



Legislation Details (With Text)

File #: ORD. 2015-101-113 **Version:** 1 **Name:**

Type: Ordinance **Status:** Adopted

File created: 3/30/2015 **In control:** City Council

On agenda: 5/18/2015 **Final action:** 5/26/2015

Title: To amend the official zoning map for the purpose of rezoning certain properties along West Main and West Cary Streets between Harrison and Meadow Streets and including certain properties in the PO-3 Main Street/Uptown Parking Overlay District.

Sponsors: Mayor Jones (By Request)

Indexes: Rezoning

Code sections:

Attachments: 1. Ord. No. 2015-101-113, 2. Staff Report, 3. Existing Zoning, 4. Proposed Zoning, 5. Resolution of Intent, 6. Letters of Support

Date	Ver.	Action By	Action	Result
5/26/2015	1	City Council	adopted	
5/18/2015	1	Planning Commission	recommended for approval	Pass
4/27/2015	1	City Council	introduced and referred	

To amend the official zoning map for the purpose of rezoning certain properties along West Main and West Cary Streets between Harrison and Meadow Streets and including certain properties in the PO-3 Main Street/Uptown Parking Overlay District.

O & R Request

DATE: March 18, 2015 **EDITION:** 1

TO: The Honorable Members of City Council

THROUGH: Dwight C. Jones, Mayor (Patron: Mayor, by Request)
(This in no way reflects a recommendation on behalf of the Mayor)

THROUGH: Christopher L. Beschler, Acting Chief Administrative Officer

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

FROM: Mark A. Olinger, Director, Dept. of Planning and Development Review

RE: Rezoning of certain properties along West Main and West Cary Streets

ORD. OR RES. No.

PURPOSE: To amend the official zoning map for the purpose of rezoning certain properties along West Main and West Cary Streets between Harrison and Meadow Streets and including certain properties in the Main Street/Uptown Parking Overlay District.

REASON: This area has been identified for an update to the zoning districts and the parking overlay district in order to correct inconsistencies between the zoning map and the zoning text, reduce the number of nonconforming properties, and encourage appropriate infill development.

RECOMMENDATION: The Planning Commission has passed a Resolution of Intent to Amend the Zoning Map in order to initiate the proposed changes.

BACKGROUND: This ordinance would revise the City's Zoning District Map of 2008 in the Uptown neighborhood, generally bounded by Harrison Street to the east, the West Main Street to the north, Meadow Street to the west, and Parkwood Avenue to the south. The proposed rezoning would directly affect 110 properties by proposing changes to zoning districts for 84 properties and an expansion of the parking overlay district to include 39 properties that are not currently within the overlay.

The area under consideration for changes to the zoning includes the mixed-use corridors of West Main and West Cary Streets and the side streets in between. There are a mix of uses and zoning districts throughout the subject area and it is characterized as a densely-developed pedestrian shopping environment in proximity to residential neighborhoods.

There are several areas along the corridor that have zoning that is inconsistent with the past and current land uses (i.e., commercial properties located in the R-7 residential district or single-family properties located in the R-63 multi-family district). The proposed rezoning would correct these inconsistencies and reduce the number of nonconforming properties.

In addition, the proposal would expand the existing Main Street/Uptown PO-3 parking overlay district to include commercial properties along West Cary Street. These properties were originally excluded from the legal description found within the Zoning Ordinance for the parking overlay district when it was put in place in 1993. However, due to a mapping error when the paper zoning maps were translated into the current electronic mapping software between 2004 and 2005, these properties have been shown as being included in the parking overlay on the City's official zoning map. This rezoning would correct this inconsistency by officially including those properties in the parking overlay. A companion ordinance would remove the legal description from the Zoning Ordinance and only refer to the official zoning map in order to prevent the possibility of such inconsistencies occurring in the future.

The Zoning Ordinance mandates that the parking requirements for each parking overlay district be established anytime a district is expanded or contracted. A companion ordinance would also set the new parking standards for the PO-3 district based on the new district boundaries.

The City's Master Plan recommends a variety of land uses throughout the study area, including single-family medium density, mixed-use, and community commercial.

Specific to West Cary Street, the Plan recommends that east of Meadow, the street should transition to a residential environment with limited commercial uses, as described in the 1996 West Cary Street Revitalization

Plan. The proposed zoning changes offer limited commercial districts along West Cary Street and retain primarily residential zoning along West Cary Street.

Specific to West Main Street, the Plan recommends a combination of mixed-use and community commercial use. Specific zoning, urban design and development guidance is provided in the 1999 West Main Street Corridor Plan and should be followed as to avoid, in particular, inappropriate strip-style development. In addition, efforts should be made to provide parking between Main and Cary Streets with decks similar to those in Carytown. The proposed zoning would include the Virginia Commonwealth University (VCU) parking Deck at Harrison and West Cary Streets within the parking overlay district.

