

INTRODUCED: August 5, 2019

AN ORDINANCE No. 2019-217

To repeal ch. 30, art. IV, div. 26 (§§ 30-448.1—30-448.4) of the City Code; to amend ch. 30, art. IV, by adding therein a new div. 26 (§§ 30-448.1—30-448.8); and to amend City Code §§ 30-503, 30-519, 30-710.1, 30-710.4, 30-710.13, and 30-1220, all for the purpose of modifying the zoning regulations applicable in the CM Coliseum Mall District.

Patron – Mayor Stoney

Approved as to form and legality
by the City Attorney

PUBLIC HEARING: NOV 12 2019 AT 6 P.M.

THE CITY OF RICHMOND HEREBY ORDAINS:

§ 1. That Chapter 30, Article IV, Division 26 of the Code of the City of Richmond (2015), consisting of sections numbered 30-448.1 through 30-448.4, be and are hereby **repealed** as follows:

[DIVISION 26

CM COLISEUM MALL DISTRICT

Sec. 30-448.1. — Permitted principal and accessory uses.

AYES: 5 NOES: 4 ABSTAIN: _____

ADOPTED: _____ REJECTED: _____ STRICKEN: FEB 10 2020

~~The following uses of building and premises shall be permitted in the CM district, provided that drive up facilities and facilities for dispensing motor fuels shall not be permitted in conjunction with any of the uses permitted in the district:~~

~~(1) — Retail stores and shops;~~

~~(1.1) — Specialty food and beverage stores, including bakeries where products are sold principally at retail on the premises; provided that the floor area devoted to any such use shall not exceed 5,000 square feet;~~

~~(2) — Restaurants, tearooms, cafés, delicatessens, ice cream parlors and similar food and beverage service establishments, including catering businesses and entertainment in conjunction therewith, and including areas outside completely enclosed buildings and intended for service to or consumption of food and beverages by patrons;~~

~~(3) — Entertainment, cultural and recreational uses, including theatres, art galleries, museums, bowling alleys, amusement centers and other commercial recreation facilities located within completely enclosed buildings;~~

~~(4) — Personal service businesses that provide services directly to persons or services for personal items, including barber shops, beauty salons, health spas, fitness centers, dance studios, photography studios, travel agencies, shoe repair shops, tailor and garment alteration and repair shops, clothing rental stores, watch and jewelry repair shops and similar establishments; provided that not more than five persons are employed on the premises in the conduct of any repair or fabrication activity;~~

~~(4.1) — Dry cleaning and laundering establishments employing not more than five persons on the premises;~~

~~(5) — Shops for the repair of household items, locks, bicycles and similar items, provided that not more than five persons are employed on the premises, and provided further than no gasoline engines shall be repaired or serviced;~~

~~(6) — Banks, savings and loan offices and similar financial services, including accessory automated teller machines accessible only from the interior of buildings devoted to such uses;~~

~~(7) — Hotels and motels, provided that a plan of development shall be required as set forth in Article X of this chapter;~~

~~(8) — Parking areas and parking lots, provided that any card reader or other access control device at an entrance to a parking area or parking lot shall be provided with not less than one stacking space situated off the public right of way;~~

~~(9) — Parking decks and parking garages, provided that:~~

~~a. — Not less than one exit lane and one entrance lane shall be provided for each 300 parking spaces or major fraction thereof contained within the structure, and any card reader or other access control device at an entrance to a parking deck or parking garage shall be provided with not less than one stacking space situated off the public right of way;~~

~~b. — Parking spaces contained therein shall be screened from view from abutting streets by structural material of not less than 45 percent opacity;~~

~~c. — A plan of development shall be required as set forth in Article X of this chapter;~~

~~(10) — Offices, including business, professional and administrative offices, medical and dental offices and clinics, and studios of writers, designers, artists and others engaged in the arts;~~

~~(11) — Public assembly buildings, auditoriums, convention facilities, meeting rooms and exhibition spaces;~~

~~(12) Public schools and private business, professional and vocational schools not involving the use of heavy machinery, welding equipment or internal combustion engines;~~

~~(13) Rights of way, easements and appurtenances necessary for the provision and maintenance of public utilities and public transportation, including streets, rail lines, power lines, cables, poles, pipes, meters, transformers and similar devices, but not including railroad yards, freight or passenger depots, loading platforms, generating plants, transformer stations, electric substations, wastewater treatment plants, water treatment plants, utility storage yards and similar uses;~~

~~(14) Wireless communications facilities, microwave relay facilities, and radio broadcast antennas, on alternative support structures, provided that a plan of development shall be required in accordance with the requirements of Article X of this chapter and in accordance with the additional requirements of Sections 30-692.1 through 30-692.6;~~

~~(15) Accessory uses and structures customarily incidental and clearly subordinate to uses permitted in this district, including automated teller machines accessible from the interior of buildings devoted to permitted principal uses.~~

Sec. 30-448.2. Use limitations.

~~To ensure continuity of retail, personal service and entertainment uses appropriate to a pedestrian mall and to encourage the concentration of active establishments with a high degree of pedestrian attraction necessary to the economic vitality of such areas, only those uses specified in Sections 30-448.1(1) through (6) and (11) and 30-448.3(1) and (2) shall be located within the ground floor of a building having frontage along a public mall within the CM Coliseum Mall District, provided that not more than 30 percent of any building frontage along such mall may be~~

~~devoted to entrances or lobbies related to other uses generally permitted in this district and located above or below the ground floor or to the rear of the building.~~

~~Sec. 30-448.3. Principal uses permitted by conditional use permit.~~

~~The following uses of buildings and premises may be permitted in the CM district by conditional use permit as set forth in Article X of this chapter:~~

- ~~(1) Nightclubs;~~
- ~~(2) Retail sales of liquor.~~

~~Sec. 30-448.4. Height.~~

~~No building or structure in the CM Coliseum Mall District shall exceed 80 feet in height.]~~

§ 2. That Chapter 30, Article IV of the Code of the City of Richmond (2015) be and is hereby amended and reordained by adding therein a new division numbered 26, consisting of sections numbered 30-448.1 through 30-448.8, as follows:

DIVISION 26

CM COLISEUM MALL DISTRICT

Sec. 30-448.1. Intent of district.

Pursuant to the general purposes of this chapter, the CM Coliseum Mall District is intended to encourage and bolster dense, walkable transit-oriented development that is consistent with the goals of the adopted Master Plan, Downtown Plan and Pulse Corridor Plan. The district permits a mix of uses to enable residential, commercial, office, and institutional uses to coexist alongside major buildings or public spaces intended for public assembly. In keeping with the goals of the Pulse Corridor Plan, new development in the District is intended to be reflective of the six design elements of the Pulse Corridor Plan:

(1) *Hold the Corner:* Buildings and spaces at intersections have active ground floors that wrap around the corner

(2) *Entrances Face the Street:* Main entrances to businesses and residences front the street, fostering pedestrian activity.

(3) *Appropriate Setbacks and Stepbacks:* Commercial uses are closer to the street while residential uses are set back to foster privacy and to create semi-public space. Stepbacks at upper stories create a means to honor existing form without overwhelming it.

(4) *Transparency:* Façade fenestration allows visibility to and from the street. This is especially important on the ground floor, where fenestration should occupy a higher percentage of the building face.

(5) *Façade Articulation:* Long, monolithic facades should be broken up and made more human-scale by varying the streetwall plane, height, colors and materials.

(6) *Screened Parking and Services:* Attractive landscaping pushed to the sidewalk help maintain a streetwall and mitigate the disruption caused by surface parking lots and utilitarian services.

It is the intent of this division that only parcels located within the area bounded by East Leigh Street to the north, North 10th Street to the east, East Marshall Street to the south, and North 5th Street to the west be eligible for inclusion in the CM Coliseum Mall District.

Sec. 30-448.2. Permitted principal and accessory uses.

The following uses of buildings and premises shall be permitted in the CM Coliseum Mall District, provided that drive-up facilities and facilities for dispensing motor fuels shall not be permitted in conjunction with any of the uses permitted in the district unless specifically set forth in this section.

A plan of development shall be required as set forth in article X of this chapter, and in accordance with the intent of this district set forth in section 30-448.1, for such uses as specified in this section, for construction of any new building of greater than 30,000 square feet of floor area, and for construction of any new building or addition to any existing building where vehicular circulation, including driveways, parking areas, or loading areas, is to be provided on the site; provided that a plan of development shall not be required for any use that is subject to location, character and extent approval by the City Planning Commission in accordance with section 17.07 of the City Charter.

(1) Art galleries.

(2) Automated teller machines, accessible from and attached to exterior of buildings.

(3) Banks, savings and loan offices and similar financial services, and accessory automated teller machines accessible from the interior or exterior of buildings devoted to such uses, provided that a plan of development shall be required as set forth in article X of this chapter for any such use with an automated teller machine accessible from the exterior of a building.

(4) Breweries producing not more than 10,000 barrels of beer per year and distilleries producing not more than 25,000 cases of liquor per year.

(5) Catering businesses.

(6) Churches and other places of worship, which may include the serving of food for charitable or fellowship purposes and, as an accessory use, the temporary housing of not more than 30 homeless individuals within churches and other places of worship, subject to meeting applicable building code and fire code requirements, for up to a total of seven days and only within the time period beginning on October 1 of any year and ending on April 1 of the following year.

(7) Day nurseries licensed by and subject to the requirements of the State of Virginia Department of Social Services.

(8) Dry cleaning and laundering establishments, provided that no greater than 5,000 square feet of space of said property is devoted to such use.

(9) Dwelling units, provided that when such units are located within buildings fronting on street-oriented commercial frontage, a minimum of one-third or 1,000 square feet, whichever is greater, of the floor area of the ground floor of the building shall be devoted to other principal uses permitted in this district, and such uses shall have a depth of not less than 20 feet along the entire street-oriented commercial frontage, except for ingress and egress. A plan of development shall be required as set forth in article X of this chapter, and in accordance with the intent of this district set forth in section 30-448.1, for construction of any new building containing more than ten dwelling units.

(10) Greenhouses and plant nurseries.

(11) Grocery stores, convenience stores, and specialty food and beverage stores, including bakeries where products are sold principally at retail on the premises.

(12) Hospitals, but not psychiatric hospitals for the care of patients committed by a court, provided that a plan of development shall be required as set forth in article X of this chapter.

(13) Hotels.

(14) Laboratories and research facilities which are not any more objectionable due to smoke, dust, odor, noise, vibration, or danger of explosion than other uses permitted in this district, and which do not involve any manufacturing, processing, or fabrication other than that incidental to testing or research activities conducted on the premises.

(15) Laundromats and laundry and dry cleaning pick-up stations not to exceed 2,500 square feet.

(16) Libraries, museums, schools, parks and noncommercial recreational facilities, when such uses are owned or operated by a nonprofit organization or a governmental agency.

(17) Manufacturing, warehouse, and distribution uses of food and beverages as listed in section 30-452.1(2)(a), excluding section 30-452.1(2)(a)(13), if such use (i) is under 8,000 square feet of area, (ii) requires consumption on premises, and (iii) has a minimum of 1,000 square feet dedicated to another principal use. A plan of development shall be required as set forth in article X of this chapter.

(18) Office supply, business and office service, photocopy, and custom printing establishments.

(19) Offices, including business, professional, and administrative offices, medical and dental offices and clinics, and studios of writers, designers and artists engaged in the graphic arts.

(20) Parking decks and parking garages, provided that all of the following requirements shall apply:

a. No portion of the ground floor of such structure located along a principal street frontage or a priority street frontage shall be used for parking or related circulation of vehicles, but such portion shall be devoted to other permitted principal uses which shall have a depth of not less than 20 feet along the principal street frontage, or to means of pedestrian or vehicle access, provided that vehicle access along such principal street frontage or priority street frontage shall be permitted only when no other street or alley is available for adequate access. In the case of a portion of a story located along a principal street frontage and having less than five feet of its height above the grade level at the

building façade along the street frontage, the provisions of this subdivision prohibiting parking or related circulation of vehicles shall not apply, provided that parking spaces shall be completely screened from view from the street by structural material similar to the material of the building façade. The upper stories of such structure may be used for parking or related circulation of vehicles subject to the fenestration requirements set forth in section 30-440.7(2).

b. Any card reader or other access control device at an entrance to a parking deck or parking garage shall be provided with not less than one stacking space situated off the public right-of-way.

c. Except as provided in subdivision (a) of this subsection, parking spaces contained therein shall be screened from view from abutting streets by structural material of not less than 45 percent opacity.

d. A plan of development shall be required as set forth in article X of this chapter, and in accordance with the intent of this district set forth in section 30-448.1.

(21) Passenger terminals for public transportation, provided a plan of development as set forth in article X of this chapter, and in accordance with the intent of this district set forth in section 30-448.1, shall be required.

(22) Personal service businesses that provide services directly to persons or services for personal items, including barber shops, beauty salons, health spas, fitness centers, dance studios, photography studios, travel agencies, shoe repair shops, tailor and garment alteration and repair shops, clothing rental stores, watch and jewelry repair shops, and similar establishments.

(23) Pet shops, provided that all facilities shall be located within completely enclosed and air conditioned buildings which are soundproof to the extent that sounds produced by animals are not audible outside the building.

(24) Postal and package mailing services, but not including package distribution centers.

(25) Printing, publishing, and engraving establishments.

(26) Private elementary and secondary schools having curricula substantially the same as that offered in public schools.

(27) Professional, business, and vocational schools, provided that no heavy machinery, welding equipment or internal combustion engine shall be used in conjunction therewith.

(28) Public assembly buildings, auditoriums, convention facilities, meeting rooms, and exhibition spaces.

(29) Radio and television broadcasting studios and offices, including accessory antennas, provided that the supporting hardware for any such antenna does not exceed 15 feet above ground level, or in the case of a building mounted antenna, 15 feet above the surface of the building on which it is mounted, and that a plan of development as set forth in article X of this chapter shall be required for any ground-mounted antenna.

(30) Recreation and entertainment uses, including theaters, museums, amusement centers, lodges and clubs, meeting facilities, auditoriums, and assembly halls.

(31) Repair businesses conducted within completely enclosed buildings.

(32) Restaurants, tearooms, cafés, delicatessens, ice cream parlors, and similar food and beverage service establishments, including entertainment in conjunction therewith. Such establishments may include areas outside completely enclosed buildings and intended for service to or consumption of food and beverages by patrons, provided that covered trash containers shall

be provided in service areas and that fences, walls, or vegetative screening shall be provided around service areas, except at entrances and exits, to prevent refuse from blowing onto adjacent properties or streets. Fences or walls to be credited toward this requirement shall comply with fence and wall design guidelines adopted by resolution of the City Planning Commission or their equivalent, as determined by the Zoning Administrator. In no case shall chain link, chain link with slats, or similar fencing be considered as meeting the requirements of the fence and wall design guidelines.

(33) Retail sales and food or beverage sales conducted in an open area or structure by one or more individual vendors operating from stalls, stands, carts or other spaces which are rented or otherwise made available to such vendors.

(34) Retail stores and shops.

(35) Rights-of-way, easements, and appurtenances necessary for the provision and maintenance of public utilities and public transportation, including streets, rail lines, power lines, cables, poles, pipes, meters, transformers, and similar devices.

(36) Sales lots for Christmas trees, vegetable stands, and other seasonal uses, but not including flea markets.

(37) Service businesses that service, repair, or rent audio or video equipment, home appliances, furniture, personal recreational equipment, home yard and garden equipment, tools, bicycles, locks, computers, office machines, and similar household or business items, provided that no products shall be serviced, repaired, stored, or displayed outside a completely enclosed building.

