

INTRODUCED: April 9, 2018

A RESOLUTION No. 2018-R034

To declare a public necessity to amend the zoning ordinance and to initiate an amendment to the City's zoning ordinance to rezone certain properties located in the West Cary Street area, generally bounded by West Main Street to the north, Cumberland Street to the south, South Belvidere Street to the east, and South Cherry Street to the west, from the B-3 General Business District to the UB-2 Urban Business District and the B-6 Mixed-Use Business District.

\_\_\_\_\_  
Patron – Mr. Agelasto

\_\_\_\_\_  
Approved as to form and legality  
by the City Attorney

PUBLIC HEARING: APR 23 2018 AT 6 P.M.

WHEREAS, section 15.2-2286 of the Code of Virginia (1950), as amended, provides that a zoning ordinance may include, among other things, reasonable regulations and provisions for the amendment of regulations or district maps from time to time; and

WHEREAS, in accordance with section 15.2-2286 of the Code of Virginia (1950), as amended, such amendment may be initiated by resolution of the governing body, provided that any such resolution by the governing body proposing an amendment to the regulations or district maps shall state the public purposes therefor; and

AYES:                    3                    NOES:                    6                    ABSTAIN:                    \_\_\_\_\_

ADOPTED: \_\_\_\_\_ REJECTED:                    MAY 14 2018                    STRICKEN: \_\_\_\_\_

WHEREAS, the Council believes that it is in the best interests of the residents of the City of Richmond that the City amend its zoning ordinance, codified as Chapter 30 of the Code of the City of Richmond (2015), as amended, to rezone certain properties located in the West Cary Street area, generally bounded by West Main Street to the north, Cumberland Street to the south, South Belvidere Street to the east, and South Cherry Street to the west, as shown in Attachment A, a copy of which is attached to this resolution, from the B-3 General Business District to the UB-2 Urban Business District and the B-6 Mixed-Use Business District;

NOW, THEREFORE,

BE IT RESOLVED BY THE COUNCIL OF THE CITY OF RICHMOND:

That the City Council hereby declares that the public necessity, convenience, general welfare and good zoning practices of the City require the initiation of an amendment of the zoning ordinance set forth in Chapter 30 of the Code of the City of Richmond (2015), as amended, to rezone certain properties located in the West Cary Street area, generally bounded by West Main Street to the north, Cumberland Street to the south, South Belvidere Street to the east, and South Cherry Street to the west, as shown in Attachment A, a copy of which is attached to this resolution, from the B-3 General Business District to the UB-2 Urban Business District and the B-6 Mixed-Use Business District.



# Richmond City Council

The Voice of the People

Richmond, Virginia

## Office of the Council Chief of Staff

### Ordinance/Resolution Request

**TO** Allen Jackson, Richmond City Attorney  
Richmond Office of the City Attorney

**THROUGH** Lou Brown Ali *LB*  
Council Chief of Staff

**FROM** William E. Echelberger, Jr, Council Budget Analyst *WE*

**COPY** Parker C. Agelasto, 5th District Representative  
Haskell Brown, Deputy City Attorney  
Meghan K. Brown, Deputy Council Chief of Staff *MKB*  
Amy E. Robins, 5<sup>th</sup> District Liaison

**DATE** March 27, 2018

**PAGE/s** 1 of 3

**TITLE** Rezoning of Certain Properties in the West Cary Street Area

RECEIVED

MAR 27 2018

OFFICE OF CITY ATTORNEY

This is a request for the drafting of an  Ordinance  Resolution

**REQUESTING COUNCILMEMBER/PATRON**

Parker C. Agelasto, 5th District

**SUGGESTED STANDING COMMITTEE**

Waived

**ORDINANCE/RESOLUTION SUMMARY**

The Patron requests an ordinance to amend the zoning district maps to rezone certain properties located in the West Cary Street area, generally bounded by West Main Street to the north, Cumberland Street to the south, South Belvidere Street to the east, and South Cherry Street to the west, from the current zoning district of B-3 General Business to the UB-2 Urban Business District and to the B-6 Mixed-Use Business District.

