



## Legislation Details (With Text)

**File #:** ORD. 2016-235    **Version:** 1    **Name:**  
**Type:** Ordinance    **Status:** Adopted  
**File created:** 7/27/2016    **In control:** City Council  
**On agenda:** 10/10/2016    **Final action:** 10/10/2016  
**Title:** To rezone the property known as 2400 East Franklin Street from the M-1 Light Industrial District to the R-6 Single-Family Attached Residential District.  
**Sponsors:** Mayor Jones (By Request)  
**Indexes:** Rezoning  
**Code sections:**  
**Attachments:** 1. Ord. No. 2016-235, 2. Staff Report, 3. Location Map, 4. Plat, 5. Application & Applicants Report

Date	Ver.	Action By	Action	Result
10/10/2016	1	City Council	adopted	
10/3/2016	1	Planning Commission	recommended for approval	Pass
9/12/2016	1	City Council	introduced and referred	

To rezone the property known as 2400 East Franklin Street from the M-1 Light Industrial District to the R-6 Single-Family Attached Residential District.

### THE CITY OF RICHMOND HEREBY ORDAINS:

§ 1. That, as shown on the survey entitled "The Property Known as #2400 E. Franklin Street in the City of Richmond, VA," prepared by Edwards, Kretz, Lohr & Associates, PLLC, and dated July 17, 2015, a copy of which is attached to, incorporated into, and made a part of this ordinance, the property known as 2400 East Franklin Street, with Tax Parcel No. E000-0340/013 as shown in the 2016 records of the City Assessor, is excluded from the M-1 Light Industrial District and shall no longer be subject to the provisions of sections 30-452.1 through 30-452.4 of the Code of the City of Richmond (2015), as amended, and that the same is included in the R-6 Single-Family Attached Residential District and shall be subject to the provisions of sections 30-412.1 through 30-412.8 and all other applicable provisions of Chapter 30 of the Code of the City of Richmond (2015), as amended.

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

### O & R Request

**TO:** The Honorable Members of City Council

**THROUGH:** Dwight C. Jones, Mayor (by request)  
**(This in no way reflects a recommendation on behalf of the Mayor)**

**THROUGH:** Selena Cuffee Glenn, Chief Administrative Officer

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

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

**RE:** Rezoning of 2400 East Franklin Street from the M-1 Light Industrial District to the R-6 Single-Family Attached District.

**ORD. OR RES. No.**

**PURPOSE:** To rezone the property known as 2400 East Franklin Street from the M-1 Light Industrial District to the R-6 Single-Family Attached Residential District.

**REASON:** The applicant proposes to construct a single-family dwelling on the subject property. Residential uses are not permitted in the existing M-1 Light Industrial District. The subject property is also subject to a special use permit that authorized the conversion of the existing building on the adjacent property to residential use and required an amendment for any further development of the property. The applicant has requested an amendment for his property to be removed from the existing special use permit along with the requested rezoning to the R-6 zoning district in order to construct a single-family dwelling in accordance with the R-6 requirements.

**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 October 3, 2016, meeting. A letter outlining the Commission's recommendation will be forwarded to City Council following that meeting.

**BACKGROUND:** The subject property is located on the north side of Franklin Street between North 24th Street and North 25th Street. The site currently consists of a vacant vegetated lot of approximately 0.4 acres.

Originally, applicant's lot was part of the adjacent lot, in total consisting of approximately 42,400 square feet, with a warehouse located on the site. The first Special Use Permit (SUP), Ordinance No. 97-287-289, adopted on October 13, 1997, authorized converting and expanding the warehouse on the lot to allow for 43 dwelling units and 43 parking spaces. The first amended SUP, Ordinance No. 98-246-275, adopted on September 14, 1998, reduced the number of dwelling units and parking spaces to 16, without requiring expansion of the building. The second amended SUP, Ordinance No. 2007-115-85, separated the original lot into two lots, with parcel one containing the building and parcel two, the applicant's lot, consisting of a vacant lot. Also under that SUP, the 16 apartment units in the building on parcel one were converted to condominiums. After that SUP amendment, parcel one was given a Tax Parcel Number of E000-0340/031, and parcel two, the applicant's lot, retained the original Tax Parcel Number of E000-0340/121. That SUP amendment, however, in Section 3(m) provided that any further development of the property, without specifying parcel one or parcel two, would require an amendment of the SUP.

A proposed ordinance would rezone the property from M-1 Light Industrial to R-6 Single-Family Residential, which would allow the construction of a single-family dwelling. As the current SUP does not allow development of the property without amendment, a separate ordinance is proposed to remove the property from the SUP.

The R-6 Single-Family Residential zoning district permits single-family detached dwellings on lots not less than 5,000 square feet in area with a width of not less than 50 feet. A front yard with a depth of not less than 15 feet would be required as well as side and rear yards with depths of not less than 5 feet. One off-street parking space would be required for the dwelling, which could be provided from the alley to the north of the property.

The property is also located in the Saint John's District City Old and Historic District and is subject to review by the Commission of Architectural Review (CAR). The CAR conceptually reviewed the applicant's proposed single-family dwelling at their April 26, 2016 meeting.

The properties to the north, west, and east are zoned R-6 Single-Family Residential. The property to the east, across North 25th Street is improved with townhomes that are also subject to a Special Use Permit. The property to the west, across unimproved North 24th Street, is part of the Bellevue Elementary School property. The properties to the north are

occupied by single and two family dwellings. The property to the south, across East Franklin Street, is located in the B-5 Central Business District and is improved with the Pohlig Box Factory apartments. All of the surrounding properties are also located in the St. John's Old and Historic District. The Master Plan recommends Single-Family (medium-density) for 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:** \$1,500.00 application fee.

**DESIRED EFFECTIVE DATE:** Upon Adoption

**REQUESTED INTRODUCTION DATE:** September 12, 2016

**CITY COUNCIL PUBLIC HEARING DATE:** October 10, 2016

**REQUESTED AGENDA:** Consent.

**RECOMMENDED COUNCIL COMMITTEE:** None.

**CONSIDERATION BY OTHER GOVERNMENTAL ENTITIES:** City Planning Commission, October 3, 2016.

**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.:** None

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

**ATTACHMENTS:** Draft Ordinance, Application Form, Applicant's Report and Survey

**STAFF:** Lory Markham, Principal Planner  
Land Use Administration (Room 511)  
804-646-6309

*O&R 16-20*