

INTRODUCED: April 23, 2018

AN ORDINANCE No. 2018-135

To conditionally rezone the property known as 104 North Belvidere Street from the R-73 Multifamily Residential District to the B-4 Central Business District (Conditional), upon certain proffered conditions.

Patron – Mayor Stoney (By Request)

Approved as to form and legality
by the City Attorney

PUBLIC HEARING: MAY 29 2018 AT 6 P.M.

THE CITY OF RICHMOND HEREBY ORDAINS:

§ 1. That, as shown on the plat entitled “Plat Showing Parcels 2, 2C, 2B & 4B on the West Line of Belvidere Street, Richmond, Virginia, Surveyed for Hamid & Ali Gharagozloo,” prepared by Baseline, Inc., and dated December 18, 2003, a copy of which is attached to, incorporated into, and made a part of this ordinance, the property located at 104 North Belvidere Street, with Tax Parcel No. W000-0298/011 as shown in the 2018 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-4 Central Business District (Conditional) and

AYES: 7 NOES: 0 ABSTAIN: _____

ADOPTED: MAY 29 2018 REJECTED: _____ STRICKEN: _____

shall be subject to the provisions of sections 30-440.1 through 30-440.7 and all other applicable provisions of Chapter 30 of the Code of the City of Richmond (2015), as amended.

§ 2. That this rezoning shall be conditioned upon the compliance by the owner or owners with all of the proffered conditions contained in the agreement entitled “Proffer Statement” and dated April 16, 2018, a copy of which is attached to, incorporated into, and made a part of this ordinance. These conditions, having been proffered by the owner or owners and accepted by the City, shall continue in full force and effect until a subsequent amendment to the City’s zoning ordinance changes the zoning of the parcels rezoned by this ordinance and specifically repeals such conditions.

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

City of Richmond

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

Item Request

File Number: PRE.2018.099

RECEIVED

APR 23 2018

O & R REQUEST

OFFICE OF CITY ATTORNEY

O & R Request

APR 17 2018
4-7-18
Office of the
Chief Administrative Officer

DATE: April 16, 2018

EDITION: 1

TO: The Honorable Members of City Council

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

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

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

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

RE: To conditionally rezone the property known as 104 North Belvidere Street from the R-73 Multifamily Residential District to the B-4 Central Business District (Conditional), upon certain proffered conditions.

ORD. OR RES. No. _____

PURPOSE: To conditionally rezone the property known as 104 North Belvidere Street from the R-73 Multifamily Residential District to the B-4 Central Business District (Conditional), upon certain proffered conditions.

REASON: The applicant has requested to conditionally rezone the property to the B-4 Central Business District in order to allow a mix of uses within the building on the property under the regulations found in the B-4 District in accordance with the Nodal Mixed-Use land use designation of the Pulse Corridor Plan.

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 June 4, 2018, meeting. A letter outlining the Commission's recommendation will be forwarded to City Council following that meeting.

BACKGROUND: The property is located near the intersection of North Belvidere and West Franklin

Streets. It is comprised of a 3,659 sq. ft, .08 acre parcel of land, currently improved and located in the VCU Neighborhood. The existing building is a three-story 9,249 SF building constructed in 1925, per tax assessment records.

The applicant proposes a conditional rezoning to the B-4 district to allow for mixed use of the property. The applicant has proffered that the existing historic building would be retained on the property.

The City of Richmond's Pulse Corridor Plan designates a future land use category for the subject property as Nodal Mixed-Use. The Nodal Mixed-Use designation is a "Transit-oriented district located immediately adjacent to the Pulse BRT or other frequent transit service at key gateways and prominent places in the city in order to provide for significant, urban-form development in appropriate locations.

Higher-density pedestrian- and transit-oriented development encouraged on vacant and underutilized sites; new development should be urban in form and may be of larger scale than existing context. It should directly engage with the prominence of Nodal Mixed-Use places and the public realm.

Potential future zoning districts to accomplish Nodal Mixed-Use: B-4, B-5, RF-1, RF-2, or a new district (p. XI)

Historic Preservation is a Corridor Principle, as outlined in the plan: Retaining existing historic buildings is a priority. Smaller historic buildings add to a diversity of style and use along the Corridor (p. 26).

Properties to the south and west are located in the same R-73 District as the subject property. Properties to the north are located in the B-4 District. Properties to the east are located in the RO-3 Residential-Office District.

A mix of multifamily residential, office, commercial, institutional and public-open space (Monroe Park), and vacant land uses are present in the area.

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: \$1,500 application fee

DESIRED EFFECTIVE DATE: Upon Adoption

REQUESTED INTRODUCTION DATE: May 14, 2018

CITY COUNCIL PUBLIC HEARING DATE: June 11, 2018

REQUESTED AGENDA: Consent.

RECOMMENDED COUNCIL COMMITTEE: None.

CONSIDERATION BY OTHER GOVERNMENTAL ENTITIES: City Planning Commission, June 4, 2018

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

PDR O&R No. 18-17

Proffer Statement

The owner of the property located at 104 North Belvidere Street hereby voluntarily proffers the following condition in connection to the rezoning to the B-4 District:

1. The existing building shall be retained on the property.

Executed this 16th day of April, 2018.

Nest, LLC
A Virginia limited liability company

By: 

Name: Hamid M Ghafagzlob



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: 104 N. BELVIDERE ST. Date: 11/8/2017
Tax Map #: W0000298011 Fee: \$1,500.⁰⁰
Total area of affected site in acres: 0.084

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

Zoning

Current Zoning: R-73
Existing Use: OFFICE

Proposed Zoning/Conditional Zoning

(Please include a detailed description of the proposed use and proffers in the required applicant's report)
B-4
Existing Use: OFFICE

Is this property subject to any previous land use cases?

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

Applicant/Contact Person: HAMID M. GHARAGOZLOO
Company: NEST LLC
Mailing Address: 3720 CARY STREET ROAD
City: RICHMOND State: VA Zip Code: 23221
Telephone: (561) 779-0761 Fax: ()
Email: NESTLLC@HOTMAIL.COM

Property Owner: NEST LLC,
If Business Entity, name and title of authorized signee: HAMID M. GHARAGOZLOO, PRESIDENT

(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: 3720 CARY STREET ROAD
City: RICHMOND State: VA Zip Code: 23221
Telephone: (561) 779-0761 Fax: ()
Email: NESTLLC@HOTMAIL.COM

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.

Dear Members of the Board of Planning and Redevelopment Review;

Our property, a 3 story office building located at 104 N. Belvidere St., is currently zoned R-73 with Medical Clinic/Office use designation. It has been used in a nonresidential capacity as an office/clinic for the past several decades. Currently it is leased to VCU as an office building through August, 2020. Based on the city plans and zoning designation of the specific area within which our property lies, along with the rapid transformation of the VCU Monroe campus, we feel that the property is extremely underutilized as an office, and a mixed use structure would best serve the demands and demographic needs of the area. What we envision is a mixed use building with a possible 1-level underground parking, 1st floor retail, and a mix of offices and apartments on the higher floors. We intend and prefer to keep VCU as a tenant in the new building if they so wish. I should emphasize that these are ideas and concepts at very early and preliminary stages and nothing has been planned as of yet. But in the future, before VCU's lease is up, we would like to start the process to construct a structure that is best suited for the area's needs and demands. For that, we need the property to be rezoned B-4, which conforms perfectly to the city plans for the area. Please do not hesitate to contact either myself or my wife with any questions.

Best,


Hamid M Gharagozloo

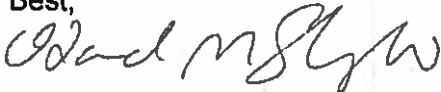
April 16, 2018

RE: Rezoning 104 N Belvidere St.

To Whom It May Concern;

As per my previous communications by email, and meetings with the city planning staff, I am writing this letter to update my Application Report and state that my reason for rezoning the building at 104 N. Belvidere is to allow for a broader mix of uses permitted in the B-4 zoning district. Our plan for the property is to keep the existing structure intact and preserve its esthetics and historical character. As such, I have signed and attached a statement proffering that I will retain the existing building on the property. I also am interested in pursuing the available State and Federal Historical Tax Credit programs. Please do not hesitate to contact me either by email – NestLLC@hotmail.com, or phone at (561) 779-0761 with any questions.

Best,

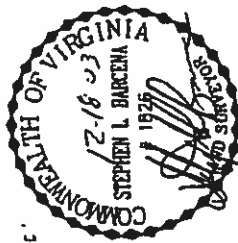


Hamid M Gharagozloo

ST. ELIZABETH'S HOSPITAL

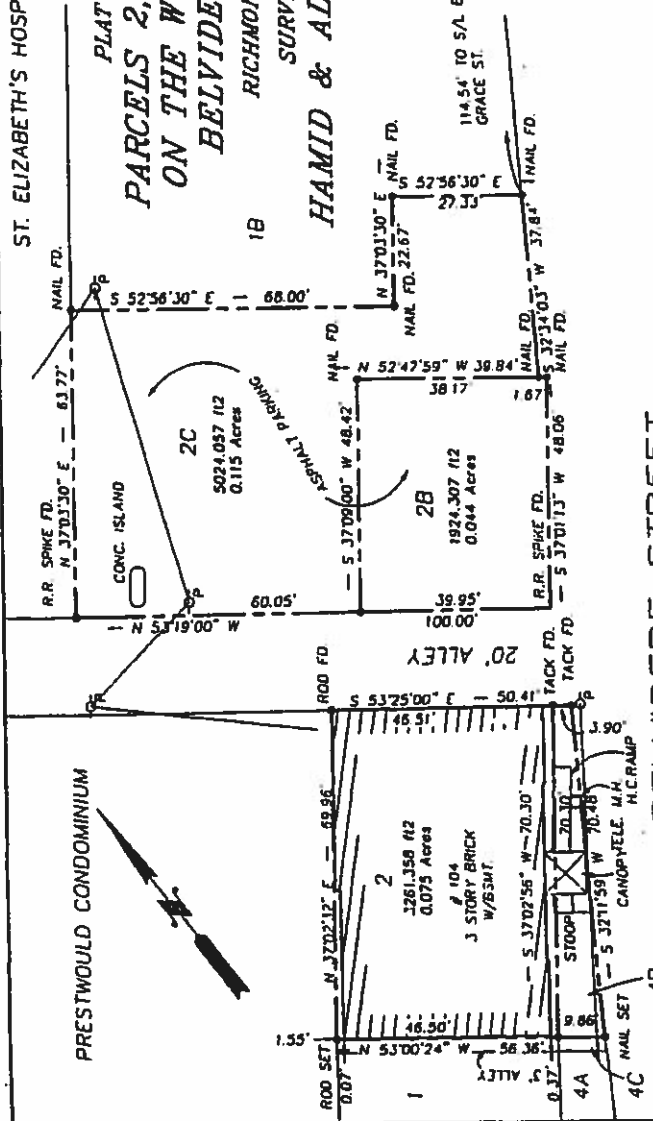
PRESTWOLD CONDOMINIUM

PLAT SHOWING
PARCELS 2, 2C, 2B & 4B
ON THE WEST LINE OF
BELVIDERE STREET
 RICHMOND, VIRGINIA
 SURVEYED FOR
HAMID & ALI GHARAGOZLOO



BASELINE, INC.
 LAND SURVEYING
 CHESTER, VIRGINIA
 804-530-3200

DATE: DECEMBER 18, 2003 SCALE: 1" = 25'
 DRAWN BY: SLB
 CHECKED BY: CALC. CHK. SLB
 JOB NO.: 16084 F.B. LL, TDS



BELVIDERE STREET



THIS PROPERTY IS IN ZONE 1 OF THE FLOOD DEFENSE FLOOD INSURANCE RATE MAPS.

THIS SURVEY WAS PREPARED WITHOUT THE BENEFIT OF A TITLE SEARCH. THIS IS TO CORRECT THAT ON 12/16/2003 THE BEST OF MY PROFESSIONAL KNOWLEDGE AND BELIEF I MADE AN ACCURATE FIELD SURVEY OF THE PREMISES SHOWN HEREON AND THAT THE PREMISES SHOWN ON THESE PLATS ARE SHOWN HEREON THAT THERE ARE NO VISIBLE ENCROACHMENTS BY IMPROVEMENTS EITHER FROM ADJACENT PROPERTIES OR FROM THE STREET THAN AS SHOWN HEREON.

PREVIOUS JOB NO.