**BACKGROUND**

- Council adopted Resolution No. 2005-R186 on September 26, 2005 to request the Chief Administrative Officer to study the appropriate zoning for the West Cary Street Area.
- During this planning process, property owners and businesses along West Cary Street between South Cherry Street and South Belvidere Street expressed concern with rezoning this portion of the study area from B-3 General Business to UB (Urban Business).
  - The specific concerns dealt with height limitations, that of twenty eight (28) feet.
  - Planning staff were asked to create a zoning classification that is more unique to the existing development pattern along this portion of West Cary Street.
  - The resulting UB and UB-2 districts, adopted by Ordinance No. 2008-002 on March 24, 2008, encourage development of mixed land uses consistent with the objectives of the Master Plan and Downtown Plan.

- Planning staff recommended a combination of UB-2 Urban Business and B-6 Mixed Use Business for the area.
- The West Main Street Corridor Plan, which was adopted in 1998, recommended UB and UB2 throughout the adjacent corridor to the west of the area set out in the requested ordinance, and in Ordinance No. 2009-206 (Patron: Mayor Jones).
- On July 6, 2009, the City Planning Commission adopted a Motion of Intent to rezone, however, the contemplated rezoning has not occurred.
- Two ordinances have been introduced to implement the proposed zoning change, but both were subsequently stricken:
  - Ordinance No. 2008-131 (Patron: Graziano), and
  - Ordinance No. 2009-206 (Patron: Mayor Jones).
- Council adopted Resolution No. 2015-R075 on March 25, 2013 to initiate a study of all real properties in the B-3 General Business District to determine if the zoning classification for such properties is consistent with objectives to revitalize the commercial corridors and to limit the disruption of commercial frontage in the district.
  - Pursuant to adoption of Resolution No. 2015-R075 at least one area of the city has been rezoned to take advantage of the new provisions.
  - Council adopted Ordinance No. 2015-202 (Patron: Mayor Jones) to rezone certain properties along Meadowbridge Road, East Brookland Park Boulevard, Second Avenue, and Dill Avenue to the UB and UB-2 Urban Business Districts.
- The following 54 real properties that were included in Ordinance No. 2009-206, and are currently zoned B-3 General Business are to be included in the requested ordinance:

**UB-2 Urban Business District**

	Description	Tax Parcel No.
1	619 West Cary Street	W000-0211/002
2	611 West Cary Street	W000-0211/004
3	617 West Cary Street	W000-0211/004
4	101 A South Pine Street	W000-0211/004
5	609 West Cary Street	W000-0211/008
6	731 West Cary Street	W000-0255/001
7	729 West Cary Street	W000-0255/001
8	733 West Cary Street	W000-0255/001
9	725 West Cary Street	W000-0255/004
10	723 West Cary Street	W000-0255/004
11	713 West Cary Street	W000-0255/013
12	707 West Cary Street	W000-0255/013
13	705 West Cary Street	W000-0255/013
14	709 West Cary Street	W000-0255/013
15	711 West Cary Street	W000-0255/013
16	715 West Cary Street	W000-0255/013
17	701 West Cary Street	W000-0255/015
18	102 South Pine Street	W000-0255/015
19	703 West Cary Street	W000-0255/015
20	712 Green Alley	W000-0255/040
21	825 West Cary Street	W000-0293/001
22	819 West Cary Street	W000-0293/003

