. 2012-8-15 containing numerous amendments to the Master Plan for the Libbie, Patterson, and Grove Avenue corridors.

While the land use recommendations contained in the Master Plan were amended for many properties within the larger study area, the Community Commercial designation for the Libbie-Grove shopping district that includes the subject property was reaffirmed during this recent Master Plan amendment process. During the public participation process, the vast majority of residents, property owners, and business owners voiced their satisfaction regarding the current pattern of development for this area and their desire to see the character of the area as a small-scale, commercial and shopping district be maintained.

As a result, these stakeholders along with planning staff, the Planning Commission, and City Council reached a consensus that the Master Plan land use recommendation of Community Commercial remains an appropriate designation for the area. Moreover, the 2012 amendment added new recommendations for the Libbie/Grove and Libbie/Patterson Service Areas, including the recommendations that new development and redevelopment:

- be a range of residential and commercial uses;
- be a mix of pedestrian and vehicular scales;
- be between two (2) and three (3) stories in height;
- have setbacks that match the existing development pattern or be adjacent to the sidewalk; and
- have parking located to the rear of the building with opportunities for shared parking with adjacent development.

In areas designated for Community Commercial land use, the Master Plan specifically recommends B-2, UB, and UB-2 zoning districts. All three recommended zoning districts permit the type of development currently found in the Libbie-Grove Service Area. In addition, the maximum building height permitted is 35 feet in the B-2 district, 28 feet in the UB district, and three stories in the UB-2 district.

Many aspects of your proposed development are consistent with the recommendations made in the Master Plan and/or the requirements of the underlying UB (Urban Business) zoning. Staff is supportive of the mix of uses proposed for the development, including active uses at the corner of Grove and Granite Avenues, key aesthetic features, including use of a variety of storefront treatments, the setbacks and setbacks of the upper floors, and a reconfiguration of the site which includes underground parking and closing two driveway entrances to Grove Avenue.

However, the proposed development is for a four-story building with a height of over 60 feet. In contrast, the maximum height of buildings permitted in the UB district is 28 feet. Accordingly, the existing buildings within the surrounding UB district are primarily either one or two-stories. However, there are several non-conforming buildings with heights greater than the permitted 28 feet (including the Westhampton Theater on the subject property at approximately 40 feet).

As a result, staff finds that scale of the proposed building represents a change to the character of the Libbie-Grove Service Area. Furthermore, the recent Master Plan study in the area resulted in a consensus that the current pattern of development in the shopping district is appropriate and should remain in place. From our February 10, 2016 meeting, we are aware that you are working to revise the proposal to mitigate the effects of the proposed height and look forward to seeing those modifications.

For the current application, staff provides the following comments regarding the proposed development:

**Land Use Administration (Matthew Ebinger, 804-646-6308):**

Sheet C3.00:

1. Show width of parking drive aisle off of Granite Ave.
2. Label compact parking spaces.
3. Show on-street parking spaces.
4. Label privacy fence as existing or proposed. Provide detail.
5. Label location of bicycle parking for patrons, including number of bicycles that can be parked.
6. Is shared parking to be implemented? Who will have access to the gated parking area and parking garage? Will any parking be available to the general public? How many parking spaces are currently available for use by the general public? Are any spaces currently leased out to uses not located on the subject property?
7. Is a vehicle gate proposed for the Granite Avenue entrance to the parking area?
8. The combined entrance for the parking area and parking garage off of Granite Avenue is too expansive. Provide a sidewalk separation between the garage entrance and parking area entrance to improve pedestrian use. Consult with the Department of Public Works for design specifications.
9. Provide additional landscaping for parking area, including landscaped tree islands and landscaping along eastern and western edges.
10. Does the proposed parking configuration allow access by the R-4 properties?
11. Provide detail for trash compactor screening.
12. How will recycling be accommodated?
13. Show a loading zone.
14. Show a tree lawn rather than individual tree wells along Granite Ave (see Urban Forestry comments). However, show that there is sufficient distance for pedestrian access between the tree lawn and planting area along Building 2.
15. Show sidewalk along York Road (see Right-of-Way Management comments).
16. Show minimum and maximum sidewalk widths along all rights-of-way.
17. Show the location of the access/loading easement to be established with 5704 Grove Ave.

