INTRODUCED: May 13, 2019

AN ORDINANCE No. 2019-134

To authorize the special use of the property known as 511 West Marshall Street for the purpose of a multifamily dwelling containing up to three dwelling units, upon certain terms and conditions.

Patron – Mayor Stoney (By Request)

Approved as to form and legality by the City Attorney

PUBLIC HEARING: JUN 10 2019 AT 6 P.M.

WHEREAS, the owner of the property known as 511 West Marshall Street, which is situated in a R-6 Single-Family Attached Residential District, desires to use such property for the purpose of a multifamily dwelling containing up to three dwelling units, which use, among other things, is not currently allowed by section 30-412.1 of the Code of the City of Richmond (2015), as amended; and

WHEREAS, in accordance with section 17.11 of the Charter of the City of Richmond (2018), as amended, it has been made to appear that, if granted subject to the terms and conditions set forth in this ordinance, the special use granted by this ordinance will not be detrimental to the safety, health, morals and general welfare of the community involved, will not tend to create

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ADOPTED:	JUN 10 2019	REJECTED:		STRICKEN:	

congestion in streets, roads, alleys and other public ways and places in the area involved, will not create hazards from fire, panic or other dangers, will not tend to overcrowding of land and cause an undue concentration of population, will not adversely affect or interfere with public or private schools, parks, playgrounds, water supplies, sewage disposal, transportation or other public requirements, conveniences and improvements, and will not interfere with adequate light and air; and

WHEREAS, (i) the City Planning Commission has conducted a public hearing to investigate the circumstances and conditions upon which the Council is empowered to authorize such use, (ii) the City Planning Commission has reported to the Council the results of such public hearing and investigation and its recommendations with respect thereto, and (iii) the Council has conducted a public hearing on this ordinance at which the person in interest and all other persons have had an opportunity to be heard;

NOW, THEREFORE,

THE CITY OF RICHMOND HEREBY ORDAINS:

§ 1. **Finding.** Pursuant to section 30-1050.1 of the Code of the City of Richmond (2015), as amended, the Council hereby finds that the special use set forth in and subject to the terms and conditions of this ordinance will not (i) be detrimental to the safety, health, morals and general welfare of the community involved, (ii) tend to create congestion in streets, roads, alleys and other public ways and places in the area involved, (iii) create hazards from fire, panic or other dangers, (iv) tend to overcrowding of land and cause an undue concentration of population, (v) adversely affect or interfere with public or private schools, parks, playgrounds, water supplies, sewage disposal, transportation or other public requirements, conveniences and improvements, or (vi) interfere with adequate light and air.

§ 2. Grant of Special Use Permit.

- (a) Subject to the terms and conditions set forth in this ordinance, the property known as 511 West Marshall Street and identified as Tax Parcel No. N000-0240/005 in the 2019 records of the City Assessor, being more particularly shown on a survey entitled "Survey Showing Improvements on Property Located at 511 West Marshall Street, City of Richmond, Virginia," prepared by Bruce Robertson Land Surveying, P.C., and dated November 26, 2018, a copy of which is attached to and made a part of this ordinance, hereinafter referred to as "the Property," is hereby permitted to be used for the purpose of a multifamily dwelling containing up to three dwelling units, hereinafter referred to as "the Special Use," substantially as shown on the plans entitled "Adaptive Reuse, 511 West Marshall Street, City of Richmond, VA," prepared by SMS Architects, and dated February 19, 2019, hereinafter referred to as "the Plans," copies of which are attached to and made a part of this ordinance.
- (b) The adoption of this ordinance shall constitute the issuance of a special use permit for the Property. The special use permit shall inure to the benefit of the owner or owners of the fee simple title to the Property as of the date on which this ordinance is adopted and their successors in fee simple title, all of which are hereinafter referred to as "the Owner." The conditions contained in this ordinance shall be binding on the Owner.
- § 3. **Special Terms and Conditions.** This special use permit is conditioned on the following special terms and conditions:
- (a) The Special Use of the Property shall be as a multifamily dwelling containing up to three dwelling units, substantially as shown on the Plans.
 - (b) The height of the Special Use shall not exceed the height shown on the Plans.

