



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: _____ Date: _____

Tax Map #: _____ Fee: _____

Total area of affected site in acres: _____

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

Zoning

Current Zoning: _____

Existing Use: _____

Proposed Zoning/Conditional Zoning

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

Existing Use: _____

Is this property subject to any previous land use cases?

Yes

No

☐☐

If Yes, please list the Ordinance Number: _____

Applicant/Contact Person: _____

Company: _____

Mailing Address: _____

City: _____ State: _____ Zip Code: _____

Telephone: _(_____) _____ Fax: _(_____) _____

Email: _____

Property Owner: _____

If Business Entity, name and title of authorized signee: _____

(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: _____

City: _____ State: _____ Zip Code: _____

Telephone: _(_____) _____ Fax: _(_____) _____

Email: _____

Property Owner Signature: _____

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.



April 19, 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 4400 E Main St and 4500 Old Main St

Dear Mr. Vonck:

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

Address	Tax Parcel ID	Acreage	Existing Zoning	Ownership
4400 E Main St	E0000996001	1.73	M-2	Central Virginia Investments
4500 Old Main St	E0000996003	1.23	M-2	Central Virginia Investments

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 subject properties are two contiguous, irregularly shaped parcels located on E Main St and Old Main St south of Nicholson St in the City's Shockoe Bottom neighborhood. Containing a total of 2.96 acres of land area, the properties are adjacent to the James River and improved with several small buildings. Nearby properties include an office/warehouse located in an M-2 district, and a mixed-use development across E Main St that was constructed after these parcels were rezoned to the TOD-1 district in 2021. Henrico County is located just south of the subject properties across Orleans Street.

The subject properties are also located adjacent to the Rocketts Landing Station which serves as the southern terminus of the GRTC Pulse Bus Rapid Transit system.

Zoning Regulations & Proposal

The subject properties are 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 in this area of the riverfront. 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 properties 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 along the riverfront. 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.

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Richmond 300 Master Plan

The properties are designated by Richmond 300 as Community Mixed-Use for future land use. These areas are clusters of medium-density, walkable commercial and residential uses that provide neighborhood services to nearby residential communities and sometimes feature regional attractions. Uses may be mixed horizontally in several buildings on a block or vertically within the same building. Buildings generally ranging from two to six stories, based on street widths and depending on the historic context and stepping down in height adjacent to residential areas, as necessary. New buildings that are taller than historical buildings should step back from the build-to line after matching the height of the predominant cornice line of the block. Primary uses are retail/office/ personal service, multi-family residential, cultural, and open space.

TOD-1 district regulations would allow for a development that is a mix of uses, walkable, and provides services to the surrounding neighborhood. In addition, TOD-1 is especially appropriate for the site due to its location at the terminus of the Pulse BRT system. We believe that a rezoning of the properties to the TOD-1 district, given the recommendations for future land use from Richmond 300, would promote the transformation of the properties into a vibrant development that benefits Richmond's riverfront.

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', with a stylized, cursive script.

Lory Markham
Markham Planning

Enclosures

cc: The Honorable Cynthia I. Newbille, 7th District Council Representative

Legal Description

ALL those lots, pieces or parcels of land, with all improvements thereon and appurtenances thereunto, if any, lying and being in the City of Richmond, Virginia, designated as Tract A (1.68± Acres), Tract B–D (3.778 Acres), and Tract E (1.759 Acres), all as more particularly shown and described on plat of survey prepared by Edwards, Kretz, Lohr & Associates, Inc., dated October 20, 2001, revised December 11, 2002, entitled "Crown, ALTA/ACSM Land Title Survey of Several Parcels Located Along East Main Street, City of Richmond, Virginia", a copy of which plat is recorded in the Clerk's Office, Circuit Court, City of Richmond, Virginia, as Plat Nos. 03–18, 19, 20 & 21, and being more particularly described as follows:

TRACT A

BEGINNING at a point at the intersection of the western boundary of the right of way line of East Main Street and the southern boundary of the right of way line of Nicholson Street (not open), thence continuing along the western boundary of the right of way line of East Main Street in a southeasterly direction the following three (3) courses and distances:

- 1. S 18°24'09" E 27.77 feet to a point;
- 2. thence S 06°01'56" E 249.21 feet to a point;
- 3. thence S 00°25'36" E 230.22 feet to a point;

