



## Legislation Details (With Text)

**File #:** ORD. 2015-021-38      **Version:** 1      **Name:**

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

**File created:** 12/9/2014      **In control:** City Council

**On agenda:** 2/17/2015      **Final action:** 2/23/2015

**Title:** To authorize the special use of the property known as 3500 Kensington Avenue for the purpose of multifamily dwellings containing up to 50 dwelling units, upon certain terms and conditions, and to repeal Ord. No. 86-32-38, adopted Feb. 24, 1986, Ord. No. 91-361-331, adopted Nov. 25, 1991, and Ord. No. 92-41-47, adopted Mar. 9, 1992.

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

**Indexes:** Special Use Permit

**Code sections:**

**Attachments:** 1. Ord. No. 2015-21-38, 2. Staff Report, 3. Location Map, 4. Survey, 5. Plans, 6. Application & Applicant's Report, 7. Letters of Support and No Opposition

| Date      | Ver. | Action By           | Action                   | Result |
|-----------|------|---------------------|--------------------------|--------|
| 2/23/2015 | 1    | City Council        | adopted                  |        |
| 2/23/2015 | 1    | Planning Commission | recommended for approval | Pass   |
| 1/26/2015 | 1    | City Council        | introduced and referred  |        |

To authorize the special use of the property known as 3500 Kensington Avenue for the purpose of multifamily dwellings containing up to 50 dwelling units, upon certain terms and conditions, and to repeal Ord. No. 86-32-38, adopted Feb. 24, 1986, Ord. No. 91-361-331, adopted Nov. 25, 1991, and Ord. No. 92-41-47, adopted Mar. 9, 1992.

### O & R Request

**DATE:** December 10, 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, Acting Chief Administrative Officer

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

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

**RE:** To authorize the special use of the property known as 3500 Kensington Avenue for the purpose of multifamily dwellings containing a total of no more than fifty (50) dwelling units, upon

certain terms and conditions, and to repeal Ordinance No. 86-32-38, adopted February 24, 1986, and Ordinance No. 91-361-331, adopted November 25, 1991, and Ordinance No. 92-41-47, adopted March 9, 1992.

## **ORD. OR RES. No.**

**PURPOSE:** To authorize the special use of the property known as 3500 Kensington Avenue for the purpose of multifamily dwellings containing a total of no more than fifty (50) dwelling units, upon certain terms and conditions, and to repeal Ordinance No. 86-32-38, adopted February 24, 1986, and Ordinance No. 91-361-331, adopted November 25, 1991, and Ordinance No. 92-41-47, adopted March 9, 1992.

**REASON:** Currently, the subject property is zoned in the R-48 Multifamily Residential district, which allows multifamily use but does not allow the proposed residential density of approximately 38 dwelling units per acre. The applicant has therefore requested 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 February 2, 2015, meeting. A letter outlining the Commission's recommendation will be forwarded to City Council following that meeting.

**BACKGROUND:** The subject property consists of a 1.33 acre (57,935 sq ft) parcel of land improved with an unscreened surface parking area and a 17,683 sq ft 1-story medical office building constructed, per tax assessment records, in 1959. The property comprises the block bound by Patterson Avenue, N. Thompson Street, Kensington Avenue, and N. Nansemond Street in the Museum District neighborhood of the Near West planning district. The property is also located within the West of the Boulevard design overlay district and the proposed development has been reviewed by the Secretary to the Urban Design Committee.

Currently, the subject property is zoned in the R-48 Multifamily Residential district, which allows multifamily use but does not allow the proposed residential density of approximately 38 dwelling units per acre. A special use permit was approved in 1986 and last amended in 1992, pertaining to the expanded uses within the existing nonconforming medical office building. The medical office building use is to be abandoned, therefore the associated ordinances will be repealed.

All surrounding properties are located within the same R-48 zoning district as the subject property. A mix of institutional, public-open space, government, mixed-use, and residential (single-, two-, and multifamily) land uses are present in the vicinity. The multifamily developments immediately surrounding the property to the north, southeast, and south range in residential density from 26 to 54 dwelling units per acre.

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 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, the Plan States that "in keeping with traditional residential development patterns within the District, higher-density mixed residential uses are appropriate in both the Fan and West of the Boulevard neighborhoods. Concentrations of small,

multifamily structures (6-12 units) are scattered throughout these areas and contribute to a strong sense of social and economic diversity. This residential mix is appropriate and desirable, as long as single-family residential uses continue to prevail” (p. 234).

**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:** \$2,000.00

**DESIRED EFFECTIVE DATE:** Upon adoption.

**REQUESTED INTRODUCTION DATE:** January 12, 2015

**CITY COUNCIL PUBLIC HEARING DATE:** February 9, 2015

**REQUESTED AGENDA:** Consent

**RECOMMENDED COUNCIL COMMITTEE:** None

**CONSIDERATION BY OTHER GOVERNMENTAL AGENCIES:** City Planning Commission, February 2, 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:** Repeal Ordinance No. 86-32-38, adopted February 24, 1986, and Ordinance No. 91-361-331, adopted November 25, 1991, and Ordinance No. 92-41-47, adopted March 9, 1992.

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

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

*DCD O&R No.14-53*