- (c) All building materials and elevations shall be substantially as shown on the Plans, unless otherwise required by the Commission of Architectural Review in accordance with applicable laws and regulations.
- (d) All mechanical equipment serving the Property shall be located or screened so as not to be visible from any public right-of-way.
- (e) Six off-street parking spaces shall be provided on the Property, substantially as shown on the Plans.
- § 4. **Supplemental Terms and Conditions.** This special use permit is conditioned on the following supplemental terms and conditions:
- (a) All required final grading and drainage plans, together with all easements made necessary by such plans, must be approved by the Director of Public Utilities prior to the issuance of the building permit.
- (b) Storm or surface water shall not be allowed to accumulate on the land. The Owner, at its sole cost and expense, shall provide and maintain at all times adequate facilities for the drainage of storm or surface water from the Property so as not to adversely affect or damage any other property or public streets and the use thereof.
- (c) Facilities for the collection of refuse shall be provided in accordance with the requirements of the Director of Public Works. Such facilities shall be located or screened so as not to be visible from adjacent properties and public streets.
- (d) Any encroachments existing, proposed on the Plans or contemplated in the future shall require separate authorization and shall be subject to the applicable provisions of the Code of the City of Richmond (2015), as amended, and all future amendments to such laws.

- (e) In all other respects, the use of the Property shall be in accordance with the applicable underlying zoning regulations.
- § 5. **General Terms and Conditions.** This special use permit is conditioned on the following general terms and conditions:
- (a) No permit implementing this special use permit shall be approved until satisfactory evidence has been presented to the Zoning Administrator that any delinquent real estate taxes applicable to the Property have been paid.
- (b) The Owner shall be bound by, shall observe and shall comply with all other laws, ordinances, rules and regulations applicable to the Property, except as otherwise expressly provided in this ordinance.
- (c) Words and phrases used in this ordinance shall be interpreted to have the meanings ascribed to them by section 30-1220 of the Code of the City of Richmond (2015), as amended, unless the context clearly indicates that a different meaning is intended.
- (d) Notwithstanding any other provision of law, this special use permit is being approved due, in part, to the mitigating effects of each and every condition attached hereto; consequently, if any portion of this ordinance is determined to be invalid for any reason by a final, non-appealable order of any Virginia or federal court of competent jurisdiction, the invalidity shall cause the entire ordinance to be void and of no further effect from the effective date of such order.
- (e) The privileges granted by this ordinance may be revoked pursuant to the provisions of sections 30-1050.7 through 30-1050.11 of the Code of the City of Richmond (2015), as amended, and all future amendments to such laws. Failure to comply with the terms and conditions of this ordinance shall constitute a violation of section 30-1080 of the Code of the City of

Richmond (2015), as amended, and all future amendments to such law, or any other applicable laws or regulations.

- (f) When the privileges granted by this ordinance terminate and the special use permit granted hereby becomes null and void, whether as a result of the Owner relinquishing this special use permit in a writing addressed to the Director of Planning and Development Review or otherwise, use of the Property shall be governed thereafter by the zoning regulations prescribed for the district in which the Property is then situated.
- § 6. **Implementation.** The Commissioner of Buildings is authorized to issue a building permit substantially in accordance with the Plans for the Special Use subject to the terms and conditions set forth in this ordinance. An application for the building permit shall be made within 730 calendar days following the date on which this ordinance becomes effective. If either the application for the building permit is not made within the time period stated in the previous sentence or the building permit terminates under any provision of the Virginia Statewide Building Code, this ordinance and the special use permit granted hereby shall terminate and become null and void.
 - § 7. **Effective Date.** 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.2019.132

Office of the Chief Administrative Officer

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APR 3 0 2019

OFFICE OF CITY ATTORNEY

O & R Request

DATE:

April 15, 2019

EDITION:1

TO:

The Honorable Members of City Council

THROUGH: The Honorable Levar M. Stoney, Mayor (Patron: Mayor, by Request)

(This is no way reflects a recommendation on behalf of the Mayor.)

THROUGH: Selena Cuffee-Glenn, Chief Administrative Officer

THROUGH: Sharon Ebert, Deputy Chief Administrative Officer for Economic Development and Plan

FROM:

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

RE:

To authorize the special use of the property known as 511 West Marshall Street for the purpose of a dwelling containing up to three dwelling units, upon certain terms and

conditions.

ORD. OR RES. No.

PURPOSE: To authorize the special use of the property known as 511 West Marshall Street for the purpose of a dwelling containing up to three dwelling units, upon certain terms and conditions.

REASON: The applicant is proposing to renovate and convert an existing single-family shell building into a dwelling containing three dwelling units served by six on-site parking spaces. The property is currently zoned R-6 Single-Family Attached Residential, which only authorizes single- and two-family dwellings. A special use permit is therefore required for the proposed three dwelling units.

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 3, 2019, meeting. A letter outlining the Commission's recommendation will be forwarded to City Council following that meeting.

File Number: PRE.2019.132

BACKGROUND: The subject property consists of a 3,816 SF (.09 acre) parcel improved with the shell of a single-family residential dwelling built, according to tax assessment records, in 1855. The property is located in the Jackson Ward neighborhood of the Downtown Planning District on West Marshall Street between North Belvidere and North Henry Streets. The property is also located within the Jackson Ward City Old and Historic District and is subject to review by the Commission of Architectural Review.

The City of Richmond's Pulse Corridor Plan designates a land use category for the subject property as Neighborhood Mixed-Use. "Neighborhood Mixed-Use areas are cohesive districts that provide a mix of uses, but with a larger amount of residential uses than other mixed use districts. They are an urban, walkable environment with limited neighborhood oriented uses incorporated along key commercial corridors and at corner sites (p. 29)".

Properties to the west, north, and east of the subject property are within the same R-6 District as the subject property. Properties to the south, fronting on West Broad Street, are located within the B-4 Central Business District. A mix of commercial, mixed-use, and single-, two-, and multi-family residential land uses are present in the vicinity of the subject property.

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: May 13, 2019

CITY COUNCIL PUBLIC HEARING DATE: June 10, 2019

REQUESTED AGENDA: Consent

RECOMMENDED COUNCIL COMMITTEE: None

CONSIDERATION BY OTHER GOVERNMENTAL ENTITIES: City Planning Commission

June 3, 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, Plans, Survey, Map

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

City of Richmond Page 2 Printed on 4/15/2019

RICHMOND

Application for SPECIAL USE PERMIT

Department of Planning and Development Review Land Use Administration Division 900 E. Broad Street, Room 511 Richmond, Virginla 23219 (804) 646-6304

http://www.richmondgov.com/

Sup-04923-2018

Application is hereby submitted for: (check one) Special use permit, new
Special use permit, plan amendment
special use permit, text only amendment
Project Name/Location Property Adress: SI W Marchell St Lichael VA 23220 ate: 11/14/2018 Tax Map # N 000024000 Fee: Total area of affected site in acres: 0 088
(See page 6 for fee schedule, please make check payable to the "City of Richmond")
Zoning Current Zoning: R - 6
Existing Use: Residutil
Proposed Use (Please Include a detailed description of the proposed use 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: MUDASSAR IQBAL Company: MF RVA Propertion Mailing Address: 1906 Providence (seels fld City: N (hotesteld & State; VA Zip Code: 23236 Telephone: (BOY) 269 1903 Fax (Email: RVA PROPERTIES & HoTMAL COM
Property Owner: MF KVA Properties LLC If Business Entity, name and title of authorized signee: LLC
(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: 1906 Providence Ceels 18 City: N Chatefield State: VA Zip Code: 73736 Telephone: (804) 269 1903 Fax: () Email: LVA PROPERTIES & HOTMAN COM
Property Owner Signature: My Th
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.**

NOTE: Please attach the required plans, checklist, and a check for the application fee (see Filing Procedures for special use permits)

NO MICH SERVICE TO ASSESSED IN THE

Applicant Report

The applicant proposes to revive and renovate existing vacant building located at 511 W Marshall St. The building history is not known to current owner but there was fire in building during 2010 and then water damage that has made it an eyesore in beautiful Historic Jackson Ward. Without proposed work done, it's currently a rotten building in neighborhood and magnet for homeless people. Building is boarded from front and back to keep it safe and not to let anyone inside. Building has not been legally occupied for long time and was bought in an auction sale from Richmond City to current owner in January 2018. 23 tons of homeless people trash and construction waste left due to fire and water damage was removed during initial cleaning which was necessary so that engineers and Architects can enter the building to take measurements and do initial analysis to come up with a modern multi-family housing.

The current building has 6 rooms, 2 each on the 2 main floors and a basement of total 2325 sq. ft with 862 sq. ft foot print on relatively big lot of approximately 3,780 sq. ft. Applicant want to redo floor plan of ruined and decayed building to 3 two bedrooms one bath units while keeping historic features of property and to restore its past glory. To keep historic layout within current shell, addition will be rebuilt and extended at back to add a bathroom and a bedroom on each level where the old structure fell during fire. Total new heated area of three floors that would be rebuilt including addition is 613 sq ft and also 200 sq foot of porch/ rear stairs.

Property is located between N Belvidere St and N Henry St. It is close to Virginia Commonwealth University. All surrounding buildings are typically historic homes which have primarily been converted as student housing. Due to proximity of VCU, Kroger Supercenter within 1 mile and Rite aid just behind the building, the necessity of vehicle is limited. Current trend of bicycle use increase among students and citizens is another factor. However back yard will be used to make 6 car parking spaces. Although current tenant to vehicle ratio for neighborhood is 1 to 5, this project can handle up to 1 to 1 ratio to benefit its tenants.

Each level of house will be converted into one unit while shared space will be redone keeping historic layout. Each unit will have two bedrooms, kitchen/living space, one bathroom and a laundry perfect for a small family or two professionals living together as tenants. Current house entrances and windows will be utilized. The building shell obtain power from pole that is located in corner of lot in back alley. Heating and cooling will also be electrical and each unit will have own system that will be more efficient due to individual control along with new windows and doors.

