

INTRODUCED: January 26, 2015

AN ORDINANCE No. 2015-15-33

To conditionally rezone the property known as 2102 East Main Street from the M-1 Light Industrial District to the B-5C Central Business District (Conditional), upon certain proffered conditions.

Patron – Mayor Jones (By Request)

Approved as to form and legality
by the City Attorney

PUBLIC HEARING: FEB 23, 2015 AT 6 P.M.

THE CITY OF RICHMOND HEREBY ORDAINS:

§ 1. That, as shown on the plat entitled “Plat Showing Improvements on #2102 East Main Street,” prepared by Koontz-Bryant P.C., and dated July 14, 2000, a copy of which is attached to, incorporated into, and made a part of this ordinance, the property known as 2102 East Main Street, with Tax Parcel No. E000-0226/033 as shown in the 2015 records of the City Assessor, is excluded from the M-1 Light Industrial District and shall no longer be subject to the provisions of sections 114-452.1 through 114-452.4 of the Code of the City of Richmond (2004), as amended, and that the same is included in the B-5C Central Business District (Conditional) and shall be subject to the provisions of sections 114-442.1 through 114-

AYES: 9 NOES: 0 ABSTAIN: _____

ADOPTED: FEB 23 2015 REJECTED: _____ STRICKEN: _____

442.7 and all other applicable provisions of Chapter 114 of the Code of the City of Richmond (2004), as amended.

§ 2. That this rezoning shall be conditioned upon the compliance by the owner or owners with the proffered conditions entitled “Proffered Condition for 2102 East Main Street” and dated December 11, 2014, 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 parcel rezoned by this ordinance and specifically repeals such conditions.

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



CITY OF RICHMOND

INTRACITY CORRESPONDENCE

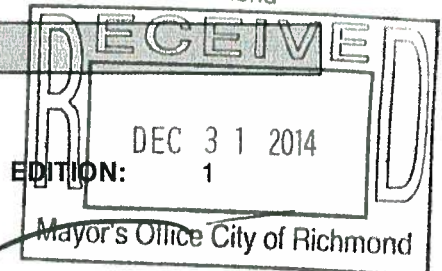
O & R REQUEST

DEC 16 2014

Chief Administration Office
City of Richmond

O&R REQUEST

O & R Request



DATE: December 16, 2014

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: Christopher L. Beschler, Interim 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 conditionally rezone the properties known as 2102 East Main Street from the M-1 Light Industrial District to the B-5C Central Business District, upon certain proffered conditions.

Handwritten signatures and initials:
 - Large signature over Christopher L. Beschler
 - Initials "RS" over Peter L. Downey
 - Initials "MO" over Mark A. Olinger

ORD. OR RES. No. _____



OFFICE OF CITY ATTORNEY

PURPOSE: To conditionally rezone the properties known as 2102 East Main Street from the M-1 Light Industrial District to the B-5C Central Business District (Conditional), upon certain proffered conditions.

REASON: The subject property is zoned M-1 Light Industrial District, which does not permit the proposed dwelling on the second floor. A rezoning to B-5 Central Business District is required to permit the proposed residence and art gallery on the first floor.

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 February 2, 2015, meeting. A letter outlining the Commission's recommendation will be forwarded to City Council following that meeting.

BACKGROUND: The request is to rezone the property and convert the second floor to one dwelling unit and the ground floor to an art gallery. These proposed uses are permitted in the B-5 District and no parking spaces would be required as proposed. However, the applicant has proffered to provide at least one parking space for the residential unit. The parking would be located off of the alley between North 21st Street and North 22nd Street. Dwelling units are permitted when a minimum of one-third or 1,000 square feet, whichever is greater, of the floor area of the ground floor of the building is devoted to a principal use permitted in the district. The proposed art gallery is permitted in the B-5 District.

The subject property is currently in the M-1 District and consists of one (1) parcel fronting on East Main Street. The property has been used as an office for Maritime Ministries.

TMP-794

The subject property is located on the block bounded by East Franklin St to the north, North 22nd Street to the east, East Main Street to the south, and South 21st Street to the west.

The Richmond Downtown Plan designates this property as Urban Center Area. "The Urban Center Area is characterized by higher density, mixed-use development, typically arranged on a fine-grained street network, with wide sidewalks, regular tree planting, and minimal setbacks (p.3.25)."

"Shockoe Slip is also an example of a classic urban center condition, with a dense mix of office space, apartments, and retail located in four to six-story brick buildings that front the street. Pedestrians have an active presence in these neighborhoods (p.3.26)."

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: \$1,200 application fee

DESIRED EFFECTIVE DATE: Upon adoption.

REQUESTED INTRODUCTION DATE: January 12, 2015

CITY COUNCIL PUBLIC HEARING DATE: February 9, 2015

REQUESTED AGENDA: Consent

RECOMMENDED COUNCIL COMMITTEE: None

CONSIDERATION BY OTHER GOVERNMENTAL AGENCIES: City Planning Commission, February 2, 2015

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, Survey

STAFF: Willy Thompson, Senior Planner
Land Use Administration (Room 511)
646-5734

DCD O&R No. 14-52



Application for **REZONING/CONDITIONAL REZONING**
RECEIVED

OCT 06 2014

Department of Planning and Development Review
Land Use Administration Division
900 E. Broad Street, Room 511
Richmond, Virginia 23219
(804) 648-8304
<http://www.richmondgov.com/>

LAND USE ADMINISTRATION

Project Name/Location

Project Name: MARITIME MINISTRIES INC. Date: 9/24/14
Property Address: 2102 E MAIN ST. Tax Map #: E0000226033
Fee: \$1200 Total area of affected site in acres: 0.048
(See page 3 for fee schedule, please make check payable to the "City of Richmond")

Zoning

Current Zoning: M1

Proposed Zoning/Conditional Zoning

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

Existing Use: OFFICE & MEETING ROOM

Is this property subject to any previous land use cases? (LOADING STUDIO AND GALLERY
 Yes No

If Yes, please list the Ordinance Number: (B17A ONE OR MORE RESIDENT

WORKING ARTIST ROTATING ART EXHIBITS

Applicant/Contact Person: ROY ARMSTRONG

Company: MARITIME MINISTRIES INC

Mailing Address: PO BOX 71240

City: HENRICO State: VA Zip Code: 23255-1240

Telephone: (804) 615-2264 Fax: ()

Email: ROY@MMINC.ORG

Property Owner: MARITIME MINISTRIES INC.

If Business Entity, name and title of authorized signee: ROY ARMSTRONG 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: PO BOX 71240

City: HENRICO State: VA Zip Code: 23255-1240

Telephone: (804) 615-2264 Fax: ()

Email: ROY@MMINC.ORG

Property Owner Signature: [Signature] PRESIDENT MARITIME INC.

(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.)



MARITIME MINISTRIES

*reaching and mobilizing
remote maritime communities
for Christ*

2102 East Main Street
Richmond, VA 23223

roy@mmiac.org

October 6, 2014

Application for Rezoning;
City of Richmond, VA
Application Report for:

2102 E. Main St.
Richmond, VA. 23223

Senior Planner; Daniel Thompson,

Dear Mr. Thompson,

Thank you for your leadership in the rezoning and planning procedures.

This building was renovated in the years 2001. It's been used as an office and the "rivers Gate meeting Center" for Maritime Ministries Inc. for 13 years. We've thought about rezoning the building many times over the 13 years but never got around to it but now is the time.

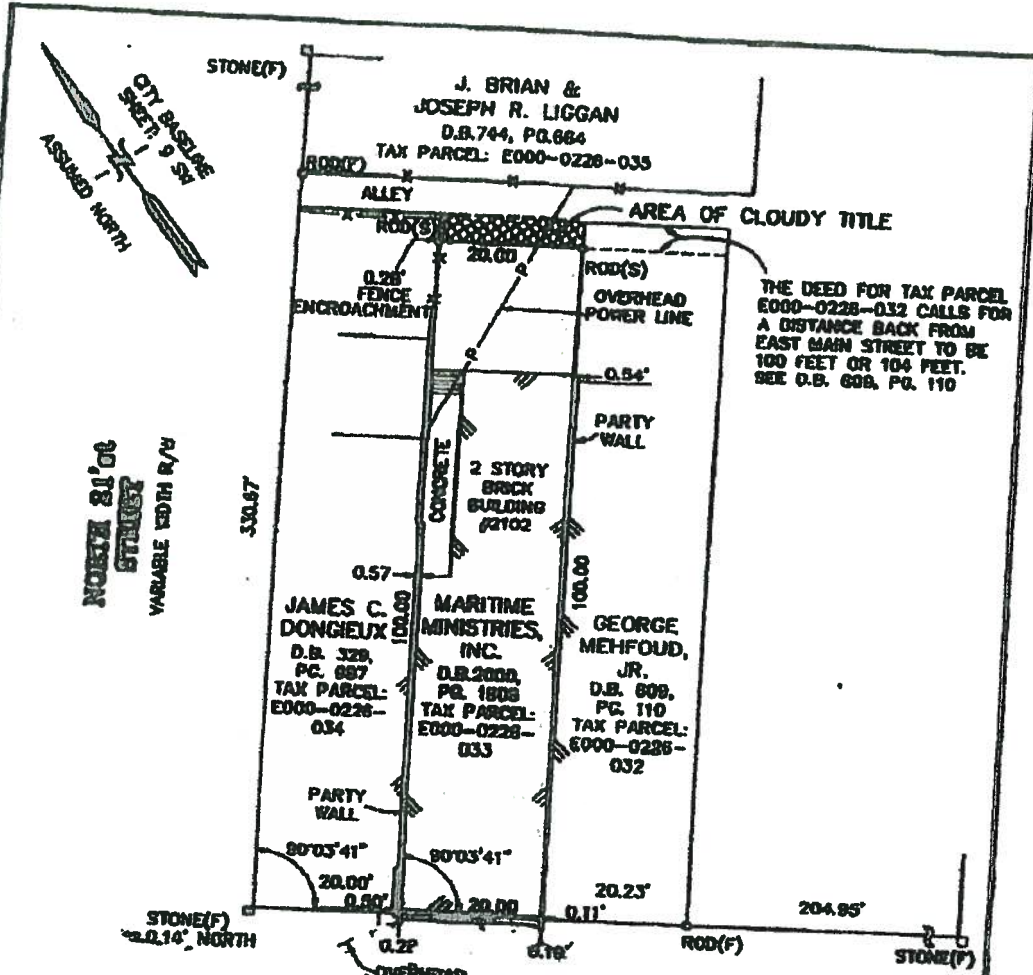
Our ministry has grown over the years to the point that the office and the "Rivers Gate Center" need to be relocated to Mid-Atlantic Christian University's campus in Elizabeth City North Carolina. We plan to rent the property to be used as a working art studio and gallery down stairs and a dwelling for two upstairs. The property is already prepared for this type of use.

It's our understanding that in order to do this we need to rezone the building from the present M1 zone to a B5 zone. We already have an artist from the Washington DC area interested in doing this. In looking into this plan we have also found that if we ever sell the property we will need to rezone it anyway.

It's been very encouraging and to see the great improvements on East Main St. over the last 13 years and we are proud to be a part of it.

Roy Armstrong

President/ Maritime Ministries, Inc.
Phone: 804-615-2264



THE DEED FOR TAX PARCEL E000-0228-032 CALLS FOR A DISTANCE BACK FROM EAST MAIN STREET TO BE 100 FEET OR 104 FEET. SEE D.B. 609, PG. 110

NOTE:
A LEAD NUB AND TACK WILL BE SET AT BOTH FRONT PROPERTY CORNERS.

NOTE:
DEEDS FOR TAX PARCEL E000-0228-033 WERE RESEARCHED BACK TO 1913. THE ABOVE PROPERTY IS DESCRIBED AS BEING 20 FEET WIDE AND 100 FEET DEEP.