23	821 West Cary Street	W000-0293/003
24	817 West Cary Street	W000-0293/005
25	815 West Cary Street	W000-0293/006
26	811 West Cary Street	W000-0293/008
27	809 West Cary Street	W000-0293/009
28	807 West Cary Street	W000-0293/010
29	805 West Cary Street	W000-0293/011
30	803 West Cary Street	W000-0293/012
31	801 West Cary Street	W000-0293/013
32	104 South Laurel Street	W000-0293/015
33	106 South Laurel Street	W000-0293/016
34	108 South Laurel Street	W000-0293/017
35	110 South Laurel Street	W000-0293/018
36	812 Green Alley	W000-0293/041
37	814 Green Alley	W000-0293/041
38	Portion of 711 West Main Street	W000-0294/013
39	Portion of 710 West Cary Street	W000-0294/013
40	Portion of 801 West Main Street	W000-0341/001
41	Portion of 822 West Cary Street	W000-0341/001
42	Portion of 16 South Laurel Street	W000-0341/001
43	Portion of 23 South Cherry Street	W000-0341/001
44	Portion of 827 West Main Street	W000-0341/001
<b>B-6 Mixed- Use Business District</b>		
	<b>Description</b>	<b>Tax Parcel No.</b>
1	601 West Main Street	W000-0256/001
2	620 West Cary Street	W000-0256/001
3	601 West Cary Street	W000-0211/013
4	605 West Cary Street	W000-0211/013
5	108 South Belvidere Street	W000-0211/017
6	114 South Belvidere Street	W000-0211/017
7	116 South Belvidere Street	W000-0211/017
8	118 South Belvidere Street	W000-0211/017
9	120 South Belvidere Street	W000-0211/017
10	122 South Belvidere Street	W000-0211/024

**FISCAL IMPACT STATEMENT**

Fiscal Impact	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>
Budget Amendment Required	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>
Estimated Cost or Revenue Impact		
There is no revenue or expenditure impact.		

**Attachment/s**      Yes     No

Richmond City Council Ordinance/Resolution Request Form/Updated 10/5/2012 /sn

## ATTACHMENT A

### From B-3 General Business District to UB-2 Urban Business District

619 West Cary Street	Tax Parcel No.	W000-0211/002
611 West Cary Street	Tax Parcel No.	W000-0211/004
617 West Cary Street	Tax Parcel No.	W000-0211/004
101 A South Pine Street	Tax Parcel No.	W000-0211/004
609 West Cary Street	Tax Parcel No.	W000-0211/008
731 West Cary Street	Tax Parcel No.	W000-0255/001
729 West Cary Street	Tax Parcel No.	W000-0255/001
733 West Cary Street	Tax Parcel No.	W000-0255/001
725 West Cary Street	Tax Parcel No.	W000-0255/004
723 West Cary Street	Tax Parcel No.	W000-0255/004
713 West Cary Street	Tax Parcel No.	W000-0255/013
707 West Cary Street	Tax Parcel No.	W000-0255/013
705 West Cary Street	Tax Parcel No.	W000-0255/013
709 West Cary Street	Tax Parcel No.	W000-0255/013
711 West Cary Street	Tax Parcel No.	W000-0255/013
715 West Cary Street	Tax Parcel No.	W000-0255/013
701 West Cary Street	Tax Parcel No.	W000-0255/015
102 South Pine Street	Tax Parcel No.	W000-0255/015
703 West Cary Street	Tax Parcel No.	W000-0255/015
712 Green Alley	Tax Parcel No.	W000-0255/040
825 West Cary Street	Tax Parcel No.	W000-0293/001
819 West Cary Street	Tax Parcel No.	W000-0293/003
821 West Cary Street	Tax Parcel No.	W000-0293/003
817 West Cary Street	Tax Parcel No.	W000-0293/005
815 West Cary Street	Tax Parcel No.	W000-0293/006

811 West Cary Street	Tax Parcel No.	W000-0293/008
809 West Cary Street	Tax Parcel No.	W000-0293/009
807 West Cary Street	Tax Parcel No.	W000-0293/010
805 West Cary Street	Tax Parcel No.	W000-0293/011
803 West Cary Street	Tax Parcel No.	W000-0293/012
801 West Cary Street	Tax Parcel No.	W000-0293/013
104 South Laurel Street	Tax Parcel No.	W000-0293/015
106 South Laurel Street	Tax Parcel No.	W000-0293/016
108 South Laurel Street	Tax Parcel No.	W000-0293/017
110 South Laurel Street	Tax Parcel No.	W000-0293/018
812 Green Alley	Tax Parcel No.	W000-0293/041
814 Green Alley	Tax Parcel No.	W000-0293/041
Portion of 711 West Main Street	Tax Parcel No.	W000-0294/013
Portion of 710 West Cary Street	Tax Parcel No.	W000-0294/013
Portion of 801 West Main Street	Tax Parcel No.	W000-0341/001
Portion of 822 West Cary Street	Tax Parcel No.	W000-0341/001
Portion of 16 South Laurel Street	Tax Parcel No.	W000-0341/001
Portion of 23 South Cherry Street	Tax Parcel No.	W000-0341/001
Portion of 827 West Main Street	Tax Parcel No.	W000-0341/001

**From B-3 General Business District to B-6 Mixed-Use Business District**

601 West Main Street	Tax Parcel No.	W000-0256/001
620 West Cary Street	Tax Parcel No.	W000-0256/001
601 West Cary Street	Tax Parcel No.	W000-0211/013
605 West Cary Street	Tax Parcel No.	W000-0211/013
108 South Belvidere Street	Tax Parcel No.	W000-0211/017
114 South Belvidere Street	Tax Parcel No.	W000-0211/017
116 South Belvidere Street	Tax Parcel No.	W000-0211/017

118 South Belvidere Street	Tax Parcel No.	W000-0211/017
120 South Belvidere Street	Tax Parcel No.	W000-0211/017
122 South Belvidere Street	Tax Parcel No.	W000-0211/024





**CITY OF RICHMOND**  
PLANNING COMMISSION

July 6, 2009

To the Honorable Council of the  
City of Richmond, Virginia

At its meeting of July 6, 2009, the Planning Commission voted (6-0) to APPROVE:

**Resolution of Intent:**

**To Rezone West Cary Street from South Cherry Street to South Belvidere Street and the western side of South Belvidere Street from West Cary Street to Cumberland Street.  
Council District 5**

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**BACKGROUND:**

This resolution would declare a public necessity to amend the zoning district maps for the West Cary Street area. On September 26, 2005, City Council adopted an Ordinance (2005-R186-188) to request the Chief Administrative Officer to study the appropriate zoning for the West Cary Street Area bounded by the Boulevard on the west, Belvidere Street to the east, Main Street to the north and Parkwood Avenue to the south, to determine whether the area in question should be rezoned from the B-3 General Business to the UB Urban Business District; and to direct the Planning Commission to hold a public hearing on such proposed amendment. A zoning study for the West Cary Street area was listed as a priority at the Planning Commission's retreat on August 7, 2006.

**PURPOSE:**

Planning staff initiated a study of the West Cary Street area in 2007 and presented the Planning Commission and the public with recommendations for changes in zoning designations. During this planning process, property owners and businesses along West Cary Street between South Cherry Street and South Belvidere Street were concerned with rezoning this portion of the study area from B-3 (General Business) to UB (Urban Business). The specific concerns dealt with height limitations, that of only two-stories. In addition, staff was asked to create a zoning classification that is more unique to the existing development pattern along this portion of West Cary Street.

The City Planning Commission modified the boundaries of the study area and recommended approval of the rezoning of West Cary Street from the Boulevard to South Cherry Street on July 16, 2007, followed by approval from City Council of Ordinance No. 2007-195-202 on September 10, 2007.

In response to property owner concerns, staff developed the UB-2 Urban Business District, which was adopted by Ordinance No. 2008-2-55 by City Council on March 24, 2008. The District is specifically designed for areas of the city reflecting a more urban scale of development. The district incorporates several new and innovative zoning regulation provisions relative to setback, building bulk, parking and building fenestration.

