

INTRODUCED: June 10, 2019

AN ORDINANCE No. 2019-161

To rezone the property known as 1039 West Grace Street from the R-73 Multifamily Residential District to the B-5 Central Business District.

Patron – Mayor Stoney (By Request)

Approved as to form and legality
by the City Attorney

PUBLIC HEARING: JUL 22 2019 AT 6 P.M.

THE CITY OF RICHMOND HEREBY ORDAINS:

§ 1. That, as shown on the plat entitled “Plat of No. 1039 West Grace Street and No. 511 North Ryland Street, Richmond, VA.,” prepared by George M. Stephens, Jr., Certified Land Surveyor, Ltd., and dated January 20, 1986, a copy of which is attached to, incorporated into, and made a part of this ordinance, the property known as 1039 West Grace Street, with Tax Parcel No. W000-0470/001 as shown in the 2019 records of the City Assessor, is excluded from the R-73 Multifamily Residential District and shall no longer be subject to the provisions of sections 30-420.1 through 30-420.8 of the Code of the City of Richmond (2015), as amended, and that the same is included in the B-5 Central Business District and shall be subject to the

AYES: 9 NOES: 0 ABSTAIN: _____

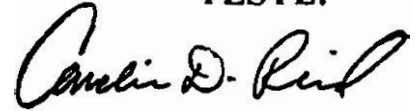
ADOPTED: JUL 22 2019 REJECTED: _____ STRICKEN: _____

provisions of sections 30-442.1 through 30-442.7 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.

A TRUE COPY:

TESTE:

A handwritten signature in black ink, appearing to read "Camelin D. Reil". The signature is written in a cursive style with a large initial 'C'.

City Clerk

City of Richmond

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

Item Request

File Number: PRE.2019.199

O & R REQUEST

RECEIVED

JUN 07 2019

4-8822
MAY 16 2019

OFFICE OF THE CITY ATTORNEY

Office of the
Chief Administrative Officer

O & R Request

DATE: May 14, 2019

EDITION: 1

TO: The Honorable Members of City Council

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

THROUGH: Selena Cuffee-Glenn, Chief Administrative Officer

THROUGH: Sharon L. Ebert, Deputy Chief Administrative Officer for Economic Development and Planning

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

RE: To rezone the property known as 1039 West Grace Street from the R-73 Multi-Family Residential District to the B-5 Central Business District.

ORD. OR RES. No. _____

PURPOSE: To rezone the property known as 1039 West Grace Street from the R-73 Multi-Family Residential District to the B-5 Central Business District.

REASON: The applicant is requesting to rezone the .053 acre parcel from the R-73 Multi-Family Residential District to the B-5 Central Business District to bring the existing use of the property into conformance with the zoning ordinance and to enable a variety of uses to take place on the property in the future.

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 July 1, 2019, meeting. A letter outlining the Commission's recommendation will be forwarded to City Council following that meeting.

BACKGROUND: The subject property consists of a .053 acre parcel located in The Fan neighborhood of the Near West Planning District. The 4,424 square-foot structure located on the property has housed a variety of neighborhood commercial uses, most recently a laundromat. The property is located at the southeast corner of West Grace and Ryland Streets.

The existing R-73 zoning limits the potential for finding conforming uses for the building. By rezoning the property to the B-5 Central Business District, the property can be marketed to retail, service or restaurant uses. The property is also located within the city's Enterprise Zone III and the B-5 zoning will allow a greater ability to utilize the resources provided under the Enterprise Zone program.

The Master Plan calls for community commercial uses for the property. Primary uses 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.

The property is surrounded by a mix of higher-density residential, office, commercial, and institutional land uses that will be compatible with the new zoning designation.

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: June 10, 2019

CITY COUNCIL PUBLIC HEARING DATE: July 22, 2019

REQUESTED AGENDA: Consent

RECOMMENDED COUNCIL COMMITTEE: None

CONSIDERATION BY OTHER GOVERNMENTAL ENTITIES: City Planning Commission
July 1, 2019

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, Survey, Map

STAFF: David Watson, Senior Planner, Land Use Administration, 804-646-1036



Application for **REZONING/CONDITIONAL REZONING**

Department of Planning and Development Review
Land Use Administration Division
900 E Broad Street, Room 511
Richmond Virginia 23219
(804) 646-6304
<http://www.richmond.gov/>

Project Name/Location

Property Address: 1039 W Grace Street, Richmond, VA 23220 Date: 3/25/19

Tax Map #: W0000470001 Fee: \$1,500

Total area of affected site in acres: 0.053

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

Zoning

Current Zoning: R-73

Existing Use: Laundromat

Proposed Zoning/Conditional Zoning

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

We are proposing a zoning change to B-5. See applicant's report for details.

Existing Use: Laundromat

Is this property subject to any previous land use cases?

