

INTRODUCED: November 13, 2017

AN ORDINANCE No. 2017-233

To authorize the special use of the property known as 508 St. James Street for the purpose of permitting a multifamily dwelling containing up to four dwelling units, upon certain terms and conditions.

Patron – Mayor Stoney (By Request)

Approved as to form and legality
by the City Attorney

PUBLIC HEARING: DEC 11 2017 AT 6 P.M.

WHEREAS, the owner of the property known as 508 St. James Street, which is situated in a R-6 Single-Family Attached Residential District, desires to use such property for the purpose of a multifamily dwelling containing up to four dwelling units, which use, among other things, is not currently allowed by section 30-412.1 of the Code of the City of Richmond (2015), as amended; and

WHEREAS, in accordance with section 17.11 of the Charter of the City of Richmond (2010), as amended, it has been made to appear that, if granted subject to the terms and conditions set forth in this ordinance, the special use granted by this ordinance will not be detrimental to the

AYES: 8 NOES: 0 ABSTAIN: 1

ADOPTED: DEC 11 2017 REJECTED: _____ STRICKEN: _____

safety, health, morals and general welfare of the community involved, will not tend to create congestion in streets, roads, alleys and other public ways and places in the area involved, will not create hazards from fire, panic or other dangers, will not tend to overcrowding of land and cause an undue concentration of population, will not adversely affect or interfere with public or private schools, parks, playgrounds, water supplies, sewage disposal, transportation or other public requirements, conveniences and improvements, and will not interfere with adequate light and air; and

WHEREAS, (i) the City Planning Commission has conducted a public hearing to investigate the circumstances and conditions upon which the Council is empowered to authorize such use, (ii) the City Planning Commission has reported to the Council the results of such public hearing and investigation and its recommendations with respect thereto, and (iii) the Council has conducted a public hearing on this ordinance at which the person in interest and all other persons have had an opportunity to be heard;

NOW, THEREFORE,

THE CITY OF RICHMOND HEREBY ORDAINS:

§ 1. **Finding.** Pursuant to section 30-1050.1 of the Code of the City of Richmond (2015), as amended, the Council hereby finds that the special use set forth in and subject to the terms and conditions of this ordinance will not (i) be detrimental to the safety, health, morals and general welfare of the community involved, (ii) tend to create congestion in streets, roads, alleys and other public ways and places in the area involved, (iii) create hazards from fire, panic or other dangers, (iv) tend to overcrowding of land and cause an undue concentration of population, (v) adversely affect or interfere with public or private schools, parks, playgrounds, water supplies,

sewage disposal, transportation or other public requirements, conveniences and improvements, or (vi) interfere with adequate light and air.

§ 2. Grant of Special Use Permit.

(a) Subject to the terms and conditions set forth in this ordinance, the property known as 508 St. James Street and identified as Tax Parcel No. N000-0102/018 in the 2017 records of the City Assessor, being more particularly shown on a survey provided as an inset entitled “Plat Showing Improvements on No. 506 & No. 508, St. James Street, in the City of Richmond, Virginia,” prepared by McKnight & Associates, P.C., and dated January 6, 2016, on sheet SUP1 of the plans entitled “508 St. James St., Richmond, VA 23220, SUP Application,” prepared by Johannas Design Group, dated April 25, 2017, and last revised September 1, 2017, a copy of which is attached to and made a part of this ordinance, hereinafter referred to as “the Property,” is hereby permitted for the purpose of a multifamily dwelling containing up to four dwelling units, hereinafter referred to as “the Special Use,” substantially as shown on the plans entitled “508 St. James St., Richmond, VA 23220, SUP Application,” prepared by Johannas Design Group, dated April 25, 2017, and last revised September 1, 2017, hereinafter referred to as “the Plans,” copies of which are attached to and made a part of this ordinance.

(b) The adoption of this ordinance shall constitute the issuance of a special use permit for the Property. The special use permit shall inure to the benefit of the owner or owners of the fee simple title to the Property as of the date on which this ordinance is adopted and their successors in fee simple title, all of which are hereinafter referred to as “the Owner.” The conditions contained in this ordinance shall be binding on the Owner.

§ 3. Special Terms and Conditions. This special use permit is conditioned on the following special terms and conditions:

(a) The use of the Property shall be as a multifamily dwelling containing up to four dwelling units, substantially as shown on the Plans.

(b) Site improvements shall be substantially as shown on the Plans. Building materials and elevations shall be substantially as shown on the Plans, unless otherwise approved by the Commission of Architectural Review prior to the issuance of a building permit for the Property.

(c) Outdoor lighting shall be located, directed or shielded so as not to shine directly on adjoining properties or to create a traffic hazard by means of glare or similarity to or confusion with traffic signals, warning lights or lighting on emergency vehicles.

(d) All mechanical equipment serving the Property shall be located or screened so as not to be visible from any public right-of-way.

(e) Secure storage for no fewer than four bicycles shall be provided within the building on the Property for use by the dwelling units.

(f) No fewer than four off-street parking spaces shall be provided, substantially as shown on the Plans.

§ 4. **Supplemental Terms and Conditions.** This special use permit is conditioned on the following supplemental terms and conditions:

(a) All required final grading and drainage plans, together with all easements made necessary by such plans, must be approved by the Director of Public Utilities prior to the issuance of the building permit.

