



# CITY OF RICHMOND

## Department of Planning & Development Review *Staff Report*

**Ord. No. 2021-102:** To rezone the properties known as 300 Oliver Hill Way and 400 Oliver Hill Way from the M-1 Light Industrial District to the TOD-1 Transit-Oriented Nodal District, and the property known as 510 Oliver Hill Way from the M-2 Heavy Industrial District to the TOD-1 Transit-Oriented Nodal District.

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**To:** City Planning Commission  
**From:** Land Use Administration  
**Date:** May 3, 2021

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### **PETITIONER**

Lory Markham – Markham Planning

### **LOCATION**

300, 400, and 510 Oliver Hill Way

### **PURPOSE**

To rezone the properties known as 300 and 400 Oliver Hill Way from the M-1 Light Industrial District to the TOD-1 Transit Oriented Nodal District, and the property known as 510 Oliver Hill Way from the M-2 Heavy Industrial District to the TOD-1 Transit Oriented Nodal District.

### **SUMMARY & RECOMMENDATION**

The applicant is requesting to rezone the property to the TOD-1 Transit Oriented Nodal District, which allows for dense, walkable transit-oriented mixed-use development whereas the current M-1 and M-2 Industrial Districts do not permit dwelling uses and permit industrial and auto-oriented uses not permitted under the TOD-1 regulations and a form of development not respectful of the urban environment.

Staff finds that the proposed rezoning is consistent with the recommendations of the Master Plan. The recommended future land use of Destination Mixed-Use includes commercial, multi-family residential, cultural and open space uses. The development style envisioned is higher-density, transit-oriented on vacant or underutilized sites. New development should be urban in form, may be of larger scale than the existing context, and should pay special attention to the historic character of the existing context. The recommended intensity is high with new buildings typically a minimum of five stories. Construction of new buildings with more than ten units or any building with greater than 30,000 square feet of floor area will require Plan of Development review. During this process the building plans will be reviewed to ensure compliance with the Master Plan.

Staff finds that the proposed rezoning is consistent with changing conditions in the area, in which vacant or underutilized parcels, many of which have historically been used for industrial or warehousing purposes, continue to be redeveloped for residential and mixed-use purposes, based on market demand. The existing M-1 and M-2 zoning designations of the property are not consistent with the Master Plan and development of the property according to M-1 or M-2 requirements would not be appropriate for the community.

Staff finds that potential traffic impact caused by the development of the property under TOD-1 requirements will be addressed by the applicant through a Traffic Impact Analysis undertaken during Plan of Development review, as specified in the attached Applicant's Report.

Therefore staff recommends approval of the rezoning request.

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## **FINDINGS OF FACT**

### **Site Description**

The properties, together, consist of approximately 230,839 SF, or 5.30 acres of land. The properties are located in the Upper Shockoe Valley Neighborhood, along Oliver Hill Way, between Brown Street, East Marshall Street, and East Broad Street. The properties are currently improved with unscreened parking areas and a vacant warehouse building.

### **Proposed Use of the Property**

The proposed rezoning would accommodate development allowable within the TOD-1 Transit-Oriented Nodal District.

### **Richmond 300 Master Plan**

The City's Richmond 300 Master Plan designates the properties as Destination Mixed Use. Such areas are described as "key gateways featuring prominent destinations, such as retail, sports venues, and large employers, as well as housing and open space. Located at the convergence of several modes of transportation, including Pulse BRT or other planned transit improvements."

The development style includes higher density, transit-oriented development encouraged on vacant or underutilized sites. New development should be urban in form, may be of larger scale than existing context, and, where relevant, should pay special attention to the historic character of the existing context. Development should enhance the public realm and create a sense of place. Many buildings are vertically mixed-use. Developments continue or introduce a gridded street pattern to increase connectivity. Ground floor uses engage with, and enliven, the street. Monolithic walls are discouraged, while windows, doors, storefronts, and other features that allow transparency and interaction between building and street are encouraged. Active commercial ground floor uses are required on street-oriented commercial frontages. Pedestrian, bicycle, and transit access are prioritized and accommodated. Bike parking is provided. Driveway entrances are required to be of alleys whenever possible; new driveways are prohibited on priority and principal street frontages. Surface parking is prohibited as a principal use; when surface parking is provided as an accessory use, it should be located to the rear of buildings and screened. Parking requirements are reduced to allow more market-based parking strategies, including shared parking. Buildings typically a minimum height of five stories.

Primary Uses: Retail/office/personal service, multi-family residential, cultural, and open space.