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

Applicant/Contact Person: Bruce Vanderbilt

Company: Vanderbilt Properties

Mailing Address: PO Box 707, #12788

City: Richmond State: VA Zip Code: 23218

Telephone: () Fax: ()

Email: brucevanderbilt@gmail.com 804-248-5462

Property Owner: Vanderbilt Properties LLC

If Business Entity, name and title of authorized signer: Bruce Vanderbilt - Owner

(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: PO Box 707, #12788

City: Richmond State: VA Zip Code: 23218

Telephone: () Fax: ()

Email: brucevanderbilt@gmail.com 804-248-5462

Property Owner Signature: *[Signature]*

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.

Bruce Vanderbilt
Vanderbilt Properties
PO Box 707, #12788
Richmond, VA 23218
804-248-5462

March 26, 2019

Mr. Mathew Ebinger
City of Richmond Department of Community Development
Land Use Administration Division, Room 511
City Hall, 900 East Broad Street
Richmond, VA 23219

RE: Rezoning 1039 West Grace Street

Dear Mathew,

Please accept this letter as the applicant's report for a proposed zoning change for the property located at 1039 W Grace Street on the corner of Grace and Ryland Streets from R-73 to B-5. This property, built in 1920, is configured with a commercial space on the first floor consisting of approximately 2,000 sf, and with 3 residential apartments above consisting of approximately 2,386 sf. The commercial space is currently a non-conforming use of Laundromat. The parcel ID is W0000470001 and consists of 0.053 acres. The property is located in the Near West Planning District of the Master Plan and designated as Community Commercial. The property is located in a transitional area between the eastern Fan and VCU and falls within the Fan District Association (FDA). The FDA gives much consideration to the opinion of the West Grace Street Association (WGSA) due to this property being located on West Grace Street.

The building neighbors to Fan residential apartment and condo units to the West. The same block to the east contains Dominion Place Retirement Community as well as B-4 zoned commercial with 7-11 and Village Cafe. VCU academic buildings borders the property to the north and Fan residential to the south with the Gresham Court apartment building.

The Property is currently zoned R-73 Multifamily Residential District. The Master Plan recommends "Community Commercial" for the Property, which is characterized as "office, retail, personal service and other commercial and service uses intended to provide for the service needs of residents of a number of nearby neighborhoods or a section of the City." The R-73 district does not grant by right the ability to use the building in it's current mixed use configuration or as recommend by the master plan (aside from office use). Additionally, the building has always served in a community commercial mode offering retail and services with a laundromat since 1976 and a Rexall Drug store for approximately 40 years prior. The laundromat business in this building recently went dark and the R-73 zoning limits our ability to lease the premises for uses that serve the neighborhood and community.

Given the mixed use configuration of the building, our options under the existing zoning are to continue with the non-conforming use of laundromat or convert to office use. The laundromat business is broadly declining with most nearby residents having access to laundry facilities in

their residences. The trend has been for customers to increasingly drive to the laundromat from areas outside the neighborhood which has increased demand for parking. Office use may not serve the neighborhood well and employees will likely compete with residents for unmetered parking in the area during business hours.

By rezoning to B-5 we can market and lease the space for a broader set of uses that serve the neighborhood better. Our intent is to market the space as retail, service, or restaurant. It is our belief that any of the uses under B-5 zoning will likely have an equal or lessor impact to parking in the area than what is available to us with laundromat or office. Patrons of retail, service, or restaurant use will likely utilize the ample city pay parking available on Grace Street vs. the very limited residential unmetered parking to the west and south.

We have received letters of support for this zoning change from our immediate neighbors to include Alexander House, Bethlehem Lutheran Church, and Gresham Court. We have approval from the West Grace Street Association who voted unanimously to support this zoning change. We also met with the Fan District Association and received confirmation that they do not oppose the zoning change. NOTE: The FDA does not officially support zoning changes – they either opposes or takes no position. It is also worth noting that we have residents in the building that we want to provide a positive experience for. Therefore, it is in our own best interest to have a business in the first floor that supports the neighborhood and our own tenants well.

Finally, we have had meetings with the Land Use and Zoning Administrations who both confirm the proposed B-5 zoning district aligns well with the master plan and is appropriate for the neighborhood. A Zoning Confirmation Letter to that effect is attached.

Thank you for your time and consideration to this request, and please let me know if you have any questions.