Thence leaving the western boundary of the right of way line of East Main Street in a southwesterly direction S 88°49'43" W 153.02 feet to a point on line, at its intersection with a survey tie line; thence continuing S 88°49'43" W 10 ± feet to a point on the mean low waterline of the James River;

Thence continuing along the mean low waterline of the James River in a northerly direction 450± feet to a point;

Thence leaving the mean low waterline of the James River in a northeasterly direction N 65°54'13" E 20± feet to a point on line, at its intersection with the said survey tie line, said survey tie line having a course and distance of N 05°55'48" W 452.85 feet; thence continuing N 65°54'13" E 30.03 feet to a point on the western boundary of the right of way line of Wharf Street;

Thence continuing along the western boundary of the right of way line of Wharf Street in a southeasterly direction the following two (2) courses and distances:

- 1. S 11°09'09" E 167.73 feet to a point;
- 2. thence S 00°49'08" W 173.94 feet to a point at the intersection of the western boundary of the right of way line of Wharf Street and the southern boundary of the terminus of Wharf Street;

Thence continuing along the southern boundary of the terminus of Wharf Street in a southeasterly direction S 89°23'12" E 39.99 feet to a point at the intersection of the southern boundary of the terminus of Wharf Street and the eastern boundary of the right of way line of Wharf Street;

Thence continuing along the eastern boundary of the right of way line of Wharf Street in a northeasterly direction the following two (2) courses and distances:

- 1. N 00°49'46" E 178.00 feet to a point;
- 2. thence N 11°09'49" W 202.00 feet to a point on the southern boundary of the right of way line of Nicholson Street (not open);

Thence continuing along the southern boundary of the right of way line of Nicholson Street (not open) in a northeasterly direction N 85°45'28" E 102.56 feet to a point, said point being the Point and Place of Beginning for Tract A, containing 1.60 Acres, more or less.

TRACT B–D

BEGINNING at a point at the intersection of the southern boundary of the right of way line of Nicholson Street and the eastern boundary of the right of way line of East Main Street, thence continuing along the southern boundary of the right of way line of Nicholson Street in a northeasterly direction N 85°34'44" E 227.31 feet to a point;

Thence leaving the southern boundary of the right of way line of Nicholson Street in a southeasterly direction the following eight (8) courses and distances:

- 1. S 02°35'56" E 91.40 feet to a point;
- 2. thence N 85°30'52" E 92.65 feet to a point;
- 3. thence S 03°47'02" E 77.51 feet to a point;
- 4. thence N 85°30'07" E 45.50 feet to a point;
- 5. thence S 03°47'02" E 125.97 feet to a point;
- 6. thence N 85°29'27" E 18.47 feet to a point;
- 7. thence S 06°50'09" E 20.01 feet to a point;
- 8. thence S 00°06'42" E 316.29 feet to a point on the northern boundary of the right of way line of East Main Street;

Thence continuing along the northern boundary of the right of way line of East Main Street in a northwesterly direction the following four (4) courses and distances:

- 1. along the arc of a curve to the left having a radius of 278.13 feet, a delta angle of 32°54'38", and an arc distance of 159.76 feet to a point;
- 2. thence N 70°33'22" W 101.57 feet to a point;
- 3. along the arc of a curve to the right having a radius of 227.04 feet, a delta angle of 20°19'13", and an arc distance of 80.52 feet to a point;
- 4. along the arc of a curve to the right having a radius of 226.42 feet, a delta angle of 44°13'52", and an arc distance of 174.79 feet to a point;
- 5. thence N 06°00'17" W 286.15 feet to a point, said point being the Point and Place of Beginning for Tract B–D and containing 3.776 Acres, more or less.

TRACT E

BEGINNING at a point at the intersection of the eastern boundary of the right of way line of East Main Street and the northern boundary of the right of way line of Nicholson Street, thence continuing along the eastern boundary of the right of way line of East Main Street in a northwesterly direction the following two (2) courses and distances:

- 1. along the arc of a curve to the left having a radius of 790.64 feet, a delta angle of 21°07'32", and an arc distance of 291.52 feet to a point;
- 2. thence N 17°26'08" W 185.67 feet to a point;

Thence leaving the eastern boundary of the right of way line of East Main Street in a northeasterly direction the following nine (9) courses and distances:

- 1. N 70°18'49" E 29.84 feet to a point;
- 2. thence N 20°47'20" W 35.01 feet to a point;
- 3. thence N 70°18'49" E 69.88 feet to a point;
- 4. thence S 38°14'59" E 36.92 feet to a point;
- 5. thence S 45°03'46" E 121.43 feet to a point;
- 6. thence S 15°32'11" E 107.59 feet to a point;
- 7. thence S 04°32'11" E 78.51 feet to a point;
- 8. thence S 21°12'02" E 31.13 feet to a point;
- 9. thence S 10°22'01" E 200.72 feet to a point on the northern boundary of the right of way line of Nicholson Street;

Thence continuing along the northern boundary of the right of way line of Nicholson Street in a southwesterly direction the following two (2) courses and distances:

- 1. S 85°31'21" W 134.34 feet to a point;
- 2. along the arc of a curve to the right having a radius of 10.50 feet, a delta angle of 88°23'20", and an arc distance of 16.20 feet to a point, said point being the Point and Place of Beginning for Tract E and containing 1.759 Acres, more or less.

General Notes

- 1. This survey plat represents a current and accurate field transit survey of the premises shown hereon.
Date of last physical survey: January 14, 2008.
- 2. This survey was made with the benefit of a Title Report issued by First American Title Insurance Company, dated November 24, 2004 (Commitment No. FA04–0171).
- 3. Horizontal location of underground utilities shown hereon per "Miss Utility."

Zoning

Current Zoning: M–2 (Heavy Industrial District)

Setbacks:
Minimum Front Yard: None Required
Minimum Side Yard: None Required
Minimum Rear Yard: None Required

Maximum Height: 45.00 feet

For further clarification of Zoning Requirements – Contact:
City of Richmond Community Development Department
900 East Broad Street
Richmond, Virginia 23219
(804)646–6340

Parking

Regular – 20 delineated spaces

Flood Certification

I have examined the Flood Insurance Rate Map for the City of Richmond, Virginia, Community Panel No. 510129–0010–C, (Panel 10 of 20), effective date July 20, 1998 and hereby certify to the best of my professional knowledge and belief that a portion of the property is located in a Special Flood Hazard Area, Zone AE, as determined by National Flood Insurance Program, Federal Emergency Management Agency, Department of Housing and Urban Development.

First American Title Insurance Corporation
Schedule B – Commitment No. FA04–0171
(PARCEL V only)

(Referenced by corresponding number in Commitment)

- 39. Easements for Joint Connection Tracks of the Southern Railway Company and the Chesapeake and Ohio Railway Company, said tracks are located on what was formerly known as Wharf Street.
The location of Wharf Street (vacated) and visible railroad tracks observed by Surveyor are plotted and shown hereon.
- 40. Title to that portion of the property of insured premises lying within any roads or highways.
Right–of–way boundaries are plotted and shown hereon.
- 41. Rights of the railroad company servicing the railroad siding located on insured premises, in and to the ties, rails, and other properties constituting said siding, and to the use thereof and rights of others in and to the use thereof.
Visible railroad tracks observed by Surveyor are plotted and shown hereon. Rights of usage can not be determined by Surveyor.
- 42. Sewer Easements in Instrument recorded May 16, 1961 in Deed Book 605D, page 199.
Plotted and shown hereon.
- 43. Plantation Pipeline Easement dated December 16, 1964, recorded in Deed Book 685C, page 245.
Plotted and shown hereon.
- 44. Richmond and Danville Railroad Co. Easement dated October 5, 189_, recorded in Deed Book 151B, page 94.
Visible railroad tracks observed by Surveyor are plotted and shown hereon.
- 45. Richmond and Danville Railroad Co. Easement dated October 21, 1881, recorded in Deed Book 147C, page 191.
Visible railroad tracks observed by Surveyor are plotted and shown hereon.
- 46. VEPCO Easement dated May 1, 1980, recorded in Deed Book 773, page 1058.
Plotted and shown hereon.
- 47. Easements in Deed to Crown Central Petroleum Corp. from City of Richmond, dated January 30, 1974, recorded in Deed Book 688B, page 787.
Plotted and shown hereon.
- 48. [matters shown on prior survey]

Surveyor's Certificate

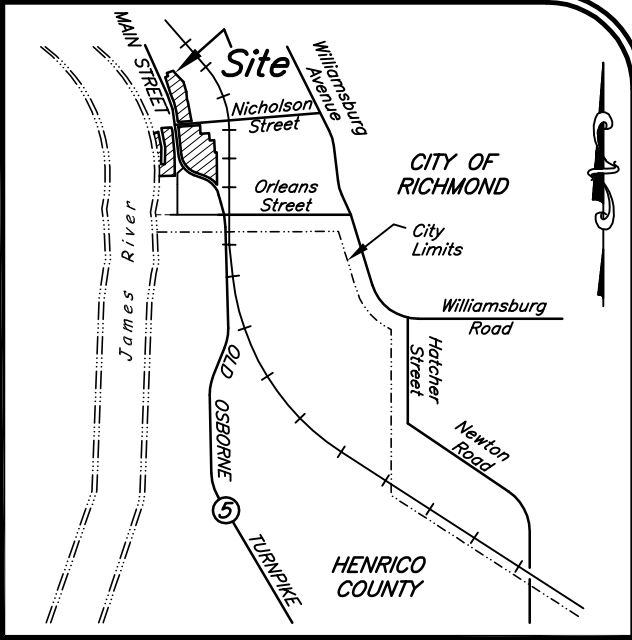
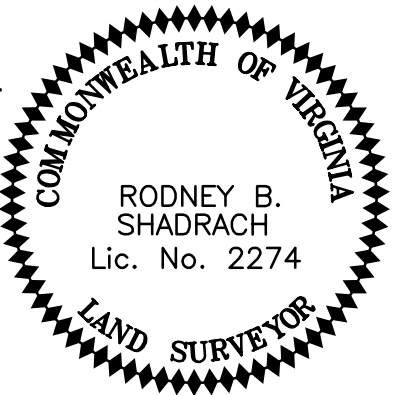
This survey is certified to and prepared for the sole and exclusive benefit of the entities and/or individuals listed below as of March 9, 2007 and shall not be relied on by any other entity or individual whomsoever.

To: CENTRAL VIRGINIA INVESTMENTS/ROCKETTS LANDING, LLC, a Virginia Limited Liability Company
To: FIRST AMERICAN TITLE INSURANCE CORPORATION

The undersigned further certifies that he is a duly registered land surveyor of the Commonwealth of Virginia, that to the best of his professional knowledge and belief, that the attached plat of survey meets the minimum standard detail requirements for American Land Title Association/American Congress on Surveying and Mapping (ALTA/ACSM) Land Title Surveys, jointly established and adopted by ALTA, ACSM and NSPS in 1999, and includes items 1 thru 4, 6 thru 11, 13, 14, and 16 of Table A thereof, and that the survey measurements were made in accordance with the Minimum Angle, Distance, and Closure Requirements for Survey Measurements which control Land Boundaries for ALTA/ACSM Land Title Surveys". Said survey, to the best of the Surveyor's professional knowledge and belief correctly shows the location of all buildings, structures and other improvements situated on the subject premises; and that, except as shown, there are no visible easements or rights of way across said premises or any other easements or rights of way, no party walls, no encroachments onto adjoining premises, streets, alleys, easements, rights of way, or across any setbacks, by any of said buildings, structures or other improvements, and no encroachments onto said premises by buildings, structures or other improvements situated on adjoining premises.

Rodney B. Shadrach L.S. #2274
Shadrach & Neal, Incorporated

I hereby certify that this boundary survey, to the best of my professional knowledge and belief, is correct and complies with the minimum procedures and standards established by the Virginia State Board of Architects, Professional Engineers, Land Surveyors, and Certified Landscape Architects.



Legal Reference:

Central Virginia Investments/ Rocketts Landing, LLC
Instrument No. 2003–00–9425

Tract A:
Tax Map No. E000–0996–001
#4400 East Main Street

Tract B–D:
Tax Map No. E000–0990–019
#4401–4501 East Main Street

Tract E:
Tax Map No. E000–1127–015
#4331 East Main Street

Statement of Encroachments

Ⓐ Building Corner 1.14' Outside Ⓔ

ALTA/ACSM LAND TITLE SURVEY SHOWING
EXISTING IMPROVEMENTS TO THREE TRACTS
OF LAND SITUATED AT THE NORTHEAST, SOUTHEAST
AND SOUTHWEST CORNERS OF THE INTERSECTION
OF NICHOLSON AND EAST MAIN STREETS
CITY OF RICHMOND, VIRGINIA
DATE: JANUARY 24, 2008

SCALE: AS SHOWN



Shadrach & Neal, inc.