(38) Student housing units, provided that when such units are located within buildings fronting on street-oriented commercial frontage, a minimum of one-third or 1,000 square feet,

whichever is greater, of the floor area of the ground floor of the building shall be devoted to other principal uses permitted in this district and that such uses shall have a depth of not less than 20 feet along the entire street-oriented commercial frontage, except for ingress and egress. A plan of development shall be required as set forth in article X of this chapter, and in accordance with the intent of this district set forth in section 30-448.1, for the construction of any new building containing more than ten dwelling units.

(39) Tourist homes or bed and breakfast establishments.

(40) Uses owned or operated by a governmental agency, but not including facilities intended for incarceration or alternative sentencing or facilities primarily for the care, treatment or housing of persons who are currently illegally using or are addicted to a controlled substance as defined in Code of Virginia, § 54.1-3401.

(41) Wireless communications facilities, microwave relay facilities, and radio broadcast antennas, on alternative support structures, provided that a plan of development shall be required in accordance with the requirements of article X of this chapter and in accordance with the additional requirements of sections 30-692.1 through 30-692.6.

(42) Accessory uses and structures customarily incidental and clearly subordinate to uses permitted in this district, including automated teller machines accessible only from the interior of buildings devoted to permitted principal uses other than individual dwelling units.

Sec. 30-448.3. Principal uses permitted by conditional use permit.

The following uses of buildings and premises may be permitted in the CM Coliseum Mall District by conditional use permit as set forth in article X of this chapter:

(1) Nightclubs.

(2) Retail sales of liquor.

- (3) Social service delivery uses.

Sec. 30-448.4. Yards.

Yard regulations in the CM Coliseum Mall District shall be as follows (see article VI, division 4, of this chapter):

- (1) *Front yard.*

- a. For dwelling uses located on the ground floor:

- 1. A front yard of at least ten feet shall be required. In no case shall a front yard with a depth greater than 15 feet be permitted, except as may be authorized pursuant to paragraphs (2) or (3) of this subdivision.

- 2. A front yard with a depth greater than fifteen feet may be provided when such front yard is improved for a purpose of a pedestrian plaza, as permitted by and is approved subject to a plan of development as set forth in article X of this chapter. Except where the property is within an Old and Historic District, the Urban Design Committee shall review the application and plans and submit a recommendation to the Director of Planning and Development Review prior to approval of such a plan of development by the Director.

- 3. A building entrance feature that is set back from the street a greater distance than the primary building façade along the street and that is not greater than two times the width of the building entranceway shall be permitted, and shall not be subject to the provisions of this subsection.

- b. For all other uses:

1. No front yard is required. In no case shall a front yard with depth greater than ten feet be permitted, except as may be authorized pursuant to paragraphs (2) or (3) of this subdivision.

2. A front yard with a depth greater than fifteen feet may be provided when such front yard is improved for purposes of a pedestrian plaza, outdoor dining area, vehicular drop-off for a hotel, or open space and is approved subject to a plan of development as set forth in article X of this chapter. Except where the property is within an Old and Historic District, the Urban Design Committee shall review the application and plans and submit a recommendation to the Director of Planning and Development Review prior to approval of such plan of development by the Director.

3. A building entrance feature that is set back from the street a greater distance than the primary building façade along the street and that is no greater than two times the width of the building entranceway shall be permitted and shall not be subject to the provisions of this subsection.

(2) *Side yards.* No side yards shall be required.

(3) *Rear yard.* No rear yard shall be required.

Sec. 30-448.5. Usable open space.

In the CM Coliseum Mall District, a usable open space ratio of not less than 0.10 shall be provided for newly constructed buildings or portions thereof devoted to dwelling uses.

Sec. 30-448.6. Requirements for areas devoted to parking and circulation of vehicles.

(1) *Location of parking and circulation areas.* Areas devoted to the parking or circulation of vehicles shall not be located between the main building on a lot and the street line

or be located closer to the street than the main building on the lot. On a lot having more than one street frontage, this subsection shall apply along the principal street frontage of the lot as well as any priority street frontage of that lot.

(2) *Driveways from streets.* No driveway intersecting a street that is along the principal street frontage of the lot on which the driveway is located or a street designated as a priority street on the official zoning map established and maintained pursuant to section 30-200 shall be permitted for any use other than a hotel when alley access or another street frontage is available to serve such lot.

(3) *Improvement requirements and landscaping standards.* In addition to subsections (1) and (2) of this section, parking areas and parking lots shall be subject to the applicable improvement requirements and landscaping standards set forth in article VII, division 2.1 of this chapter.

Sec. 30-448.7. Height.

There shall be no maximum height limit in the CM Coliseum Mall District.

Sec. 30-448.8. Building façade fenestration.

Fenestration requirements applicable to building facades along street frontages in the CM Coliseum Mall District shall be as set forth in this section. In the case of a corner lot, the requirements shall be applicable along the principal street frontage of the lot, as well as along any priority street frontage or street-oriented commercial frontage.

(1) *Street level story.*

a. *Non-dwelling uses.* For non-dwelling uses, other than those listed in subsections (23), (32), (33), and (39) of section 30-448.2, a minimum of 60 percent of the building façade between two and eight feet in height along the street frontage shall be

comprised of windows or glass doors, or both, that allow views into and out of the interior building space. Windows used to satisfy this requirement shall have a minimum height of four feet. In the case of a street level story having less than its full height above the mean grade level at the building façade along the street frontage of the lot, a minimum of 30 percent of the building façade above such mean grade level shall be comprised of windows or glass doors or both that allow views into and out of the interior building space, provided that in the case of any portion of a story having less than five feet of its height above the grade level at the building façade along the street frontage of the lot, the requirements of this subsection shall not apply.

b. *Dwelling uses.* For dwelling uses windows or glass doors or both that allow views out of the interior building space shall comprise a minimum of 30 percent of the building façade between two and eight feet in height along the street frontage. In the case of a street level story having less than its full height above the mean grade level at the building façade along the street frontage of the lot, windows or glass doors, or both, that allow views out of the interior building space shall comprise a minimum of 15 percent of the building façade above such mean grade level, provided that in the case of any portion of a story having less than five feet of its height above the grade level at the building façade along the street frontage of the lot, the requirements of this subsection shall not apply. In all cases, windows shall be double-hung, single-hung, awning, or casement type, and fixed windows shall be permitted only as a component of a system including operable windows within a single wall opening.

(2) *Upper stories.*

a. *Non-dwelling uses.* For non-dwelling uses, other than those listed in subsections (23), (32), (33), and (39) of section 30-448.2, windows or glass doors, or both, that allow views out of the interior building space shall comprise a minimum of 30 percent of the building façade between two and eight feet in height above the floor level of each story above the street level story.

b. *Dwelling uses.* For dwelling uses, windows or glass doors, or both, that allow views out of the interior building space shall comprise a minimum of 30 percent of the building façade between two and eight feet in height above the floor level of each story above the street level story. Such windows shall be double-hung, single-hung, awning, or casement type, and fixed windows shall be permitted only as a component of a system including operable windows within a single wall opening.

§ 3. That sections 30-503 and 30-519 of the Code of the City of Richmond (2015) be and are hereby **amended** and reordained as follows:

Sec. 30-503. Prohibited signs.

The following shall be prohibited in all districts:

- (1) Animated signs, unless specifically permitted by this chapter.
- (2) Portable signs.
- (3) Commercial flag signs, pennant signs, and any other attention-getting signs or devices such as streamers, balloons, or inflatable devices of any configuration acting to attract attention to any use other than noncommercial activity at a residential use.
- (4) Vehicle or trailer signs.
- (5) Signs that emit smoke, flame, scent, mist, aerosol, liquid, or gas.
- (6) Signs that emit sound.

- (7) Off-premises signs, unless specifically permitted by this chapter.
- (8) Window signs whose aggregate area on a window or door exceed 25 percent of the total area of the window or door.
- (9) Any sign displayed without complying with all applicable regulations of this chapter.

Sec. 30-519. CM district.

Unless specifically provided otherwise in this article and subject to the regulations and restrictions applicable to all districts set forth in this article, the following signs shall be permitted and the following sign regulations shall apply in the CM Coliseum Mall District [~~see Sections 30-502 through 30-504 and 30-505~~] , provided that signs on lots with street oriented commercial frontage are subject to the provisions of subsection (3) of this section:

- (1) *Types of permitted signs.* The following types of signs are permitted:
 - a. Wall signs~~[, projecting]~~ .
 - b. Projecting signs~~[, suspended]~~ .
 - c. Suspended signs~~[, awning]~~ .
 - d. Awning signs~~[, and canopy]~~ .
 - e. Canopy signs [~~shall be permitted, subject to the restrictions set forth in this section~~].
 - f. Freestanding signs.
 - g. Roof signs.
 - h. Off-premises signs.
 - i. Animated signs.
- (2) *Permitted sign area.*

a. The aggregate area of all signs set forth in subdivisions (a) through (f) of subsection (1) of this section and directed toward or intended to be viewed from any street [~~or mall~~] frontage shall not exceed two square feet for each linear foot of [~~lot~~] street frontage along the street [~~or mall nor~~] or in any case [300] 200 square feet for each street frontage. Where more than one main building or tenant storefront is located on a lot, the aggregate area of all signs attached to each building or storefront shall not exceed two square feet for each linear foot of building or storefront frontage along the street or in any case 200 square feet for each building frontage or tenant storefront along a street.

b. In addition to the permitted sign area set forth in subdivision (a) of this subsection, one wall sign may be located on each building face above a height of five stories, provided such wall sign shall not exceed one square feet per one foot wall face width, or in any case 200 square feet, and provided further that the permitted sign area for any building face may be increased by up to 25 percent by transferring permitted sign area, as set forth in this subdivision, from another face of the same building.

c. In addition to the permitted sign area set forth in subdivision (a) of this subsection, on a building used for an arena located in the area bounded by East Leigh Street, North 7th Street, East Clay Street, and North 5th Street, one wall sign may be located on each of the East Leigh Street building façade and East Clay Street building façade, provided that each wall sign shall not exceed 500 square feet.

d. In addition to the permitted sign area set forth in subdivision (a) of this subsection, on any lot utilized for an arena, one additional freestanding sign not exceeding 320 square feet or 20 feet in height shall be permitted.

e. In addition to the permitted sign area set forth in subdivision (a) of this subsection, the aggregate area of all on-premises and off-premises signs directed toward or intended to be viewed from any street frontage shall not exceed two square feet for each linear foot of street frontage.

(3) ~~[Projecting signs. No projecting sign shall be located within 25 feet of another projecting sign on the same building wall. No such sign, other than a noncommercial flag, shall project greater than five feet from the face of the building or extend above the height of the wall to which it is attached.]~~ Types of permitted signs along street-oriented commercial frontage. The following types of signs are permitted on lots with street-oriented commercial frontage subject to conformance with subsection (4) of this section:

- a. Wall signs.
- b. Projecting signs.
- c. Suspended signs.
- d. Awning signs.
- e. Canopy signs.
- f. Freestanding signs.

(4) Permitted sign area on street-oriented commercial frontage. The permitted sign area on lots with street-oriented commercial frontage shall be as follows:

a. Generally. The aggregate area of all signs located on a lot shall not exceed one square foot for each linear foot of street frontage or in any case 100 square feet, provided that:

- 1. No individual sign shall exceed the smaller of 32 square feet in area or such smaller sign area specified elsewhere in this article.

2. For a lot having frontage on more than one street, the permitted sign area shall be determined by the street frontage having the greatest dimension.

3. Where more than one main building is located on a lot, the aggregate area of all signs attached to each building shall not exceed one square foot for each linear foot of building frontage along the street or in any case 100 square feet for each building frontage along a street. In addition thereto such lot shall be permitted one freestanding sign subject to the restrictions set forth in subdivision (c) of this subsection.

b. *Projecting signs.* No projecting sign shall exceed 24 square feet in area or be located within 25 feet of another projecting sign on the same building wall. No such sign, other than a noncommercial flag, shall project greater than five feet from the face of the building or extend above the height of the wall to which it is attached.

c. *Freestanding signs.* One freestanding sign not exceeding 16 square feet in area or ten feet in height shall be permitted. Except as set forth in paragraph (3) of subdivision (a) of this subsection, such sign shall be included in the calculation of the permitted sign area set forth in paragraph (2) of subdivision (a) of this subsection.

§ 4. That sections 30-710.1, 390-710.4, and 30-710.13 of the Code of the City of Richmond (2015) be and are hereby **amended** and reordained as follows:

Sec. 30-710.1. Number of spaces required for particular uses.

(a) Except as otherwise provided in this article, the minimum number of off-street parking spaces required for uses located in any district shall be as follows (See sections 30-710.2 through 30-710.3 for special off-street parking requirements in certain districts and the method of

determining the number of parking spaces, and see article IX of this chapter for requirements if property is located in a parking overlay (PO) district):

<i>Use</i>	<i>Number of Spaces Required</i>
(1) Dwelling, single-family detached	1
(2) Dwelling, single-family attached	1
(3) Dwelling, two-family	2
(4) Dwelling, multifamily:	
a. One main building on a lot of record	1 per dwelling unit
b. More than one main building on a lot of record	1.5 per dwelling unit containing 2 bedrooms or more; 1.25 per dwelling unit containing fewer than 2 bedrooms
c. In R-63 district	1 per dwelling unit
(4.1) Dwelling unit:	
a. In B-1, B-2, B-3, and UB districts where such units are contained within the same building as a nondwelling use	None for 1 to 3 units; otherwise, 1 per 4 dwelling units
b. In B-4 [and] , B-5, and CM districts	None for 1 to 16 dwelling units; 1 per 4 dwelling units over 16 units
c. In B-4 [district] and CM districts where such units are contained within the same building as a non-dwelling use	None
d. In UB-2 district where such units are contained within the same building as a nondwelling use	1 per 2 dwelling units
e. In B-6, B-7, RF-1 and RF-2 districts	1 per dwelling unit (see Section 30-446.3)
f. In TOD-1 district	None for 1 to 16 dwelling units; 1 per 2 dwelling units over 16 units

- | | | |
|-------|---|---|
| (5) | Dwelling, multifamily, where at least 90 percent of units are occupied by persons 60 years or more of age | 1 per 2 dwelling units |
| (5.1) | Live/work unit | 1 |
| (6) | Mobile home | Average of 1.5 per unit |
| (7) | Tourist home, hotel or motel: | |
| | a. RO-3, HO, B-6, B-7, RF-1, RF-2[, CM] and DCC districts | 1 per guestroom up to 100 rooms, plus 1 per every 2 guestrooms over 100 rooms |
| | b. B-4, B-5, <u>CM</u> and TOD-1 districts | 1 per every 4 guestrooms |
| | c. All other districts | 1 per guestroom |
| (8) | Lodginghouse | 1 per 2 occupants |
| (9) | Fraternity or sorority house | 1 per 4 beds |
| (10) | Nursing home, adult care residence, group home, shelter | 1 per 4 beds |
| (11) | Hospital | 1 per 3 beds, plus 1 per 3 employees and staff |
| (12) | Church or other place of worship | 1 per 8 seats in main auditorium |
| (13) | Day nursery | 1 per 2 employees |
| (14) | School: kindergarten through junior high (public or private) | 1 per 10 seats in main auditorium or 1 per classroom, whichever is greater |
| (15) | School: high school, college or vocational (public or private) | 1 per 8 seats in main auditorium or 3 per classroom, whichever is greater |
| (16) | Lodge, club or meeting facility | 1 per 100 sq. ft. floor area in meeting or club rooms |
| (17) | Art gallery, library or museum | 10, plus one per 300 sq. ft. of floor area in excess of 2,000 sq. ft. |
| (18) | Theater, auditorium, sports arena or stadium | 1 per 5 seating capacity |
| (19) | Private park, recreational area or country club | 1 per 5 members |

- (20) Public golf course or miniature golf course 5 per hole
- (21) Golf driving range 2 per tee
- (22) Bowling alley 5 per lane
- (23) Office: general; medical or dental office or clinic; social service delivery use; animal hospital 1 per 300 sq. ft. of floor area for the first 1,500 sq. ft., plus 1 per 400 sq. ft. in excess thereof
- (24) Funeral home 1 per 4 seating capacity of chapel and funeral service rooms, plus 1 per 2 employees
- (25) Service station, auto repair 2 per service bay or repair stall plus spaces to accommodate all vehicles used in connection therewith
- (26) Restaurant, tearoom or similar food and beverage service establishment 1 per 100 sq. ft. of floor area, plus 5 stacking spaces per restaurant drive-in window
- (26.1) Nightclub 1 per 70 sq. ft. of floor area
- (27) Grocery store, convenience store, specialty food or beverage store, take-out restaurant:
 - (a) Grocery or convenience store occupying more than 5,000 sq. ft. of floor area; take-out restaurant with no patron seating 1 per 150 sq. ft. floor area
 - (b) Grocery or convenience store occupying more than 5,000 sq. ft. of floor area; specialty food or beverage store 1 per 300 sq. ft. floor area
- (28) Retail or personal service establishment, financial service, retail bakery (unless otherwise specified herein) 1 per 300 sq. ft. floor area
- (29) Bank or savings and loan office, including drive-in 1 per 300 sq. ft. for the first 1,500 sq. ft. of floor area, plus 1 per 400 sq. ft. in excess thereof, plus 5 stacking spaces per drive-in teller
- (30) Furniture, appliance or hardware store; auto salesroom; tire repair and sales; clothing, shoe or other repair 1 per 500 sq. ft. of floor area

- shop; machinery and equipment sales and service
- (31) Wholesale establishments 1 per 800 sq. ft. of floor area, plus spaces to accommodate all vehicles used in connection therewith
 - (32) Manufacturing, processing, fabricating, testing, research, bottling, warehousing and distribution establishments 1 per 2 employees, plus spaces to accommodate all vehicles used in connection therewith
 - (33) Shopping centers 1 per 300 sq. ft. of gross leasable area, provided that for shopping centers with greater than 50 percent of the gross leasable area devoted to uses for which the number of spaces required is 1 per 100 sq. ft. of floor area or greater, required parking shall be as specified in Section 30-710.3(e)
 - (34) Philanthropic, charitable or eleemosynary institution Sum of spaces required for each component of the use, per the most similar use listed in this section
 - (35) Flea market 1 per 300 sq. ft. of area devoted to sales and display
 - (36) Marinas 1 per 3 boat slips, provided that parking for uses other than a marina shall be as specified in Section 30-710.3(e)

(b) The minimum number of parking spaces required for a use not specifically mentioned in this section shall be as required for the most similar use listed as determined by the zoning administrator.

Sec. 30-710.4. Required spaces located off the premises.

Off-street parking spaces required for any use may be provided off the premises of the use for which they are required, provided that:

- (1) In the B-4, B-5, B-7, CM, and TOD-1 districts, at least some portion of the parking area, parking lot, parking deck, or parking garage within which such spaces are provided shall be

located within a 750-foot radius of a principal entrance to the building occupied by the use for which they are required.

(2) In all other districts, at least some portion of the parking area, parking lot, parking deck, or parking garage within which such spaces are provided shall be located within a 500-foot radius of a principal entrance to the building occupied by the use for which they are required, except that in an RP district, parking spaces located off the premises shall be subject to the provisions set forth in Section 30-710.2:1.

(3) In all cases, property used for such parking spaces shall be located in a district where parking areas serving the proposed use are permitted except that such parking spaces may be located within a parking deck or a parking garage that is not located in a district where parking areas serving the proposed use are permitted if such parking deck or parking garage was constructed before the commencement of the proposed use.

(4) Subject to subsection (1) of this section, any portion of the parking spaces required for any use may be supplied by parking spaces provided for any other use which is not routinely open, used or operated during the same hours of the day or night.

(5) Where parking spaces required by this article are located on property other than that occupied by the use for which such spaces are required, the property shall be held in fee simple by the owner of the use involved or in such other tenure as assures continued availability for such. When the tenure is other than ownership in fee simple, the tenure shall not be less than one year, and the form and terms of tenure shall be approved by the City Attorney before a certificate of use and occupancy or a certificate of zoning compliance may be issued. When use of property for parking purposes is discontinued, the Zoning Administrator shall be notified, by both the lessor and the lessee, in writing, a minimum of 30 days prior to the discontinuance, and unless the parking

spaces located thereon are no longer required by this article, such spaces shall be provided elsewhere in compliance with this article.

(6) Off-premises parking areas and lots containing five or more spaces shall be improved as specified in Division 2.1 of this article.

(7) Off-premises parking spaces, areas or lots shall be provided with identification indicating the use for which they are required and, if applicable, the hours of their availability, provided that such identification shall not be required in the case of off-premises parking spaces, areas or lots that are operated by a governmental agency. In lieu of such identification, the owner of the property on which the parking is located shall provide to the Zoning Administrator an affidavit indicating the location of the property, the number of parking spaces on the property, the number of spaces currently leased or otherwise allocated to serve a use, the use for which such spaces are leased or otherwise allocated, and to whom parking spaces are leased. The Zoning Administrator shall be notified in writing by the owner of the property on which the parking spaces are located prior to any change in the information contained in such affidavit. In addition, the use for which the off-premises parking is provided shall contain notification, in a conspicuous manner on the premises of the use and on a website, if one exists, of the use for which the parking is required, of the availability and location of such parking spaces.

Sec. 30-710.13. Perimeter buffers: landscaping requirements.

Except as provided in subsection (3) of this section, parking areas and parking lots containing five or more parking spaces shall be improved and maintained with landscaping in accordance with the requirements of this section as follows:

(1) *Treatment of required landscaped buffers.* Treatment of required landscaped buffers shall be in accordance with the following:

a. Required landscaped buffers shall be provided with vegetative ground cover, trees, shrubs, other plant material, or any combination thereof, except where more specific requirements are set forth in subsection (2) of this section. Mulch ground cover may be provided as a border or supplement to other vegetation in a required landscaped buffer. Pedestrian walkways incidental to landscaped buffers may be incorporated within such buffers when the other requirements of this subsection (1)a. are met.

b. All required landscaped buffers shall be protected from encroachment by motor vehicles by installation of curbs, wheel stops or other features which separate the landscaped buffer from areas improved for vehicle parking or circulation.

(2) *Landscaped buffers along streets.* Landscaped buffers as set forth in subsections (2)a. through (2)d. of this section shall be installed and maintained between all areas devoted to parking and all adjacent street lines, provided that approved driveways enabling access to abutting streets may extend through such buffers.

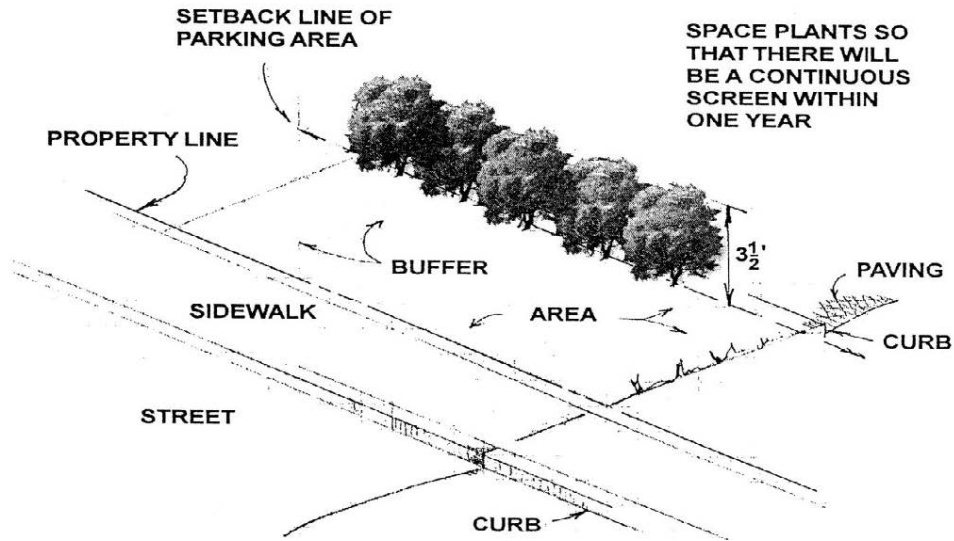
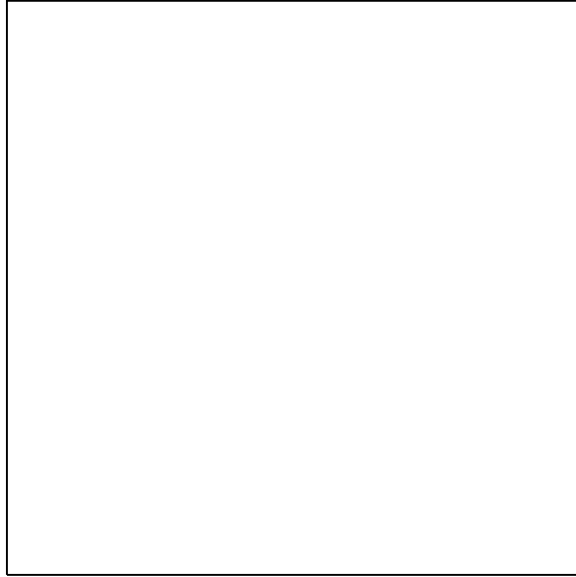
a. *Zoning districts and permitted buffer alternatives.* The following table specifies the buffer and buffer alternatives that satisfy the landscaped buffer requirement in each zoning district. Where more than one buffer alternative is listed for a zoning district, any of the listed alternatives may be provided to satisfy the buffer requirement in that district:

<i>Zoning Districts</i>	<i>Buffer Alternatives</i>
R, RO, HO, I	A, B, C, D
UB	F, G, H
B-1	E
UB-2, B-2, B-3	F, G, H
B-4, B-5, B-6, B-7	F, G, H
RF-1, RF-2	F, G, H
TOD-1	H, I

CM, DCC	F, G, H, <u>I</u>
OS	F
RP	F, G, H
M-1, M-2	F, G, H

b. *Description of buffer alternatives.* The depth of and improvements required within each buffer alternative are as follows. In all cases, buffer alternatives are minimum requirements, and greater buffer depth, additional landscaping or additional fence or wall improvements may be provided:

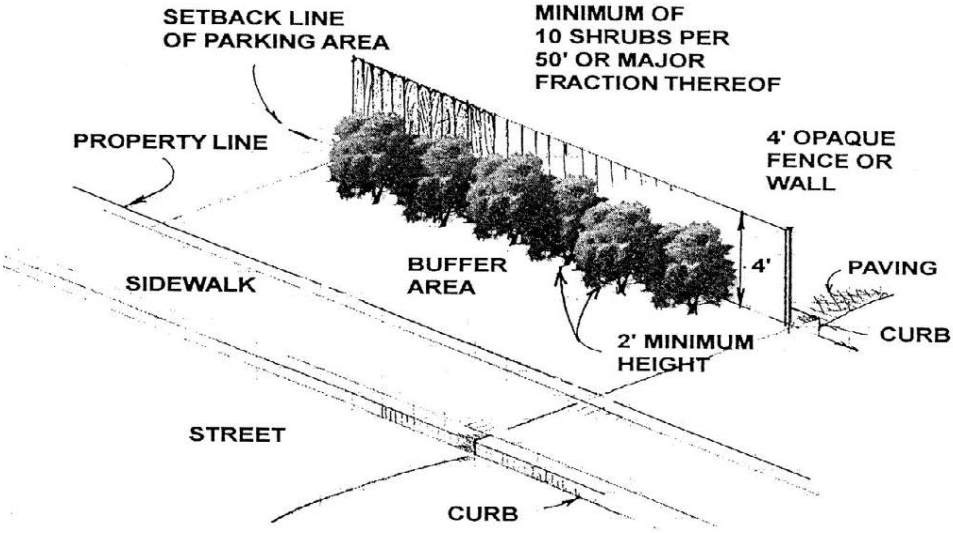
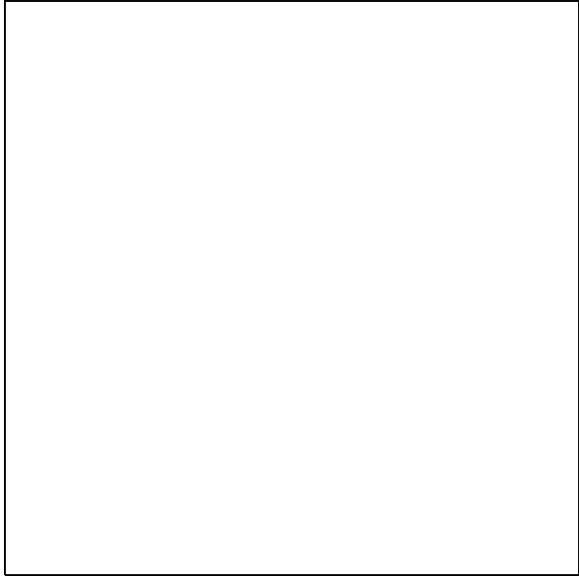
1. Buffer “A,” as shown below, shall have a depth of not less than the minimum yard requirement applicable along each street frontage of the property, but in no case less than five feet, and shall include an evergreen vegetative screen not less than three and one-half feet in height at the time of installation placed along the setback line of the parking area. Evergreen vegetative material intended to satisfy this requirement shall be planted at such intervals that will result in a continuous visual screen within one year of planting.



Buffer area depth dependent on yard requirement in district, but in no case less than five feet.

2. Buffer "B," as shown below, shall have a depth of not less than the minimum yard requirement applicable along each street frontage of the property, but in no case less than five feet, and shall include an opaque structural fence or wall not less than four feet in height placed along the setback line of the parking area and shall include shrubs located adjacent to such fence at a rate of not less than

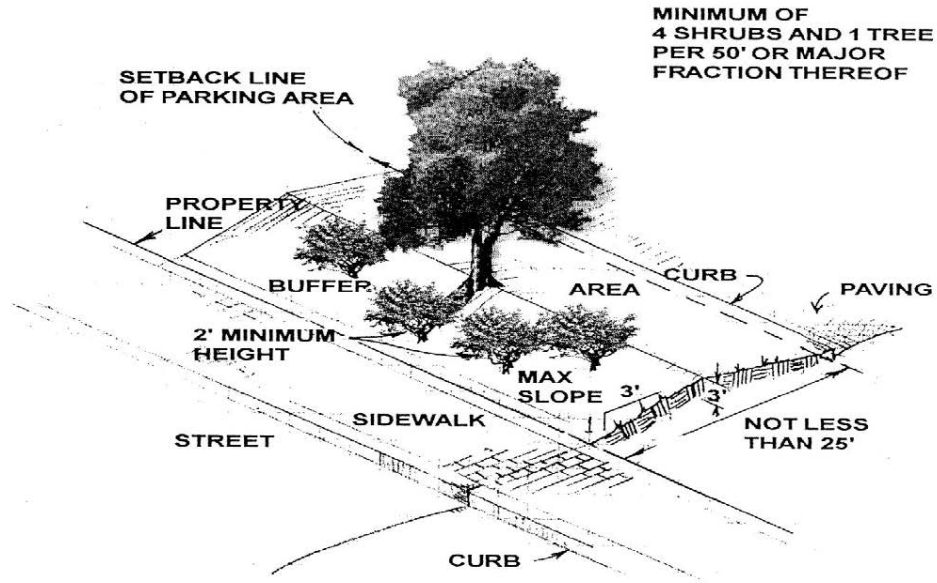
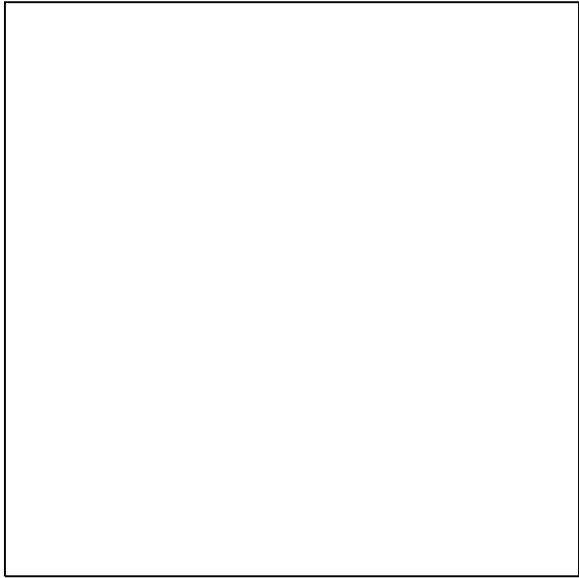
ten for each 50 linear feet or major fraction thereof of buffer along each street frontage.



Buffer area depth dependent on yard requirement in district, but in no case less than five feet.

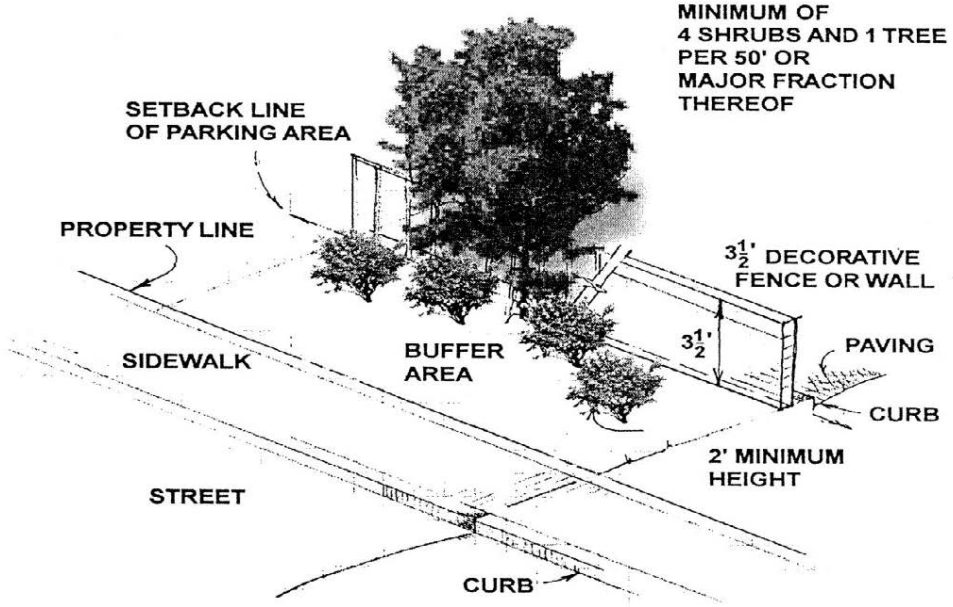
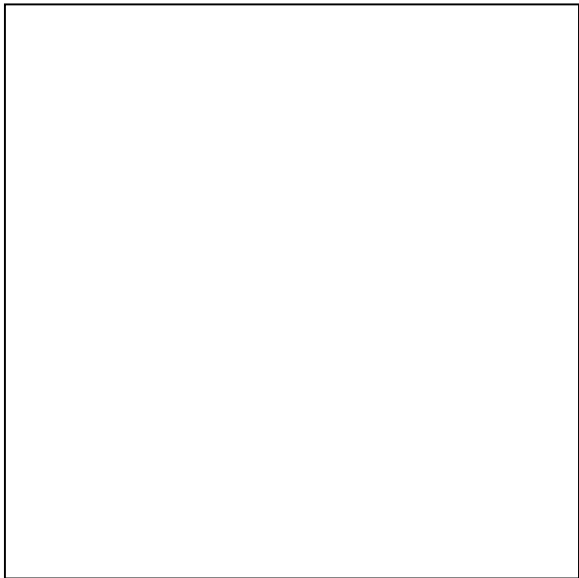
3. Buffer "C," as shown below, shall have a depth of not less than the minimum yard requirement applicable along each street frontage of the property, but in no case less than five feet, and shall include a decorative fence or wall not

less than three and one-half feet in height placed along the setback line of the parking area and shall include trees and shrubs located adjacent to such fence at a rate of not less than one tree and four shrubs for each 50 linear feet or major fraction thereof of buffer along each street frontage.

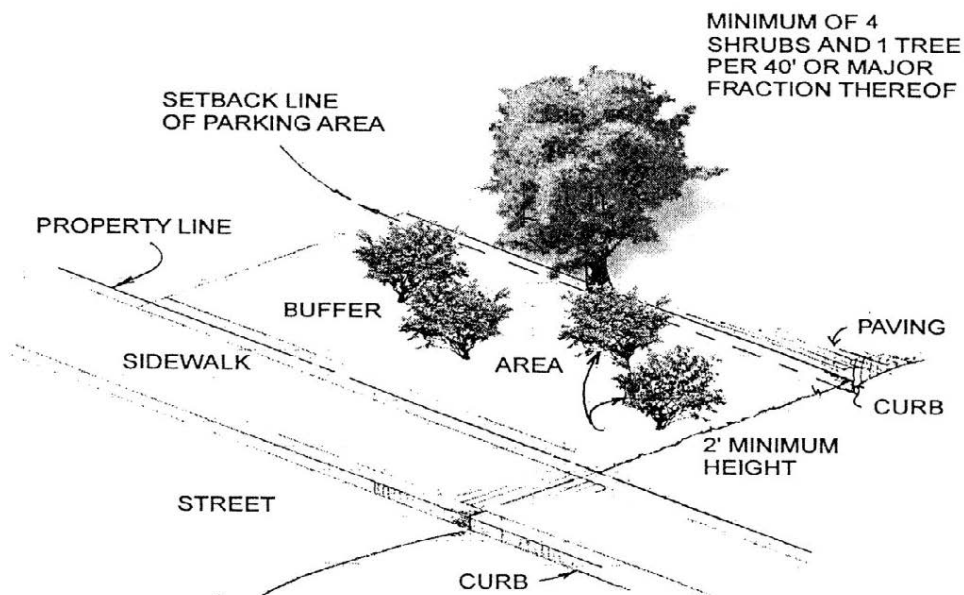


Buffer area depth dependent on yard requirement in district, but in no case less than five feet.

4. Buffer "D," as shown below, shall have a depth of not less than 25 feet and shall consist of an earthen berm not less than three feet in height with slopes not greater than three feet horizontal for each one foot vertical and shall include trees and shrubs located on the top or street side of such berm at a rate of not less than one tree and four shrubs for each 50 linear feet or major fraction thereof of buffer along each street frontage.

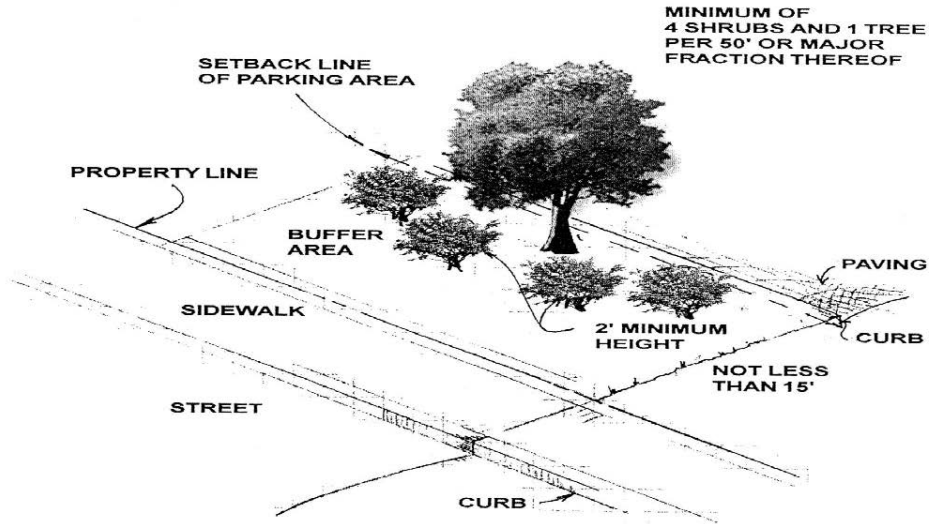


5. Buffer “E,” as shown below, shall have a depth of not less than the minimum yard requirement applicable along each street frontage of the property and shall include trees and shrubs at a rate of not less than one tree and four shrubs for each 40 linear feet or major fraction thereof of buffer along each street frontage. In any case where the applicable yard requirement along a street is five feet or less, the trees and shrubs required for buffer “E” may be substituted with the improvements specified for buffer “H” provided that the applicable yard requirement is met.

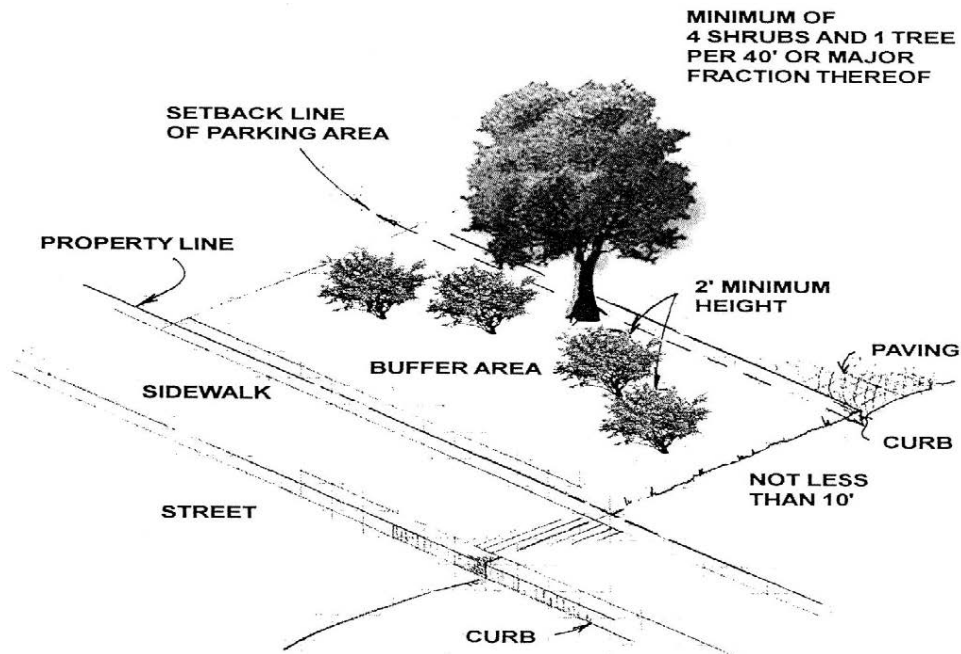


Buffer area depth dependent on yard requirement in district, but in no case less than five feet. Where yard requirement is five feet or less, trees and shrubs may be substituted as specified for buffer “H.”

6. Buffer “F,” as shown below, shall have a depth of not less than 15 feet and shall include trees and shrubs at a rate of not less than one tree and four shrubs for each 50 linear feet or major fraction thereof of buffer along each street frontage.

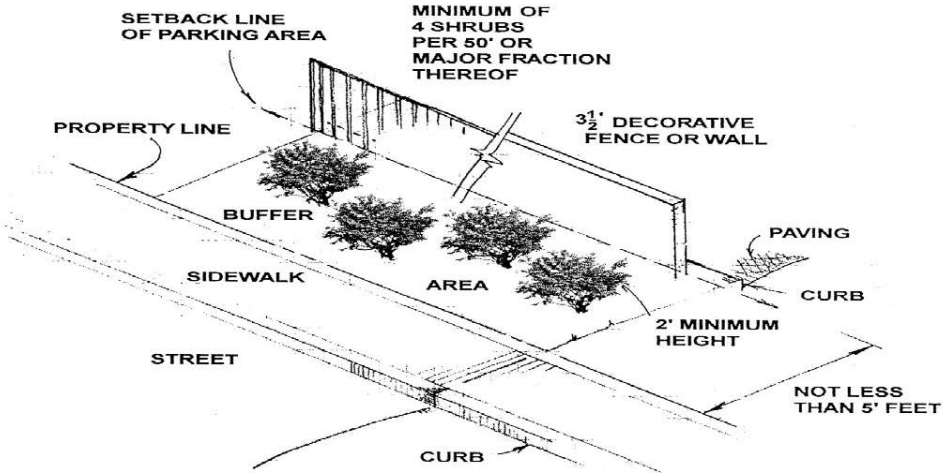


7. Buffer "G," as shown below, shall have a depth of not less than ten feet and shall include trees and shrubs at a rate of not less than one tree and four shrubs for each 40 linear feet or major fraction thereof of buffer along each street frontage.



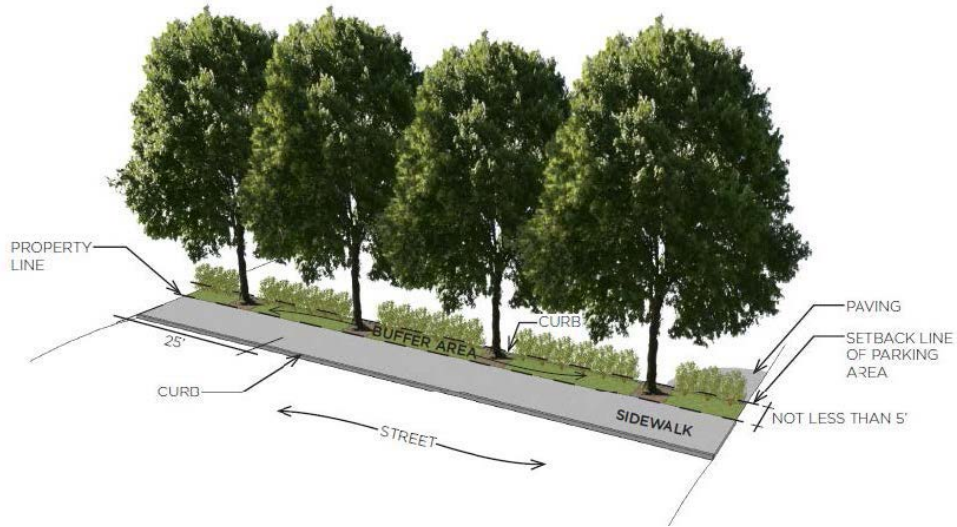
8. Buffer "H," as shown below, shall have a depth of not less than five feet and shall include a decorative fence or wall not less than three and one-half

feet in height and shrubs at a rate of not less four shrubs for each 50 linear feet or major fraction thereof of buffer along each street frontage.

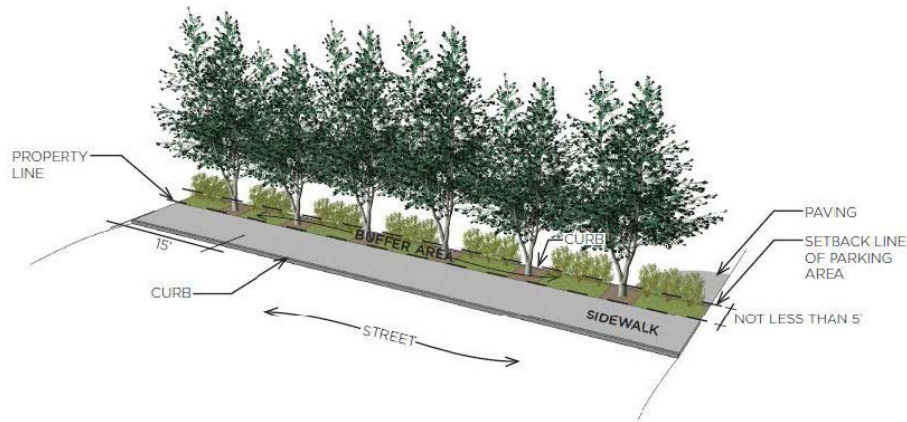


9. Buffer "I," as shown below, shall have a depth of not less than five feet and shall include either trees classified as medium or large in the Tree Canopy Chart dated November, 2002, adopted by the Planning Commission at a rate of one tree for every 30 linear feet or trees classified as compact or small trees in Tree Canopy Chart dated November, 2002, adopted by the Planning Commission at a rate of one tree for every 20 linear feet; as well as groundcover or shrubs covering at least 50 percent of the area of the buffer along each street frontage.

Buffer I, medium or large trees illustration



Buffer I, small or compact trees illustration



c. *Tree and shrub standards.* Standards for trees and shrubs shall be as follows:

1. Trees to be credited toward buffer requirements shall be deciduous trees having a caliper of not less than two and one-half inches at the time of installation measured six inches above the ground or evergreen trees having a height of not less than six feet at the time of installation. Healthy existing trees to be retained within a buffer area may be credited toward buffer requirements when

such trees are shown on approved plans and are adequately protected during construction.

2. Trees to be credited toward buffer requirements shall be distributed as equally as practical throughout the length of the buffer, with consideration for the species of trees, topography, location of driveways and utilities and other physical conditions.

3. Shrubs to be credited toward buffer requirements shall be evergreen shrubs not less than two feet in height at the time of installation. Shrubs may be grouped in a manner appropriate to the species and need not be distributed equally throughout the length of the buffer.

d. *Fences or walls.* Fences or walls to be credited toward buffer requirements shall comply with fence and wall design guidelines adopted by resolution of the Planning Commission or their equivalent as determined by the Zoning Administrator. In no case shall chainlink, chainlink with slats or similar fencing be considered to meet the requirements of the fence and wall design guidelines.

1. A fence or wall disapproved by the Director of Planning and Development Review shall, at the request of the applicant, be submitted to the Planning Commission for its review. The request for such review shall be made in writing to the Secretary of the Commission, who shall place the request on the Planning Commission's agenda for consideration at its first regularly scheduled meeting following the receipt of such request, provided that the request is received not less than ten days prior to such meeting.

2. After reviewing the decision of the Director of Planning and Development Review, the Planning Commission may affirm the decision or, upon finding that the proposed fence or wall satisfies the fence and wall design guidelines, may instruct the Director of Planning and Development Review to approve the fence or wall. The Planning Commission may attach such conditions as it deems necessary to ensure conformance with the intent and purpose of the fence and wall design guidelines.

e. *Buffer I.* Trees classified as medium or large in the Tree Canopy Chart dated November, 2002, adopted by the Planning Commission shall have a caliper of not less than 2½ inches at the time of installation measured six inches above the ground or evergreen trees having a height of not less than six feet at the time of installation. Trees classified as small or compact in the Tree Canopy Chart dated November, 2002, adopted by the Planning Commission shall have a caliper of not less than 1½ inches at the time of installation measured six inches above the ground or evergreen trees having a height of not less than five feet at the time of installation. Shrubs and groundcover credited towards the 50-percent coverage requirement may be evergreen or deciduous. All shrubs, groundcover, and trees may be grouped in a manner appropriate to the species with consideration for the topography, location of driveways and utilities, and other physical conditions and need not be distributed equally throughout the length of the buffer.

(3) *Landscaped buffers along interior lot lines.* In addition to the screening requirements set forth in Section 30-710.12, parking areas and parking lots containing 30 or more parking spaces and parking areas containing five or more parking spaces serving uses with drive-up facilities or facilities for dispensing motor fuels shall be provided with landscaped buffers of

not less than five feet in depth installed and maintained between all areas devoted to parking and all lot lines other than street lines, provided that approved driveways connecting properties or enabling access to abutting alleys may extend through such buffers.

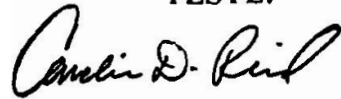
§ 5. That section 30-1220 of the Code of the City of Richmond (2015) be and is hereby amended and reordained by **adding therein a new** definition numbered .120:1, as follows:

.120:1 *Student housing units* means a room or a group of rooms within the building constituting a separate and independent unit occupied or intended for occupancy by one to four students, containing one kitchen, and which is not available for occupancy for periods of less than one month. Student housing units shall be occupied exclusively by individuals that are or have been registered, whether full-time or part time, within the previous 12 months at a post-secondary educational institution, including, without limitation, a two-year community college, a specialty education center, a four-year public or private institution, or a post-graduate program. Student housing units may include separate rental agreements for different occupants and exterior locking mechanisms on interior doors of rooms for occupants. In no case shall the normal common areas of the units, such as the living room, family room, or dining room, be used as sleeping areas or not be available on an equal or common basis to all occupants.

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

A TRUE COPY:

TESTE:



City Clerk



CITY OF RICHMOND
INTRACITY CORRESPONDENCE

O & R REQUEST

4-9006
JUL 31 2019

Office of the
Chief Administrative Officer

O&R REQUEST

DATE: July 30, 2019

EDITION: 1

RECEIVED

TO: The Honorable Members of City Council

JUL 31 2019

THROUGH: The Honorable Levar M. Stoney, Mayor [Signature] 7/30/19

OFFICE OF THE CITY ATTORNEY

THROUGH: Selena Cuffee-Glenn, Chief Administrative Officer [Signature]

THROUGH: Sharon Ebert, Deputy CAO, Economic and Community Development [Signature]

THROUGH: Lenora G. Reid, Deputy CAO, Finance and Administration [Signature]

THROUGH: Jay A. Brown, Director of Budget & Strategic Planning [Signature]

FROM: John B. Wack, Director of Finance [Signature]

RE: Ordinances and Resolution Needed for Navy Hill Project

ORD. OR RES. No. _____

PURPOSE: To approve a series of ordinances and a resolution associated with the Navy Hill project, in support of the transactions and terms and conditions negotiated with the respective developer. These ordinances and resolutions include the following:

- 1. An ordinance authorizing the execution of the Development Agreement and its attachments, which include, among other things, a Cooperation Agreement concerning the bond financing of public improvements, ground leases for the operation of those public improvements, a Grant Agreement, and a Purchase and Sale Agreement concerning those parcels intended for private development.
2. An ordinance creating a City special revenue fund for the incremental City revenues to pay bond and other obligations associated with certain public improvements.
3. An ordinance to convey currently City-owned real estate to the City of Richmond Economic Development Authority (EDA).
4. An ordinance to convey currently City-owned real estate to the NH District Corporation.
5. An ordinance closing or "reconfiguring" portions of rights-of-way for the development.

6. An ordinance authorizing the necessary encroachments for the development.
7. An ordinance for a zoning text amendment to change the zoning regulations for the CM Coliseum Mall District.
8. An ordinance for a zoning map amendment to change the zoning classification of certain parcels in the development.
9. An ordinance to designate certain streets associated with the CM Coliseum Mail District as either priority streets or street-oriented commercial streets on the official zoning map.
10. A resolution establishing the key funding priorities for the project's revenue surplus.

REASON: The Navy Hill project, as outlined in a series of companion papers and consistent with analyses performed by City staff, the City's financial advisors, and their subcontractors, is anticipated to result in significant community benefits over the course of the next three decades. The City Administration has worked extensively with the City Attorney's Office, the City's outside counsel, and the developer's legal counsel to negotiate positive terms for the City, to be articulated in the related ordinances and agreements.

RECOMMENDATION: The City Administration recommends approval.

BACKGROUND: Staff (along with the City's financial advisors) has reviewed the expected outcomes of the Navy Hill project. Consistent with Sections 2-303 and 2-304 of the City Code, this project is being proposed with significant community benefits that are outlined in the attached Fiscal and Economic Impact Statements. Briefly, the major benefits of the project include the following:

- Creation of thousands of jobs in addition to workforce training opportunities
- Access to more than \$300 million in contracts for emerging small businesses and minority business enterprises
- Establishment of 480 units of affordable housing, with a pathway towards hundreds more
- Creation of a new GRTC transit center in the heart of downtown
- Construction of a new state-of-the art arena (to replace the Coliseum, which opened in 1971) with expanded seat capacity to support tourism
- Preservation and restoration of the historic Blues Armory as a centerpiece of the newly revitalized neighborhood, providing a fresh food market and entertainment opportunities
- Reconnection of the area's street grid, to establish a walkable and vibrant neighborhood linked to a resurgent Jackson Ward
- Development of an estimated 541-room luxury hotel that will complement the larger arena and provide more opportunities for the Greater Richmond Convention Center with a room block agreement
- Creation of new retail and restaurant establishments that will generate tax revenue and provide more shopping options downtown

- Revenue generation and enhanced functionality for the City's parking enterprise, through greater demand, particularly during evenings and weekends
- Receipt of \$15.8 million for publicly owned real estate that will initially be held in escrow and later directed to the City's capital reserve for permanent public improvements after the respective parcels are developed
- Growth in the City's debt capacity through the issuance of non-recourse revenue bonds that will involve neither a general nor a moral obligation of the City for the repayment of principal and interest from other than incremental revenues and the expansion of the annual budget

The Navy Hill project will have an unprecedented positive economic and financial impact on the City and counter the recent decline in activity in the City's core, particularly with the Coliseum being closed and the Blues Armory and Sixth Street Marketplace having been shuttered. The project is expected to have a positive impact on the surrounding areas and support long term growth in real estate values. In order to provide some scope of the project:

- The City has averaged approximately \$30 million per year in minority business participation in recent years, so this project alone is expected to generate 10 years' worth
- The project represents the largest public-private partnership in the City's history, involving an initial private investment of approximately \$900 million, much more significant than any recent year economic development project
- The 480 affordable housing units represent the greatest influx of units in recent years, about double the quantity anticipated from the entire Public Housing Transformation project included in the City's Capital Improvement Program

The surplus from the incremental City revenues from the area defined in the transaction documents are expected to be very significant for the City's general fund budget, particularly after the public-related non-recourse revenue bonds are retired. Accordingly, the City Administration would like to dedicate significant portions of the surplus to key priorities. The Administration proposes the following allocation of the surplus:

- 50% to support Richmond Public Schools;
- 34% for investments in public safety, public works, and other core City services;
- 15% to support housing opportunities and homeless services; and
- 1% for art, history and cultural opportunities.

The allocation of these surplus funds will be incorporated into the annual budgets proposed by the Mayor and adopted by City Council in future years.

FISCAL IMPACT / COST: Incremental City and Navy Hill project revenues are anticipated to approximate \$1.535 billion over the next 30 years.

FISCAL IMPLICATIONS: This series of ordinances and resolution related to the Navy Hill project will dedicate future incremental City revenues for the repayment of non-recourse revenue bond debt issued to fund the public portions of the project, and the requested resolution expresses the intent, non-binding due to constitutional limitations, to use future surpluses from these revenues to fund key priorities of the City.

BUDGET AMENDMENT NECESSARY: No – will impact future year budgets.

REVENUE TO CITY: Approximately \$1.535 billion over the next 30 years.

DESIRED EFFECTIVE DATE: Upon adoption

REQUESTED INTRODUCTION DATE: August 5, 2019

CITY COUNCIL PUBLIC HEARING DATE: September 9, 2019

REQUESTED AGENDA: Regular

RECOMMENDED COUNCIL COMMITTEE: Organizational Development and Planning Commission

CONSIDERATION BY OTHER GOVERNMENTAL ENTITIES: The non-recourse revenue bonds associated with public improvements are to be issued by the EDA, which would also be the recipient of certain properties. In addition, it will be necessary for the Richmond Redevelopment and Housing Authority to transfer certain properties to the City before the City can transfer them to the EDA. Four of the ordinances will require review by the Planning Commission. The Navy Hill Development Advisory Commission will also be reviewing these papers.

AFFECTED AGENCIES: Department of Finance, Economic Development, Planning and Development Review, and other agencies

RELATIONSHIP TO EXISTING ORD. OR RES.: N/A

REQUIRED CHANGES TO WORK PROGRAM(S): Additional volume for Planning and Development Review, verification of incremental revenues by the Department of Finance, oversight of demolition work and installation of new infrastructure by the Departments of Public Works and Public Utilities, debt management by the Economic Development Authority, etc.

ATTACHMENTS: (1) Fiscal and Economic Impact Statement & Related Analysis prepared by Davenport & Company and (2) Staff Report prepared by the Department of Planning and Development Review.

STAFF: John Wack, Director of Finance 646-5776
Matthew Welch, Senior Policy Advisor 646-5874

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Fiscal and Economic Impact Statement & Related Analysis

North of Broad/Downtown Neighborhood Redevelopment Project

City of Richmond, Virginia



July 30, 2019



Introduction

- The enclosed information provides the Fiscal and Economic Impact Statements that are required by City Code to be submitted to City Council upon the introduction of Ordinances for the North of Broad Project/Downtown Neighborhood Redevelopment Project.

- Section A: Contains the Fiscal Impact Statement required by City Code Section 2-303 and related financial analysis.

- Section B Contains the Economic Impact Statement required by City Code Section 2-304 and related financial analysis.



A: Fiscal Impact Statement per City Code Section 2-303

Section 2-303(a)



- a) *The sources of information, assumptions and methodologies used to reach the conclusions set forth in the fiscal impact statement.*
- The primary sources of the information within this statement include:
 - Financial projections and analyses for the North of Broad Project (the “Project”) provided by the Respondent in the initial proposal and as modified during the course of negotiations;
 - Independent third party review by Hunden Strategic Partners and their Analysis dated October 31, 2018; and
 - Analysis performed by City staff; and
 - Analysis performed by Davenport & Company LLC, Financial Advisors to the City of Richmond enclosed herein.

Section 2-303(a)



a) The sources of information, assumptions and methodologies used to reach the conclusions set forth in the fiscal impact statement.

Based on the Financial projections and analyses for the North of Broad Project (the "Project") provided by the Respondent in the initial proposal and as modified during the course of negotiations and the Hunden Analysis, the proposed project is anticipated to generate the following revenues to the City:

Conservative estimate of change to Total Revenue Estimates based on Revised Development Plan as of July 2019.

	As Presented Nov-18	Current as of Jul-19 (1)
	Project @ 100% Amount (\$ Millions)	Project @ 100% Amount (\$ Millions)
Increment/Project Revenues	\$1,233.0	\$1,086.0
Hunden Uplift Revenues	459.4	404.6 (2)
Subtotal Increment/Project Revenue	\$1,692.4	\$1,490.6
1.5% Meals Tax to RPS	34.4	28.2
Sale Proceeds from Land	0.0	15.8
Total Revenues	\$1,726.8	\$1,534.6

Increment/Project Revenues consist of the following 1) incremental real estate taxes in the Increment Financing Area; 2) incremental revenue produced in the Development Area from meal taxes (excluding 1.5% set aside to school investment), retail sales and use taxes, limited lodging taxes, license taxes, and admission taxes; 3) limited Net Parking Revenues from parking meters in the Increment Financing Area and certain off-street parking facilities; and 4) Sponsorship Revenues.

(1) Changes are a result of revised Project components, exclusion of Block P, and lowered Dominion Tower valuation of \$245 Million per new tower from Developer.
 (2) Pro rata estimate based on 88.1% (\$1,086/\$1,233) of Hunden Uplift calculated by Hunden in its Analysis dated October 31, 2018.

Except as noted all revenue estimates are from Municap/Developer.

Section 2-303(a)



a) The sources of information, assumptions and methodologies used to reach the conclusions set forth in the fiscal impact statement.

■ The table below shows Surplus to the City (Total Revenues after repayment of Revenue Bond Debt Service):

■ Conservative estimate of change to Surplus based on Revised Development Plan as of July 2019.

	As Presented		Current as of	
	Nov-18	Jul-19	Nov-18	Jul-19
	Project @ 100%		Project @ 100%	
	Amount (\$ Millions)		Amount (\$ Millions)	
Increment/Project Revenues	\$1,233.0	\$1,086.0	\$1,233.0	\$1,086.0
Hunden Uplift Revenues	459.4	404.6	459.4	404.6
Subtotal Increment/Project Revenue	\$1,692.4	\$1,490.6	\$1,692.4	\$1,490.6
1.5% Meals Tax to RPS	34.4	28.2	34.4	28.2
Sale Proceeds from Land	0.0	15.8	0.0	15.8
Total Revenues	\$1,726.8	\$1,534.6	\$1,726.8	\$1,534.6
Less: Debt Service	(521.6)	(476.0)	(521.6)	(476.0)
Surplus to the City	\$1,205.2	\$1,058.6	\$1,205.2	\$1,058.6

(1) Changes are a result of revised Project components, exclusion of Block P, and lowered Dominion Tower valuation of \$245 Million per new tower from Developer.
 (2) Pro rata estimate based on 88.1% (\$1,086/\$1,233) of Hunden Uplift calculated by Hunden in its Analysis dated October 31, 2018.
 (3) Assumes acceleration of the Revenue Bonds (repaid in approximately 18 years).
 (4) Assumes acceleration of the Revenue Bonds (repaid in approximately 21 years).
 - Except as noted all revenue estimates are from Municap/Developer.

Section 2-303(b)



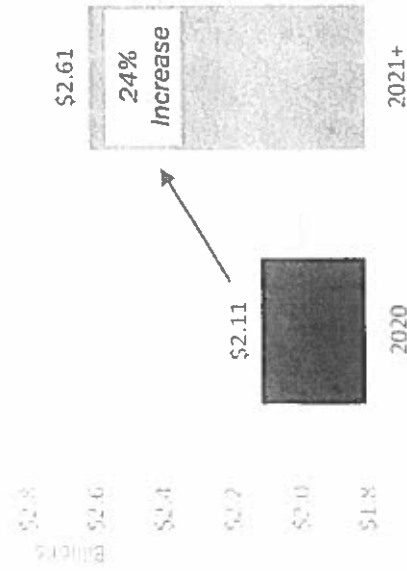
- b) *A debt capacity schedule, if debt is a funding mechanism. In addition, the debt capacity schedule shall show the City's current debt capacity and how the City's current debt capacity is expected to change if the Council approves the proposed ordinance to which the fiscal impact statement relates for adoption or amendment.*
- **The Private Investment in the Project approximates \$1,300,000,000 and will be raised by the Developer of the Project. The City will have no obligation, affiliation or commitment with respect to the funding and repayment of the Private Investment.**
 - **The Developer has programmed an approximately \$900,000,000 Private Investment to be funded contemporaneously with the New Arena construction that will be used to build affordable and market-rate residential units, a new convention center hotel, and retail & office space.**
 - **These investments, as outlined on the next page will only add to the City's taxable real estate assessed valuation, which in turn, will add to the City's overall Debt Capacity.**



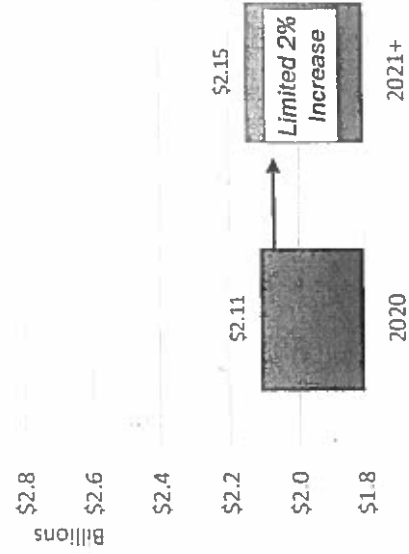
Section 2-303(b)(cont.)

- The Taxable Real Estate Valuation in the Increment Area approximates \$2,100,000,000⁽¹⁾.
- **WITH THE PROJECT:**
 - The initial \$900,000,000 Private Investment⁽²⁾ in the Increment Area conservatively increases the Taxable Real Estate by approximately 24% to upwards of \$2,600,000,000.
 - Immediate benefits of Private Investment include:
 - New neighborhood with affordable housing;
 - New Convention Center Hotel;
 - New retail and commercial space;
 - New Office space;
 - New Arena, renovated Blues Armory and Infrastructure improvements.
- **WITHOUT THE PROJECT:**
 - The growth of the \$2,100,000,000 taxable Real Estate Valuation in the Increment Area may be expected to approximate 2% or lower due to blighted areas that may need direct City investment in the future.
 - No immediate benefits of Private Investment.
 - If Private Investment is done on a piecemeal basis, direct City incentives for individual components may be required.

WITH PROJECT - Increase in Taxable Real Estate Valuation



WITHOUT PROJECT - Increase in Taxable Real Estate Valuation



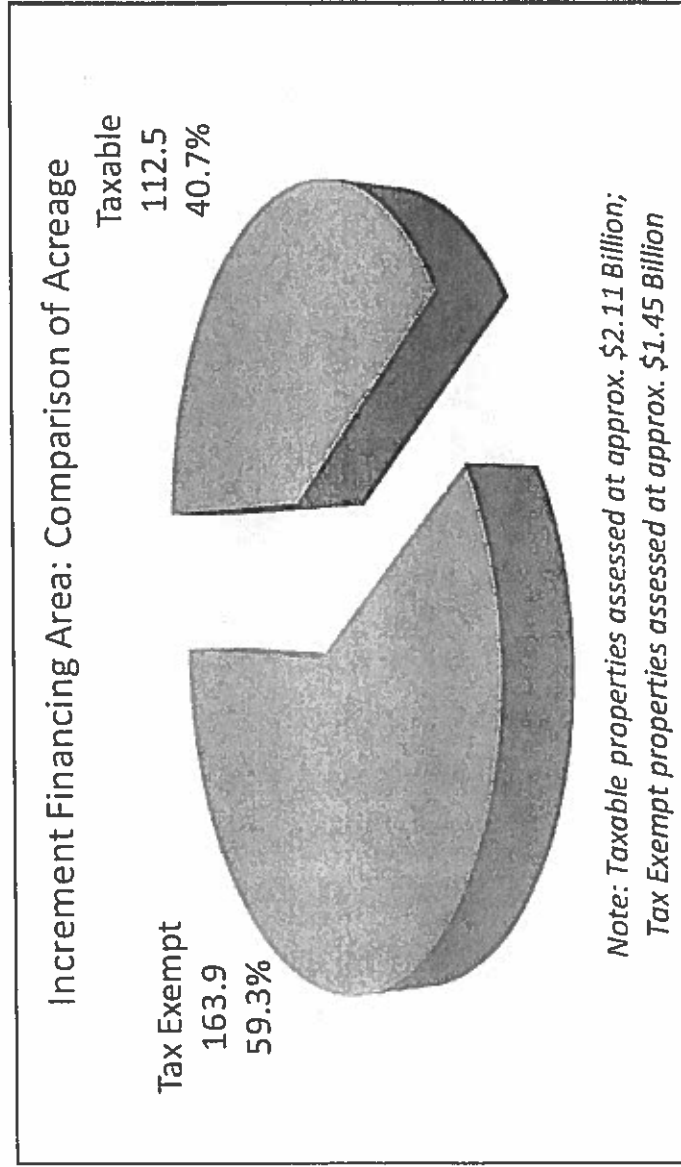
(1) Current Valuation provided by the City of Richmond.

(2) Conservative estimate of taxable valuation added as a result of the investment approximates \$500,000,000.



Section 2-303(b)(cont.)

- The Taxable Real Estate Valuation in the Increment Area approximates 41% of the total acreage in the Increment Area.



Section 2-303(b)(cont.)

Davenport Analysis of Impact on Cumulative Debt Capacity



- Approval of the Project is expected to increase the City's debt capacity through the addition of tens of millions of recurring annual revenues that will be incorporated into the City's recurring Operating Budget.
- Davenport's analysis of the impact of the Project on the City's Cumulative Debt Capacity over 30 Years incorporates the following Scenarios:
 1. No Project (Base Case).
 2. Total Project approximating \$1,300,000,000 of Private Investment is completed and the Project performs as projected.
- Note: Depending on the fund accounting of the recurring revenues that will come to the City as a result of the Project, the City's Debt Policy Guidelines may need to be adjusted to appropriately incorporate the surplus revenues into the City's policy calculations.

Section 2-303(b)(cont.) Davenport Analysis of Impact on Cumulative Debt Capacity



Scenario 1 Scenario 2

	No Project (Base Case)	Project Completed and performs as projected
\$Millions		
Real Estate Tax Revenue		
Taxable Project Components	\$0.0	\$281.2
Expanded Increment District	308.4	308.4
Subtotal Real Estate Tax Revenue	\$308.4	\$589.6
Sales Tax Revenue	0.0	59.3
Meals Tax Revenue (6.0%)	0.0	112.7
Lodging Tax Revenue	0.0	84.8
BPOL Tax Revenue	0.0	12.2
Admissions Tax	0.0	35.4
Arena Revenue(1)	0.0	122.1
Other Revenue(2)	0.0	69.9
Estimated Hunden Uplift(3)	0.0	404.6
Subtotal Increment/Project Revenues	\$308.4	\$1,490.6
Additional 1.5% Meals Tax for Schools	0.0	28.2
Sale Proceeds from Land	0.0	15.8
Total Revenue	\$308.4	\$1,534.6
Less : Total Revenue Bond Debt Service	0.0	(476.0)
Surplus (Net Revenue to the City after Debt Service)	\$308.4	\$1,058.5

■ The table on this page shows the total 30 year revenue estimates for the Project and Increment Area as well as total estimated debt service related Non-Recourse Revenue Bond Debt Service for Scenarios 1 and 2.

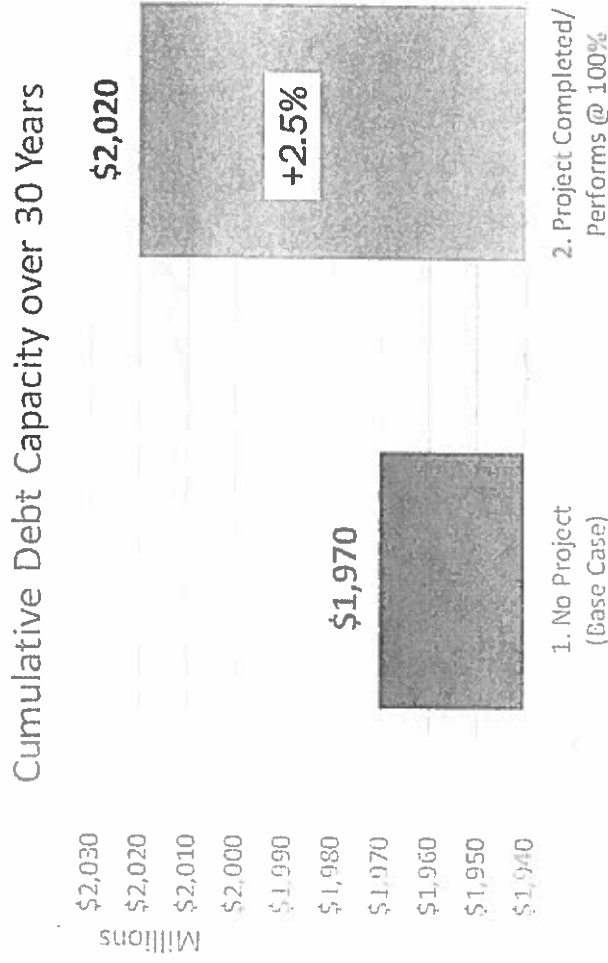
■ Except as noted all revenue estimates are from Municipality/Developer.

- (1) Source: Municap/Developer: Comprised of Arena generated tax revenues and sponsorships.
- (2) Source: Municap/Developer: Armory generated tax revenues and parking revenue.
- (3) Pro-rata estimate based on 88.1% (\$1,086/\$1,233) of Hunden Uplift calculated by Hunden in its Analysis dated October 31, 2018.

Section 2-303(b)(cont.) Davenport Analysis of Impact on Cumulative Debt Capacity



- The graph shows the impact of the Project on the City's Cumulative Debt Capacity over 30 Years under the following Scenarios:



Based on City's 1.0% Debt Service vs. Budget Policy and 2% Growth assumption.

- Cumulative Debt Capacity over 30 Years represents the amount of debt that can be borrowed by the City over the projected time frame of 30 years and still be in compliance with all City Debt Management Policies.

Section 2-303(b)(cont.)

Davenport Analysis of Impact on Cumulative Debt Capacity



- Key Observations:
 - The City has approximately \$1,970,000,000 of Cumulative Debt Capacity over the 30 year time frame with no Project Base Case (Scenario 1).
 - If the Project's total \$1,300,000,000 Private Investment is completed as proposed and performs as projected, then the City's Cumulative Debt Capacity is estimated to increase by \$50,000,000 (or 2.5%) over 30 years (Scenario 2).

Section 2-303(c)



- c) *A comparison of funding and financing options available, including, but not limited to, expenditures from City funds, the issuance of general obligation bonds, and the issuance of revenue bonds.*
- **The Public Portion (i.e. Arena) of the Project will be funded from approximately \$350 Million of Non-Recourse Revenue Bonds that will be supported and repaid by incremental revenues generated from the designated Increment Financing Area (the “Increment Area”), which will be subject to appropriation.**
 - Non-Recourse Revenue Bonds will not involve a general nor moral obligation of the City for the repayment of principal and interest from other than incremental revenues. As a result, in the event that incremental revenues of the Increment Area are insufficient, the City will have no obligation to repay the debt service. The risk of repayment will be borne by the investors (i.e. purchasers of the Non-Recourse Revenue Bonds).
 - The issuance and repayment of the Non-Recourse Revenue Bonds will not affect the City’s debt capacity.
 - The Public Portion of the Project will be undertaken contemporaneously with the programmed \$900,000,000 of Private Investment by the Developer.
 - **The issuance of bonds with the general obligation or moral obligation of the City is not recommended and will not be undertaken, as either of those approaches would have a significantly negative impact on the City’s debt capacity for schools and other facilities and operational budget.**

Section 2-303(d)



- d) *A detailed cost analysis, including, but not limited to, costs to the City and private funding, and a listing of the amount, value and source, as applicable, of each public and private investment, including, but not limited to, any property values of any real estate transferred, incentives provided, or infrastructure improvements made to facilitate the economic development project.*
- **The Public Portion of the Project will be funded from Non-Recourse Revenue Bonds that will be secured by and repaid from incremental revenues of the Increment Area.**
 - In the event that incremental revenues of the Increment Area are insufficient, the City will have no obligation to repay the Non-Recourse Revenue Bond debt service from any other sources.
- **The City is not undertaking any other public infrastructure improvements or providing any other equity or cash incentives associated with the Project.**

Section 2-303(e)



e) A Projected revenue and expenditure estimates attributable to the City, as a result of the proposed ordinance for adoption or amendment, if it is approved, covering at least the next ten fiscal years, including, but not limited to, debt repayment, new tax revenue, ownership, management, and maintenance costs, and additional service delivery costs for police and fire protection services and refuse collection services.

■ The table on this page shows the projected revenue estimates generated as a result of the Project, related Non-Recourse Revenue Bond debt service related to the Public Portion of the Project and other revenue/expenditure estimates over 30 years.

■ Except as noted all revenue estimates are from Municipality/Developer.

	Scenario 1	Scenario 2
	No Project (Base Case)	Project Completed and performs as projected
\$Millions		
Real Estate Tax Revenue	\$0.0	\$281.2
Taxable Project Components		
Expanded Increment District	308.4	308.4
Subtotal Real Estate Tax Revenue	\$308.4	\$589.6
Sales Tax Revenue	0.0	59.3
Meals Tax Revenue (6.0%)	0.0	112.7
Lodging Tax Revenue	0.0	84.8
BPOL Tax Revenue	0.0	12.2
Admissions Tax	0.0	35.4
Arena Revenue(1)	0.0	122.1
Other Revenue(2)	0.0	69.9
Estimated Hunden Uplift(3)	0.0	404.6
Subtotal Increment/Project Revenues	\$308.4	\$1,490.6
Additional 1.5% Meals Tax for Schools	0.0	28.2
Sale Proceeds from Land	0.0	15.8
Total Revenue	\$308.4	\$1,534.6
Less: Total Revenue Bond Debt Service	0.0	(476.0)
Surplus (Net Revenue to the City after Debt Service)	\$308.4	\$1,058.5
Less: Incremental Costs(4)		
Public Works		(\$0.4)
Police		(21.0)
Fire/Emergency		(41.1)
Richmond Public Schools		**
Community Wealth Building		(0.2)
Justice Services		(3.9)
Finance		(3.6)
Economic Development		(1.4)
Planning and Development		(2.0)
Net Revenue to the City After Debt Service/Incremental Costs		\$984.9

(1) Source: Municipality/Developer; Comprised of Arena generated tax revenues and sponsorships.

(2) Source: Municipality/Developer; Armory generated tax revenues and parking revenue.

(3) Pro-rata estimate based on 88.1% (\$1,086/\$1,233) of Hunden Uplift calculated by Hunden in its Analysis dated October 31, 2018.

(4) Source: City of Richmond.

** Dependent on number of students attributable to the Project.

Section 2-303(e)(cont)



- The New Arena and Blues Armory will be managed by third party operators and the City is not going to be responsible for any construction cost overruns or subsidies for operations.
- Public Works: \$400,000 One-time Costs / \$0 Recurring Annual Costs
 - The Department of Public Works (DPW) attributes \$300,000 in additional demolition inspection services related to the project, which would be spread out over multiple years.
 - DPW would also incur one-time costs of approximately \$100,000 related to moving facilities equipment and supplies from the Public Safety building, and potentially additional recurring costs for storage if rented space is needed.
 - DPW anticipates that refuse collection services wouldn't be significantly impacted, as the new businesses and apartment buildings wouldn't be receiving that service from the City.
 - DPW expects the project to generate significant additional net revenues for the Parking Enterprise fund.
 - Given that special event revenues (typically in the evenings and on weekends) have declined dramatically with the closing of the Coliseum, the project will have a positive long term impact.

Section 2-303(e)(cont)



- Police Department: \$0 One-time Costs / \$700,000 Recurring Annual Costs
 - Richmond Police Department (RPD) indicates that approximately 10 additional Police Officers will need to be added incrementally over the course of the project's development (over several years).
 - The RPD estimate for 10 total positions is based on projected call and service volume related to residential and commercial development, along with the new arena.
 - The total RPD service cost impact, once the project is completed, is approximately \$700,000 in recurring annual expenses.
- Fire and Emergency Services: \$5,550,000 One-time Costs / \$1,186,000 Recurring Annual Costs
 - While the Navy Hill project wouldn't be the sole driver of a need for a fire station in the downtown area, it would increase and accelerate that need.
 - The Fire and Emergency Services Department estimates the one-time cost for a new fire station at \$5,000,000, plus \$550,000 for apparatus.
 - In order to staff a new fire station, the annual recurring costs for 18 additional FTEs are estimated at \$1,186,000.

Section 2-303(e)(cont)



- Richmond Public Schools: \$0 One-time Costs / Per Student Recurring Annual Costs Depending on Number of Students attributable to Project
 - Based on the FY2020 budget, RPS has indicated that the approximate local cost per enrolled student for operations is \$7,088.
 - As an example, if the project results in 300 additional students being enrolled, the annual cost would be \$2,126,400 at completion of the Project.
 - The additional students would be enrolled incrementally as housing units are completed over the course of multiple years.

- Community Wealth Building: \$200,000 One-time Costs / \$0 Recurring Annual Costs
 - It would be beneficial to City residents living in poverty to be trained in hospitality and construction trades careers so that they are prepared to obtain the new jobs that will be available due to the Project.
 - To facilitate an economic development training project the City would need to provide \$50,000 per year for four years.

Section 2-303(e)(cont)



- Justice Services: \$1,000,000 One-time Costs / \$95,000 Recurring Annual Costs
 - Justice Services Day Reporting staff would need to vacate the Public Safety building prior to demolition and construction occurring on that parcel.
 - In order to cover moving expenses and retrofit/renovate another facility for their operations, Justice Services estimates the first year costs at approximately \$1 million, with recurring rent and utilities expenses of \$95,000 per year in subsequent years.
- Social Services: To be Determined
 - The Department of Social Services (DSS) would need to vacate the Marshall Plaza facility during the latter years of the Project construction.
 - Prior to and separate from the project, DSS has been working on a long-term solution to consolidate customer services.
 - Given that the long term debt for the Marshall Plaza facility will be paid off in October 2020, a solution will be needed to mitigate potential State revenue loss to the City.

Section 2-303(e)(cont)



- Finance: \$0 One-time Costs / \$120,000 Recurring Annual Costs
 - The Finance Department would need an estimated 1.5 FTEs to assist in tracking/verifying the Increment Area Financing revenues and manage the debt service reporting requirements for the non-recourse revenue bonds issued by the Economic Development Authority.
 - These new positions would cost approximately \$120,000 per year
- Economic Development: \$0 One-time Costs / \$47,000 Recurring Annual Costs
 - The Department of Economic Development would need an additional .5 FTE to monitor compliance to the development agreement, serve as the liaison to the Economic Development Authority for all matters related to the issuance of the non-recourse revenue bonds, and provide business attraction marketing support for the project.
 - This new position would cost approximately \$47,000 per year.
- Planning and Development: \$510,000 Recurring Annual Costs for 4 years.
 - The Department of Planning and Development would need an additional 6 FTEs to handle the number of large scale projects all underway at the same time.
 - Each new position would cost approximately \$85,000.

Section 2-303(f)



- f) *Subsequent actions that may affect future revenue and expenditures if the proposed ordinance authorizes spending, including, but not limited to, the City's full fiscal obligation, ownership, management and maintenance.*
- As this project is anticipated to have a significant impact over the next thirty years, incremental changes will need to be incorporated into the annual budgets adopted by City Council, as revenues grow, new housing units are established, etc.
 - The Arena and Blues Armory are expected to be owned by the Economic Development Authority and managed by (private) third parties.
 - Arena: the tenant is responsible for maintenance and upkeep of the facility. Such maintenance will be paid from funds provided by the tenant and incremental revenues generated by the Project.
 - Blues Armory: the tenant will be responsible for maintenance of the facility from its own funds.

Section 2-303(g)



- g) *A description of any variables that may affect revenue and cost estimates.*
- Variables that may affect revenue and cost estimates include:
 - Interest rates in effect when the public revenue bonds are sold;
 - The timing of the completion of construction of public and private improvements; and
 - Major changes in the national and/or local economy, which impact the ultimate cost of the various capital improvements and anticipated revenues.

 - As a safeguard against uncertainty of the cost of capital improvements, there will be Guaranteed Maximum Price contracts for construction of the Public Portion of the Projects (New Arena and Infrastructure).

Section 2-303(h)



- h) An estimate of the staff time and staff costs needed to implement the proposed ordinance.*
- Staff time from the City Attorney's Office, Economic Development, Finance, and Planning and Development Review, among others, will be needed to assist with the issuance of public revenue bonds, tracking and disbursement of Increment Area Financing revenues, permitting, etc. Minor increases are anticipated for future years above baseline service levels.

Section 2-303(i)



- i) *An explanation of how the addition of new staff, if any, and responsibilities would increase costs and affect other duties.*
- See response to Section 2-303(e) for estimated staffing impact and cost.

Section 2-303(j) Davenport Sensitivity Analysis of Impact on Cumulative Debt Capacity



- j) Ranges of revenue or expenditures that are uncertain or difficult to project.*
- Davenport's Sensitivity Analysis of the impact of the Project on the City's Cumulative Debt Capacity over 30 Years incorporates the following Scenarios:
 - As previously presented under 2-303(b):
 1. No Project (Base Case).
 2. Total Project approximating \$1,300,000,000 of Private Investment is completed and the Project performs as projected.
 - Sensitivity Scenarios shown under this section:
 3. Project performs at two-thirds of projections.
 4. Project performs at break even or approximately 46% of projections.

Section 2-303(j)(cont.) Davenport Sensitivity Analysis of Impact on Cumulative Debt Capacity



j) Ranges of revenue or expenditures that are uncertain or difficult to project.

- The table on this page shows sensitivity scenarios on the total 30 year revenue estimates for the Project and Increment Area as well as total estimated debt service related Non-Recourse Revenue Bond Debt Service.

	Scenario 1	Scenario 2	Scenario 3	Scenario 4
	No Project (Base Case)	Project Completed and performs as projected	Project performs at two-thirds (i.e. 67%) of projections	Project performs at Breakeven (i.e. 46%) of projections
\$Millions				
Real Estate Tax Revenue		\$281.2	\$188.4	\$127.9
Taxable Project Components	\$0.0			
Expanded Increment District	308.4	308.4	308.4	308.4
Subtotal Real Estate Tax Revenue	\$308.4	\$589.6	\$496.8	\$436.4
Sales Tax Revenue	0.0	59.3	39.8	27.0
Meals Tax Revenue (6.0%)	0.0	112.7	75.5	51.3
Lodging Tax Revenue	0.0	84.8	56.8	38.6
BPOL Tax Revenue	0.0	12.2	8.1	5.5
Admissions Tax	0.0	35.4	35.4	35.4
Arena Revenue(1)	0.0	122.1	70.1	36.3
Other Revenue(2)	0.0	69.9	46.8	31.8
Estimated Hunden Uplift(3)	0.0	404.6	271.1	184.1
Subtotal Increment/Project Revenues	\$308.4	\$1,490.6	\$1,100.5	\$846.3
Additional 1.5% Meals Tax for Schools	0.0	28.2	18.9	12.8
Sale Proceeds from Land	0.0	15.8	15.8	15.8
Total Revenue	\$308.4	\$1,534.6	\$1,135.2	\$874.9
Less :Total Revenue Bond Debt Service	0.0	(476.0)	(530.6)	(566.1)
Surplus (Net Revenue to the City after Debt Service)	\$308.4	\$1,058.5	\$604.5	\$308.8

(1) Source: Municap/Developer: Comprised of Arena generated tax revenues and sponsorships.

(2) Source: Municap/Developer: Armory generated tax revenues and parking revenue.

(3) Pro-rata estimate based on 88.1% (\$1,086/\$1,233) of Hunden Uplift calculated by Hunden in its Analysis dated October 31, 2018.

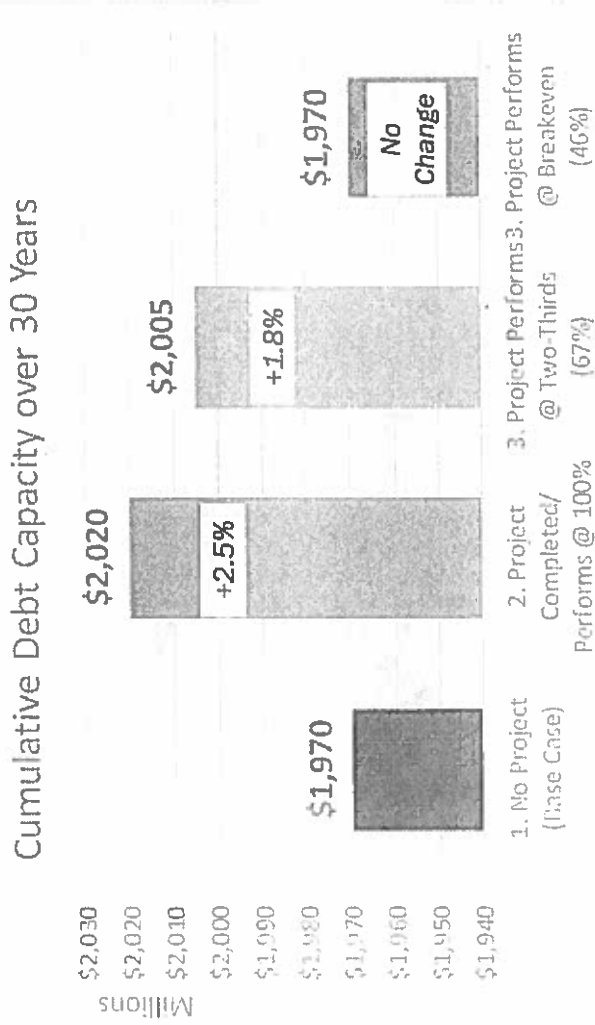
Except as noted all revenue estimates are from Municap/Developer.

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Section 2-303(j)(cont.) Davenport Sensitivity Analysis of Impact on Cumulative Debt Capacity



- The graph shows the impact of the Project on the City's Cumulative Debt Capacity over 30 Years under the following Scenarios:



Based on City's 10% Debt Service vs. Budget Policy and 2% Growth assumption.

- Cumulative Debt Capacity over 30 Years represents the amount of debt that can be borrowed by the City over the projected time frame of 30 years and still be in compliance with all City Debt Management Policies.

Section 2-303(j)(cont.) Davenport Sensitivity Analysis of Impact on Cumulative Debt Capacity



- Key Observations:
 - The City has approximately \$1,970,000,000 of Cumulative Debt Capacity over the 30 year time frame with no Project Base Case (Scenario 1).
 - If the Project's total \$1,300,000,000 Private Investment is completed as proposed and performs as projected, then the City's Cumulative Debt Capacity is estimated to increase by \$50,000,000 (or 2.5%) over 30 years (Scenario 2).
 - Assuming the Project's Private Investment is limited to the initial \$900,000,000 investment and the Project performs at 67% of projections, then the City's Cumulative Debt Capacity is estimated to increase by \$35,000,000 (or 1.8%) over 30 years (Scenario 3).
 - The Project would have to perform at 46% of projections (Scenario 4) to be break even with Scenario 1.
 - If the Project is break even, then the revenues to the City and the City's Cumulative Debt Capacity is projected to remain the same as doing no Project under Scenario 1.

Section 2-303(j)(cont.) Davenport Sensitivity Analysis of Projected Revenue and Expenditure estimates attributable to the City



	Scenario_1	Scenario_2	Scenario_3	Scenario_4
	No Project (Base Case)	Project Completed and performs as projected	Project performs at two-thirds (i.e. 67%) of projections	Project performs at Breakeven (i.e. 46%) of projections
\$Millions				
Real Estate Tax Revenue	\$0.0	\$281.2	\$188.4	\$127.9
Taxable Project Components				
Expanded Increment District	308.4	308.4	308.4	308.4
Subtotal Real Estate Tax Revenue	\$308.4	\$589.6	\$496.8	\$436.4
Sales Tax Revenue	0.0	59.3	39.8	27.0
Meals Tax Revenue (6.0%)	0.0	112.7	75.5	51.3
Lodging Tax Revenue	0.0	84.8	56.8	38.6
BPOL Tax Revenue	0.0	12.2	8.1	5.5
Admissions Tax	0.0	35.4	35.4	35.4
Arena Revenue(1)	0.0	122.1	70.1	36.3
Other Revenue(2)	0.0	69.9	46.8	31.8
Estimated Hunden Uplift(3)	0.0	404.6	271.1	184.1
Subtotal Increment/Project Revenues	\$308.4	\$1,490.6	\$1,100.5	\$846.3
Additional 1.5% Meals Tax for Schools	0.0	28.2	18.9	12.8
Sale Proceeds from Land	0.0	15.8	15.8	15.8
Total Revenue	\$308.4	\$1,534.6	\$1,135.2	\$874.9
Less: Total Revenue Bond Debt Service	0.0	(476.0)	(530.6)	(566.1)
Surplus (Net Revenue to the City after Debt Service)	\$308.4	\$1,058.5	\$604.5	\$308.8
Less: Incremental Costs(4)				
Public Works		(\$0.4)	(\$0.4)	(\$0.4)
Police		(21.0)	(21.0)	(21.0)
Fire/Emergency		(41.1)	(41.1)	(41.1)
Richmond Public Schools		**	**	**
Community Wealth Building		(0.2)	(0.2)	(0.2)
Justice Services		(3.9)	(3.9)	(3.9)
Finance		(3.6)	(3.6)	(3.6)
Economic Development		(1.4)	(1.4)	(1.4)
Planning and Development		(2.0)	(2.0)	(2.0)
Net Revenue to the City After Debt Service/Incremental Costs		\$984.9	\$530.9	\$235.2

(1) Source: Municipal/Developer: Comprised of Arena generated tax revenues and sponsorships.

(2) Source: Municipal/Developer: Armory generated tax revenues and parking revenue.

(3) Pro-rata estimate based on 88.1% (\$1,086/\$1,233) of Hunden Uplift calculated by Hunden in its Analysis dated October 31, 2018.

(4) Source: City of Richmond.

** Dependent on number of students attributable to the Project.

■ The table on this page shows the projected revenue estimates generated as a result of the Project, related Non-Recourse Revenue Bond debt service related to the Public Portion of the Project and other revenue/expenditure estimates over 30 years.

■ Except as noted, all revenue estimates are from Municipal Developer.

Section 2-303(k)



- k) *If it is determined that the proposed ordinance, or any proposed amendments thereto, is not likely to have a fiscal impact, the basis for such a determination.*
- **Davenport's analysis demonstrates that the Project is anticipated to have a positive fiscal and economic impact to the City.**



B: Economic Impact Statement per City Code Section 2-304

Section 2-304(a)



a) *The sources of information, assumptions and methodologies used to reach the conclusions set forth in the economic impact statement.*

- The primary sources of the information within this statement include:
 - Financial projections and analyses for the North of Broad Project (the “Project”) provided by the Respondent in the initial proposal and as modified during the course of negotiations;
 - Independent third party review by Hunden Strategic Partners and their Analysis dated October 31, 2018;
 - Analysis performed by City staff; and
 - Analysis performed by Davenport & Company LLC, Financial Advisors to the City of Richmond enclosed herein.

Section 2-304(b)



- b) *An outline that lists all ordinances, resolutions or actions that are required to be completed related to and for the economic development project, with an associated timeline for each.*
- **The ordinances and resolutions that are to be considered companion papers as related to the Project include:**
 - An ordinance authorizing the execution of the development agreement and its attachments.
 - An ordinance creating a City special revenue fund for the incremental revenues.
 - An ordinance to convey currently City-owned real estate to the EDA.
 - An ordinance to convey currently City-owned real estate to NHDC.
 - An ordinance closing or “reconfiguring” portions of rights-of-way for the development.
 - An ordinance authorizing the necessary encroachments for the development.
 - An ordinance for a zoning text amendment to change the zoning regulations for an arena-specific district.
 - An ordinance for a zoning map amendment to change the zoning classification of the parcels in the development.
 - **Other ordinances and resolutions necessary for various aspects of the development, but ready with the above eight ordinances:**
 - A resolution to approve the EDA's bond issuance.
 - An ordinance to acquire property from RRHA.
 - An ordinance to convey property acquired from RRHA to the EDA.
 - An ordinance to convey property acquired from RRHA to NHDC.

Section 2-304(c)



- c) *A description of any variables that could affect economic impact estimates.*
- Variables that may affect revenue and cost estimates include:
 - Interest rates in effect when the public revenue bonds are sold;
 - The timing of the completion of construction of public and private improvements; and
 - Major changes in the national and/or local economy, which impact the ultimate cost of the various capital improvements and anticipated revenues.
 - As a safeguard against uncertainty of the cost of capital improvements, there will be Guaranteed Maximum Price contracts for construction of the Public Portion of the Projects (New Arena and Infrastructure).

Section 2-304(d)



- d) *The partnerships, corporations, businesses, boards, commissions, nonprofit organizations and other entities that the Mayor anticipates will be stakeholders in the economic development project to be authorized by the proposed ordinance and the level and nature of their involvement with the economic development project to be authorized by the proposed ordinance.*
- **The NH District Corporation**
 - NH District Corporation is a Virginia non-stock corporation structured to take advantage of tax-exempt and other public financing options available for the public portion of the NOB Project. NH District Corporation was created to serve as a vehicle for 1) raising investment equity necessary for various new development components in the NOB Project and necessary for the realization of sufficient new revenues to secure and be the source of repayment of the Project Revenue Bonds issued to fund the arena, 2) providing operational oversight of the New Arena and renovated Blues Armory, and 3) providing oversight of the private-sector development process.
 - **NH Foundation**
 - NH Foundation is a non-profit entity whose board is composed of local community leaders and is responsible for electing board members of NH District Corporation and oversight of such board. NH Foundation will play a significant and ongoing stewardship role over the development of the NOB Project and the public assets that will continue to be owned by the City.

Section 2-304(d)(cont.)



- Capital City Development, LLC
 - Capital City Development is a Virginia limited liability company formed to source private capital and execute the Project with respect to the private development of residential, retail, research, office and hospitality spaces pursuant to the Master Development Agreement.

- Other stakeholders of the Project are expected to include:
 - The Economic Development Authority, as the issuer of the Project Revenue Bonds for the public portions of the Project;
 - Nonprofit organizations focused on affordable housing;
 - Construction companies that will work on the development, including a significant portion of minority owned businesses;
 - The Greater Richmond Convention Center Authority; and
 - New and existing businesses in the area.

Section 2-304(e)



- e) *Any anticipated positive or negative impact, if any, on employment.*
- **The project is expected to have a major positive impact on employment, as noted in item 2-304(g).**

Section 2-304(f)



- f) *A range of economic impact factors that are uncertain or difficult to project.*
- **Please see response to Section 2-303(j) for Davenport's analysis of revenues and expenditures as a result of the Project and related sensitivity scenarios assuming various revenue levels.**

Section 2-304(g)



- g) *The number of permanent or temporary jobs that are anticipated to be created as a result of the economic development project to be authorized by the proposed ordinance.*
- **The Project is anticipated to create approximately 21,000 jobs, including more than 9,000 permanent jobs and workforce training opportunities.**

Section 2-304(h)



h) An analysis and timeline showing the projected revenues that are expected to be generated as a result of the City's expenditure of public funds, if the proposed ordinance is approved by the Council. The analysis and timeline shall include the benchmarks used to determine the revenue projections. An annual progress report concerning the actual revenues collected as a result of the City's expenditure of public funds and how such revenues exceeded, met or failed to meet the revenue projections and benchmarks shall be provided to the Council no later than December 31 of each year for ten years and as may be requested by the Council for any subsequent year beyond the initial ten years.

- The construction of the Public Portion of the Project funded from \$350 Million of non-recourse Revenue Bonds will approximate 24 to 36 months.
- The Projected revenues generated by the Increment Area and expenditures attributable to the Non-Recourse Revenue Bond Debt issued to finance the Public Portion of the Project over the course of 30 years are shown to the right.
- It is anticipated that the Surplus to the City for General Purpose will begin after the completion of the Project and approximately 6 years after the issuance of the Revenue Bonds.

\$Millions	Project Completed and performs as projected
Real Estate Tax Revenue	\$281.2
Taxable Project Components	<u>308.4</u>
Expanded Increment District	\$589.6
Subtotal Real Estate Tax Revenue	59.3
Sales Tax Revenue	112.7
Meals Tax Revenue (6.0%)	84.8
Lodging Tax Revenue	12.2
BPOL Tax Revenue	35.4
Admissions Tax	122.1
Arena Revenue(1)	69.9
Other Revenue(2)	404.6
Estimated Hunden Uplift(3)	\$1,490.6
Subtotal Increment/Project Revenues	28.2
Additional 1.5% Meals Tax for Schools	15.8
Sale Proceeds from Land	<u>\$1,534.6</u>
Total Revenue	(476.0)
Less :Total Revenue Bond Debt Service	<u>\$1,058.5</u>
Surplus (Net Revenue to the City after Debt Service)	

(1) Source: Municap/Developer: Comprised of Arena generated tax revenues and sponsorships.

(2) Source: Municap/Developer: Armory generated tax revenues and parking revenue.

(3) Pro-rata estimate based on 88.1% (\$1,086/\$1,233) of Hunden Uplift calculated by Hunden in its Analysis dated October 31, 2018.

Section 2-304(i)



- i) *An explanation of how the expenditure of any public funds by the City, as may be indicated in the proposed ordinance, complies with any guidelines, policies or best practices that help to achieve or maintain the goal of being a AAA bond rated locality.*
- **The costs and benefits of the project are expected to remain in compliance with Council's adopted debt policy guidelines, ultimately growing the annual general fund budget by tens of millions per year and expanding the City's debt capacity. Through the allocation of surplus revenues for key priorities, the project is consistent with the goal of being an AAA bond rated locality.**

Section 2-304(j)



- j) *If it is determined that the proposed ordinance, or any proposed amendments thereto, is not likely to have an economic impact, the basis for such a determination.*
- **Davenport’s analysis demonstrates that the Project is anticipated to have a positive fiscal and economic impact to the City.**

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CITY OF RICHMOND

Department of Planning & Development Review *Staff Report*

Ord. No. 2019- : TO AMEND AND REORDAIN THE OFFICIAL ZONING ORDINANCE FOR THE PURPOSE OF AMENDING THE COLISEUM MALL (CM) DISTRICT, INCLUDING SIGNAGE AND PARKING REGULATIONS, AND TO AMEND THE OFFICIAL ZONING MAP TO EXPAND THE DISTRICT.

To: City Planning Commission
From: Department of Planning and Development Review
Date: September 3, 2019

PETITIONER

City of Richmond
900 East Broad Street
Richmond, VA 23219

LOCATION

The project area is in downtown Richmond, bounded by East Leigh Street to the north, East Marshall Street to the south, North Tenth Street to the east, and North Fifth Street to the west. The Coliseum Mall (CM) District currently is applied only on the block occupied by the existing coliseum. This rezoning would expand the district to the borders of the project area, excluding the parcels at the intersection of North 7th and East Marshall Streets occupied by The Doorways (parcel nos. N000000618 and N0000006021) and the blocks occupied by the Federal Building, the John Marshall Courthouse, and the John Marshall House (blocks bounded by North 7th Street, East Clay Street, North 9th Street, and East Marshall Street).

PURPOSE

To amend and reordain the official zoning ordinance text and map for the purpose of amending and expanding the Coliseum Mall (CM) district, along with the signage and parking requirements for the district, to accommodate a proposed mixed-use redevelopment project surrounding a new entertainment arena.

SUMMARY & RECOMMENDATION

On November 9, 2017, the City issued a Request for Proposals (RFP) to redevelop an area of downtown generally bounded by East Leigh Street to the north, East Marshall Street to the south, North Tenth Street to the east, and North Fifth Street to the west. In response to the RFP, the City received a Proposal from the NH District Corporation (NHDC) for a mixed-use project. Following months of due diligence and negotiations, the City Administration has reached an agreement with NHDC and is prepared to proceed with the project.

One of the necessary project-related ordinances is a text amendment to the City's CM (Coliseum Mall) zoning district, and another is a zoning map change to expand the CM District. Per state law, before a zoning text amendment ordinance can be introduced, a procedural step must occur to "initiate" the zoning amendment (one way to do so is a resolution from the Planning Commission). CPR 2018-108, attached to this Staff Report, satisfied that requirement and initiated the rezoning process.

The proposed development includes some uses, such as a bus transfer center and residential units, which are not currently permitted in the CM district, while other uses currently permitted in the CM district would not be appropriate in the new development. The proposed development also proposes signage not currently permitted and which would be unique to the CM district as it would be of greater variety and size than allowed elsewhere in the City. The district amendments allow these uses as proposed by the developer, and make parking requirements consistent with the rest of the downtown.

Planning and Development Review staff has discussed the uses and signage with the development team in great detail and has worked through many iterations before coming to agreement. In addition to the use, signage, and parking regulations, Planning and Development Review staff has included the six design principles of development from the Pulse Corridor Plan in the district's intent statement to ensure that future development provides a walkable, human-scale environment.

Staff recommends approval of the ordinance.

FINDINGS OF FACT

Background

For decades, the blocks in the proposed redevelopment area have been underutilized or vacant. The City or related entities own the majority of the land in the area, and it has been repeatedly identified as a significant opportunity for redevelopment in the center of the Richmond region. The zoning language changes, as proposed, will help shape the area into the vibrant, mixed-use neighborhood that is envisioned.

Master Plan

The City's Request for Proposals for the area envisions a development that is generally consistent with both the Downtown Master Plan (2009) and the Pulse Corridor Plan (2017).

The Downtown Master Plan states a “need for higher level retail centers and businesses in the area to facilitate activities when the Convention Center is not in use” (p. 1.12). That plan also calls for new downtown development to be “respectful of the urban context”, encouraging zoning to allow for a mix of uses and increase the residential population in the vicinity of local businesses and civic uses [to] help stimulate social and economic activity downtown” (p. 3.4).

The Pulse Corridor Plan indicates that the area should be “Downtown Mixed-Use”, as well as identifying it as an “Opportunity Area” in the Future Land Use map (Fig. 3.5). The Plan specifically recommends that the Coliseum and adjacent City-owned parcels are an opportunity site that could be redeveloped into a mixed-use, mixed-income, pedestrian-friendly environment that serves as a connection...between the Convention Center, Biotech Park, and the Capital District” (p. 93).

Zoning

The proposed changes to and expansion of the Coliseum Mall (CM) District will accommodate the vision of the City’s Request for Proposals, the Downtown Master Plan, and the Pulse Corridor Plan.

Staff Contact:

Mark A. Olinger, Director, Planning and Development Review

Mark.Olinger@richmondgov.com

646-6305



CITY OF RICHMOND

PLANNING COMMISSION

December 17, 2018

**RESOLUTION #2018.108
MOTION OF THE CITY OF RICHMOND PLANNING COMMISSION**

**TO DECLARE AN INTENT TO AMEND THE OFFICIAL ZONING ORDINANCE FOR
THE PURPOSE OF AMENDING THE COLISEUM MALL (CM) DISTRICT AND THE
SIGNAGE AND PARKING REGULATIONS FOR THAT DISTRICT.**

WHEREAS, in accordance with Section 15.2-2286 of the Code of Virginia an amendment to the zoning regulations or district maps may be initiated by motion of the City of Richmond Planning Commission provided any such motion or resolution of the Commission proposing an amendment to the regulations or district maps shall state the public purposes therefore; and

WHEREAS, on November 9, 2017, the City issued a Request for Proposals to redevelop an area of downtown generally bounded by E. Leigh Street to the north, E. Marshall Street to the south, N. Tenth Street to the east, and N. Fifth Street to the west; and

WHEREAS, the proposed development is to be a dense, active, urban mixed-use neighborhood centered on an entertainment arena where the Richmond Coliseum now stands; and

WHEREAS, certain uses currently allowed in the CM district are not appropriate to the development vision and certain uses in the development vision are not currently allowed in the CM district, including increased height and transit centers; and

WHEREAS, the development vision includes signage of types and sizes not currently permitted and which would be unique to this district; and

WHEREAS, the purposes of zoning cited in the Code of Virginia include facilitating the creation of a convenient, attractive and harmonious community, encouraging economic development and enlarging the tax base, and providing for public safety and preventing congestion in the streets;

NOW, THEREFORE BE IT RESOLVED, that the City Planning Commission hereby declares that the public necessity, convenience, general welfare and good zoning practices of the City require the initiation of an amendment to the City Zoning Ordinance in order to accomplish the vision of the Pulse Corridor Plan and the intent of the City's Request for Proposals, through the proposed development.


Rodney Poole
Chair, City Planning Commission


Matthew Ebinger
Secretary, City Planning Commission