Sincerely,

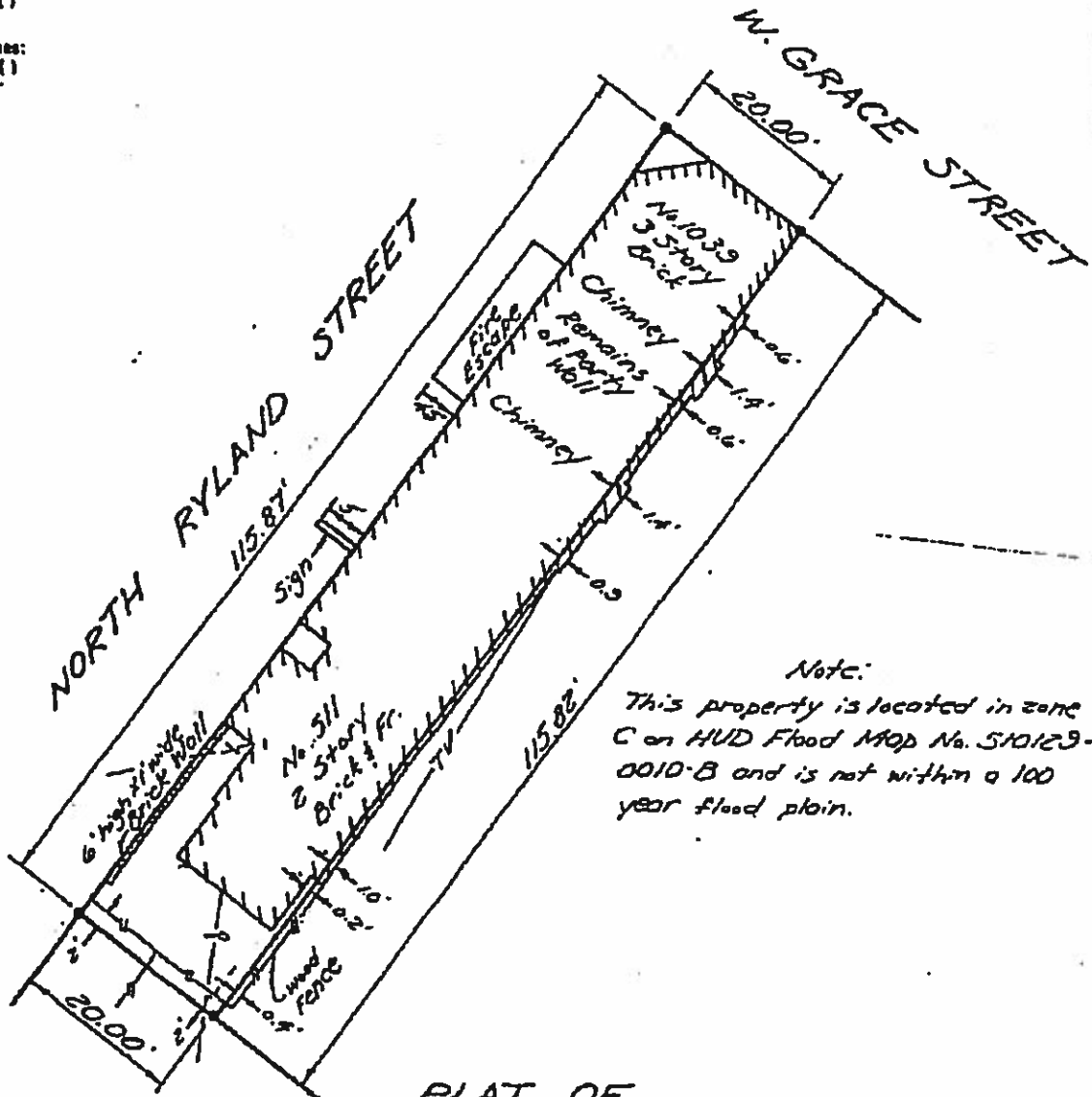


Bruce N. Vanderbilt
Vanderbilt Properties

Attachments:

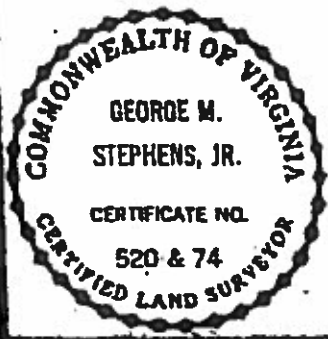
- Neighbor support letters
- WGSA Association Support Letter
- Zoning Confirmation Letter
- Survey

Re: *Jontas*
 Power Lines:
 Underground ()
 Overhead (✓)
 Telephone Lines:
 Underground ()
 Overhead (✓)



Note:
 This property is located in zone C on HUD Flood Map No. 510129-0010-B and is not within a 100 year flood plain.

PLAT OF
 NO. 1039 WEST GRACE STREET
 AND NO. 511 NORTH RYLAND STREET
 RICHMOND, VA.



This is to certify that on 1-20-86
 I made an accurate field survey of the premises shown hereon; that all improvements known or visible are shown hereon; that there are no encroachments by improvements either from adjoining premises, or from subject premises upon adjoining premises, other than as shown hereon.
 New () % Complete _____
 Old (✓) _____
 By J.P.S.

DATE: Jan 20, 1986
 DRAWN BY: C.T.
 SCALE: 1" = 20'-0"
 BY: J.P.S.
 BOOK NO: 471

GEO. M. STEPHENS, JR.
 CERTIFIED LAND SURVEYOR, LTD.
 #520 & #74
 RICHMOND, VIRGINIA -
 MEMBER: ACSM & VAS