To the Honorable Council  
Resolution of Intent

July 6, 2009  
Page 2

In accordance with the Downtown Plan and to reflect the scale of existing development, staff is recommending a combination of UB-2 Urban Business and B-6 Mixed Use Business for the area. Maps of the existing and proposed Zoning Districts are included in the agenda package.

Staff surveyed the West Cary Street area to identify existing land uses, building conditions and building occupancies and found the area to be mixed-use in its land use pattern. Additional findings from the surveys and research include the following:

- Vacant residential structures and small scale multi-family units are interspersed with commercial, office, mixed-use and institutional uses;
- Current zoning of B-3 General Business within the area allows for an incompatible form of development; and
- The Downtown Plan supports a scale of development that is in keeping with the historic urban character of the area and is pedestrian oriented.

With respect to the land use analysis and guidance provided through the City's Downtown Plan, staff recommends rezoning to encourage residential, commercial, office and mixed-use development in accordance with the historic development patterns.

A meeting with business owners and all affected property owners in the area occurred on June 11, 2009. Although the turnout was sparse, those in attendance were in agreement in proceeding with the rezoning.

Staff recommended approval of the Resolution of Intent to amend the zoning district map. The Commission concurred that staff should proceed and formally initiated the process and voted (6-0) to approve the attached resolution expressing the intent to amend the district maps.

Very Truly Yours,



Lory Markham

Secretary, City Planning Commission



CITY OF RICHMOND  
PLANNING COMMISSION

July 6, 2009

**MOTION OF THE CITY OF RICHMOND PLANNING COMMISSION**

**TO DECLARE AN INTENT TO CONSIDER AN AMENDMENT TO THE ZONING DISTRICT MAPS FOR THE PURPOSE OF REZONING CERTAIN PROPERTIES IN THE WEST CARY STREET AREA, GENERALLY BOUNDED BY WEST MAIN STREET TO THE NORTH, CUMBERLAND STREET TO THE SOUTH, SOUTH BELVIDERE STREET TO THE EAST, AND SOUTH CHERRY STREET TO THE WEST**

**WHEREAS**, in accordance with Section 15.2-2286 of the Code of Virginia an amendment to the zoning regulations or district maps may be initiated by motion of the City of Richmond Planning Commission provided any such motion or resolution of the Commission proposing an amendment to the regulations or district maps shall state the public purposes therefore; and

**WHEREAS**, zoning in portions of the West Cary Street area is often in conflict with the existing character of the neighborhood, current land use, and the City's Downtown Plan; and

**WHEREAS**, the City's Downtown Plan identifies the West Cary Street area as a pedestrian friendly environment with a mix of residential, commercial and office uses; and

**WHEREAS**, community support was achieved through an extensive outreach program and citizen participation process; and

**WHEREAS**, good zoning practice dictates that the comprehensive zoning plan be amended as required to reflect current conditions and trends in land use; and

**WHEREAS**, the purposes of zoning cited in the Code of Virginia include facilitating the creation of a convenient, attractive harmonious community, encouraging economic development and enlarging the tax base and providing for public safety and preventing congestion in the streets;

**NOW, THEREFORE BE IT RESOLVED**, that the City Planning Commission hereby concludes that an amendment to the zoning district maps should be drafted for the purpose of rezoning certain properties in the West Cary Street area. A public hearing on the proposed rezoning will be held by the City Planning Commission prior to City Council action.