Secondary Uses: Institutional and government. (p. 64)

The property is within the Shockoe Regional/National Node. Nodes are places in Richmond that can either 1) accommodate additional growth in jobs and population or 2) are major activity centers today and should be preserved/enhanced. Regional/National Nodes are defined as centers with significant cultural, entertainment, government, and business destinations as well as shopping, housing, and unique place-based attractions. (p. 24)

The Vision for the Shockoe Regional/National Node is: "...a national destination for historic tourism, education, and interpretation as well as a regional and neighborhood destination. Shockoe is connected to other neighborhoods and amenities, such as the Virginia Capital Trail

and the Canal Walk. New development complements historic sites and supports public space amenities such as the 17th Street Farmer’s Market Plaza, the Low Line, and a new park. Main Street Station continues to serve as the multi-modal transportation hub of Richmond by augmenting its offerings to include more transportation options and high-speed rail service. Uses around Main Street Station support the bustle of a train station with amenities that serve commuters, visitors, residents, and employment base.” A Primary Next Step is: “Rezone the Shockoe area in alignment with the Future Land Use Map to allow appropriate growth while also protecting and enhancing significant historic sites” (p. 32)

Growth Potential for the Shockoe Node: In 2019, there were approximately 44 acres of vacant/ underdeveloped land in Shockoe, representing 35% of Shockoe's total land area.

The properties are located along East Broad Street and Oliver Hill Way, both of which are designated as Major Mixed-Use Streets, which are characterized by specific land use and design features which:

- Carry high volumes of vehicles, pedestrians, and bicycles, through commercial and mixed-use areas
- Prioritize use and density-scaled sidewalks and crosswalks
- Require form elements, such as buildings to the street with parking in the rear, as well as building windows and entrances on the street
- Incorporate streetscape features, such as trees, benches, and trash receptacles
- Ideal locations for transit routes and transit stops
- Prioritize the curbside for walking, bicycling, transit, and short-term parking access and loading for local shops and restaurants (p. 72)

The draft Shockoe Small Area Plan includes the subject properties within the Shockoe Valley Growth Area and specifies the TOD-1 District as an appropriate zoning district for the Area, stating “The Shockoe Valley Growth Area has the potential to absorb higher density growth and take development pressure off of the most historic areas between E. Broad and E. Main Streets.”

### **Zoning**

300 Oliver Hill Way and 400 Oliver Hill are located in the M-1 Light Industrial District; 510 Oliver Hill Way is located in the M-2 Heavy Industrial District.

The City’s Zoning Administration reviewed the application and provided the following comments:

#### **ZONING AND USE:**

The existing zoning designations allow for a wide variety of commercial uses, including light industrial (warehouse, contractor’s shops, light manufacturing) within the portion zoned M-1 and heavy industrial (manufacturing) within the portion zoned M-2. Auto-related uses and drive-up uses are permitted in the existing zoning designations.

The proposed zoning designation would permit dwelling uses and commercial uses. It would not permit any industrial or auto-related uses. Commercial uses would be required on the ground floor of buildings on portions fronting on W Broad Street (minimum of 1/3 or 1,000 SF, whichever is greater).

The existing parking areas at 300 and 400 Oliver Hill Way, and the existing warehouse and contractor's shop use at 510 Oliver Hill Way would all become nonconforming uses if rezoned to TOD-1. Nonconforming uses are not allowed to expand or be modified without special approval. Whenever a nonconforming use is discontinued for a period of two years or more, nonconforming rights will be lost.

The principal street frontage for each lot will be determined with future proposals. Please be advised that implementation of the Shockoe Valley Streetscape project may impact/dictate principal street frontages.

#### YARDS:

There are no yard (setback) requirements under the current M-1/M-2 zoning designations. Under the proposed TOD-1 zoning designation, the following yard requirements apply:

- Front (for dwelling uses): 10'-15'
- Front (for nondwelling uses): In no case greater than 10' (except for pedestrian plaza/outside dining approved by UDC/DPDR)
- Side/Street Side/Rear: None

Please be advised that implementation of the Shockoe Valley Streetscape project may impact/dictate front yard requirement.

#### HEIGHT:

The height limit under the current zoning designations are dictated by an inclined plane (1:3 ratio) from the centerline of abutting street and from other property lines (1:2 ratio). Base height limit is 45'. The proposed zoning district has a MINIMUM HEIGHT of two stories and a maximum height of 12 stories. The story height requirement for each story is 10'-15' with no restriction on the ground level.

#### ADDITIONAL REQUIREMENTS APPLICABLE IN TOD-1:

The minimum usable open space ratio for newly constructed buildings or portions thereof devoted to dwelling uses is 0.10.

The location of any parking areas must not be between the main building and the principal or priority street frontage, nor shall they be located closer to the principal or priority street frontage than the main building. No new driveways will be permitted on the principal or priority street frontage for each parcel.

Fenestration requirements will be applicable to principal and priority street frontages (30% for dwelling units, operable window/doors); 60% for ground floor commercial uses (30% for upper stories)

No parking is required for non-dwelling uses other than hotels, motels and tourist homes. Multi-family dwellings require one space per two units, single and two family dwellings require one space per unit and hotels/motels/tourist homes require one space per room.

A plan of development is required for any new building where vehicular circulation is provided on-site, and for any new building with greater than 30,000 SF of floor area.

Signage is more limited in the TOD-1 district than in the M-1/M-2 district:

**Surrounding Area**

Adjacent and nearby properties are primarily zoned M-1 Light, and M-2 Heavy Industrial with some B-5 Central Business District zones in close proximity. A mix of residential, office, commercial and industrial uses are present in the vicinity of the subject properties.

**Neighborhood Participation**

Staff notified area residents, property owners, and the Shockoe Partnership of the proposed Rezoning. Staff has received a letter of support from the Partnership for this application.

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