

INTRODUCED: November 13, 2023

AN ORDINANCE No. 2023-341

To rezone the property known as 415 Oliver Hill Way from the B-5 Central Business District (Conditional) to the B-5 Central Business District.

Patron - Mayor Stoney (By Request)

Approved as to form and legality
by the City Attorney

PUBLIC HEARING: DEC 11 2023 AT 6 P.M

THE CITY OF RICHMOND HEREBY ORDAINS:

§ 1. That, as shown on the survey entitled "Survey of 415 Oliver Hill Way, City of Richmond, Virginia," prepared by Long Surveying, LLC, and dated March 6, 2010, a copy of which is attached to, incorporated into, and made a part of this ordinance, the property known as 415 Oliver Hill Way, with Tax Parcel No. E000-0215/023 as shown in the 2023 records of the City Assessor, is excluded from the B-5 Central Business District (Conditional) and that the same is included in the B-5 Central Business District and shall be subject to the 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 (2020), as amended.

§ 2. That the property known as 415 Oliver Hill Way with Tax Parcel No. E000-
AYES: 8 NOES: 0 ABSTAIN: _____

ADOPTED: DEC 11 2023 REJECTED: _____ STRICKEN: _____

0215/023 as shown in the 2023 records of the City Assessor, shall no longer be subject to the proffered conditions contained in the document entitled "Proffers, Conditional Rezoning," and dated June 7, 2006, a copy of which was attached to, incorporated into, and made a part of Ordinance No. 2006-193-199, adopted July 24, 2006.

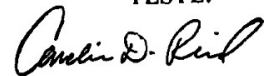
§ 3. This ordinance shall be in force and effect upon adoption.

APPROVED AS TO FORM:


City Attorney's Office

A TRUE COPY:

TESTE:


City Clerk



City of Richmond

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

Master

File Number: Admin-2023-1283

File ID: Admin-2023-1283

Type: Request for Ordinance or Resolution

Status: Regular Agenda

Version: 1

Reference:

In Control: City Clerk Waiting Room

Department:

Cost:

File Created: 08/17/2023

Subject:

Final Action:

Title:

Internal Notes:

Code Sections:

Agenda Date: 11/13/2023

Indexes:

Agenda Number:

Patron(s):

Enactment Date:

Attachments: Admin-2023-1283 - Ordinance - Approved as to Form,
Admin-2023-1283 - O&R Transmittal Memo,
Admin-2023-1283_Application Documents

Enactment Number:

Contact:

Introduction Date:

Drafter: David.Watson@rva.gov

Effective Date:

Related Files:

Approval History

Version	Seq #	Action Date	Approver	Action	Due Date
1	1	10/25/2023	Matthew Ebinger	Approve	10/27/2023
1	2	10/25/2023	Kris Daniel-Thiem - FYI	Notified - FYI	
1	3	10/26/2023	Kevin Vonck	Approve	11/1/2023
1	4	10/26/2023	Alecia Blackwell - FYI	Notified - FYI	
1	5	10/26/2023	Sharon Ebert - FYI	Notified - FYI	
1	6	10/26/2023	Caitlin Sedano - FYI	Notified - FYI	
1	7	10/30/2023	Jeff Gray	Approve	10/31/2023
1	8	11/2/2023	Lincoln Saunders	Approve	11/1/2023
1	9	11/9/2023	Mayor Stoney	Approve	11/6/2023

History of Legislative File

Text of Legislative File Admin-2023-1283

City of Richmond

Intracity Correspondence

O&R Transmittal

DATE: October 23, 2023

TO: The Honorable Members of City Council

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

THROUGH: J.E. Lincoln Saunders, Chief Administrative Officer

FROM: Kevin J. Vonck, Director of Planning & Development Review

RE: To rezone the property known as 415 Oliver Hill Way from the B-5 Central Business District (Conditional) to the B-5 Central Business District.

ORD. OR RES. No.