Existing and Proposed Zoning

R-7 Single-Family and Two-Family Urban Residential District

An R-7 zone is a residential zoning district that allows single-family detached, single-family attached (such as row houses), and two-family detached structures. The district regulations are designed to reflect the urban nature of such neighborhoods with single- and two-family dwellings situated on small lots with narrow yards and modest setbacks. New single-family detached structures on newly created lots require a minimum lot width of 30 feet. New two-family detached structures on newly created lots require a minimum lot width of 42 feet.

R-63 Multi-Family Urban Residential District

An R-63 zone is a mixed-use zoning district that allows single-family detached, single-family attached, two-family attached, two-family detached, and multi-family structures. Multi-family structures require a minimum lot size of 1,000 ft² per unit and require usable open space on 30% of the lot; uses other than multi-family dwellings have a maximum lot coverage of 65%. The R-63 zone also allows limited commercial uses of less than 1,500 ft² on corner lots. The R-63 zone is intended to be pedestrian-oriented, with the commercial uses oriented to serve the immediate neighborhood and does not require off-street parking for the permitted commercial uses on corner lots.

UB Urban Business District

A UB zone permits multi-family, office, personal service, restaurant, and retail uses. The intent of the district is to encourage business areas with densely developed pedestrian-oriented shopping character, compatible with adjacent residential neighborhoods, and with minimal disruption from vehicle-oriented land uses. Drive-up facilities are not permitted. The UB zone allows for residential uses above or to the rear of the first floor in conjunction with other permitted uses as long as the area dedicated to residential use does not exceed three times the area dedicated to the other permitted use.

R-53 Multi-Family Residential District (Proposed to be removed from Uptown Area Zoning)

An R-53 zone is a residential area that permits single-family, two-family, and multi-family attached dwellings as well as day nurseries. Multi-family dwellings require lots of not less than 5,000 ft² in total area and not less than 1,250 ft² in area for each dwelling unit.

PO-3 Main Street/Uptown Parking Overlay

The parking overlay district can only be applied to the properties within the UB zone throughout the study area. The intent of the parking overlay district is to enable application of appropriate off-street parking requirements to business uses located within areas of the city characterized by a densely-developed pedestrian shopping environment in close proximity to residential neighborhoods. The districts are intended to recognize that, due to several factors, business uses located in such areas typically generate lower demands for privately-maintained off-street parking spaces than are reflected in the requirements generally applicable in the city. The Zoning Ordinance identifies specific criteria for establishing the parking ratios for each parking overlay district. The amount of commercial floor area, the need for parking and the available public parking are determined in order

to establish the parking requirements within each parking overlay district. A companion paper would amend the Zoning Ordinance to establish the parking requirements specific to the proposed overlay district.

Comparison of Relevant Zoning District Regulations¹

Regulation	R-7 District	R-53 District	R-63 District	UB District
Height	35'	35'; additional height allowed in some special cases up to 60'	2 - 3 stories; 4 stories allowed in some special cases	28'
Setback	15' minimum	15' minimum	Not required; 15' maximum allowed	None required; 15' maximum
Side Yard ²	3' to 5' minimum	3' to 15' minimum	3' to 5' minimum	None to 10' minimum
Rear Yard	5' minimum	5' to 15' minimum	5' to 15' minimum	None to 20' minimum
Lot Width ²	18' to 42'	18' to 42' minimum	16' to 27' minimum	None
Lot Area ²	2,200 ft ² to 4,400 ft ² minimum	2,200 ft ² to 5,000 ft ² minimum	2,200 ft ² to 4,000 ft ² minimum	None
Parking	1 off-street space per dwelling unit	1 off-street space per dwelling unit	1 off-street space per dwelling unit; no parking required for corner commercial uses	1 off-street space per 4 dwelling units (none for 3 units); other parking requirements are based on the proposed use; shared parking allowed

¹Includes excerpts and interpretations from the City of Richmond Zoning Ordinance. Persons with specific zoning issues should always consult the Zoning Office.

²Side yard, lot width, and lot area requirements vary within the residential districts based on the intensity of the use (single-family as opposed to two-family or multi-family and detached units as opposed to attached units) and adjacent zoning districts.

Public Participation

Staff sent notices to over 1,500 property owners, business owners and residents for a public meeting that was initially scheduled for February 26, 2015. This meeting was cancelled due to inclement weather and staff sent another 1,500 notices to property owners, business owners and residents within the corridors and in proximity to the corridors for a public meeting that was held on March 26, 2015. Approximately 50 people attended the meeting and were generally supportive of the proposed changes. Some concern was expressed by residents regarding the reduction of parking requirements.

Staff has received a letter of support from the Uptown Association and the Fan Area Business Alliance.

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: None.

DESIRED EFFECTIVE DATE: Upon adoption.

REQUESTED INTRODUCTION DATE: April 27, 2015

CITY COUNCIL PUBLIC HEARING DATE: May 26, 2015

REQUESTED AGENDA: Consent.

RECOMMENDED COUNCIL COMMITTEE: None.

CONSIDERATION BY OTHER GOVERNMENTAL ENTITIES: City Planning Commission, May 18, 2015

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.

ATTACHMENTS: Draft Ordinance

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PDR O&R No. 15-06