Sheet A2.00:

1. Show directional arrows for parking level.

Sheet A5.00:

1. Provide elevation for east face of Building 1 and west face of Building 2.
2. Grove Ave Elevation, Building 1: Top of Parapet label is used twice. Please correct.

Sheet L1.00:

1. Planting Schedule: Show species size.

General Comments:

1. Provide a date on each page.
2. Include a table showing breakdown of gross square footages by type (commercial, parking, residential, etc.) and a unit schedule for the residential use.
3. Submit a lighting plan, showing location, type and mounting height of fixtures, and footcandle diagrams.
4. What are the proposed hours of operation for the patio areas fronting on Grove Avenue?
5. Replace Granite Road label with Granite Avenue.
6. Show building areas in gross square footage, not net square footage.
7. Include pertinent Core areas in square footage calculations (refer to definition of "floor area" in Zoning Ordinance).
8. How will the impact of construction on 5704 Grove Avenue be mitigated?
9. Show secure bicycle parking/storage for use by the residential units.
10. Use light-toned brick in place of fiber cement panels/siding.
11. Is the development intended to be phased?
12. As stated in the 2012 Master Plan amendment, provide a traffic and parking impact. (See comments from DPW-Traffic Engineering).
13. As stated above, the proposed development exceeds the 2-3 story height limit recommended by the 2012 Master Plan Amendment and is not supported by staff. Reduce the development to a maximum of three stories.

**Building Inspections (George Woodall, 804-646-6978):** Please refer to the attached memorandum.

**DPW – Right of Way Management (Doug Mawby, 804-646-0110):** Please refer to the attached memorandum.

**DPW – Traffic Engineering (Travis Bridewell, 804-646-5745):** Please refer to the attached memorandum

**DPU – Development Services (Norris Baker, 804-646-1397):** Please refer to the attached memorandum

**Fire and Emergency Services (Art Tate, 804-646-5434):** Comments have not been received by Land Use Administration, and will be forwarded to you when they become available.

**DPW – Water Resources (Gary Mitchell, 804-646-7674):** Please refer to the attached memorandum

**DPW – Urban Forestry:** Please refer to the attached memorandum.

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Once all comments have been addressed, please submit four full-sized and four 11"x7" sets of the plans along with a digital version of the plans, a letter detailing your response or revisions to the plans, and any other necessary documentation. Should you have any questions or if you would like to schedule a meeting before resubmitting your proposal, please do not hesitate to contact at (804) 646-6308 or [Matthew.Ebinger@Richmondgov.com](mailto:Matthew.Ebinger@Richmondgov.com).

Sincerely,



for

Matthew J. Ebinger, AICP  
Senior Planner

Enclosures.

CC: J. Stefan Cametas – Westhampton, LLC



# Department of Public Works

*Providing a clean, safe and healthy environment*

## Traffic Engineering Section

### *Intra-city Correspondence*

Date: January 20, 2016  
To: Matthew Ebinger  
From: Travis Bridewell, Operations Manager  
Subject: Various land development documents from the Department of Planning and Development Review  
Review comments from a traffic safety/operations standpoint  
RE: 5702 & 5706 Grove Ave - SUP

- Entrances
  - o The two entrances on Granite Ave adjacent to each other give me concern. One is to the gated parking garage and the other serves a surface parking lot. There should be more separation between the entrances to lessen confusion. Can I assume the gated garage is for the new residential units? If yes then will they be able to remotely open the gate? Will the surface lot still be open to the public?
- Surface parking
  - o Given the parking demand of the adjacent streets (Grove Ave, Granite Ave, Libbie Ave and York Rd) and the one entrance to the parking lot on Granite and two exits from the parking lot on York Rd I recommend a formal circulation and parking study for the area to ensure we have the best plan.
- Sidewalk
  - o The plans are not clear as to the width of sidewalk at the corner of Grove and Granite and along Granite.
- Access management
  - o I recommend an access management or streetscape plan be considered on York Rd on the south side between the above mentioned surface parking lot and Libbie Ave. The north side of York Rd has a curve and sidewalk. The south side has no defined street edge and sidewalk.