PURPOSE: To rezone the property known as 415 Oliver Hill Way from the B-5 Central Business District with proffered conditions to the B-5 Central Business District without proffered conditions.

BACKGROUND: On July 24, 2006 City Council approved Ord. 2006-193-199 rezoning the subject property from the M-1 Light Industrial District to the B-5 Central Business District (Conditional), upon four proffered conditions. Three of the proffered conditions addressed historic preservation renovation of an existing structure. These proffers have been implemented. The fourth proffered condition addressed parking, specifically stating that if the building were to become 100% residential then parking shall be provided at a ratio of one space per dwelling unit. Since this time the zoning ordinance has eliminated the parking requirement for the B-5 Central Business District. The property owner wishes to convert 1,400 square feet of commercial area in the building into residential area and cannot provide off-street parking because the building takes up the entire parcel. The proposed rezoning will allow the conversion of the commercial area to a residential as a permitted use.

The 6,238 square foot subject property is located on the eastern side of Oliver Hill Way between East Clay Street and East Marshall Street. It is improved with a two-story structure that encompasses the entire parcel. In 2010 the use of the structure was converted into fifteen one-bedroom apartments using historic tax credit financing. 1,440 square feet of the structure was left as commercial. This

floor space has been vacant for a number of years

COMMUNITY ENGAGEMENT: The Shockoe Partnership was notified of the application; additional community notification will take place after introduction.

STRATEGIC INITIATIVES AND OTHER GOVERNMENTAL: Richmond 300 Master Plan; Will be considered by Planning Commission on December 4, 2023 (tentative)

FISCAL IMPACT: \$1,500 application fee

DESIRED EFFECTIVE DATE: Upon adoption

REQUESTED INTRODUCTION DATE: November 13, 2023

CITY COUNCIL PUBLIC HEARING DATE: December 11, 2023

REQUESTED AGENDA: Consent

RECOMMENDED COUNCIL COMMITTEE: None

AFFECTED AGENCIES: Office of Chief Administration Officer

Law Department (for review of draft ordinance)

RELATIONSHIP TO EXISTING ORD. OR RES.: Amend Ord. No. 2006-193-199

ATTACHMENTS: Application Form, Ordinance

STAFF: Matthew J. Ebinger, Planning Supervisor - Land Use Administration 804-646-6308

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.richmondgov.com/>

Project Name/Location

Property Address: _____ Date: _____

Tax Map #: _____ Fee: _____

Total area of affected site in acres: _____

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

Zoning

Current Zoning: _____

Existing Use: _____

Proposed Zoning/Conditional Zoning

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

Existing Use: _____

Is this property subject to any previous land use cases?

Yes

No

☐☐

If Yes, please list the Ordinance Number: _____

Applicant/Contact Person: _____

Company: _____

Mailing Address: _____

City: _____ State: _____ Zip Code: _____

Telephone: _(_____) _____ Fax: _(_____) _____

Email: _____

Property Owner: _____

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: _____

City: _____ State: _____ Zip Code: _____

Telephone: _(_____) _____ Fax: _(_____) _____

Email: _____

Property Owner 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.



JOHANNAS design group
1901 West Cary Street
Richmond Virginia 23220

P. 804.358.4993
F. 804.358.8211
W. johannasdesign.com

4/27/2023

Rezoning Application Report

415 Oliver Hill Way

415 Oliver Hill Way is a 2-story brick building that was built in 1900. Similar to neighboring buildings of that era, it was used as a warehouse for all of the 20th century, and into the 21st. Located between East Marshall, and East Clay Streets, it is 1 ½ blocks North of Broad Street, and is in the Shockoe Valley and Tobacco Row National Historic District.

In 2006 the property was rezoned from M-1 Light Industrial to B-5 with conditions, similar to the neighboring Cold Storage buildings. The 2006 Owner's intention was to have a business use in the building. The exterior walls of the building are on the property line, so there was no opportunity for parking on site. Rezoning to B-5 eliminated the parking requirement for the business use.

In 2010 a new owner converted the building into fifteen 1 bedroom apartments. The renovation used historic tax credits, meeting one of the proffers in the 2006 rezoning. 1440 sf on the 1st floor was left as commercial, to avoid the increased parking requirement outlined in the 2006 Conditional Rezoning proffers.

The current owner purchased the property in 2018. The company that owns the property is a legacy investment established by Tom Vogelee. The company holds other properties in Richmond and other localities in Virginia. The intent of the company is to provide investment and income for current and future generations of the family.

The 2006 proffers state that if the building is 100% residential, then parking is required to be one space for every unit. Based on the Richmond 300 Master Plan, and the recent elimination of parking requirements, that proffer is excessive for 2023.

The Owner would like to convert the commercial space into 2 residential units. (This property is not designated as street oriented commercial frontage.) The commercial part of the existing building has been vacant for many years. Currently the neighborhood is not supporting commercial tenants. The owner has another property 2 blocks away and is also having difficulty finding commercial tenants for that building.

Richmond 300

The property is located in the *Shockoe Priority Growth Node* and Future Land Use is *Destination Mixed Use*. Destination Mixed Use prioritizes pedestrian, bicycle, and transit access. Parking requirements are reduced to allow more market-based parking strategies. The property has a walk score of 90.

Oliver Hill Way is designated a *Major Mixed Use Street* on the Great Streets and Street Typologies Map (Figure 12 p. 73). This street typology is described as ideal locations for transit routes and transit stops. Also Broad Street is similarly designated, and is 1 ½ blocks away. There is a covered bus stop at the Northeast corner of Broad and Oliver Hill Way.

Oliver Hill Way is designated a *Greenway* on the Greenways & On-Street Bike Facilities Map. A greenway is defined as a universally accessible paved path that is a minimum of 8-feet wide and intended for non-vehicle users.

Shockoe Small Area Study

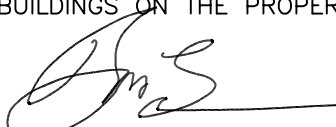
Following up on Richmond 300 points referenced above, improvements are planned for this section of Oliver Hill Way. (*Ref. Figure 42 p. 163*) The street will be converted from one-way to two-way traffic, a bicycle lane will be added, amongst other improvements.

The Owner is requesting a Rezoning to B-5 Central Business District, without conditions. This will allow the conversion of the current commercial space to 2 more residential units for the neighborhood, and will not impose an unnecessary parking requirement on the property.

Thank you for your consideration,

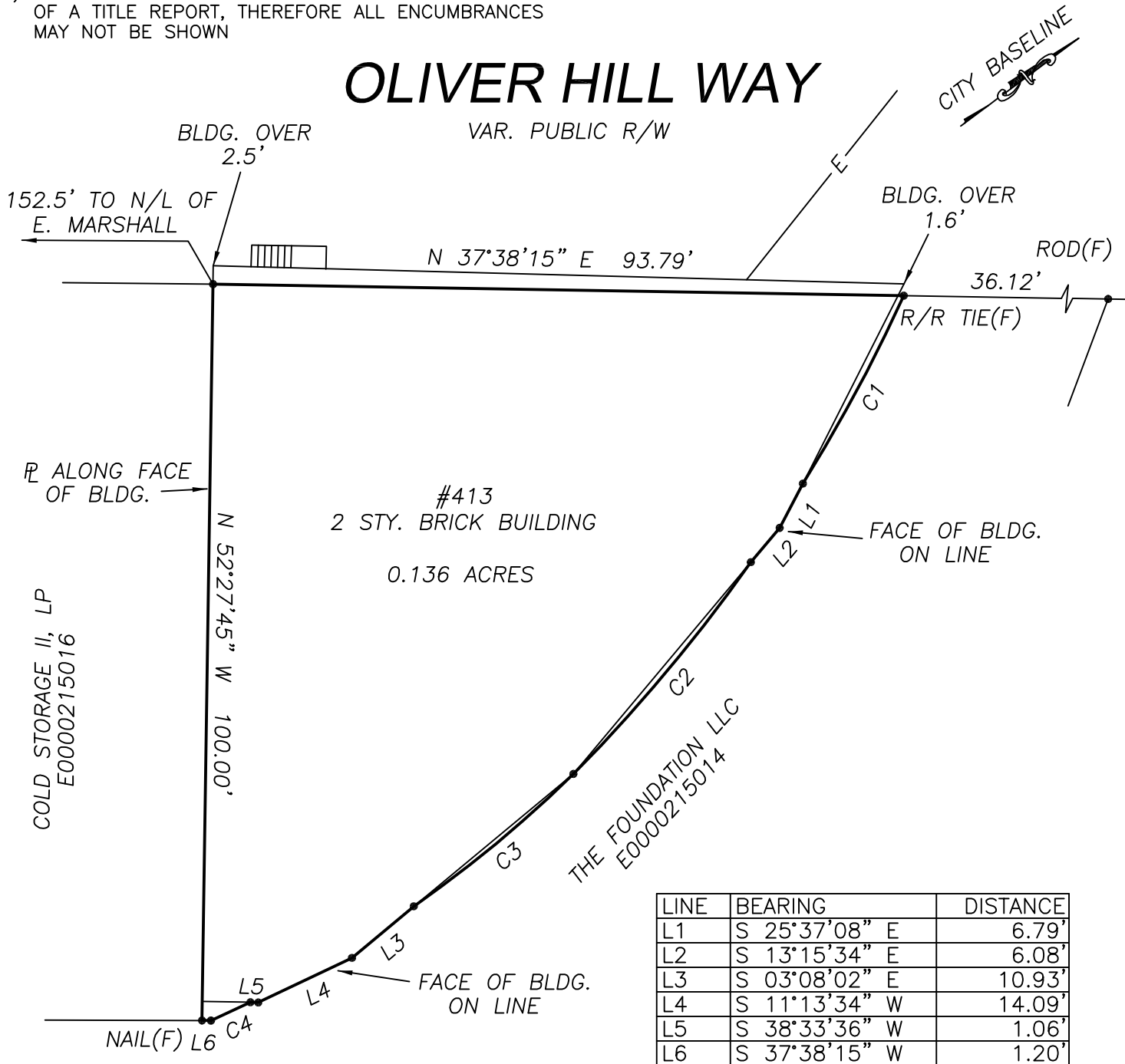
Anne Durkin
Johannas Design Group

THIS IS TO CERTIFY THAT ON MARCH 6, 2010 I SURVEYED THE PROPERTY SHOWN ON THIS PLAT AND THAT THE TITLE LINES AND WALLS OF THE BUILDING ARE AS SHOWN ON THIS PLAT. THE BUILDINGS STAND STRICTLY WITHIN THE TITLE LINES AND THERE ARE NO ENCROACHMENTS OF OTHER BUILDINGS ON THE PROPERTY EXCEPT AS SHOWN


BRIAN LONG, L.S.



- 1) THIS PARCEL IS IN FEMA FLOOD ZONE "X" AS DEFINED ON F.I.R.M. 5101290041D, DATED 4-2-09
- 2) THIS SURVEY IS BASED ON CURRENT FIELD WORK
- 3) THIS SURVEY WAS PREPARED WITHOUT THE BENEFIT OF A TITLE REPORT, THEREFORE ALL ENCUMBRANCES MAY NOT BE SHOWN



SURVEY OF
415 OLIVER HILL WAY

CITY OF RICHMOND
VIRGINIA

LONG SURVEYING, LLC
3408 SHERWOOD BLUFF WAY
POWHATAN, VA 23219

MARCH 6, 2010
SCALE: 1"=20'

FOR: CHAPMAN