(b) Storm or surface water shall not be allowed to accumulate on the land. The Owner, at its sole cost and expense, shall provide and maintain at all times adequate facilities for the drainage of storm or surface water from the Property so as not to adversely affect or damage any other property or public streets and the use thereof.

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

(d) Any encroachments existing, proposed on the Plans or contemplated in the future shall require separate authorization and shall be subject to the applicable provisions of the Code of the City of Richmond (2015), as amended, and all future amendments to such laws.

(e) In all other respects, the use of the Property shall be in accordance with the applicable underlying zoning regulations.

§ 5. **General Terms and Conditions.** This special use permit is conditioned on the following general terms and conditions:

(a) No permit implementing this special use permit shall be approved until satisfactory evidence has been presented to the Zoning Administrator that any delinquent real estate taxes applicable to the Property have been paid.

(b) The Owner shall be bound by, shall observe and shall comply with all other laws, ordinances, rules and regulations applicable to the Property, except as otherwise expressly provided in this ordinance.

(c) Words and phrases used in this ordinance shall be interpreted to have the meanings ascribed to them by section 30-1220 of the Code of the City of Richmond (2015), as amended, unless the context clearly indicates that a different meaning is intended.

(d) Notwithstanding any other provision of law, this special use permit is being approved due, in part, to the mitigating effects of each and every condition attached hereto; consequently, if any portion of this ordinance is determined to be invalid for any reason by a final,

non-appealable order of any Virginia or federal court of competent jurisdiction, the invalidity shall cause the entire ordinance to be void and of no further effect from the effective date of such order.

(e) The privileges granted by this ordinance may be revoked pursuant to the provisions of sections 30-1050.7 through 30-1050.11 of the Code of the City of Richmond (2015), as amended, and all future amendments to such laws. Failure to comply with the terms and conditions of this ordinance shall constitute a violation of section 30-1080 of the Code of the City of Richmond (2015), as amended, and all future amendments to such law, or any other applicable laws or regulations.

(f) When the privileges granted by this ordinance terminate and the special use permit granted hereby becomes null and void, whether as a result of the Owner relinquishing this special use permit in a writing addressed to the Director of Planning and Development Review or otherwise, use of the Property shall be governed thereafter by the zoning regulations prescribed for the district in which the Property is then situated.

§ 6. **Implementation.** The Commissioner of Buildings is authorized to issue a building permit substantially in accordance with the Plans for the Special Use subject to the terms and conditions set forth in this ordinance. An application for the building permit shall be made within 730 calendar days following the date on which this ordinance becomes effective. If either the application for the building permit is not made within the time period stated in the previous sentence or the building permit terminates under any provision of the Virginia Statewide Building Code, this ordinance and the special use permit granted hereby shall terminate and become null and void.

§ 7. **Effective Date.** This ordinance shall be in force and effect upon adoption.

RECEIVED

NOV 07 2017

City of Richmond

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

OFFICE OF CITY ATTORNEY

Item Request

File Number: PRE. 2017.432

O & R REQUEST

4-7157
OCT 23 2017

O & R Request

Office of the
Chief Administrative Officer

DATE: October 20, 2017

EDITION:1

TO: The Honorable Members of City Council

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

LS 11/7/17

THROUGH: Selena Cuffee-Glenn, Chief Administrative Officer

SCG

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

PLD 10-23-17

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

MO

RE: To authorize the special use of the property known as 508 St. James Street for the purpose of permitting a multi-family dwelling containing up to four dwelling units, upon certain terms and conditions.

ORD. OR RES. No. _____

PURPOSE: To authorize the special use of the property known as 508 St. James Street for the purpose of permitting a multi-family dwelling containing up to four dwelling units, upon certain terms and conditions.

REASON: The applicant is proposing to rehabilitate an existing, two-story, 6,520 SF, vacant building for the use as a multi-family building. The property is currently located in the R-6 Single Family Attached Residential Zoning District, which does not permit multi-family buildings as a principal use. A special use permit is therefore required.

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 December 4, 2017, meeting. A letter outlining the Commission's recommendation will be forwarded to City Council following that meeting.

BACKGROUND: The proposed development is located in the Jackson Ward neighborhood and the Jackson Ward City Old & Historic District. The property is comprised of .18 acres and is currently improved with a two-story building constructed, per tax assessment records, in 1915.

The City of Richmond's current Downtown Master Plan designates a future land use category for the subject property as Downtown General Urban Area which is characterized by medium-sized buildings and mixed-use blocks. The Jackson Ward neighborhood "...represents the historic pattern of settlement in Downtown Richmond, with a connected network of blocks and streets and buildings shaping the public space. A mix of buildings types exist in the neighborhood, ranging from single-family homes to rowhouses to mixed-use, main street buildings" (City of Richmond Downtown Plan, p. 3.24).

The subject property and all surrounding properties are located in the R-6 Single Family Attached Residential Zoning District. The property is currently surrounded by primarily 2-story single- and multi-family buildings on St. James, Clay, and Leigh Streets.

FISCAL IMPACT / COST: The Department of 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: \$1,800 application fee

DESIRED EFFECTIVE DATE: Upon Adoption

REQUESTED INTRODUCTION DATE: November 13, 2017

CITY COUNCIL PUBLIC HEARING DATE: December 11, 2017

REQUESTED AGENDA: Consent

RECOMMENDED COUNCIL COMMITTEE: None

CONSIDERATION BY OTHER GOVERNMENTAL ENTITIES: City Planning Commission, December 4, 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.: None

REQUIRED CHANGES TO WORK PROGRAM(S): None

ATTACHMENTS: Application Form, Applicant's Report, Draft Ordinance, Plans, Survey, Map

STAFF: Jonathan Brown, Senior Planner
Land Use Administration (Room 511) 646-5734

PDR O&R No.17-38



Application for **SPECIAL USE PERMIT**

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/>

Application is hereby submitted for: (check one)

- special use permit, new**
- special use permit, plan amendment**
- special use permit, text only amendment**

Project Name/Location

Property Address: 508 St. James Street Date: 04/25/2017

Tax Map #: N0000102018 Fee: \$1800

Total area of affected site in acres: 0.179

(See **page 6** for fee schedule, please make check payable to the "City of Richmond")

Zoning

Current Zoning: R-6

Existing Use: vacant

Proposed Use

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

4 apartments

Existing Use: vacant - last used as education facility

Is this property subject to any previous land use cases?

- Yes No If Yes, please list the Ordinance Number: _____

Applicant/Contact Person: Zarina Fazaldin

Company: _____

Mailing Address: 721 W. 28th Street

City: Richmond State: VA Zip Code: 23225

Telephone: (804) 310-5051 Fax: ()

Email: LandZHistoric@msn.com

Property Owner: Zarina M. Fazaldin

If Business Entity, name and title of authorized signee: _____

(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: 721 W. 28th Street

City: Richmond State: VA Zip Code: 23225

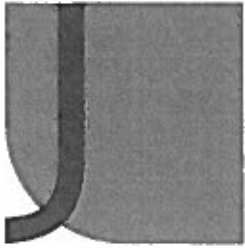
Telephone: (804) 310-5051 Fax: ()

Email: LandZHistoric@msn.com

Property Owner Signature: Zarina Fazaldin

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.**

NOTE: Please attach the required plans, checklist, and a check for the application fee (see Filing Procedures for special use permits)



JOHANNAS
design group

Special Use Permit Applicant's Report
4/25/2017

508 ST. JAMES STREET

This property, located in Jackson Ward, was recently acquired by Zarina Fazaldin. Ms. Fazaldin desires to renovate this structure into 4 dwelling units, with one of the units being her personal residence.

#508 St. James Street was originally constructed in 1915 as a single family residence. The residence was converted in the mid 1900's to the Negro Training Center for the Blind and a large addition was constructed at the rear in 1952. The site is currently surrounded with a 6' tall chain link fence.

The original residential structure at #508 is two story with a partial basement and a small walk-up usable attic. The rear addition is three stories, including a full basement with area way light wells. The building has been vacant for several decades and has substantial water and termite damage that will require significant repairs. The combined structure contains approximately 8400 gross square feet on the three plus floors.

PROPOSED USE

The existing large structure at 508 St. James Street is proposed to be divided into 4 residential units. The repurposing of this large structure for multifamily use does not conform to the R-6 zoning that covers much of Jackson Ward. One unit will serve as the owners personal residence, the other three units will be rented. The four apartments would total approximately 7200 square feet of usable space.

Apartment 1	3 BR, 2 BA	1285 sf
Apartment 2	2 BR, 1 BA	835 sf
Apartment 3	3 BR, 2 BA	1290 sf
Apartment 4 (owner's)	3 BR, 3-1/2 BA	3790 sf

One off-street parking space will be provided for each dwelling unit.

EXISTING DENSITY ON ST. JAMES STREET

This property is located in an R-6 zoning district. There are public alleys along the south and west sides of the two lots. The 500 block of St. James Street contains 15 residential structures, three of which are currently 2-family use. The combined area of these current residential lots is approximately 0.765 acres, which equates to a unit density of 24 units per acre. This is the typical density of much of the Jackson Ward neighborhood.

PROPOSED DENSITY OF 508 ST. JAMES STREET

The proposed 4 units on 0.179 acres will have a density of 23 units per acre, similar to the existing neighborhood density.

RICHMOND MASTER PLAN

The City's Master Plan states, "During the charrette, a desire was expressed to see Jackson Ward recapture the vibrancy of its golden years, while maintaining its unique character. Some of the key desires of residents included the rehabilitation and construction of quality housing and the return of neighborhood supported retail and services".

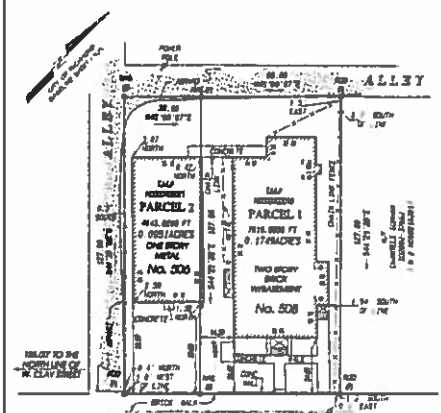
The proposed rehabilitation of 508 St. James Street into four residential units and the future construction of an additional single-family structure at 506 St. James Street will aid in returning Jackson Ward to the desired vibrancy as stated in the Master Plan.

CITY CHARTER CONDITIONS FOR SUP

- a. The proposed special use will not be detrimental to the safety, health, morals, and general welfare of the community involved. Approval of this SUP will allow the return to service of this long neglected historic building.
- b. The proposed special use will not tend to create congestion in the streets, roads, alleys and other public ways and places in the area involved. On-site parking is provided for each unit.
- c. The proposed special use will not create hazards from fire, panic or other dangers. The renovations will conform to current building code requirements.
- d. The proposed special use will not tend to cause overcrowding of land and an undue concentration of population. The proposed unit per acre density is similar to the surrounding neighborhood.
- e. The proposed special use will not adversely affect or interfere with public or private schools, parks, playgrounds, water supplies, sewage disposal, transportation or otherwise public requirements, conveniences and improvements.
- f. The proposed special use will not interfere with adequate light or air.

end of report

NOTES: THIS PROPERTY IS LOCATED IN FEMA FLOOD ZONE "X".
 CURRENT OWNER: BOTOLOLET INDUSTRIAL LLC (E8204-0000)
 THIS PLAN IS BASED ON PLATS OF RECORD AND MONUMENTATION POINTS.
 THE RECORDED LEGAL DESCRIPTION FOR PARCELS 1 & 2 IS INCORPORATED.



ST. JAMES STREET
 PLAT SHOWING IMPROVEMENTS ON No. 506 & No. 508,
 ST. JAMES STREET, IN THE CITY OF RICHMOND, VIRGINIA.

PURCHASER: PASCALINE M. SAEWA
 JAMES S. BARNHARTT
 LAND SURVEYOR
 No. 1788
 01-05-2014

McKNIGHT & ASSOCIATES, P.C.
 201 FAWN RIDGE LANE
 RICHMOND, VIRGINIA 23226
 TELEPHONE (804) 250-3646
 JOHN HANCOCK, PROFESSIONAL

508 ST. JAMES STREET - PROPOSED USE

4 APARTMENTS:		
APT 1	3 BR, 2 BA	1285 SF
APT 2	2 BR, 1 BA	835 SF
APT 3	3 BR, 2 BA	1290 SF
APT 4	3 BR, 3-1/2 BA	3790 SF

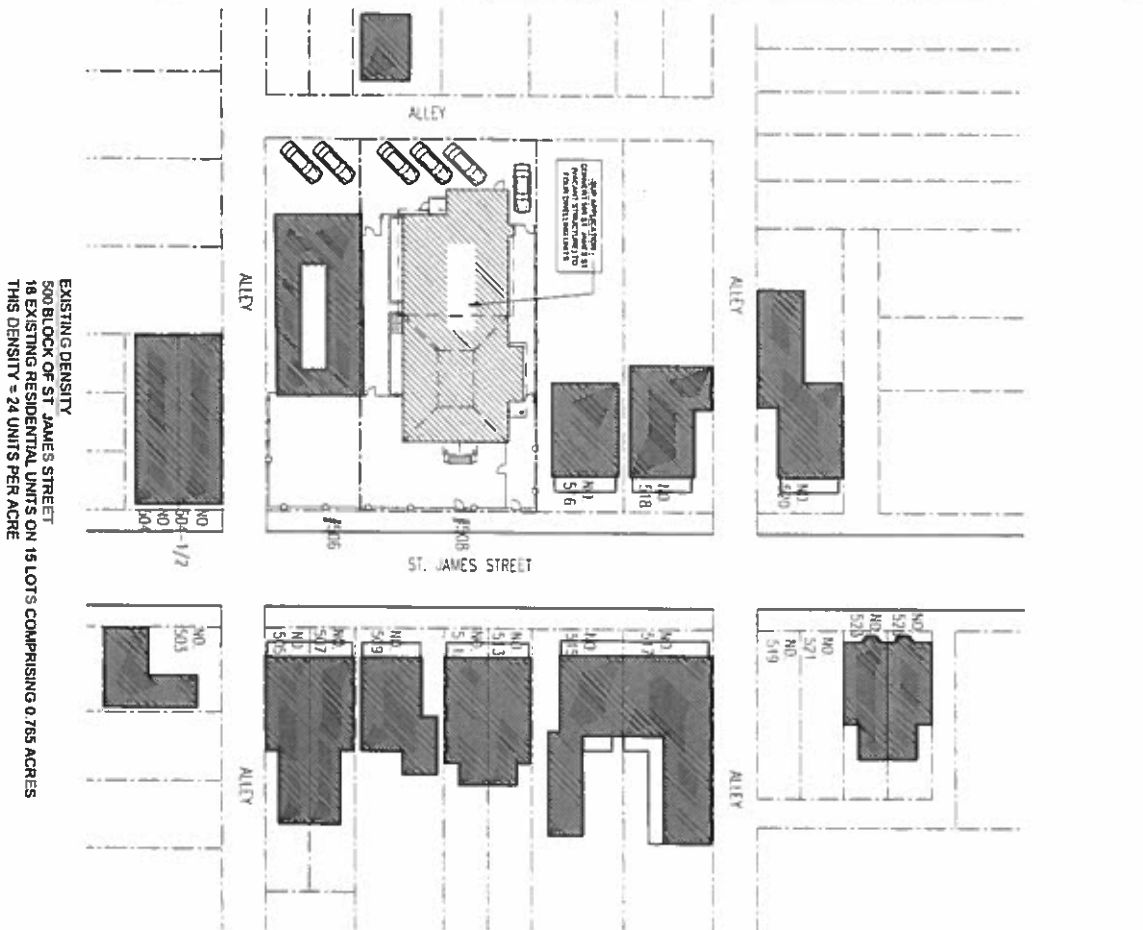
ONE PARKING SPACE TO BE PROVIDED FOR EACH APARTMENT
 BUILDING TO BE FULLY SPRINKLERED
 DWELLING UNIT SEPARATION TO BE 1-HR RATED PER BLDG. CODE
 WORK WILL CONFORM TO CITY OLD AND HISTORIC DISTRICT REGULATIONS

PROPOSED DENSITY OF 508 ST. JAMES STREET
 4 UNITS ON 0.179 ACRES = 23 UNITS PER ACRE
 THIS MATCHES THE EXISTING DENSITY OF THE BLOCK
 IF LOT AREA OF 508 ST. JAMES STREET IS INCLUDED,
 DENSITY EQUALS 5 RESIDENTIAL UNITS ON 0.262 ACRES, OR 19 UNITS PER ACRE
 THIS WOULD BE LESS DENSE THAN THE EXISTING BLOCK

SURVEY
 1"=25'



SCALE 1"=25'



EXISTING DENSITY
 500 BLOCK OF ST. JAMES STREET
 16 EXISTING RESIDENTIAL UNITS ON 16 LOTS COMPRISING 0.765 ACRES
 THIS DENSITY = 24 UNITS PER ACRE

VICINITY PLAN
 1"=25'



SCALE 1"=25'

JOHANNAS DESIGN GROUP

1901 WEST CARY STREET RICHMOND, VA 23220

P 804 358 4993
 F 804 358 8211

508 St. James St.
 RICHMOND, VA 23220

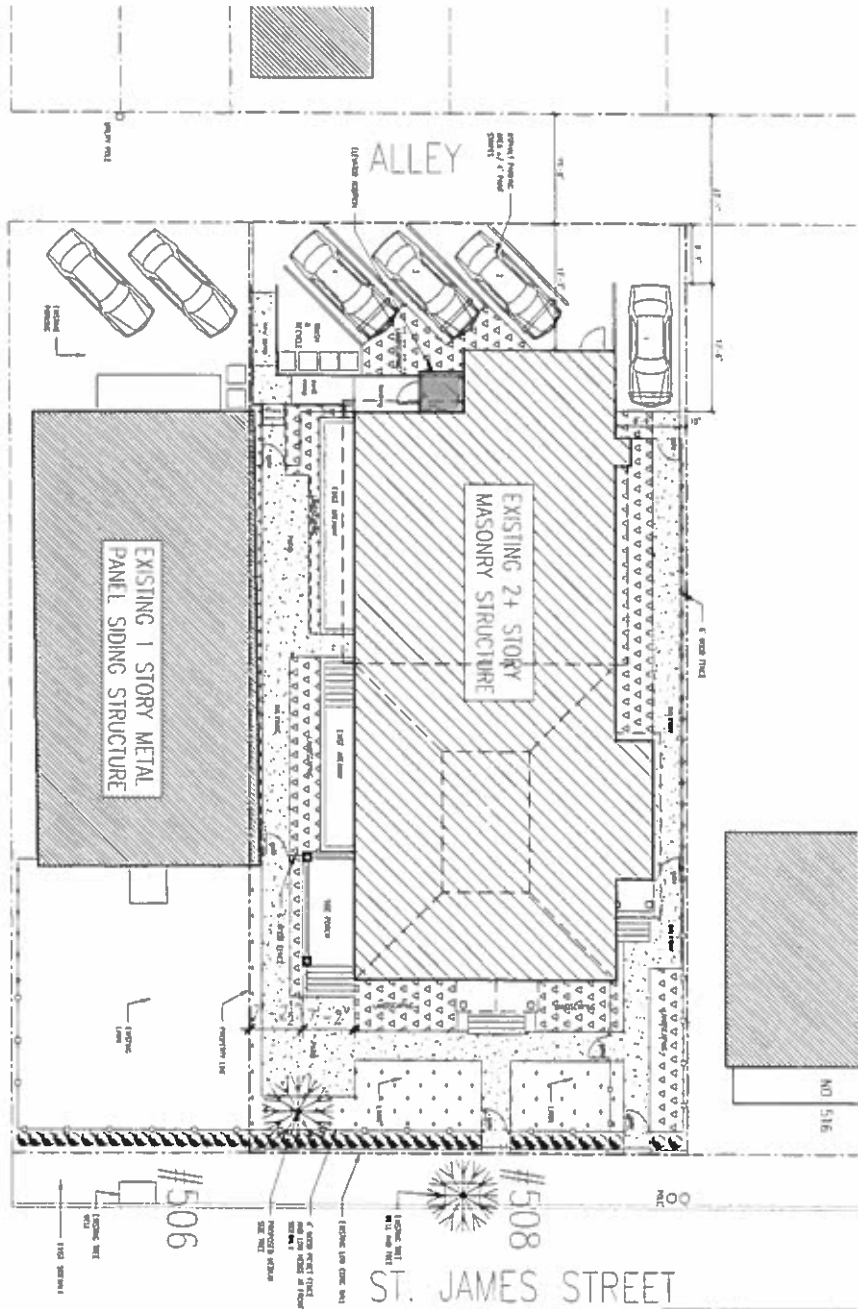
SUP APPLICATION

SUP1

DATE: 04.25.2017
 SHEET NO.
 PROJECT NO. 1710
 WORKSHEET NO.

REVISIONS

STAY



SITE PLAN
SCALE 1/8" = 1'-0"



NO. 506-1/2

JOHANNAS DESIGN GROUP 1901 WEST CARY STREET RICHMOND, VA 23220 P 804 358 4893 F 804 358 8211

508 St. James St.
RICHMOND, VA 23220

SUP APPLICATION

PROJ. NO. 4332017
DATE 4/17/2017
SHEET NO. 5-1-2017

SUP2

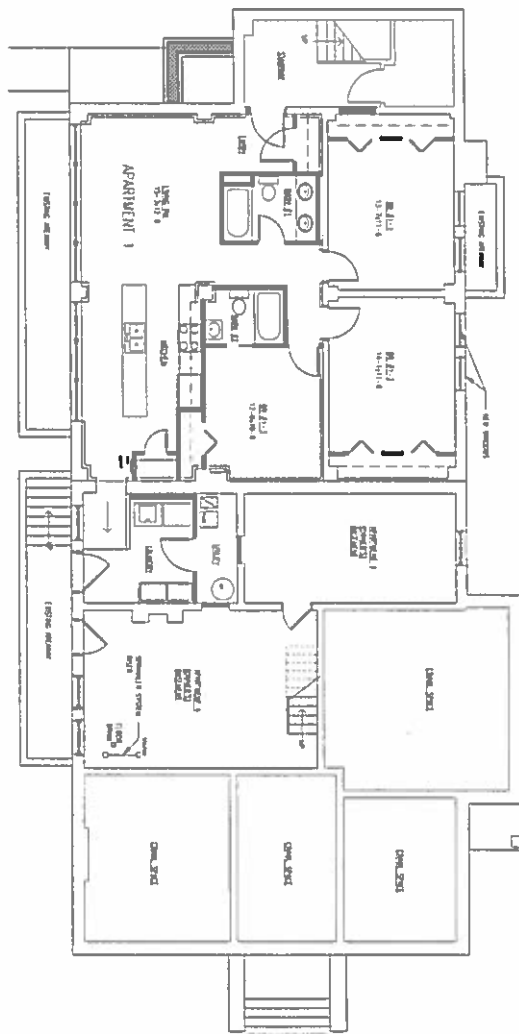
SHEET TITLE
SITE PLAN

PROJECT NO. 1718

DATE 4/25/2017

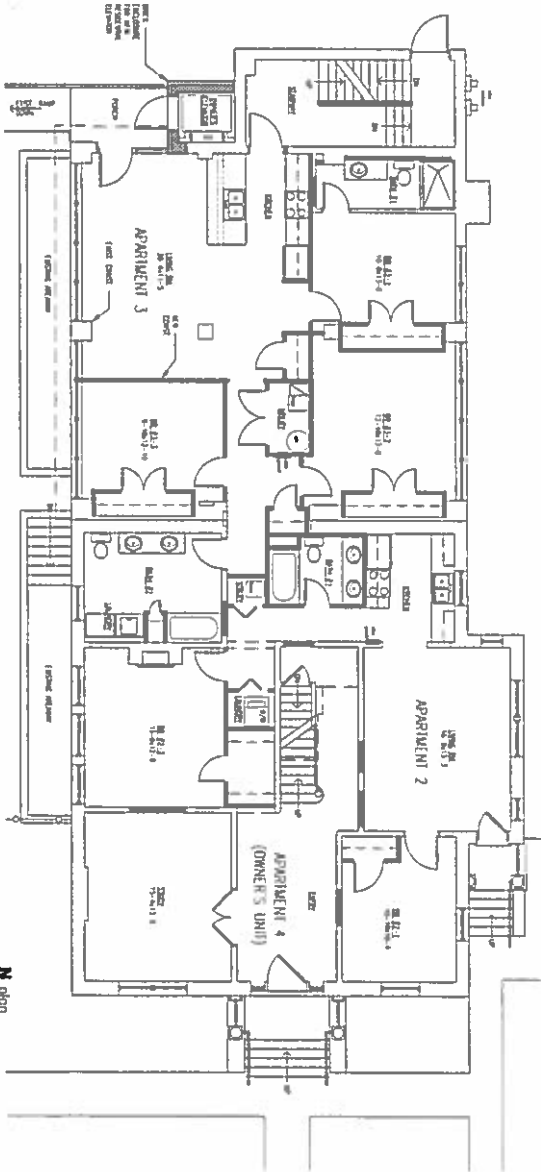
SHEET NO.

SCALE



APARTMENT 1 1262 SF
APARTMENT 4 500 SF

BASEMENT FLOOR PLAN
SCALE = 1/8" = 1'-0"



APARTMENT 2 835 SF
APARTMENT 3 1290 SF
APARTMENT 4 (OWNERS) 435 SF

FIRST FLOOR PLAN
SCALE = 1/8" = 1'-0"



JOHANNAS DESIGN GROUP

1901 WEST CARY STREET RICHMOND, VA 23220

504 358 4993
504 350 8211

508 St. James St.
RICHMOND, VA 23220

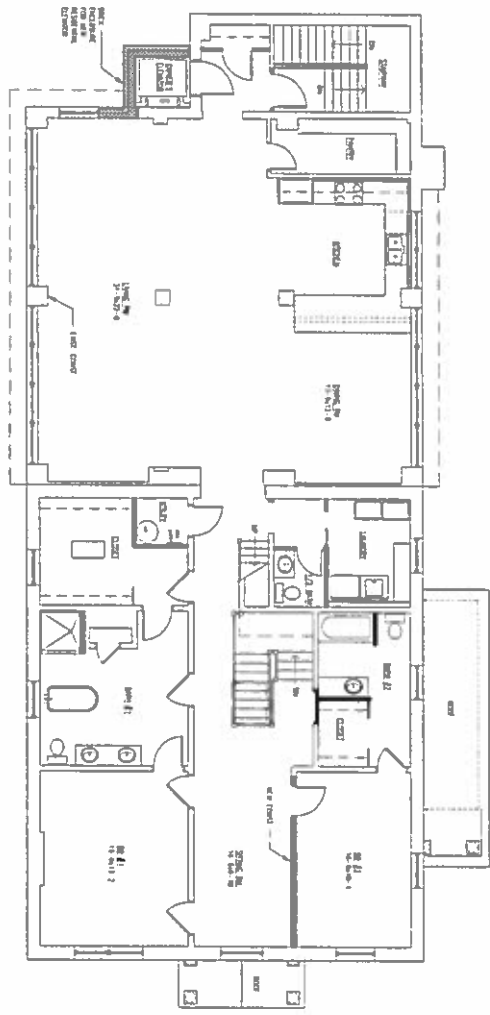
SUP APPLICATION

SUP3

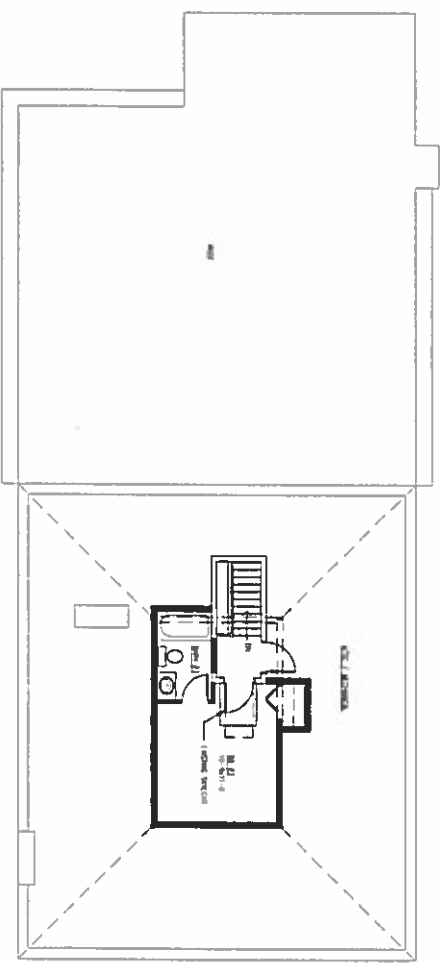
SHEET TITLE	BASMENT AND FIRST FLOOR PLAN
PROJECT NO.	1710
DATE	04.25.2017
SHEET NO.	

REVISIONS

DATE



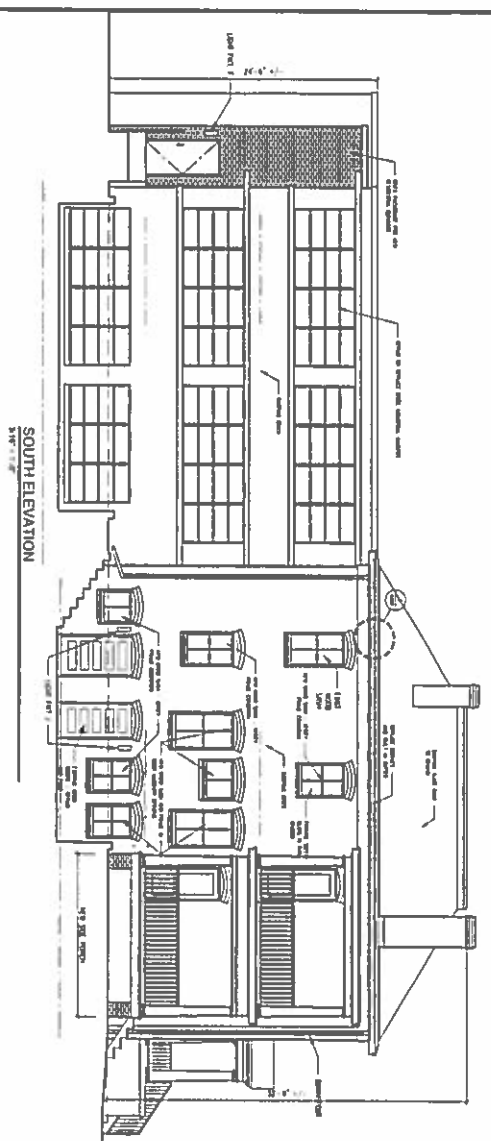
APARTMENT 4 (OWNERS) 2645 SF
SECOND FLOOR PLAN



