



Legislation Details (With Text)

**File #:** ORD. 2014-235-216    **Version:** 1    **Name:**

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

**File created:** 11/10/2014    **In control:** City Council

**On agenda:** 12/8/2014    **Final action:** 12/8/2014

**Title:** To rezone the properties known as 1829 West Cary Street and 1831 West Cary Street from the R-7 Single- and Two-Family Urban Residential District to the UB Urban Business District.

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

**Indexes:** Rezoning

**Code sections:**

**Attachments:** 1. Ord. No. 2014-235-216, 2. Staff Report, 3. Location Map, 4. Application & Applicant's Report, 5. Letters of Support, 6. Image

Date	Ver.	Action By	Action	Result
12/8/2014	1	City Council	adopted	Pass
12/1/2014	1	Planning Commission	recommended for approval	
11/10/2014	1	City Council	introduced and referred	

To rezone the properties known as 1829 West Cary Street and 1831 West Cary Street from the R-7 Single- and Two-Family Urban Residential District to the UB Urban Business District.

**O & R Request**

**DATE:** September 17, 2014    **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 H. Chapman, Deputy Chief Administrative Officer

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

**SUBJECT:** To rezone the properties known as 1829 West Cary Street and 1831 West Cary Street from the R-7 - Single- and Two-Family Urban Residential District to the UB Urban Business District.

**ORD. OR RES. No.** \_\_\_\_\_

**PURPOSE:** To rezone the properties known as 1829 West Cary Street and 1831 West Cary Street from the R-7 - Single- and Two-Family Urban Residential District to the UB Urban Business District.

**REASON:** The subject property is located within the R-7 district that does not allow the mix of commercial and residential uses that can be accommodated by the layout of the existing building. Properties to the north and west of the subject property are located within the UB district. Extending the boundaries of this district to include the subject property would allow a mix of uses in the existing building and enable application of appropriate off-street parking requirements.

**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 November 3, 2014 meeting. A letter outlining the Commission's recommendation will be forwarded to City Council following that meeting.

**BACKGROUND:** The subject property consists of two contiguous parcels of land located at the southeast corner of the intersection of West Cary Street and South Granby Street, in The Fan neighborhood of the Near West planning district. 1829 West Cary Street consists of a 0.129 acre (5,619 sq ft) parcel of land improved with a surface parking area. 1831 West Cary Street consists of a 0.103 acre (4,487 sq ft) parcel of land improved with a 2-story mixed-use building constructed around 1900 and a surface parking area to the rear. The first floor of the building contains a double-storefront corner commercial space and the second floor contains two apartments.

The subject property and properties to the east and south are located within the R-7 district that does not allow the mix of commercial and residential uses that can be accommodated by the layout of the existing building on the subject property. Properties to the north and west of the subject property are located within the UB district. Extending the boundaries of this district to include the subject property would allow a mix of uses in the existing building and enable application of appropriate off-street parking requirements.

A plan of development pertaining to the existing 20-space parking area on the subject property was approved in 2002. In 1952, the Board of Zoning Appeals permitted a carpenter repair shop and dwelling in the existing building (BZA Case No. 11-52).

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. Specifically for West Cary Street east of Meadow Street, the Master Plan states, "West Cary Street should transition to a residential environment with limited commercial uses

While the Master Plan does not contemplate commercial use of the property, the property was originally constructed for first-floor commercial use and is unlikely, as configured and situated, to be converted to a single- or two-family dwelling as permitted by the underlying zoning and recommended by the Master Plan.

Moreover, the subject property is a component of the cluster of mixed-use, office, and commercial land uses running along West Cary Street from its intersection with South Meadow Street to the subject property, where the land uses transitions along West Cary Street to predominantly residential (single-, two-, and multi-family) land uses.

**FISCAL IMPACT:** The Department 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 ordinances; and publishing, mailing and posting of public notices.

**REVENUE TO CITY:** \$1,200.00

**DESIRED EFFECTIVE DATE:** Upon adoption.

**REQUESTED INTRODUCTION DATE:** October 13, 2014

**CITY COUNCIL PUBLIC HEARING DATE:** November 10, 2014

**REQUESTED AGENDA:** Consent

**RECOMMENDED COUNCIL COMMITTEE:** None

**CONSIDERATION BY OTHER GOVERNMENTAL AGENCIES:** City Planning Commission, November 3, 2014

**AFFECTED AGENCIES:** Office of Chief Administrative Officer  
Law Department (for review of draft ordinances)  
City Assessor (for preparation of mailing labels for public notices)

**RELATIONSHIP TO EXISTING ORDINANCES:** Requires amendment to Zoning Ordinance (section 114-910.3).

**ATTACHMENTS:** Draft Ordinance (rezoning of subject property), Application Form, Applicant's Report & Survey

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*DCD O&R No.14-42*