# CITY OF RICHMOND

(FOR INTRACITY CORRESPONDENCE)

## MEMORANDUM

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January 19, 2016

**TO:** Matthew Ebinger, Senior Planner  
Land Use Administration, DPDR

**FROM:** Doug Mawby, Development Review Engineer  
Right of Way Management, DPW  
**5702 & 5706 Grove Avenue**  
**Westhampton on Grove**  
**New Mixed Use Project**

The Department of Public Works (DPW) Right-of-Way Management has reviewed the fore-mentioned plat. Right-of-Way Management has the following comments:

1. A construction plan is required for this project. It must detail existing conditions and proposed improvements, including those within the public right of way. Correct details must be provided for any public improvements.
2. Any deficiencies in the sidewalk and curbing along Grove Avenue will need to be repaired.
3. As noted on the plan, unused entrances must be closed to match what is adjacent.
4. Sidewalk, curb and gutter will be required along York Road for the frontage of the project. Entrances to the site must be similar to a VDOT CG-9B or D
5. There is no sidewalk along Granite Avenue. In conjunction with this project, a pedestrian way must be provided along the frontage of Granite. This does not necessarily need to be within the public right of way, rather in an easement. Also, relocation of the Crepe Myrtles could be an option. This project is bringing more spaces for people to live and work; the public infrastructure must be able to adequately accommodate this increase in use.
6. If there are any existing encroachments on the theater building, a new encroachment application must be filed to legitimize them. This will also apply to any that might be proposed with the new building.
7. Any work done or staging performed within the public right of way in order to develop this project will require one or more Work in Streets Permits.

Please contact me to discuss any questions you may have at 646-0110 or by email at [doug.mawby@richmondgov.com](mailto:doug.mawby@richmondgov.com).



# CITY OF RICHMOND

## INTRACITY CORRESPONDENCE

**DATE:** January 19, 2016

**TO:** Matthew Ebinger, Planner II  
Land Use Administration, Room 511

**FROM:** Norris E. Baker, Jr., Engineer II  
Development Services, DPU

**RE:** 5702 & 5706 Grove Avenue  
Parcel No. W0200112016 & W0200112014

**Request: The applicant has requested a special use permit in order to authorize a mixed-use development.**

**The Department of Public Utilities has reviewed the Special Use Permit and provides the following comments.**

### **ELECTRIC**

No detailed plans were submitted with this Special Use Permit. If lighting is proposed plans must be submitted for review. Contact Mr. Greg Wallace at 646-8328 for additional information.

### **WATER**

The Department has no objection to the Special Use Permit; however, no detailed utility plans were submitted. Proposed Water Utility Plans will be required in accordance with the City of Richmond's Water Distribution System Design Guidelines and Standard Specifications and Details Manual if the project requires an upgrade in the existing water service. Future plans will need to address the existing and future demand on the water service. The applicant is responsible for providing proof that the site has adequate flow and water pressure for the new proposed use.

### **WATER-BACKFLOW PREVENTION**

Service line protection may be required on water services to this facility. For backflow requirements and details contact Terrence Johnson 646-3026 or Lawrence Williams 646-8510. Backflow design and details must be reviewed and approved prior to the approval of the building permit. This includes any required upgrades to the existing system.

### **GAS**

Natural gas service is available to the site and can be provided by the City of Richmond Department of Public Utilities. In most situations gas mains and services can be

provided at no cost to the customer. Please contact our Energy Services Team at 646-5250 for additional information and to assist with questions or evaluations of your project.

**SANITARY/COMBINED SEWER**

The Department has no objection to the Special Use Permit. Proposed Sanitary Sewer Plans will be required in accordance with the City of Richmond's Sanitary Sewer System Design Guidelines and Standard Specifications and Details Manual if the project requires an upgrade in the existing sewer services.



