



Legislation Details (With Text)

File #: ORD. 2015-091 **Version:** 1 **Name:**

Type: Ordinance **Status:** Withdrawn

File created: 9/19/2014 **In control:** City Council

On agenda: 6/1/2015 **Final action:** 6/5/2015

Title: To authorize the special use of the property known as 1031 Fourqorean Lane for the purpose of permitting one or more multifamily dwellings with a total of up to 92 dwelling units for elderly and disabled persons, together with accessory parking, upon certain terms and conditions.

Sponsors: Mayor Jones (By Request)

Indexes: Special Use Permit

Code sections:

Attachments: 1. Ord. No. 2015-091

Date	Ver.	Action By	Action	Result
6/5/2015	1	City Council	withdrawn	
6/1/2015	1	Planning Commission		
5/11/2015	1	City Council	continued and referred back	
5/4/2015	1	City Council		
5/4/2015	1	Planning Commission	recommended for continuance	Pass
4/13/2015	1	City Council	introduced and referred	

To authorize the special use of the property known as 1031 Fourqorean Lane for the purpose of permitting one or more multifamily dwellings with a total of up to 92 dwelling units for elderly and disabled persons, together with accessory parking, upon certain terms and conditions.

O & R Request

DATE: February 24, 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, 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

SUBJECT: To authorize the special use of the property known as 1031 Fourquaren Lane for the purpose of permitting up to ninety-two (92) multi-family dwelling units for the elderly and handicapped, together with accessory parking, upon certain terms and conditions.

ORD. OR RES. No.

PURPOSE: To authorize the special use of the property known as 1031 Fourquaren Lane for the purpose of permitting up to ninety-two (92) multi-family dwelling units for the elderly and handicapped, together with accessory parking, upon certain terms and conditions.

REASON: In 2012, City Council authorized a conditional rezoning of the subject property (Ord. No. 2012-13-24), which zoned the property R-53 Multifamily Residential District Conditional. The applicant does not intend to develop the property according to the approved proffer statement, and thus, has requested to rezone the property from the current R-53 zoning back to the R-5 Single Family Residential district. The R-5 District does not permit multi-family dwellings and thus requires a special use permit.

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 April 20, 2015, meeting. A letter outlining the Commission's recommendation will be forwarded to City Council following that meeting.

BACKGROUND: The proposed development would be for up to 92 multi-family dwelling units, developed over 2 phases. Phase 1 would involve developing 56 units within the existing building located on the site and Phase 2 would be for an additional 36 units within a proposed addition to the existing building. All the units would be limited to occupancy by handicapped persons and/or persons of a minimum age of fifty-five years of age. Not less than one parking space for every two dwelling units would be provided, which is consistent with the normal zoning requirements for elderly housing.

The property is located in the North Planning District as defined by the 2000-2020 citywide Master Plan, which recommends "Single-family (Low-Density)" uses for the property. The Plan defines the primary use for this land use designation as "single-family detached dwellings at densities up to seven units per acre" (page 133). This designation includes support uses such as schools, places of worship, and parks, among others.

Several of the "Guiding Land Use Principles" for the North District are applicable to the subject property, beginning with the statement that "the predominant residential character of the District should be kept intact" (page 255). This same section of the Plan also states that "residential infill development should be similar in density, architectural character, and use to what currently exists in the surrounding area and should enhance the character and quality of the neighborhoods". On a similar note, another principle is that "infill development and redevelopment should match the scale and architectural character of the existing buildings" (page 255).

Of the type of development proposed for the site, the Plan states that "Additional multi-family development should be limited to managed senior housing along major transportation corridors, except Chamberlayne Avenue, where access cannot impact single family residential areas" (page 255).

For more detailed land use and development information regarding the Highland Park Southern Tip area, the Master Plan defers to the 1996 Highland Park Southern Tip (Chestnut Hill) Neighborhood Revitalization Plan, a joint effort of the Highland Park Southern Tip Neighborhood Association and the City, adopted by the City's Planning Commission in March 1996 and City Council in April 1996 as Ordinance No. 96-54-53. The Highland Park Southern Tip neighborhood, as defined by the Plan, is bounded by Valley Road to the south, Richmond-

Henrico Turnpike to the west, Magnolia Street to the north, and Interstate 64/6th Avenue to the east (page 4). It is unclear if the subject property is included in the boundaries of the study area; in several of the maps (Major Crimes and Existing Land Use) information on the subject property is not provided, however, in the Land Use Plan recommendations map it is. This detailed map, in conjunction with the plan, indicates that “Multi-family is prohibited throughout the neighborhood except in existing built-up multi-family residential areas or as a Special Use for elderly housing in selected locations” and makes note of a “Multi-family elderly proposal as Special Use (Fourquarean Lane)” on page 27.

FISCAL IMPACT: The Department of 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: \$1,800 application fee

DESIRED EFFECTIVE DATE: Upon adoption.

REQUESTED INTRODUCTION DATE: March 23, 2015

CITY COUNCIL PUBLIC HEARING DATE: April 27, 2015

REQUESTED AGENDA: Consent

RECOMMENDED COUNCIL COMMITTEE: None

CONSIDERATION BY OTHER GOVERNMENTAL AGENCIES: City Planning Commission, April 20, 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 ORDINANCES: None.

ATTACHMENTS: Application Form, Applicant’s Letter, Draft Ordinance, Survey, Plans

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

PDR O&R No. 14-40

Key Issues:

- Retain on Consent Agenda
- Move to Regular Agenda
- Refer Back to Committee
- Remove from Council Agenda
- Strike Withdrawn Continue to: