



## Legislation Details (With Text)

**File #:** ORD. 2016-171 **Version:** 1 **Name:**

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

**File created:** 3/17/2016 **In control:** City Council

**On agenda:** 9/12/2016 **Final action:** 9/12/2016

**Title:** To amend Ord. No. 2014-121-201, adopted Nov. 10, 2014, which authorized the special use of the property known as 1650 Overbrook Road for the purpose of authorizing multifamily dwellings with up to 205 dwelling units, to permit up to 117 multifamily dwelling units and other site amenities, upon certain terms and conditions. (As Amended)

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

**Indexes:** Special Use Permit

**Code sections:**

**Attachments:** 1. 20160725 Amendment, 2. Ord. No. 2016-171, 3. July 18, 2016 Staff Report, 4. June 20, 2016 Staff Report, 5. Location Map, 6. Survey, 7. Plans, 8. Application, 9. July 18, 2016 Letter of Opposition, 10. June 20, 2016 Letter of Opposition, 11. Special Use Permit Procedure Manual, 12. DHR Statement, 13. Windowless Dwelling Unit Resolution

Date	Ver.	Action By	Action	Result
9/12/2016	1	City Council	adopted	
7/25/2016	1	City Council	amended and continued	
7/18/2016	1	Planning Commission	recommended for approval with amendments	Pass
7/5/2016	1	Planning Commission	recommended for continuance	Pass
6/27/2016	1	City Council	continued and referred back	
6/20/2016	1	Planning Commission	recommended for approval	Pass
5/23/2016	1	City Council	introduced and referred	

To amend Ord. No. 2014-121-201, adopted Nov. 10, 2014, which authorized the special use of the property known as 1650 Overbrook Road for the purpose of authorizing multifamily dwellings with up to 205 dwelling units, to permit up to 117 multifamily dwelling units and other site amenities, upon certain terms and conditions. (As Amended)

### O & R Request

**DATE:** April 19, 2016 **EDITION:** 1

**TO:** The Honorable Members of City Council

**THROUGH:** Dwight C. Jones, Mayor  
(This in no way reflects a recommendation on behalf of the Mayor)

**THROUGH:** Selena Cuffee-Glenn, Chief Administrative Officer

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

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

**ORD. OR RES. No.**

**PURPOSE:** To amend Ord. No. 2014-121-201, adopted November 10, 2014, which authorized the special use of the property known as 1650 Overbrook Road for the purpose of authorizing multifamily dwellings with up to (two hundred five 205) dwelling units, to permit up to one hundred and seventeen (117) multi-family dwelling units and other site amenities, upon certain terms and conditions.

**REASON:** The applicant is seeking permission to convert the existing primary structure into 117 dwelling uses. The M-1 Light Industrial District prohibits conversion of existing structures to residential use. Therefore, the applicant is requesting 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 May 16, 2016, meeting. A letter outlining the Commission's recommendation will be forwarded to City Council following that meeting.

**BACKGROUND:** The subject property is an improved lot of 6.44 acres located on the block bounded by Overbrook Road to the south, Hermitage Road to the west, and a private alley running the length of the northern boundary. The primary masonry structure has a building footprint of 110,851 square feet and varies in building height between approximately 18 feet and 35 feet. A second masonry structure is located at the corner of Overbrook Road and Hermitage Road and it has a building footprint of 2,392 square feet. Located next to this building is one-story metal building 1,532 square feet in size.

The larger building was used historically as an old tobacco warehouse with interior columns and the applicant intends to preserve the building as recommended by the Department of Historical Resources.

In 2014, City Council adopted Ord. No. 2014-121-201, which authorized up to 205 multi-family dwelling units. The applicant proposes amending that ordinance to develop up to 117 dwelling units and provide 296 total parking spaces. The development of the primary building would take place in two sections, "Section A" and "Section B," with "Section B" being developed for future commercial use. "Section A" would be developed for up to 117 dwelling units. Site amenities include a swimming pool. The one-story masonry building at the corner of Overbrook Road and Hermitage Road labeled "Section C" is designated for commercial use. The metal building would be removed.

The property is currently zoned M-1 Light Industrial, which does not permit the proposed multifamily use of the property. The City of Richmond's Master Plan, adopted in 2001, also designates the subject property for "industrial" development. In keeping with the industrial zoning and Master Plan land use designation, the property has most recently been used for furniture sales.

For the Near West Planning District, The Master Plan states that "There are a number of vacant industrial and commercial properties within the District, many of which are within or adjacent to residential neighborhoods. Creative reuse strategies for these buildings or sites are needed" (p. 229).

**FISCAL IMPACT / COST:** Staff time for processing the request; preparation of draft ordinance; and publishing, mailing and posting of public notices.

**FISCAL IMPLICATIONS:** The Department Planning and Development Review does not anticipate any impact to the City's budget for this or future fiscal years.

**BUDGET AMENDMENT NECESSARY:** No budget amendment is necessary.

**REVENUE TO CITY:** \$1,800 application fee.

**DESIRED EFFECTIVE DATE:** Upon adoption.

**REQUESTED INTRODUCTION DATE:** April 25, 2016

**CITY COUNCIL PUBLIC HEARING DATE:** May 23, 2016

**REQUESTED AGENDA:** Consent

**RECOMMENDED COUNCIL COMMITTEE:** None

**CONSIDERATION BY OTHER GOVERNMENTAL AGENCIES:** City Planning Commission, May 16, 2016

**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, Draft Ordinance, Survey, Plans

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