*Beverley C. Lopez*  
CHAIR

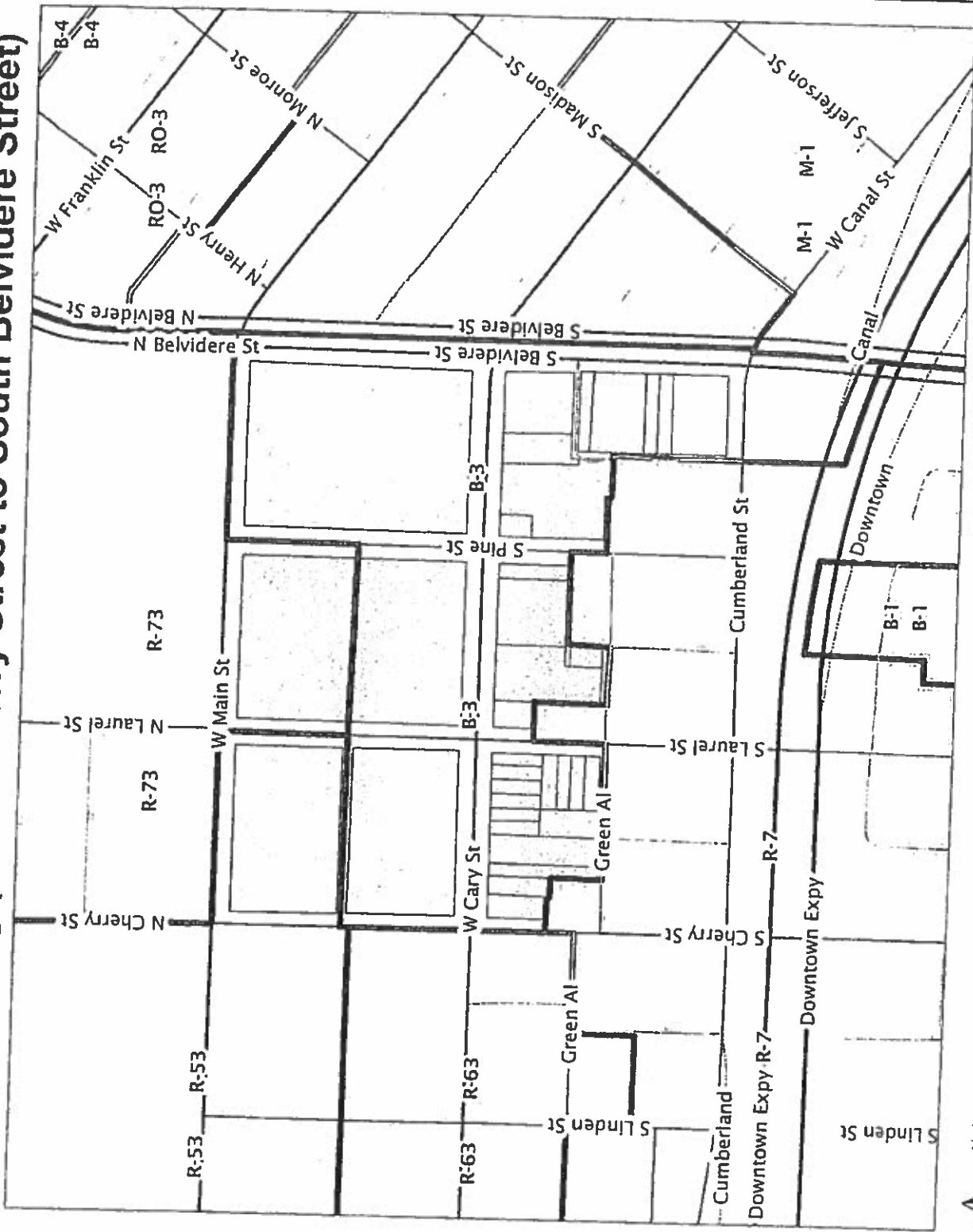
*[Signature]*  
SECRETARY

# Cary Street Existing Zoning (South Cherry Street to South Belvidere Street)

City of Richmond, VA  
Geographic Information Systems