# CITY OF RICHMOND

## INTRACITY CORRESPONDENCE

December 29, 2015

To: Matthew Ebinger, Senior Planner

From: Gary Mitchell  
Project Management Analyst, DPU Water Resources Division

Subject: Special Use Permit – 5702 and 5706 Grove Avenue – SUP for mixed use development

We have reviewed the plans submitted for the above mention project. If the changes are totally inside an existing building we have no comments. However we offer the following comments if the proposal involves increasing impervious cover (i.e. improvements are to the exterior of the site and exceed 4,000 square feet of land disturbance):

1. The drainage basin is JM18, and it is in an MS4 area.
2. Visit the Water Resources webpage for links to DCR, the City Code, the ChesBay Public Information Manual, design checklists (drainage, E&S, and ChesBay), maps (ChesBay and floodplain), the Responsible Land Disturber form, and permit applications (land disturbing and storm drainage):  
<http://www.richmondgov.com/PublicUtilities/WaterResources.aspx>
3. This project requires compliance with the City's Erosion & Sediment Control ordinance. An erosion and sediment control plan must be submitted with all supporting design calculations contained on said plan (follow the design checklist and submit with plans).
4. This site is served by the MS4 sewer system; the 10-year post-development storm runoff rate cannot exceed the 10-year pre-developed storm runoff rate into said system [*this is not to be confused with no increase leaving the site*] (section 6.1.2 of the Stormwater Management – Design and Construction Standards Manual).
5. All required permits must be obtained prior to start of construction with copies provided to the DPU Water Resources Division.
6. Driveway aprons connecting to the Public right-of-way must be City standard to insure coordinated grading and drainage.
7. Drainage system designs calculations must be provided on the plans (follow the design checklist and submit with plans).
8. Any site grading must not: cause ponding on the individual sites, change drainage patterns so as to adversely impact adjacent properties, or block existing flow from adjacent properties.
9. Any roof drains cannot discharge across public sidewalks.
10. Provide site plans in accordance with VUSBC section 109.2 to assist in the review process. Also show Public right-of-way lines on all floor, elevation, and section views with offset dimensions to structures.
11. Details for any proposed site work must be included on the plans.
12. Future reviews could generate additional comments.



## CITY OF RICHMOND

### INTRACITY CORRESPONDENCE

To: Matthew Ebinger, Senior Planner

From: George A. Woodall, Engineer II

Date: January 29, 2016

Subject: Special Use Permit – 5702 & 5706 Grove Avenue,  
Westhampton on Grove

The following building code comments are based on a review of the plans submitted. These are items that must be addressed with the building permit submission unless they affect the location of the building on the site or its appearance.

- Virginia is under the IBC 2012 building code, adopted by the state with amendments as VCC 2012 for new construction.
- Virginia is under the IEBC 2012 existing building code, adopted by the state with amendments as VRC 2012 for renovation of existing structures.
- Virginia is under ICC/ANSI A117.1-2009 for technical requirements for accessibility.
- Exterior walls must comply with fire-resistance rating requirements based on both Construction Type per Table 601 IBC 2012 and Fire Separation Distance per Table 602 IBC 2012, whichever is greater.
- A geotechnical report on subsurface conditions, prepared and signed/sealed by a professional engineer licensed in the Commonwealth of Virginia, must be submitted with the building permit application per Section 1803 IBC 2012.
- The Skybridge between Buildings 1 & 2 must comply with Section 3104 IBC 2012.
- Additional or revised plans may result in additional comments.

If you have any questions please contact George A. Woodall at 804-646-6978 or [george.woodall@richmondgov.com](mailto:george.woodall@richmondgov.com)



**CITY OF RICHMOND**

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**DEPARTMENT OF PUBLIC WORKS**

**URBAN FORESTRY DIVISION**

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**TO:** LAND USE ADMINISTRATION  
**FROM:** ALEXANDER J. ELTON, ARBORIST  
**SUBJECT:** 5702 & 5706 GROVE AVENUE, PARCEL NO. W0200112016 & W0200112014  
**DATE:** JANUARY 19, 2016  
**CC:**

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The City of Richmond Urban Forestry Division has reviewed the plans for the aforementioned project. The only comment we have at this time is that instead of tree wells on Granite Avenue a single tree lawn be added to the plans. If there are any questions regarding the tree lawn or any other tree issues please feel free to contact us.

Please let us know if any additional information is needed, thank you.