Project has got full support and approval of community through its association, the Historic Jackson Ward Association (HJWA). Councilwoman Kimberly Gray has also offered her full support to this renovation. Also, Honorable Councilwoman Kimberly Gray has shown full support of the proposed improvement. All new plans are approved by Department of Historic Resources and part two application is already approved. All comments are included for restoration in the plans. Restoring such a poor structure to modern space in a mostly mix use neighborhood is best for

community which has already approved conversion of an old garage to 3 2-bedroom apartments located at 500 W Marshall St just opposite to proposed project in December 2016. This project will add parking space that would be available for tenants and will not add burden on neighborhood.

1. The proposed redevelopment will not be detrimental to the safety, health, morals and general welfare of the community involved.

The proposed redevelopment satisfies these requirements. Located in Historic area, close to VCU and Broad Street, this renovation will remove a safety hazard that it is right now. Unfortunately, current look of property is a shame for such a great neighborhood and effects negatively the moral and value of neighborhood. Three big 30-yard dumpsters full of waste and trash were hauled away during initial cleaning. Its been target of illegal graffiti and trespassing in as recent as September this year while it was vacant and it is so close to families and students living nearby. Redevelopment shares the spirit of urban modernization that is happening in general in Richmond City while taking care of our heritage and history. The units will provide much needed housing in the area and serve the highest and best use of building. Parking spaces added in back will be a benefit for tenants. By securing building with working windows and doors, trespassing will be eliminated and its look will be improved significantly. With residents, it won't be a burned down vacant dangerous structure but a beautiful historic house providing the modern needs.

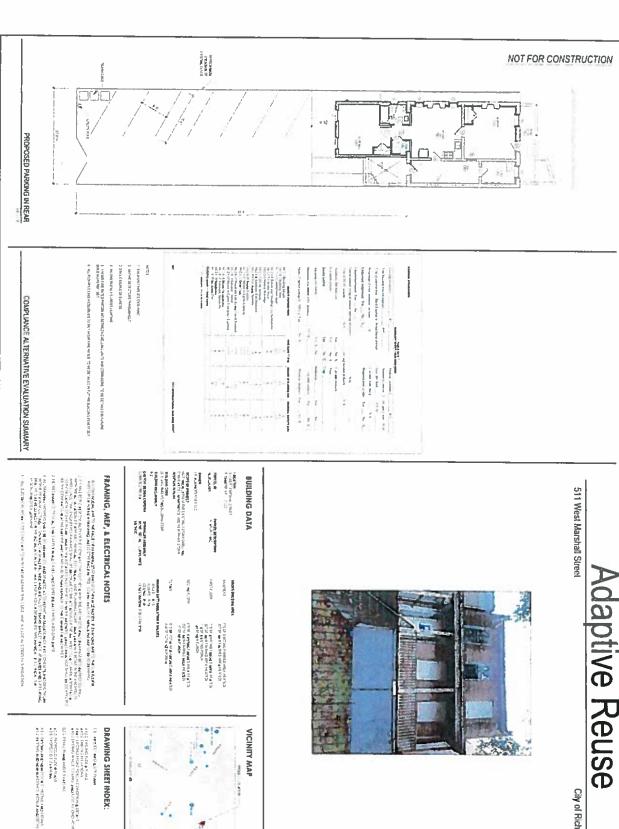
2. The proposed redevelopment will not create congestion in streets, roads, alleys and other public ways and places in the area involved.

The proposed redevelopment will have a maximum 6 residents compared to vacant status of property while probably it's the same number of bedrooms as before. It may not be adding any new number of residents from its historic design. Tenants will likely choose to live in apartments due to its proximity to amenities without requiring use of motorvehicle. Six parking spaces will ensure no congestion in streets. The redevelopment effect on neighborhood parking will not be negative for sure. Neighbors will not lose any parking.

3. The proposed redevelopment will not create hazards from fire, panic or other dangers.

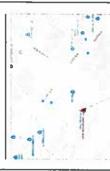
The old structure has brick walls. All new exterior and interior walls and construction will be designed to meet modern fire rating and codes. Risk of fire is very low. Fire hydrant is located 135 feet from property front corner at corner of Marshall and Henry St corner. Furthermore, no gas appliances or heating system will be used and all systems will be electrical.

- 4. The proposed redevelopment will not tend to cause overcrowding of land and an undue concentration of population as project will contain maximum of six people.
- The proposed redevelopment will not adversely affect or interfere with public or private schools, parks, playgrounds, water supplies, sewage disposal, transportation or other public requirements, conveniences and improvements
 - Redevelopment will house maximum 6 people that would have been original capacity of building.
- The proposed redevelopment will not interfere with adequate light and air
 Building is only three floors to cause any significant impact.



Adaptive Reuse

City of Richmond, VA



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PROJECT INFORMATION SITE PLAN

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SPECIAL USE PERMIT



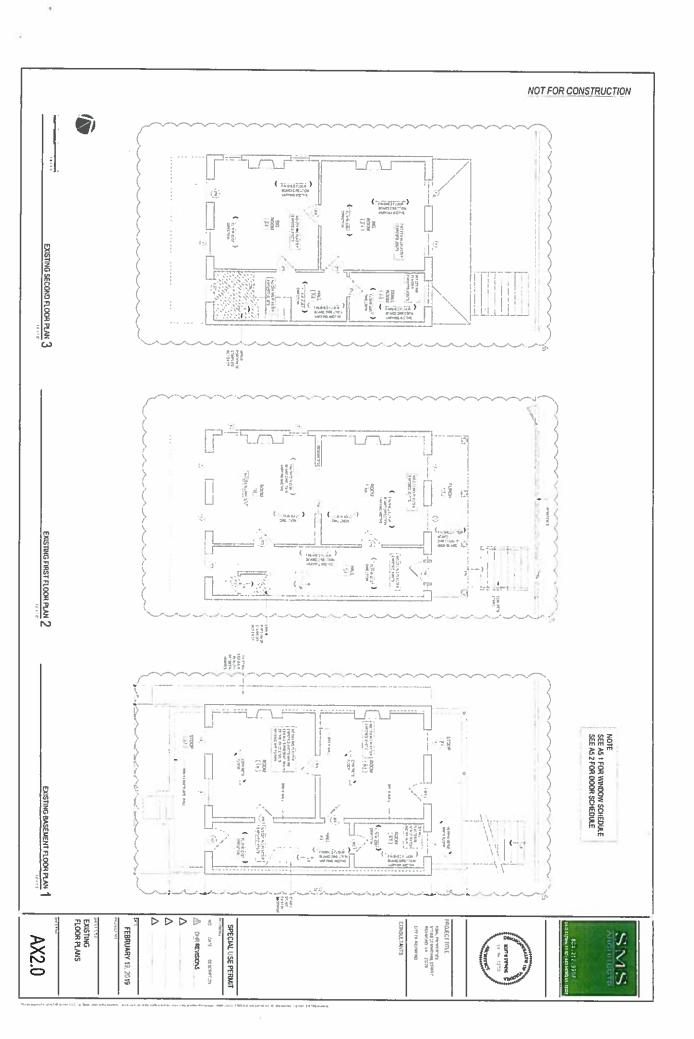
