



Legislation Details (With Text)

File #: ORD. 2014-166-156 **Version:** 1 **Name:**

Type: Ordinance **Status:** Adopted

File created: 5/6/2014 **In control:** City Council

On agenda: 9/2/2014 **Final action:** 9/8/2014

Title: To authorize the special use of the property known as 613 North Lombardy Street for the purpose of permitting up to thirteen (13) dwelling units, upon certain terms and conditions.

Sponsors: Mayor Jones (By Request)

Indexes: Special Use Permit

Code sections:

Attachments: 1. Ord. No. 2014-166-156, 2. Staff Report, 3. Location Map, 4. Application & Applicant's Report, 5. Plans, 6. Letter of Support

Date	Ver.	Action By	Action	Result
9/8/2014	1	City Council	adopted	
9/2/2014	1	Planning Commission	recommended for approval	Pass
7/14/2014	1	City Council	introduced and referred	

To authorize the special use of the property known as 613 North Lombardy Street for the purpose of permitting up to thirteen (13) dwelling units, upon certain terms and conditions.

O & R Request

DATE: May 12, 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: Byron C. Marshall, Chief Administrative Officer

THROUGH: Peter H. Chapman, Deputy Chief Administrative Officer for Economic Development and Planning

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

RE: Special Use Permit for 613 North Lombardy Street for the purpose of permitting up to thirteen (13) dwelling units.

ORD. OR RES. No.

PURPOSE: To authorize the special use of the property known as 613 North Lombardy Street for the purpose of permitting up to thirteen (13) dwelling units, upon certain terms and conditions.

REASON: The UB Urban Business zoning district only allows dwelling uses if they are above other permitted uses if they are located to the rear of other permitted uses. The applicant proposes to include dwelling uses in the basement and ground floor. Therefore, a special use permit is 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 July 7, 2014 meeting. A letter outlining the Commission's recommendation will be forwarded to City Council following that meeting.

BACKGROUND: The subject property is located in the City's Fan District on the block bounded by West Broad Street to the north, Ryland Street to the east, West Grace Street to the south, and North Lombardy Street to the west. The property consists of one parcel totaling 0.138 acres and is improved with an 11,874 square foot building.

The property is currently zoned UB Urban Business District and is located in the West Broad Street (PO-4) Parking Overlay District. The Board of Zoning Appeals adopted a Special Exception (Case No. 25-10) on September 1, 2010, to re-establish a nonconforming church use within the building. On September 30, 2011 a Certificate of Occupancy was issued to implement the Board's approval for the church and day nursery uses. Those uses are current, and according to the application, would be abandoned in the event that a special use permit is granted.

Required parking is not provided on the site, but the 160 seat sanctuary established a nonconforming status totaling 20 parking spaces. The proposed dwelling uses would require one parking space for every four dwelling units for a total of three parking spaces leaving an excess parking availability for other permitted principal uses of 17 spaces. When calculating the number of parking spaces required for the commercial uses, the 17 grandfathered spaces will be subtracted from the total number required to determine the actual number of parking spaces necessary to meet zoning regulations.

The UB District permits dwelling units contained within the same building as other permitted uses, provided that such dwelling units be located above the ground floor of the building or to the rear of other permitted principal uses so as not to interrupt commercial frontage in the district. However, two dwelling units are proposed for the basement level, which is below the other permitted principal use, thus initiating a requirement for the special use permit.

For the Near West Planning District, the City of Richmond's Master Plan designates this property as Community Commercial. Primary uses for Community Commercial areas include, "office, retail, personal service, and other commercial and services uses, intended to provide the shopping and service needs of residents of a number of nearby neighborhoods or a section of the City. As compared to Neighborhood Commercial, this category includes a broader range of uses of greater scale and intensity, with greater vehicular access and orientation, but that are also compatible with nearby residential areas" (p.134). The Master Plan further states, "Vacant buildings on the corridor (West Broad Street) should be encouraged to develop first floor commercial uses with office and/or residential uses for upper floors" (p.239).

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 ordinance; and publishing, mailing and posting of public notices.

REVENUE TO CITY: \$1,800 application fee

DESIRED EFFECTIVE DATE: Upon adoption.

REQUESTED INTRODUCTION DATE: June 9, 2014

CITY COUNCIL PUBLIC HEARING DATE: July 14, 2014

REQUESTED AGENDA: Consent

RECOMMENDED COUNCIL COMMITTEE: None

CONSIDERATION BY OTHER GOVERNMENTAL AGENCIES: City Planning Commission, July 7, 2014

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