



Legislation Details (With Text)

File #: ORD. 2017-154 **Version:** 1 **Name:**

Type: Ordinance **Status:** Adopted

File created: 6/28/2017 **In control:** City Council

On agenda: 10/9/2017 **Final action:** 10/9/2017

Title: To authorize the special use of the properties known as 2411 M Street and 2416 Jefferson Avenue for the purpose of allowing a building to exceed the applicable height restrictions, upon certain terms and conditions. (As Amended)

Sponsors: Mayor Stoney (By Request)

Indexes: Special Use Permit

Code sections:

Attachments: 1. Ord. No. 2017-154, 2. 20170911 Amendment of 2017-154, 3. Staff Report, 4. Application Form & Applicant's Report, 5. Plans, 6. Survey, 7. Map, 8. Letters of Support, 9. Letters of Support_Provided at Sep 5 Planning Commission Meeting, 10. Public Response Form, 11. Updated Support List 9 18 17_M. Baker.pdf

Date	Ver.	Action By	Action	Result
10/9/2017	1	City Council	adopted	Pass
9/11/2017	1	City Council	amended and continued	
9/5/2017	1	Planning Commission	recommended for approval with amendments	Pass
7/24/2017	1	City Council	introduced and referred	

To authorize the special use of the properties known as 2411 M Street and 2416 Jefferson Avenue for the purpose of allowing a building to exceed the applicable height restrictions, upon certain terms and conditions. (As Amended)

O & R Request

DATE: June 28, 2017

EDITION: 1

TO: The Honorable Members of City Council

THROUGH: Levar M. Stoney, Mayor (Patron: Mayor, by Request)
(This in 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 authorize the special use of the properties known as 2411 M Street and 2416 Jefferson

Avenue for the purpose of allowing a building to exceed the applicable height restrictions, upon certain terms and conditions.

ORD. OR RES. No.

PURPOSE: To authorize the special use of the properties known as 2411 M Street and 2416 Jefferson Avenue for the purpose of allowing a building to exceed the applicable height restrictions, upon certain terms and conditions.

REASON: The applicant is proposing a 4-story mixed-use development in a UB-PE4 district. The height restriction for the UB district is 28 feet. A special use permit is therefore 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 August 21, 2017, meeting; or its September 5, 2017, meeting if the August meeting is canceled for the summer recess. A letter outlining the Commission's recommendation will be forwarded to City Council following that meeting.

BACKGROUND: The subject property consists of two contiguous parcels of land: 1. A 0.282 acre (12,284 SF) parcel of unimproved land known as 2411 M Street and 2. A 0.075 acre (3,267 SF) parcel of land known as 2416 Jefferson Avenue, improved with a surface parking area and one-story office building constructed, per tax assessment records, in 1910. The subject property occupies the majority of a triangular portion of land bound by Jefferson Avenue, North 24th Street, and M Street, in the Union Hill neighborhood of the East planning district.

The property is zoned in the UB-PE4 - Urban Business District (Parking Exempt Overlay District). The property is also located within the Union Hill City Old & Historic District and the proposed improvements are being reviewed by the Commission of Architectural Review.

According to the Zoning Ordinance, the intent of the UB Urban Business District is to encourage business areas with a densely developed pedestrian-oriented urban shopping character, compatible with adjacent residential neighborhoods, and with minimal disruption from vehicle-oriented land uses and features that would detract from a safe, convenient and economically viable pedestrian environment. The district is intended to promote continuity of storefront character along principal street frontages, with minimum interruption by driveways and vehicle traffic across public sidewalk areas. The regulations within the district are intended to preserve the predominant scale and character of existing urban shopping areas, promote retention of existing structures and encourage that new development be compatible with such existing areas and structures.

The intent of parking exempt overlay districts is to provide relief from the off-street parking requirements for certain uses so as to facilitate the development and redevelopment of economically depressed, older, urban commercial districts characterized by a substantial number of vacant and deteriorated structures. With the exception of certain high intensity uses, off-street parking is generally not needed for most uses in these areas because of high vacancy rates, availability of on-street parking, considerable walk-in trade due to proximity to residential areas and available public transportation.

The City of Richmond's Master Plan recommends Neighborhood Commercial land use for the property. Primary uses in this category "include office, personal service and retail uses, intended to provide the daily convenience shopping and service needs of adjacent neighborhood residents. Such uses are typically small

scale and low intensity, have limited hours of operation, involve a high percentage of walk-in trade and minimal vehicular traffic, and are especially compatible with adjacent low to medium density residential uses. The typical zoning classifications recommended to accommodate this land use category are B-1 and UB (p. 134).

In regard to the East District, the Master Plan states there is a “continued need...to stabilize older low-income residential neighborhoods throughout the District, particularly north of Broad Street in the Church Hill, Oakwood/Chimborazo, and Fairmount neighborhoods” (p. 163) and that “existing historic preservation design controls should be maintained” (p. 166). “Commercial uses in the East District should be concentrated within existing commercial service centers and mixed use areas” (p. 169).

Prior to the 2010 Master Plan Amendment, the Master Plan presented concerns regarding corner commercial uses, stating they “should be restricted to neighborhood commercial uses with limitations on operating hours, number of employees, and signage...Neighborhood commercial uses are deemed appropriate only as long as ABC licenses are not included in their operation” (p. 170). However, with the expansion of mixed-use areas recommended by the 2010 amendment, increased commercial activity is encouraged in the area and concerns regarding commercial uses, particularly the sale of alcohol, have been reduced.

The subject property is zoned within the UB-PE4 district that generally follows the Jefferson Avenue corridor. R-63 Multifamily Urban Residential districts are located to the north and south of the UB-PE4 district, with an R-8 Urban Residential district to the west and an RO2-PE4 Residential-Office (Parking Exempt Overlay District) to the east. A mix of residential (single-, two-, and multi-family), commercial, office, mixed-use, institutional, vacant, and public-open space land uses are present in the area.

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: \$ 2,400 application fee

DESIRED EFFECTIVE DATE: Upon adoption

REQUESTED INTRODUCTION DATE: July 24, 2017

CITY COUNCIL PUBLIC HEARING DATE: September 11, 2017

REQUESTED AGENDA: Regular

RECOMMENDED COUNCIL COMMITTEE: None

CONSIDERATION BY OTHER GOVERNMENTAL ENTITIES: City Planning Commission, August 21, 2017 or September 5, 2017

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.: None

REQUIRED CHANGES TO WORK PROGRAM(S): None

ATTACHMENTS: Draft Ordinance, Application Form, Applicant's Report, Plans, Survey, Map

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

PDR O&R 17-16

Key Issues:

Retain on Consent Agenda

Move to Regular Agenda

Refer Back to Committee

Remove from Council Agenda

Strike

Withdrawn

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