



Legislation Details (With Text)

File #: ORD. 2018-158 **Version:** 1 **Name:**

Type: Ordinance **Status:** Adopted

File created: 5/11/2018 **In control:** City Council

On agenda: 7/23/2018 **Final action:** 7/23/2018

Title: To conditionally rezone a portion of the property known as 5800 Patterson Avenue and the properties known as 5800, 5802, 5804, 5806, 5808, 5810, and 5812 Park Avenue; and 5801, 5803, and 5805 Pratt Street from the R-4 Single-Family Residential District to the B-7C Mixed-Use Business District (Conditional).

Sponsors: Mayor Stoney (By Request)

Indexes:

Code sections:

Attachments: 1. Ord. No. 2018-158, 2. Staff Report_July 2, 2018 Meeting, 3. Staff Report_June 18, 2018 Meeting, 4. Proffered Conditions, 5. Application Form & Applicant's Report, 6. Letter of Intent, 7. Surveys, 8. Map, 9. Letters of Support, 10. Letter of Support_Provided at 6_18 Planning Commission Meeting, 11. Public Response Form_Support_7_2 Planning Commission Meeting, 12. Public Response Form_Support_6_18 Planning Commission Meeting, 13. Letters of Opposition, 14. Letter of Opposition_Provided at 7_2 Planning Commission Meeting, 15. Letters of Opposition_Provided at 6_18 Planning Commission Meeting, 16. Public Response Form_Opposition_6_18 Planning Commission Meeting, 17. Public Response Form_Opposition_7_2 Planning Commission Meeting, 18. Public Response Form_Undecided_7_2 Planning Commission Meeting

Date	Ver.	Action By	Action	Result
7/23/2018	1	City Council	adopted	Pass
7/2/2018	1	Planning Commission	recommended for approval	Pass
6/25/2018	1	City Council	continued and referred back	
6/18/2018	1	Planning Commission	recommended for continuance	Pass
5/29/2018	1	City Council	introduced and referred	

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O & R Request

DATE: May 11, 2018

EDITION: 1

TO: The Honorable Members of City Council

THROUGH: The Honorable Levar M. Stoney, Mayor (by request)
(This is no way reflects a recommendation on behalf of the Mayor.)

THROUGH: Selena Cuffee Glenn, Chief Administrative Officer

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

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

RE: To conditionally rezone the properties known as a portion of 5800 Patterson Avenue, 5800, 5802, 5804, 5806, 5808, 5810, and 5812 Park Avenue, and 5801, 5803, 5805 Pratt Street from the R-4 Single-Family Residential District to the B-7C Mixed-Use Business District (Conditional), upon certain proffered conditions.

ORD. OR RES. No.

PURPOSE: To conditionally rezone the properties known as a portion of 5800 Patterson Avenue, 5800, 5802, 5804, 5806, 5808, 5810, and 5812 Park Avenue, and 5801, 5803, 5805 Pratt Street from the R-4 Single-Family Residential District to the B-7C Mixed-Use Business District (Conditional), upon certain proffered conditions.

REASON: The applicant has requested the rezoning to B-7C Mixed-Use Business District (Conditional) to authorize a mix of uses on the subject property, including a proposed 55,000 SF medical office building, which would not be authorized by the existing R-4 Single-Family Residential zoning of the property.

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 18, 2018, meeting. A letter outlining the Commission's recommendation will be forwarded to City Council following that meeting.

BACKGROUND: The subject property, known as a portion of 5800 Patterson Avenue, 5800, 5802, 5804, 5806, 5808, 5810, 5812 Park Avenue, and 5801, 5803, 5805 Pratt Street, are located in the City's Three Chopt Neighborhood. Some of the parcels border the County of Henrico. The subject property is within the Far West Planning District. 5800 Patterson Avenue specifically is a component of the Libbie/Patterson Service Center.

The subject property consists of approximately 6 acres of land, the largest of which is 5800 Patterson Avenue (portion) at approximately 4.23 acres. 5800 Patterson Avenue is improved with the historic Westhampton School.

The 2012 amendment of the City's Master Plan recommends the future land use for 5800 Patterson Avenue to be mixed-use land use and public & open space land use. Primary uses for the mixed-use land use category include combinations of office, retail, personal service, general commercial and service uses and, in some cases, multi-family residential and dwelling units above ground floor commercial. Generally, such areas consist of a mix of several types of uses, designed and arranged to be compatible with one another. Each type of use could function independently, but all benefit from proximity to one another. Typical zoning classifications that may accommodate this land use category: B-5, UB, UB-2, B-6, and B-7 (p. 134). Primary uses for the public & open space land use category include publicly owned and operated parks, recreation areas, open spaces, schools, libraries, cemeteries, and other government and public service facilities (p. 135).

The Master Plan's future land use recommendation for the remaining parcels is single-family (low density) land use. Primary uses for this category include single-family detached dwellings at densities up to seven units per acre. Includes residential support uses such as schools, places of worship, neighborhood parks and recreation

facilities, and limited public and semi-public uses. Typical zoning classifications that may accommodate this land use category: R-1, R-2, R-3, R-4, and R-5 (p. 133).

Specifically for the Far West Planning District, the Master Plan states that any expansion of St. Mary's Hospital and its related facilities, including parking, into City residential neighborhoods to the south should not be allowed (p. 184). The Master plan also states that further commercial development within the District should occur within the Libbie/Grove, Libbie/Patterson, and Patterson/Three Chopt Service Centers...The vitality of the commercial Service Centers at Libbie/Grove, Libbie/Patterson, and Patterson/Three Chopt should be maintained by placing limitations on the extent and character of expansions to those areas (p. 180-3).

The subject property is zoned R-4 Single-Family Residential. If rezoned as proposed, the subject property would be regulated by the provisions of the B-7C Mixed-Use Business District (Conditional) and the attached proffered conditions.

Properties to the north and east are also located in the R-4 district. Properties to the south and east, along Patterson Avenue, are zoned B-2 Community Business. Properties to the west are zoned R-4 and R-53 Multi-family Residential.

A mix of commercial, mixed-use, and residential (single-, two- and multi-family) 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: \$2,000 application fee

DESIRED EFFECTIVE DATE: Upon Adoption

REQUESTED INTRODUCTION DATE: May 29, 2018

CITY COUNCIL PUBLIC HEARING DATE: June 25, 2018

REQUESTED AGENDA: Regular

RECOMMENDED COUNCIL COMMITTEE: None

CONSIDERATION BY OTHER GOVERNMENTAL ENTITIES: City Planning Commission, June 18, 2018

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.: 5800 Patterson Avenue is the subject of a Deed of

Ground Lease (Ord. No. 2012-230-218) and Performance Agreements.

REQUIRED CHANGES TO WORK PROGRAM(S): None

ATTACHMENTS: Application Form, Applicant's Report, Draft Ordinance, Proffered Conditions, Surveys, Map

STAFF: Matthew J. Ebinger, AICP, Principal Planner
Land Use Administration (Room 511) 646-6308

PDR O&R No. 18-36

Key Issues:

Retain on Consent Agenda

Move to Regular Agenda

Refer Back to Committee

Remove from Council Agenda

Strike

Withdrawn

Continue to: