



Application for **REZONING/CONDITIONAL REZONING**

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

Project Name/Location

Property Address: 1011 Commerce Rd Date: January 21, 2023
Tax Map #: S0000388001 Fee: \$2,000.00
Total area of affected site in acres: 5.07 AC

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

Zoning

Current Zoning: M-2 Heavy Industrial

Existing Use: Retail

Proposed Zoning/Conditional Zoning

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

TOD-1 Transit Oriented District for mixed use

Existing Use: Retail

Is this property subject to any previous land use cases?

Yes No If Yes, please list the Ordinance Number: n/a

Applicant/Contact Person: Lory Markham

Company: Markham Planning
Mailing Address: 208 E Grace St
City: Richmond State: VA Zip Code: 23219
Telephone: (804) 248-2561 Fax: ()
Email: lory@markhamplanning.com

Property Owner: Ton Ton LLC

If Business Entity, name and title of authorized signee: Andy Thornton

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

Mailing Address: 9307 CHEROKEE RD
City: RICHMOND State: VA Zip Code: 23235
Telephone: (804) 516-4163 Fax: ()
Email: athornton@ladiff.com

Property Owner Signature: [Signatures]

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



February 13, 2023

Mr. Kevin Vonck
Department of Planning & Development Review
900 East Broad Street, Suite 511
Richmond, VA 23219
kevin.vonck@richmondgov.com

RE: Applicant's Report for Rezoning of 1011 Commerce Road

Dear Mr. Vonck:

Please accept this letter as the Applicant's Report for the request to rezone the following property from the M-2 Heavy Industrial district to the TOD-1 Transit Oriented District:

Address	Tax Parcel ID	Acreage	Existing Zoning	Ownership
1011 Commerce Rd	S0000388001	5.07	M-2	Ton Ton LLC

With this application, the property owner is petitioning the City Council for a rezoning to facilitate future development that would be permitted under the regulations of the TOD-1 district. This requested rezoning is consistent with and in support of the development goals for this property as detailed in the Richmond 300 Master Plan.

Property

The property is located at the northwest intersection of East Commerce Road and Gordon Avenue in the City's Old South neighborhood. Containing 5.07 acres of land area, this parcel is improved with three warehouse buildings. The largest of these contains 19,390 SF of floor area and was constructed in 1983. This building is currently the location of a furniture retailer. Surrounding properties along Commerce Rd and Dinwiddie Ave are primarily industrial uses located in the M-2 districts. However, a 3-acre property to the north located on the same block as the subject property was rezoned to the TOD-1 district in 2021.

Zoning Regulations & Proposal

The property is currently located in M-2 Heavy Industrial District, which permits a wide variety of commercial, industrial, and service uses, many of which could be considered noxious or undesirable so close to the mix of uses currently found directly north in Manchester and the nearby residential neighborhoods of Oak Grove and Blackwell. Despite the wide-range of permitted uses, dwellings are not permitted in the M-2 district.

The property owner wishes to construct new mixed-use development on the property that would comply with the TOD-1 zoning district regulations. The proposed TOD-1 district regulations would allow for a mix of uses, including residential and commercial uses fronting on Commerce Road with structured parking to the rear of these active uses. The owner plans to develop the property in accordance with the stated intent of the TOD-1 district which is to promote enhancement of the character of development along principal corridors, at key gateways, and at nodes of high activity located near transit service, bicycle infrastructure, and pedestrian-friendly streetscapes. These regulations promote redevelopment, placemaking, and development of surface parking lots to create high-quality urban spaces.

The TOD-1 district includes form-based requirements that are not found in the existing zoning district which will ensure that any development of the site is urban in character, provide life and activity on the street and promote walking and biking. These requirements include a maximum height of 12 stories, and regulations on the location and screening of parking decks and lots, fenestration and setbacks minimums and maximums.

Richmond 300 Master Plan

The property is designated for future land use by Richmond 300 as Industrial Mixed-Use. These areas are formerly traditional industrial areas that are transitioning to mixed-use because of their proximity to growing neighborhoods and changes in market conditions. These areas may still retain some light industrial uses. Primary uses recommended by the Plan include retail/office/personal service, multi-family residential, cultural, and open space. Development style is recommended as a mix of building types with low-scale, post-industrial buildings that are adapted for a new use are adjacent, to new taller residential and/or office buildings. Additionally, the property is adjacent to the Manchester Priority Growth Node that have been transformed by a mix of development in recent years. For this Node, the Plan specifically recommends rezoning areas to allow for residential development.

While the recommended development height in Industrial Mixed-Use areas is between three to eight stories, Commerce Road is exceptionally wide at the location of the property. This width, comparable to that of Broad Street, can easily accommodate development heights up to 12 stories as permitted by TOD-1 regulations. In addition, the properties directly across Commerce Road at this location are designated for Destination Mixed Use with no maximum height recommendation by the Richmond 300 Plan. Given that typical development patterns on both sides of one street should be comparable, we believe that the proposed rezoning to allow for an urban-form, mixed use development under TOD-1 is fully consistent with and in support with the recommendations of Richmond 300 for the property and the area.

City Charter Conditions

Given the recommendations in the City's Richmond 300 Master Plan, we trust that you will agree with us that the potential development of the site under TOD-1 regulations would support the efforts to develop the property in a manner consistent with the Plan; and that the rezoning meets the City Charter considerations to be observed in the alteration of zoning regulations.

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

Very Truly Yours,

A handwritten signature in black ink, appearing to read 'Lory Markham', written in a cursive style.

Lory Markham
Markham Planning

Enclosures

cc: The Honorable Ellen F. Robertson, 6th District Council Representative



City of Richmond Department of Planning & Development Review

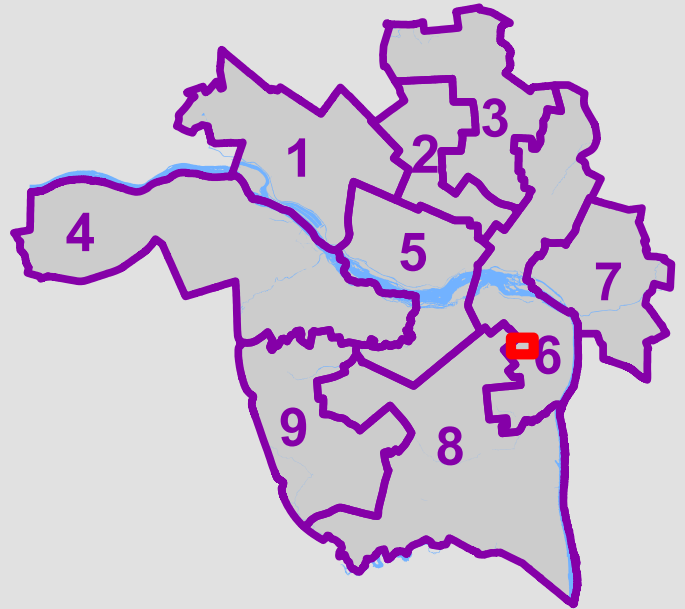
Rezoning

LOCATION: 1011 Commerce Road

APPLICANT: Markham Planning

COUNCIL DISTRICT: 6

PROPOSAL: To rezone the properties known as 1011 Commerce Road from the M-2 Heavy Industrial District, to the TOD-1 Transit Oriented Nodal District.



For questions, please contact Matthew Ebinger at 804-646-5789 or matthew.ebinger@rva.gov