**Legend**  
 Study Area



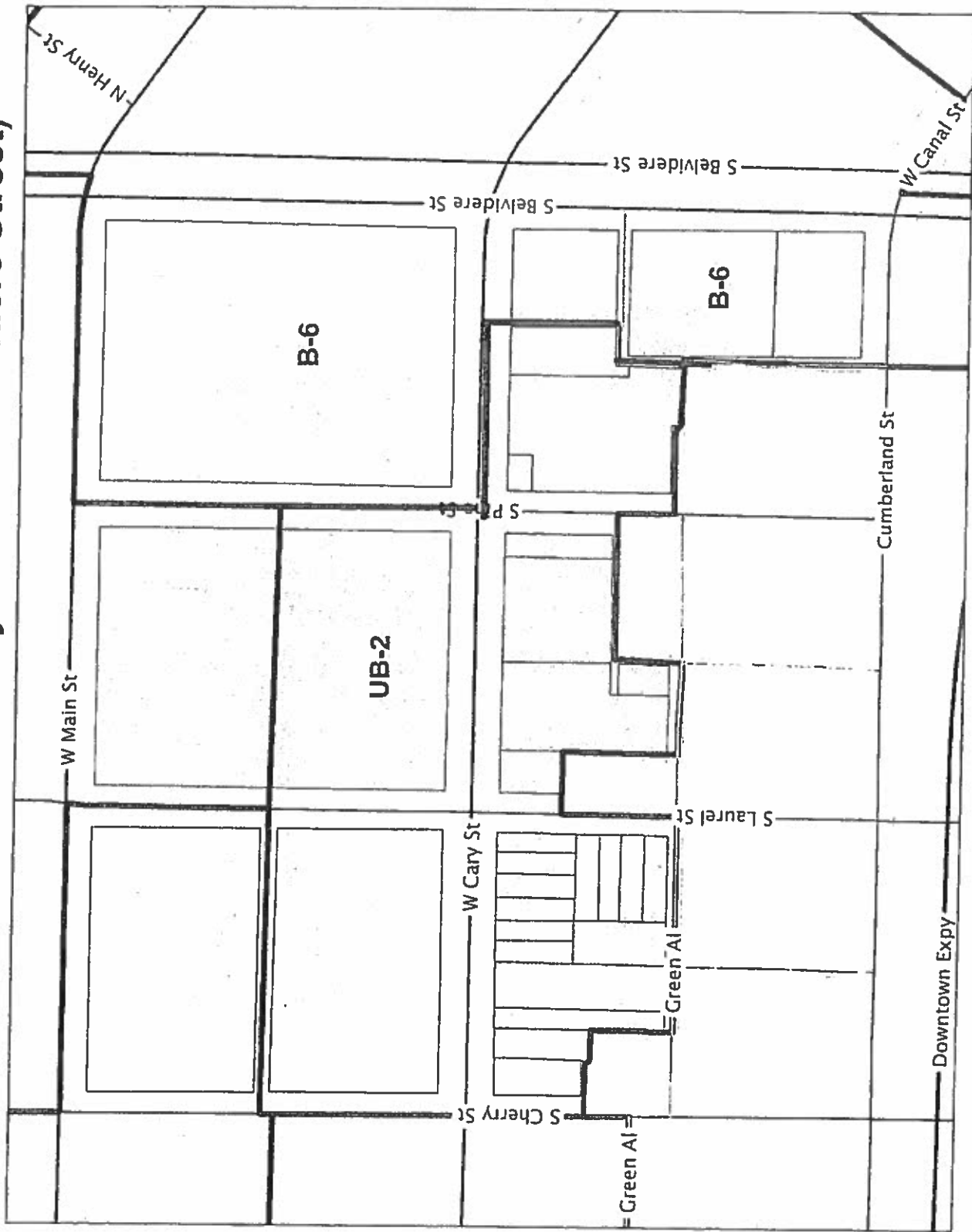
# Cary Street Proposed Zoning (South Cherry Street to Belvidere Street)

City of Richmond, VA  
 Geographic Information Systems



## Legend

 Study Area



1 inch = 170 feet

