



## Legislation Details (With Text)

**File #:** ORD. 2016-237 **Version:** 1 **Name:**

**Type:** Ordinance **Status:** Adopted

**File created:** 7/8/2016 **In control:** City Council

**On agenda:** 10/10/2016 **Final action:** 10/10/2016

**Title:** To authorize the special use of the property known as 1901 Stuart Avenue for the purposes of a multifamily dwelling with three dwelling units and the reconstruction of an existing two-car garage, upon certain terms and conditions.

**Sponsors:** Mayor Jones (By Request)

**Indexes:** Special Use Permit

**Code sections:**

**Attachments:** 1. Ord. No. 2016-237, 2. Staff Report, 3. Location Map, 4. Plans, 5. Applicant's Report, 6. Letter of Non-Opposition

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 authorize the special use of the property known as 1901 Stuart Avenue for the purposes of a multifamily dwelling with three dwelling units and the reconstruction of an existing two-car garage, upon certain terms and conditions.

### O & R Request

**DATE:** July 8, 2016 **EDITION:** 1

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

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

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

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

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

**RE:** To authorize the special use of the property known as 1901 Stuart Avenue for the purpose of reconstructing an existing garage for a multi-family nonconforming use, upon certain terms and conditions.

**ORD. OR RES. No.**

**PURPOSE:** To authorize the special use of the property known as 1901 Stuart Avenue for the purpose of reconstructing an existing garage and to legitimize a multi-family nonconforming use, upon certain terms and conditions.

**REASON:** The existing garage and three unit apartment building are located on a parcel within an R-6 Single Family Attached zoning district. The garage serves an existing three unit multi-family structure. The reconstruction of an accessory use for a nonconforming use is not permitted within the R-6 zoning district. However, the applicant wishing to reconstruct the existing garage and to legitimize the existing three unit apartment building.

**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 September 5, 2016, meeting. A letter outlining the Commission's recommendation will be forwarded to City Council the following meeting.

**BACKGROUND:** The subject property is located on a parcel 0.086 acre in size and is improved with a multi-family building consisting of three dwelling use and a two bay garage. The multi-family dwelling is approximately 5,994 square feet in size and the garage is 600 square feet.

The applicant proposes to reconstruct and replicate an existing aging garage to continue to serve as an accessory parking for the existing apartment building and to legitimize the three unit apartment building. The special use permit would allow for the reconstruction of a garage to serve a nonconforming use.

The Richmond Master Plan designates this property as Single-Family (medium density) in the Near West Planning District. "Primary uses are multi-family dwellings at densities up to 20 units per acre. Includes residential support uses such as schools, places of worship, neighborhood parks and recreation facilities and limited public and semi-public uses (p. 133)."

**FISCAL IMPACT:** The Department Planning and Development Review does not anticipate any impact to the City's budget for this or future fiscal years.

**COST TO CITY:** Staff time for processing the request; preparation of draft ordinance; and publishing, mailing and posting of public notices.

**REVENUE TO CITY:** \$1,800 application fee

**DESIRED EFFECTIVE DATE:** Upon adoption.

**REQUESTED INTRODUCTION DATE:** July 25, 2016

**CITY COUNCIL PUBLIC HEARING DATE:** September 12, 2016

**REQUESTED AGENDA:** Consent

**RECOMMENDED COUNCIL COMMITTEE:** None

**CONSIDERATION BY OTHER GOVERNMENTAL AGENCIES:** City Planning Commission, September 5, 2016

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

**RELATIONSHIP TO EXISTING ORDINANCES:** None.

**ATTACHMENTS:** Application Form, Applicant's Letter, Draft Ordinance, Plans, Survey

**STAFF:** Leigh V. Kelley, Senior Planner  
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646-6384

*DCD O&R No.16-15*