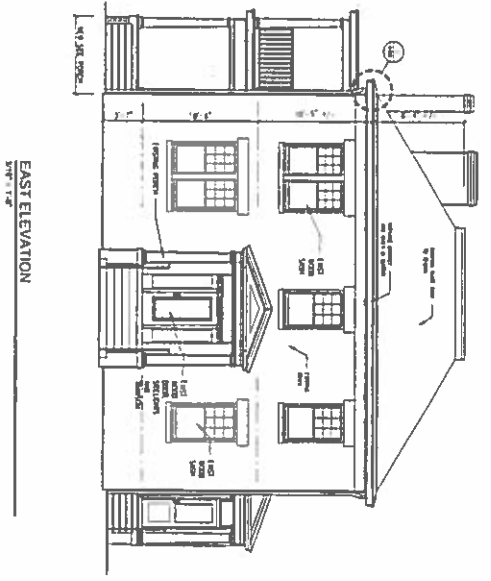
APARTMENT 4 (OWNERS) 210 SF
THIRD FLOOR PLAN



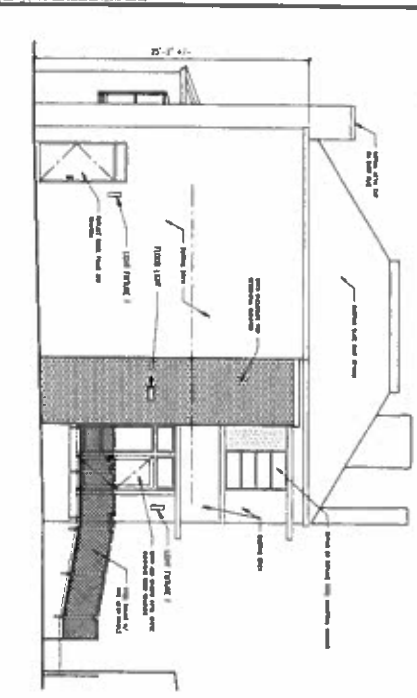
SHEET NO.	508 St. James St. RICHMOND, VA 23220		REVISIONS
	SUP APPLICATION		
SHEET NO.	PROJECT NO.	DATE	DATE
1710	1710	04-25-2017	
SUP4			



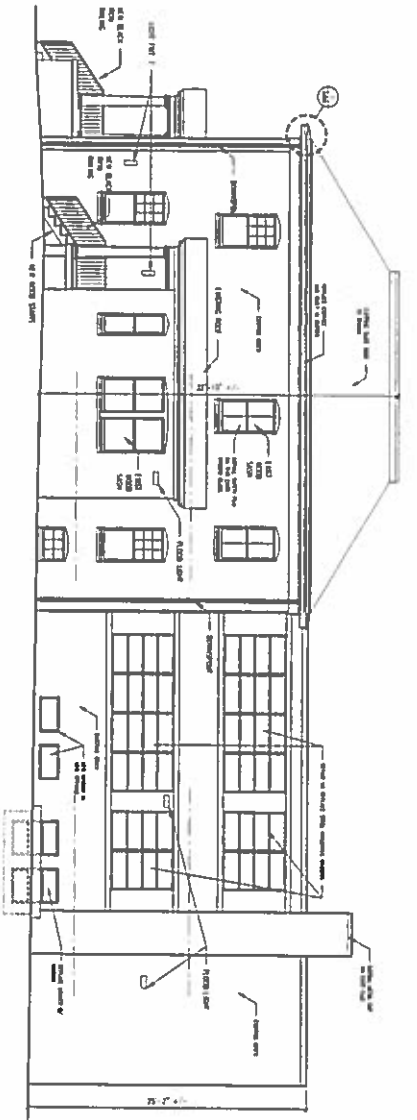
SOUTH ELEVATION
SHEET 1-12



EAST ELEVATION
SHEET 1-13



WEST ELEVATION
SHEET 1-14



NORTH ELEVATION
SHEET 1-15



JOHANNAS DESIGN GROUP 1801 WEST CARY STREET RICHMOND, VA 23220

508 St. James St.
RICHMOND, VA 23220

SUP APPLICATION

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8 0 4 3 5 8 4 9 3 3
8 0 4 3 5 8 4 9 3 3

REVISED
5-12-2017
6-1-2017

SUP5
DATE: 4/20/17
PROJECT NO: 1718
SHEET NO: SUP5

SHEET TITLE:
ELEVATIONS