PLAT SHOWING IMPROVEMENTS ON #2102 EAST MAIN STREET

CITY OF RICHMOND, VIRGINIA



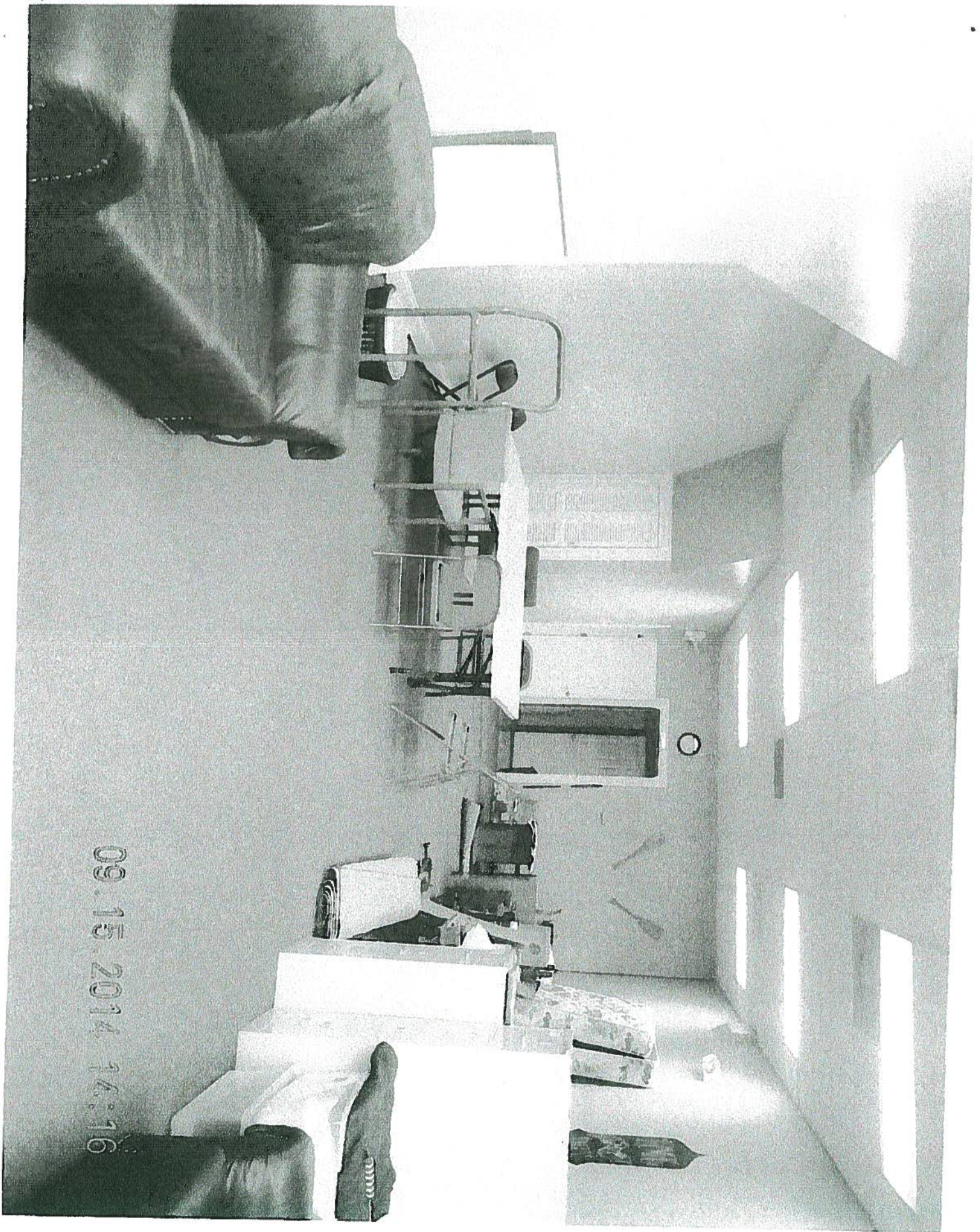
THIS IS TO CERTIFY THAT ON JULY 14, 2000, I MADE AN ADEQUATE FIELD SURVEY OF THE PREMISES SHOWN HEREON THAT ALL IMPROVEMENTS SHOWN ARE CORRECT AND ACCURATE. THAT I HAVE SET AND MARKED THE CORNERS OF THE IMPROVEMENTS FROM THE SURVEY POINTS OR FROM ADJACENT PREMISES OTHER THAN AS SHOWN HEREON.

FLOOD ZONE C - PANEL NO. 81089 0010 8

Koontz - Bryant, P.C.
ENGINEERS & SURVEYORS
6031 MAYLAND DRIVE RICHMOND, VIRGINIA 23204
(804)740-8880 FAX(804)740-7338

DATE: JULY 14, 2000 SCALE: 1" = 20'
CHKD BY: DRAWN BY: MRS
JOB NO: 40 40MS.DWG

OWNER: MARITIME MINISTRIES, INC.
Koontz - Bryant, P.C.



