



Legislation Details (With Text)

File #: ORD. 2015-090 **Version:** 1 **Name:**

Type: Ordinance **Status:** Withdrawn

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

On agenda: 5/11/2015 **Final action:** 6/5/2015

Title: To rezone the property known as 1031 Fourqorean Lane from the R-53 Multifamily Residential District to the R-5 Single-Family Residential District.

Sponsors: Mayor Jones (By Request)

Indexes: Special Use Permit

Code sections:

Attachments: 1. Ord. No. 2015-90 - Withdrawn 20150605

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6/5/2015	1	City Council	withdrawn	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 rezone the property known as 1031 Fourqorean Lane from the R-53 Multifamily Residential District to the R-5 Single-Family Residential District.

O & R Request

DATE: February 24, 2015 **EDITION:** 1

TO: The Honorable Members of City Council

THROUGH: Dwight C. Jones, Mayor (Patron: Mayor Jones, 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, Deputy Chief Administrative Officer

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

SUBJECT: Rezoning request for the property known 1031 Fourqorean Lane.

ORD. OR RES. No. _____

PURPOSE: To rezone the property known as 1031 Fourquaren Lane from the current zoning district of R-53 Multifamily Residential District (Conditional) to R-5 Single Family Residential.

REASON: The property owner has requested the rezoning in order to remove the existing proffers and develop the former school building for multi-family uses under 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 subject property is located on the southern side of Fourquaren Lane, between 2nd Avenue and Harold Avenue, and contains approximately 2.204 acres (96,006 square feet) of lot area in total. The former St. Elizabeth's School, constructed in 1950 and vacant for the past decade, is located on the property. The dilapidated three-story brick building contains approximately 17,200 square feet of floor area.

The property owner has requested the rezoning from the current zoning district of R-53 Multifamily Residential (Conditional) to R-5 Single Family Residential in order to remove the proffers associated with the 2012 rezoning (Ord. No. 2012-13-34) and renovate the former school building for multifamily uses and add onto the existing structure for additional multi-family uses. The applicant intends to use the multi-family dwellings for senior housing and will be required to obtain a special use permit in order to develop the property as proposed.

The proposed R-5 zoning allows for single-family detached residential dwellings on lots not less than 6,000 square feet in area. The district also restricts the maximum height of buildings to 35 feet. One off-street parking space is required per dwelling unit. Other permitted principal uses in the R-5 district include schools and churches.

The current R-53 zoning district allows single-family attached and detached, two-family and multi-family dwelling uses as well as day nurseries and adult day care facilities. The minimum lot area required for a multi-family dwelling use is not less than 5,000 square feet in total area and not less than 1,250 square feet in area for each dwelling unit.

Proffers were approved with the 2012 rezoning and include the following:

1. The final layout of the site will be in substantial accordance with the site plan preferred by the Community's Stakeholders prepared by the Storefront for Community Design and dated May 26, 2011.
2. No more than 18 units will be located in the existing building and no more than 46 units total will be located on the property. If the project is phased, renovation of the existing building will be in or will be the first phase.
3. No new construction will exceed 35 feet in height.
4. The proposed new construction will use high quality materials. No new construction will use vinyl siding at any public street elevation. At a minimum, the new construction will have Hardiplank siding at all front elevations regardless of street frontage.

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 (Fourquare 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: An application fee of \$2,000.00 was received to process this request.

DESIRED EFFECTIVE DATE: Upon adoption.

REQUESTED INTRODUCTION DATE: March 23, 2015

CITY COUNCIL PUBLIC HEARING DATE: April 27, 2015

REQUESTED AGENDA: Regular

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: Applicant’s Report; Draft Ordinance

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

DPDR O&R No. 14-41

Key Issues:

Retain on Consent Agenda

Move to Regular Agenda

Refer Back to Committee

Remove from Council Agenda

Strike Withdrawn Continue to: