

INTRODUCED: February 8, 2021

AN ORDINANCE No. 2021-031

To rezone the property known as 2902 North Arthur Ashe Boulevard from the M-2 Heavy Industrial District to the TOD-1 Transit-Oriented Nodal District.

Patron – Mayor Stoney (By Request)

Approved as to form and legality
by the City Attorney

PUBLIC HEARING: MAR 8 2021 AT 6 P.M

THE CITY OF RICHMOND HEREBY ORDAINS:

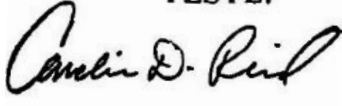
§ 1. That, as shown on the plat entitled “Plat of Property Situated on the Southwest Corner of Arthur Ashe Boulevard and Boulevard West, City of Richmond, Virginia,” prepared by Steven B. Kent & Associates, PC, and dated October 22, 2019, a copy of which is attached to, incorporated into, and made a part of this ordinance, the property known as 2902 North Arthur Ashe Boulevard, with Tax Parcel No. N000-1605/022 as shown in the 2021 records of the City Assessor, is excluded from the M-2 Heavy Industrial District and shall no longer be subject to the provisions of sections 30-454.1 through 30-454.6 of the Code of the City of Richmond (2020), as amended, and that the same is included in the TOD-1 Transit-Oriented Nodal District

AYES: 9 NOES: 0 ABSTAIN: _____

ADOPTED: MAR 8 2021 REJECTED: _____ STRICKEN: _____

and shall be subject to the provisions of sections 30-457.1 through 30-457.10 and all other applicable provisions of Chapter 30 of the Code of the City of Richmond (2020), as amended.

§ 2. This ordinance shall be in force and effect upon adoption.

ATRUE COPY:
TESTE:

City Clerk

City of Richmond

900 East Broad Street
2nd Floor of City Hall
Richmond, VA 23219
www.richmondgov.com

Item Request

File Number: PRE.2021.449

O & R Request

DATE: January 11, 2020

EDITION: 1

TO: The Honorable Members of City Council

THROUGH: The Honorable Levar M. Stoney, Mayor (Patron: Mayor, by Request)
(This is no way reflects a recommendation on behalf of the Mayor.)



THROUGH: J. E. Lincoln Saunders, Acting Chief Administrative Officer *JELS*

THROUGH: Sharon L. Ebert, Deputy Chief Administrative Officer for Economic Development and Planning



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



RE: To rezone the property known as 2902 North Arthur Ashe Boulevard from the M-2 Heavy Industrial District to the TOD-1 Transit-Oriented Nodal District.

ORD. OR RES. No. _____

PURPOSE: To rezone the property known as 2902 North Arthur Ashe Boulevard from the M-2 Heavy Industrial District to the TOD-1 Transit-Oriented Nodal District.

REASON: The applicant is requesting to rezone the property to TOD-1 Transit-Oriented Nodal District, which allows for dense, walkable transit-oriented mixed-use development whereas the current M-2 Heavy Industrial District does not permit dwelling uses and permits a variety of industrial uses not permitted under the TOD-1 regulations.

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 March 1, 2021, meeting.

BACKGROUND: The proposed rezoning would include a single parcel of land located at the corner of North Arthur Ashe Boulevard and Boulevard West. The total land area of the parcel is 137,435 square feet, or 3.16 acres. The property is improved with a warehouse building containing approximately 36,000 square feet of floor area with a large paved parking area located between the building and Boulevard West.

Richmond 300 recommends a future land use of "Industrial Mixed-Use" for the property. The primary uses envisioned for Industrial Mixed-Use are retail/office/personal service, multi-family residential, cultural, and open space. The development style envisioned is "a mix of building types with low-scale, post-industrial buildings that are adapted for a new use adjacent to new taller residential and/or office buildings." The general intensity recommended is medium-to high density, with building heights ranging from three to eight stories. The subject property is also located within the "Industrial Mixed-Use" district of the "Greater Scott's Addition" primary growth node of Richmond 300, which envisions a "continued evolution of Scott's Addition by combining entertainment, residential, office and light industrial uses."

The property is currently located in the M-2 Heavy Industrial District, which permits a variety of commercial and industrial uses. Auto-oriented uses including auto repair and sales, drive-up facilities, and fuel dispensing are permitted under the current M-2 Heavy Industrial. Dwelling uses are not permitted in the current M-2 Heavy Industrial District.

Properties to the south, west and north are also located in the M-2 Heavy Industrial District. Properties to the east are located within the M-1 Light Industrial District. The property is bordered by CSX railroad right-of-way to the south. Other industrial properties are located to the west along Boulevard West and a Greyhound bus station is located to the north. Vacant property owned by the City of Richmond Public Works Department is located directly across North Arthur Ashe Boulevard to the east, and The Diamond complex and Sports Backers Stadium is located to the north and east, respectively, of the City-owned vacant property.

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: \$1,800 application fee

DESIRED EFFECTIVE DATE: Upon Adoption

REQUESTED INTRODUCTION DATE: February 8, 2021

CITY COUNCIL PUBLIC HEARING DATE: March 8, 2021

REQUESTED AGENDA: Consent

RECOMMENDED COUNCIL COMMITTEE: None

CONSIDERATION BY OTHER GOVERNMENTAL ENTITIES: City Planning Commission
March 1, 2021

AFFECTED AGENCIES: Office of Chief Administrative Officer
Law Department (for review of draft ordinance)

RELATIONSHIP TO EXISTING ORD. OR RES.: None

REQUIRED CHANGES TO WORK PROGRAM(S): None

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

STAFF: Richard Saunders, Senior Planner
Land Use Administration (Room 511) 646-5648

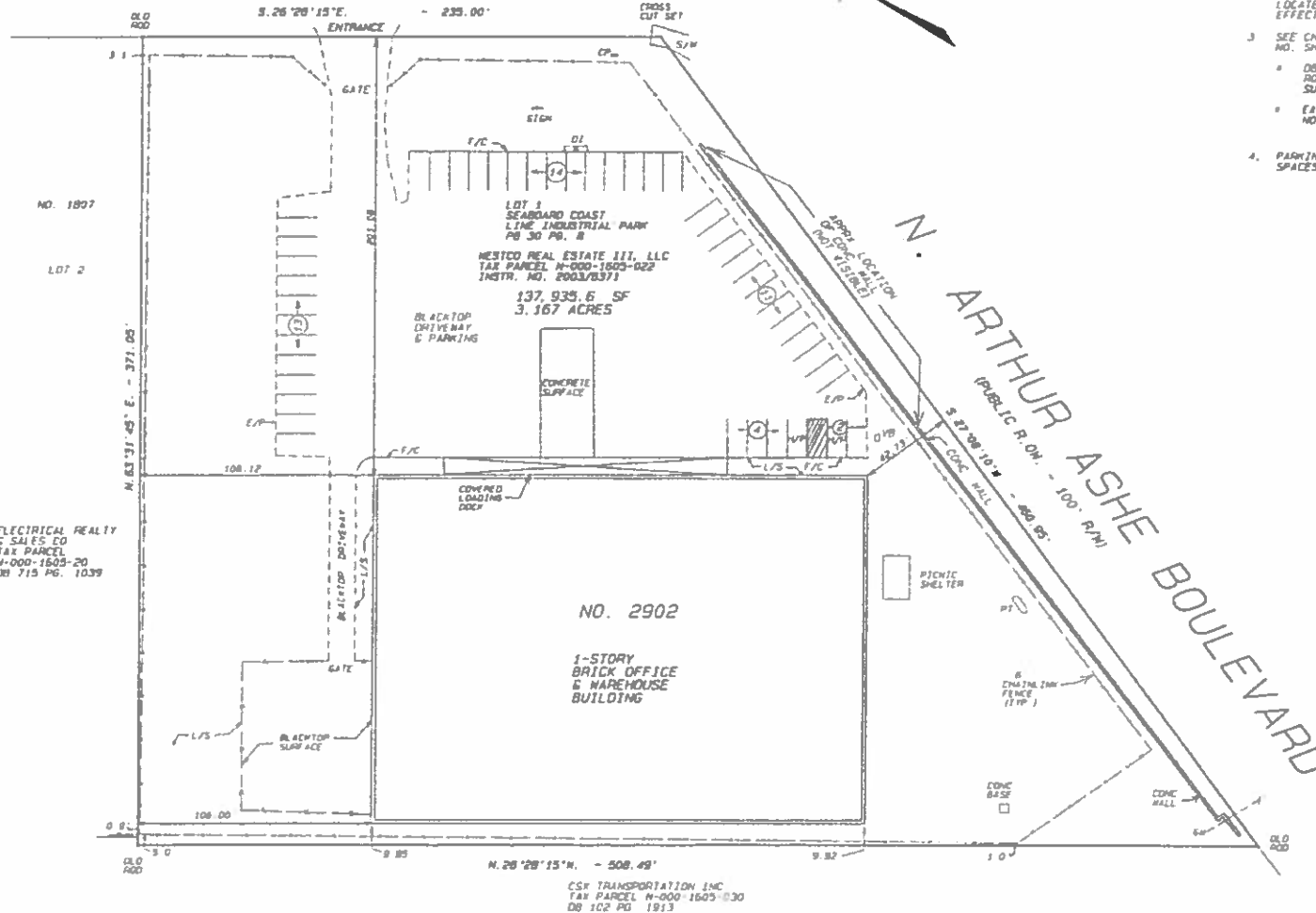
NOTES

1. UTILITIES UNDERGROUND TO BUILDING
2. SUBJECT PROPERTY NOT LOCATED IN A 100-YEAR FLOODPLAIN, LOCATED IN ZONE X, PER FEMA FIRM MAP NO. 51012R0029-D, EFFECTIVE DATE OF APRIL 2, 2009
3. SEE CHICAGO TITLE INSURANCE COMPANY'S COMMITMENT NO. SHMC-137, COMMITMENT DATE OCTOBER 10, 2019
 - * DB 608-D, PG. 219 CONTAINS PERPETUAL COVENANT FOR ROOF AND SURFACE DRAINAGE SYSTEM WHICH AFFECTS SUBJECT PROPERTY BUT IS NOT PLOTTABLE
 - * EASEMENT TO SPRINT COMMUNICATIONS COMPANY IN INSTRUMENT NO. 13-10396 AFFECTS SUBJECT PROPERTY BUT IS NOT PLOTTABLE
4. PARKING - SITE CONTAINS (14) TOTAL STRIPED PARKING SPACES WHICH INCLUDES (2) HANDICAP SPACES.

BOULEVARD WEST

(PUBLIC R.O.W - 50' R/W)

PLAT BY J. K. TIMMONS
DATED MAR 30, 1975
DB 696-D PG. 223



ELECTRICAL REALTY & SALES CO
TAX PARCEL
N-000-1603-20
DB 715 PG. 1039

LOT 3
SEABOARD COAST
LINE INDUSTRIAL PARK
PG 30 PG. 8
NESTCO REAL ESTATE III, LLC
TAX PARCEL N-000-1603-022
INSTR. NO. 2003/8371
137,935.6 SF
3.167 ACRES

NO. 2902

1-STORY
BRICK OFFICE
& WAREHOUSE
BUILDING

CSX TRANSPORTATION INC
TAX PARCEL N-000-1603-030
DB 102 PG. 1913

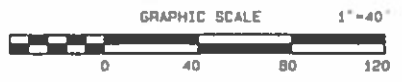
LEGEND

- F/C = FACE OF CURB
- E/P = EDGE OF PAVEMENT
- L/S = LANDSCAPED/ GRASS AREA
- 6W = GUY WIRE
- PI = ABOVE GROUND PROPANE TANK
- CP = COMMUNICATIONS PEDESTAL
- DI = DROP INLET
- S/W = SIDEWALK
- VB = VERIZON BOX

CERTIFICATION

THIS IS TO CERTIFY TO
TONNE BANK
THIS IS TO CERTIFY THAT HE MADE AN ACCURATE FIELD SURVEY OF THE PREMISES SHOWN HEREON THAT ALL IMPROVEMENTS AND VISIBLE EASEMENTS ARE SHOWN HEREON THAT THERE ARE NO ENCROACHMENTS BY IMPROVEMENTS EITHER FROM ADJOINING PREMISES OR FROM SUBJECT PREMISES, OTHER THAN SHOWN HEREON

PLAT OF PROPERTY SITUATED
ON THE SOUTHWEST CORNER OF
ARTHUR ASHE BOULEVARD
AND BOULEVARD WEST
CITY OF RICHMOND, VIRGINIA
OCTOBER 22, 2019 SCALE: 1"=40'



STEVEN B. KENT - LAND SURVEYOR
REGISTRATION NO. 16065
COMMONWEALTH OF VIRGINIA

STEVEN B. KENT & ASSOCIATES, PC
LAND SURVEYORS
1521 BROOK ROAD
RICHMOND, VIRGINIA 23220
OFF. 804.643.6113
email: stevenkent85@verizon.net



Application for **REZONING/CONDITIONAL REZONING**

Department of Planning and Development Review
Land Use Administration Division
900 E. Broad Street, Room 511
Richmond, Virginia 23219
(804) 646-6304
<http://www.richmondgov.com/>

Project Name/Location

Property Address: 2902 Arthur Ashe Boulevard Date: December 3, 2020
Tax Map #: N0001605022 Fee: \$1,800
Total area of affected site in acres: 3.2

(See **page 6** for fee schedule, please make check payable to the "City of Richmond")

Zoning

Current Zoning: M-2
Existing Use: Industrial

Proposed Zoning/Conditional Zoning

(Please include a detailed description of the proposed use and proffers in the required applicant's report)

Existing Use: Industrial

Is this property subject to any previous land use cases?

Yes No If Yes, please list the Ordinance Number: _____

Applicant/Contact Person: Lory Markham

Company: Markham Planning
Mailing Address: 2314 West Main Street
City: Richmond State: VA Zip Code: 23220
Telephone: (804) 248-2581 Fax: ()
Email: lory@markhamplanning.com

Property Owner: TRP N BLVD LLC

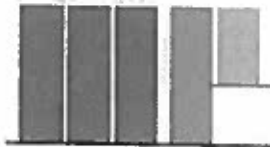
If Business Entity, name and title of authorized signee: Matthew Raggi

(The person or persons executing or attesting the execution of this Application on behalf of the Company certifies that he or she has or have been duly authorized and empowered to so execute or attest.)

Mailing Address: 11100 West Broad Street
City: Glen Allen State: VA Zip Code: 23060
Telephone: (804) 344-7156 Fax: ()
Email: matt.raggi@thalhimer.com

Property Owner Signature: Matthew J. Raggi

The names, addresses, telephone numbers and signatures of all owners of the property are required. Please attach additional sheets as needed. If a legal representative signs for a property owner, please attach an executed power of attorney. Faxed or photocopied signatures will not be accepted.



MARKHAM PLANNING

23 WEST BROAD STREET #304 · RICHMOND, VIRGINIA 23220

December 3, 2020

Mark Olinger, Director
Department of Planning & Development Review
900 East Broad Street, Suite 511
Richmond, VA 23219
mark.olinger@richmondgov.com

Re: 2902 Arthur Ashe Boulevard, Tax Map No. N000-1605/002, Rezoning Request

Dear Mr. Olinger,

On behalf of the owner and developer of 2902 North Arthur Ashe Boulevard, please accept this letter as the Applicant's Report for the rezoning from M-2 Heavy Industrial to the TOD-1 Transit-Oriented Nodal District. With this application, TRP N BLVD LLC is petitioning City Council to rezone these properties from the existing outdated industrial district to the TOD-1 zoning intended to promote dense, walkable transit-oriented development and the enhancement of the character along principal corridors and at key gateways.

Existing Site Conditions



The subject property is located on the west side of the intersection of North Arthur Ashe Boulevard (principal arterial road) and Boulevard West (collector street) in the Near West Planning District and The Diamond neighborhood. The property currently fronts on the latter as direct street level frontage on Arthur Ashe Boulevard is inhibited by an immediate steep grade change. A sidewalk and guard rail are along the 4-lane road. Active CSX Railroad property is in the rear of the property.

The property is located three industrial blocks or 0.4 mile from a major gateway into the city, the on and off ramp for both I-95 and I-64. The city's baseball stadium is diagonally across the intersection from this property. The active Greyhound bus station is on opposite side of Boulevard West.

The parcel is 137,435 square feet or 3.16 acres. A 36,000 square foot warehouse with front facing loading docks, built in 1975, is setback on the property. A large surface pavement area sits before it and takes up about half of the site. There is one access point off Boulevard West.

Current Zoning Regulations

The property is located in M-2 Heavy Industrial District, which permits a wide variety of commercial, industrial and service uses, many of which could be considered noxious or undesirable so close to the bus depot and stadium which both attract large movements of the metropolitan's population.

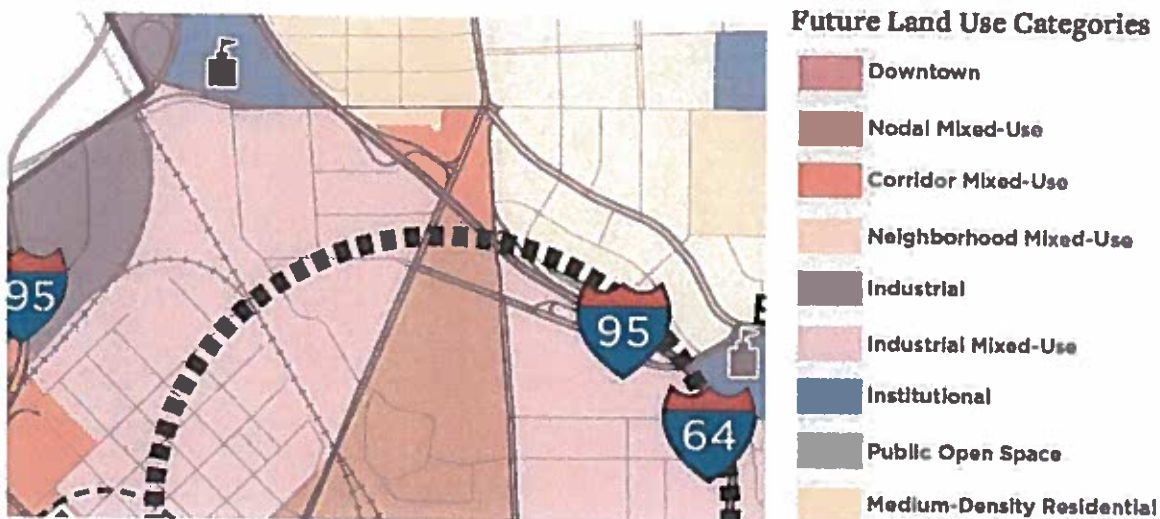
Per the current zoning ordinance:

- There are no yard setback requirements.
- A base building maximum height of 45 feet is permitted. Additional height is allowed and based on an incline plane from the centerline of the abutting street. No portion of a building can penetrate the inclination of one foot horizontal for each three feet vertical. Boulevard West is 45' and Arthur Ashe Boulevard is 60'.

City's Master Plan for Future Land Use

The Richmond 300 Master Plan, which is in the process for approval, designates this parcel as Industrial Mixed-Use and within a Regional Center. This Future Land Use Category is described as:

- a. an area transitioning to mixed-use due to proximity to growing neighborhoods
- b. a medium to high density between 3 and 8 stories
- c. Primary uses include retail, office, personal service, multi-family residential, cultural and open space



Proposal

The owner wishes to construct a new multi-story development on the property that would comply with the TOD-1 Transit-Oriented Nodal District.

This district encourages dense, walkable transit-oriented development to promote enhancement of the character of development along principal corridors (Arthur Ashe Boulevard), at key gateways (The I-95/64 ramp) and nodes of high activity located near transit service (bus depot), bicycle infrastructure, and pedestrian-friendly streetscapes. It permits a wide variety of uses such as art galleries, banks, breweries, grocery stores, hotels, offices, restaurants, pet shops, retail stores and service businesses.

In addition, any development of the site as a mixed-use residential project with more than 10 units or greater than 50,000 square feet will require a plan of development to be approved by the Director of Planning and Development Review to ensure compatibility with the district and the city's plans.

Neighborhood and City Communication

This area is within the 2nd Voter District and the Scott's Addition Boulevard Association.

The developer has reached out the Scott's Addition Business Association and Councilwoman Kimberly Gray to make them aware of the proposal.

City Charter Conditions

We trust that you will agree that the development of the site would be better suited under the regulations in the TOD-1 Transit-Oriented Nodal District and that the rezoning meets the City Charter considerations to be observed in the alteration of zoning regulations.

Thank you for your consideration of this rezoning request. Please feel free to contact me at lory@markhamplanning.com or (804) 248-2561 if you have any questions or require additional materials to process the application.

Very Truly Yours,



Lory Markham

Enclosure: application form, fee payment, existing survey

cc: Matthew Ebinger, Secretary to the City Planning Commission
The Honorable Kimberly B. Gray, 2nd Voter District
Matthew Raggi, Thalhimer