09.15.2014 14:16

Proffered Condition for 2102 East Main Street

The undersigned owners of tax parcel E0000226033 ("the property") hereby agree to proffer the following condition:

1. One (1) parking space shall be provided for the property's residential dwelling. This parking space shall be located within a five hundred (500) radius of the property.

By:

A handwritten signature in black ink, appearing to be "P. D. [unclear]", written over a horizontal line.

Date:

12-11-14

Off-Site Parking Lease

This Lease is entered into by and between Estate of William P. Pearsall located at 210 East Main Street, Richmond, VA ("Lessor") and Maritime Ministries located at 2102 East Main Street, Richmond, VA ("Lessee").

In consideration of the mutual covenants contained herein and other valuable consideration received, and with the intent to be legally bound, Lessor and Lessee agree as follows:

1. PREMISES: Lessor hereby leases to Lessee, and Lessee hereby lease from Lessor the following four parking spaces: Spaces marked * on accompanying plan in lot 11-13 North 21st Street, Richmond, VA ("Premises").
2. TERM: The term of this Lease will commence on January 1, 2015 and will continue until December 31, 2015. Either party may terminate this Lease upon 30 days prior written notice to the other party. The Zoning Administration shall be notified in writing at least thirty (30) days prior to either party canceling the lease.
3. RENT: For good and fair value, the Lessor pledges and donates the Premises during the aforementioned term.
4. USE: Lessee agrees to comply with all present and future laws, ordinances and regulations of any public authority relating to the use of the Premises. Lessee shall not make or permit any noisy or offensive use of the Premises, or allow any nuisance or use which might interfere with the enjoyment of other neighbors. Lessee will not permit any hazardous act or use of the Premises which might increase the cost of insurance or cause the cancellation of such insurance. Lessee will not make or permit any waste on the Premises. Lessee agrees to pay for all damages to the Premises that result from the Lessee or its agent's actions.
5. LIABILITY: Lessor is not responsible for any damage to Lessee's property while on the Premises.
6. ACCESS: Leased parking spaces shall be dedicated and reserved for the exclusive twenty-four (24) hour use of the lessee except that any portion of the parking spaces required for any use may be supplied by parking spaces provided for any other use which is not routinely open, uses or operated during the same hours of the day or night as provided by Section 32-710.4(2) of the zoning ordinance, subject to fulfillment of the Section 32-710(1) 300 foot distance requirement.
7. ASSIGNMENT AND SUBLETING: Lessee shall not assign this Lease or sublet all or any portion of the Premises.
8. ENTIRE AGREEMENT: This Lease contains the entire agreement and understanding between the parties regarding the Premises and is subject to no agreements, conditions, or representations that are not set forth herein. This Lease may only be amended in writing and signed by both Lessee and Lessor.

9. INVALID PROVISIONS: If any provision of this Lease shall be invalid or unenforceable, the remaining provisions shall remain in full force and effect.

10. PARTIES BOUND: This Lease shall be binding upon and shall inure to the benefit of the parties.

This Lease is executed on the 1st day of January, 2014.

