



Legislation Details (With Text)

**File #:** ORD. 2016-043      **Version:** 1      **Name:**

**Type:** Ordinance      **Status:** Adopted

**File created:** 1/12/2016      **In control:** City Council

**On agenda:** 3/21/2016      **Final action:** 3/28/2016

**Title:** To authorize the special use of the properties known as 1401 West Leigh Street, 1405 West Leigh Street, and 1400 Catherine Street for the purpose of permitting up to 11 dwelling units, upon certain terms and conditions.

**Sponsors:** Mayor Jones (By Request)

**Indexes:** Special Use Permit

**Code sections:**

**Attachments:** 1. Ord. No. 2016-043, 2. Staff Report, 3. Location Map, 4. Plans & Survey, 5. Application Form & Applicant's Report, 6. Letters of Support.pdf

Date	Ver.	Action By	Action	Result
3/28/2016	1	City Council	adopted	
3/21/2016	1	Planning Commission	recommended for approval	Pass
2/22/2016	1	City Council	introduced and referred	

To authorize the special use of the properties known as 1401 West Leigh Street, 1405 West Leigh Street, and 1400 Catherine Street for the purpose of permitting up to 11 dwelling units, upon certain terms and conditions.

**O & R Request**

**DATE:** January 15, 2016      **EDITION:** 1

**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:** Selena Cuffee Glenn, Chief Administrative Officer

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

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

**RE:** To authorize the special use of the property known as 1401 West Leigh Street, 1405 West Leigh Street, and 1400 Catherine Street for the purpose of permitting a total of up to eleven dwelling units, upon certain terms and conditions.

**ORD. OR RES. No.**

**PURPOSE:** To authorize the special use of the property known as 1401 West Leigh Street, 1405 West Leigh Street, and 1400 Catherine Street for the purpose of permitting a total of up to eleven dwelling units, upon certain terms and conditions.

**REASON:** The subject property is zoned within the R-7 Single- and Two-Family Urban Residential District, a zoning district that does not allow multi-family residential use. A special use permit is therefore required.

**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 March 21, 2016, meeting. A letter outlining the Commission's recommendation will be forwarded to City Council following that meeting.

**BACKGROUND:** The subject property consists of a 0.123 acre (5,358 SF) parcel (1401 West Leigh Street) improved with a multi-family dwelling, a 0.135 acre (5,881 SF) parcel (1405 West Leigh Street) improved with a two-family dwelling, and a 0.144 acre (6,273 SF) parcel (1400 Catherine Street) partially improved with an unscreened parking area. In total, the subject property encompasses a total of approximately 0.4 acres (17,512 SF) of land located at the intersection of West Leigh, Kinney, and Catherine Streets, in the Carver neighborhood of the Near West planning district.

The City of Richmond's Master Plan recommends Single-family (Medium Density) land uses for the property. The Master Plan defines the primary uses for this category as single-family and two-family detached and attached dwellings at densities of 8 to 20 units per acre, and includes residential support uses such as schools, places of worship, and neighborhood parks, among others (p. 133). The overall density of the development proposal is approximately 28 units per acre.

The Master Plan also states "infill development of like density, scale, and use is appropriate" (p. 230) as a guiding land use principle for the Near West planning district. More specifically for the Carver neighborhood, the Plan States, "recent changes have seen the departure of much of the traditional manufacturing and commercial base in favor of a greater institutional presence by Virginia Commonwealth University. While Carver will continue to be an urban residential neighborhood, with non-residential uses along its edges, specific limitations on these other uses will need to be determined. Carver should remain primarily a single-family neighborhood, with some multi-family uses in appropriate locations. Any new development or redevelopment of existing structures that results in additional multi-family residential units in the Carver neighborhood must provide sufficient off-street parking to accommodate the increase in housing units" (p. 234).

All adjacent properties are located within the same R-7 Single- and Two-Family Urban Residential District zoning district as the subject property. Properties within the R-6 Single-Family Attached Residential, R-53 Multi-Family, and M-1 Light Industrial Districts are also present in the area. A mix of residential (single-, two-, and multi-family), commercial, institutional, industrial, mixed-use, and public-open space land uses are present in the area.

A letter of support was received from the Carver Area Civic Improvement League.

**FISCAL IMPACT / COST:** The Department 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:** \$1,800.00

**DESIRED EFFECTIVE DATE:** Upon Adoption

**REQUESTED INTRODUCTION DATE:** February 22, 2016

**CITY COUNCIL PUBLIC HEARING DATE:** March 28, 2016

**REQUESTED AGENDA:** Consent

**RECOMMENDED COUNCIL COMMITTEE:** None.

**CONSIDERATION BY OTHER GOVERNMENTAL ENTITIES:** City Planning Commission, March 21, 2016.

**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:** Draft Ordinance, Application Form, Applicant's Report, Plans & Survey

**STAFF:** Matthew J. Ebinger, AICP, Senior Planner  
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*PDR O&R No. 15-45*

**Key Issues:**

Retain on Consent Agenda

Move to Regular Agenda

Refer Back to Committee

Remove from Council Agenda

Strike

Withdrawn

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