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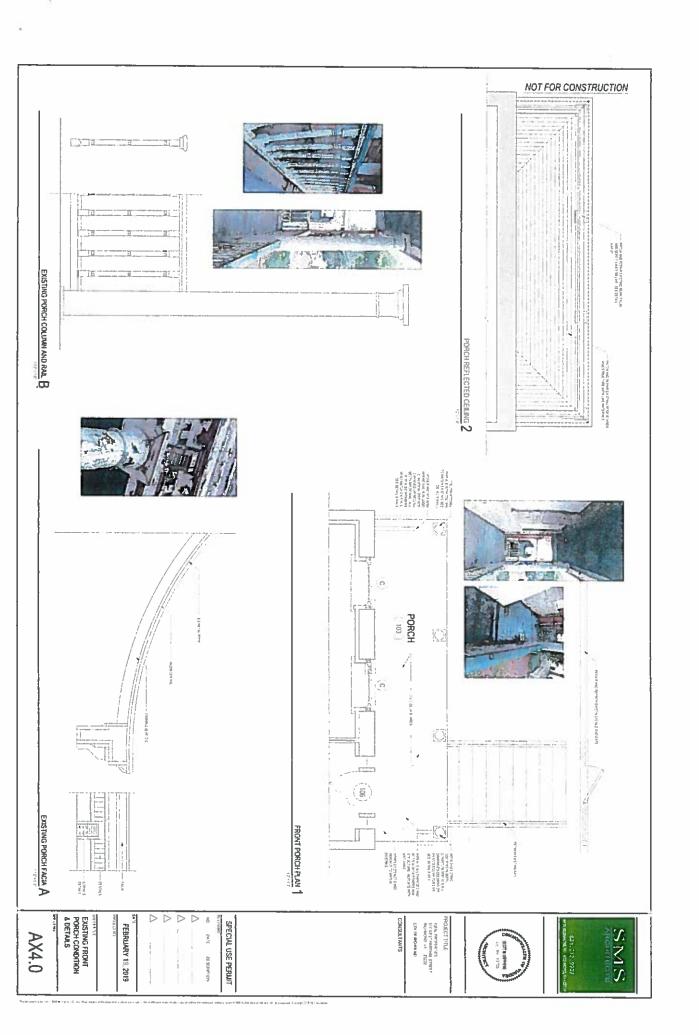
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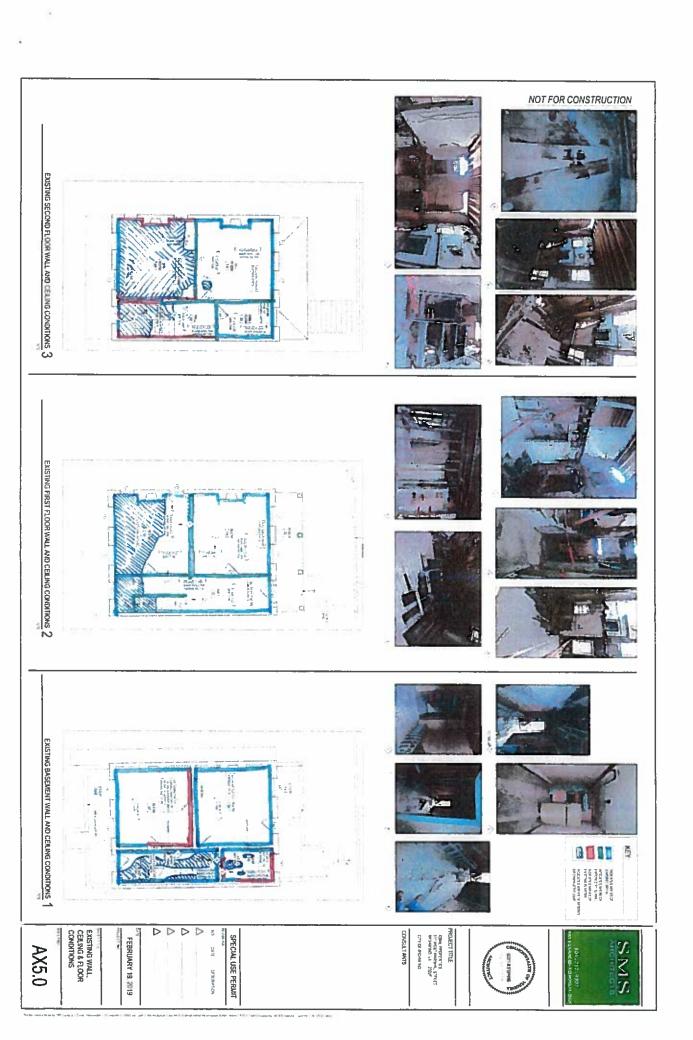
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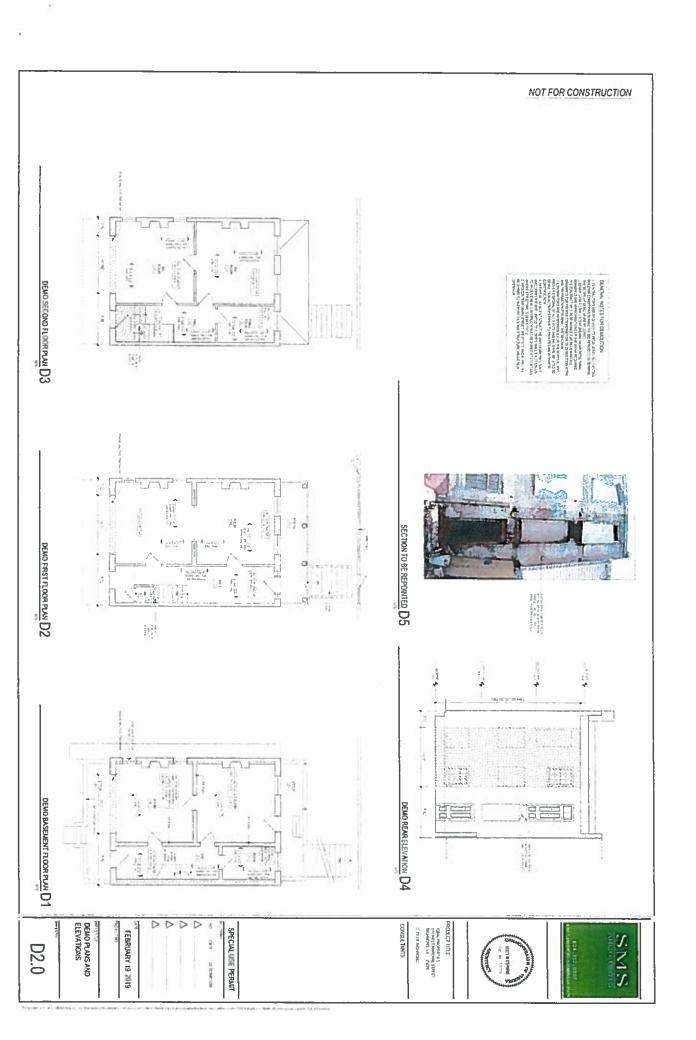


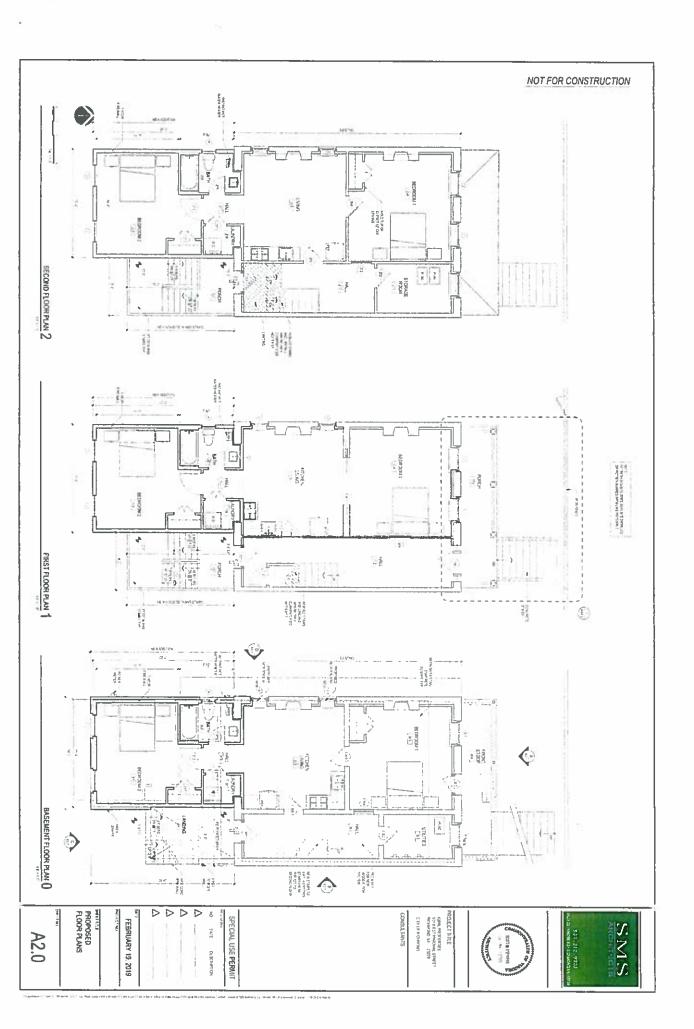


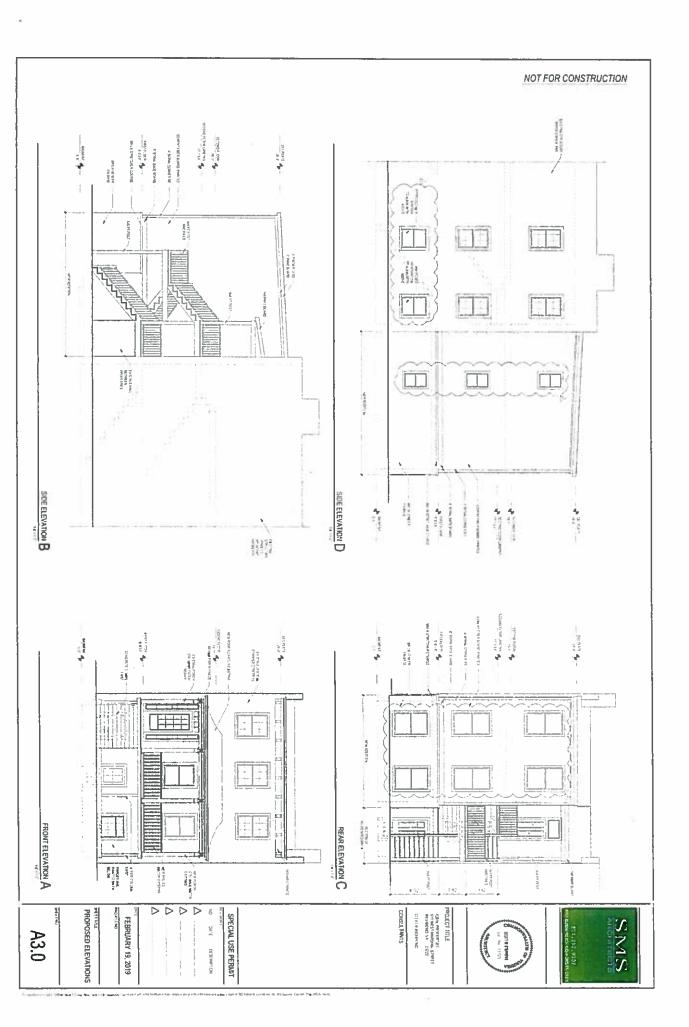


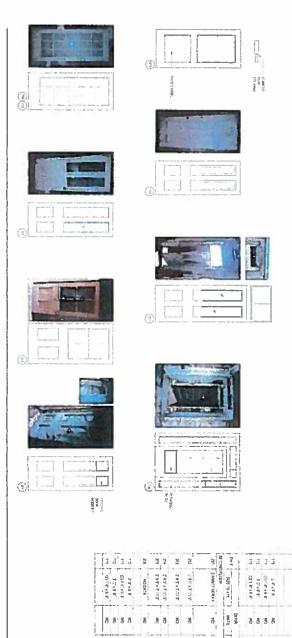












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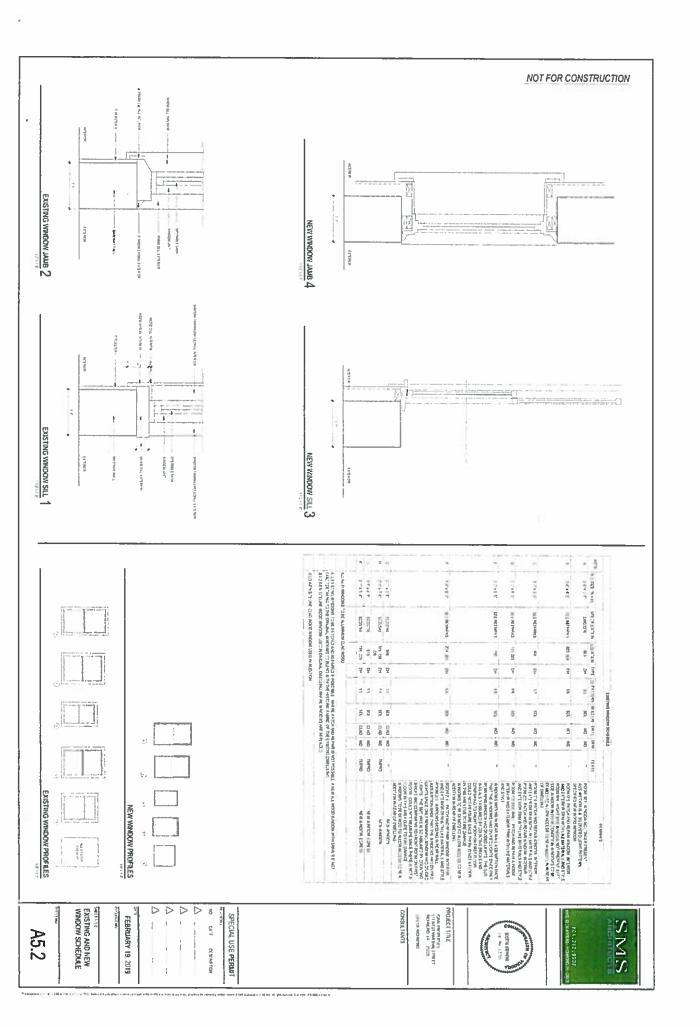
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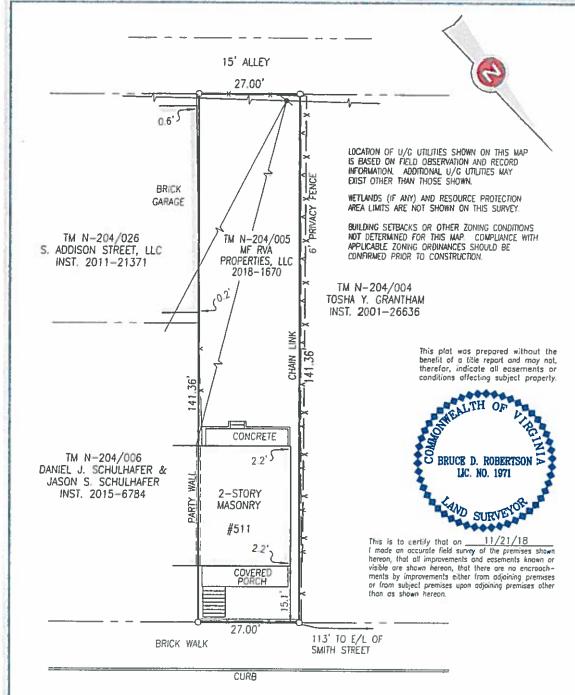
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CONSULTANTS









WEST MARSHALL STREET

SURVEY SHOWING IMPROVEMENTS ON PROPERTY LOCATED AT 511 WEST MARSHALL STREET

CITY OF RICHMOND, VIRGINIA

Date: 11/26/18 Scale: 1"=20'



Bruce Robertson Land Surveying, P.C.

JN 18205