[Signature] Signed, Owner
Estate of William F. Pearson Lessor

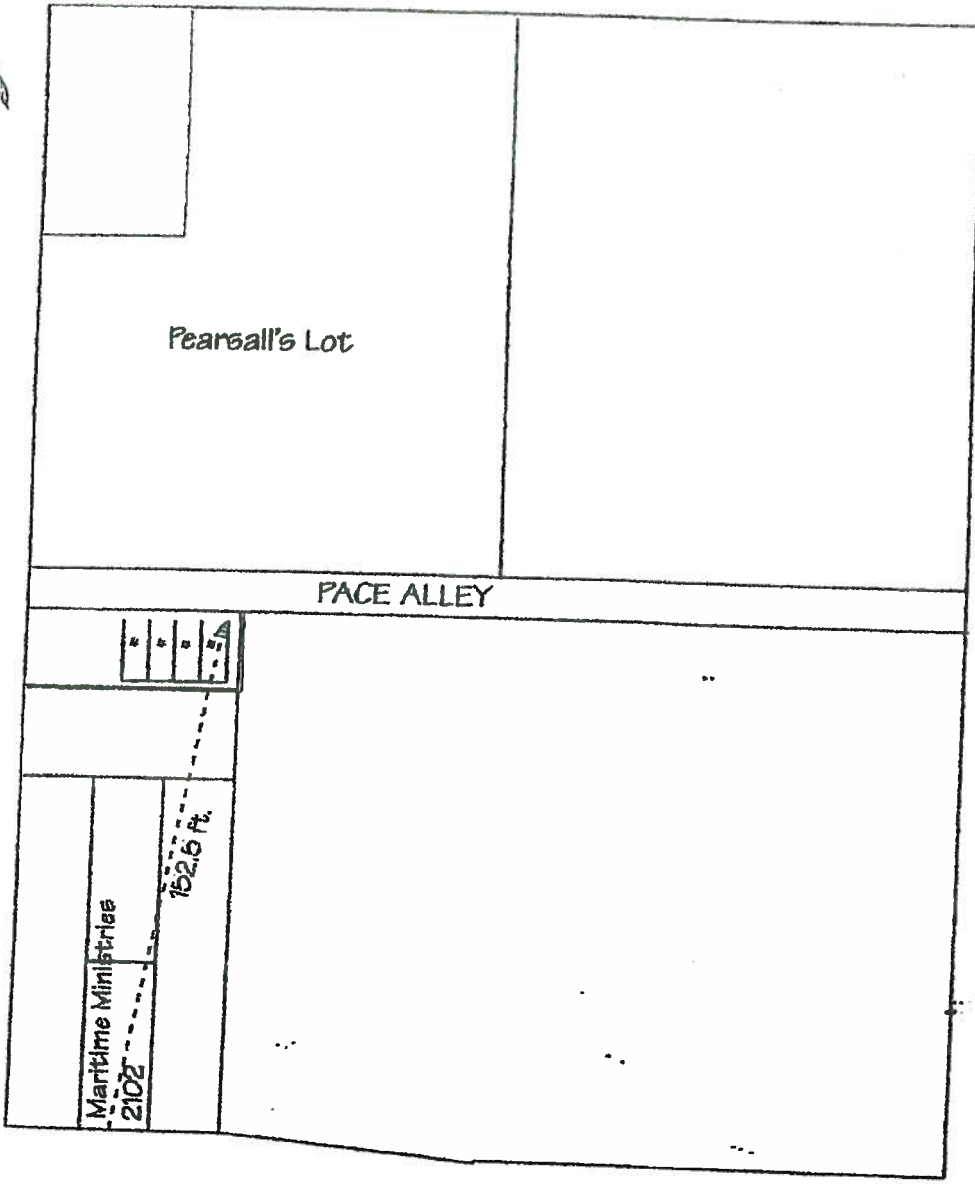
Address: 210 East Main Street, Richmond, VA 23219

[Signature] Signed, Director
Maritime Ministries, Inc. Lessee

Address: 12270 Kain Road, Glen Allen, VA 23060 Tel. No: 804-360-2264



E FRANKLIN



N. 21st STREET

N. 22nd STREET

E MAIN STREET

MARITIME MINISTRIES OFF-SITE PARKING

SCALE 1"=50'

Notes:

1. 4 spaces provided
2. Access as per paragraph 6 of the lease agreement
3. Spaces indicated with *
4. Sign indicating the location of off-site parking posted at 2102 building



Shockoe Bottom Neighborhood Association

December 2, 2014

Dear Mr. Thompson,

The Shockoe Bottom Neighborhood Association supports the re-zoning of 2102 East Main Street, Richmond, Virginia. The proposed uses are keeping with the residential/commercial nature of our neighborhood and would be a welcome addition.

If you have any further need for information, please contact me.

Sincerely,

David Napier
President, Shockoe Bottom Neighborhood Association
(804) 644-4411
(804) 400-8871
1548 East Main Street, Suite B
Richmond, Va. 23219



1548 East Main Street
Suite B
Richmond, VA 23219

PHONE (804) 400-8871
FAX (804) 644-1703
E-MAIL c/o David Napier, President
theoldcitybar@yahoo.com