LAND SURVEYING
430 Southlake Blvd., Suite 10–B • Richmond, Virginia 23236
Phone: (804)379–9300 • Fax: (804)379–9301

James

River

APPROX. LOCATION OF VARIABLE
WIDTH SEWER EASEMENT
DB. 605-D, PG. 199

APPROX. FLOOD ZONE LOCATION
PER FEMA COMMUNITY-PANEL NO.
510129-0010-C (July 20, 1998)

PLANTATION PIPELINE EASEMENT
DB. 685-C, PG. 245

APPROX. LOCATION OF VARIABLE
WIDTH SEWER EASEMENT
DB. 605-D, PG. 199

VACATED PORTION
OF WHARF STREET

Central Virginia Investments/
Rocketts Landing LLC
Instrument #2005-00-1109
Parcel ID #E000-0996/003
#4708-4712 Old Main St.

P.O.B.
Tract A

Wharf Street
(40' R/W)
167.73'

Tract A
160± Acres

P.O.B.
Tract B-D

Nicholson Street
(50' R/W)

N/F CSX Transportation, Inc.
Deed Book 573, Pg. 91
Tax Parcel E000-0990/006
#25 Nicholson Street

APPROX. FLOOD ZONE LOCATION
PER FEMA COMMUNITY-PANEL NO.
510129-0010-C (July 20, 1998)

APPROX. LOCATION
OF VEPCO ESMT.
DB. 773, PG. 1058
PLAT NO. 80-37

Tract B-D
3.776 Acres

$R=226.42'$
 $\Delta=44^{\circ}13'52''$
 $L=174.79'$
 $T=92.01'$
 $Ch=S28^{\circ}07'08''E$
 $@170.48'$

$R=227.04'$
 $\Delta=20^{\circ}19'13''$
 $L=80.52'$
 $T=40.69'$
 $Ch=S60^{\circ}23'45''E$
 $@80.10'$

E. Main Street
(Variable Width R/W)

$R=278.13'$
 $\Delta=32^{\circ}54'38''$
 $L=159.76'$
 $T=82.15'$
 $Ch=N54^{\circ}06'03''W$
 $@157.57'$

Legend

- | | |
|--------------------------------|------------------------------|
| Fire Hydrant | Electric Transformer |
| Handicap Parking Spaces | Field Survey Traverse Point |
| Painted Parking Space Number | Misc. Frame Sign |
| Water Meter | Handicap Parking Sign |
| Water Valve | Bollard |
| Lamp Post (Metal Post w/light) | Yard Inlet (Drainage) |
| Storm Manhole | Well |
| Sanitary Manhole | Concrete Surface |
| Veeco Manhole | RCP Reinforced Concrete Pipe |
| Telephone Manhole | CMP Corrugated Metal Pipe |
| Gas Meter | D.I. Drainage Inlet |
| Gas Valve | P.O.B. Point of Beginning |
| Veeco Pole | BFP Back Flow Preventer |

ALTA/ACSM LAND TITLE SURVEY SHOWING
EXISTING IMPROVEMENTS TO THREE TRACTS
OF LAND SITUATED AT THE NORTHEAST, SOUTHEAST
AND SOUTHWEST CORNERS OF THE INTERSECTION
OF NICHOLSON AND EAST MAIN STREETS
CITY OF RICHMOND, VIRGINIA

DATE: JANUARY 24, 2008

50 0 50 100 150

Scale: 1"=50'



Shadrach & Neal, inc.

LAND SURVEYING

430 Southlake Blvd., Suite 10-B • Richmond, Virginia 23236
Phone: (804)379-9300 • Fax: (804)379-9301

LAND SURVEYING

NAD '83

Notes:

- To the best of my knowledge and belief, #4708 Old Main Street, Tax Parcel #E000-0996/003, has not been previously subdivided.*

The seal is circular with a decorative border of small triangles. The text "COMMONWEALTH OF VIRGINIA" is curved along the top inner edge, and "LAND SURVEYOR" is curved along the bottom inner edge. In the center, the name "RODNEY B. SHADRACH" is printed in two lines, with "Lic. No. 2274" printed below it.

[illegible]



City of Richmond Department of Planning & Development Review

LOCATION: 4400 E Main St & 4500 Old Main St

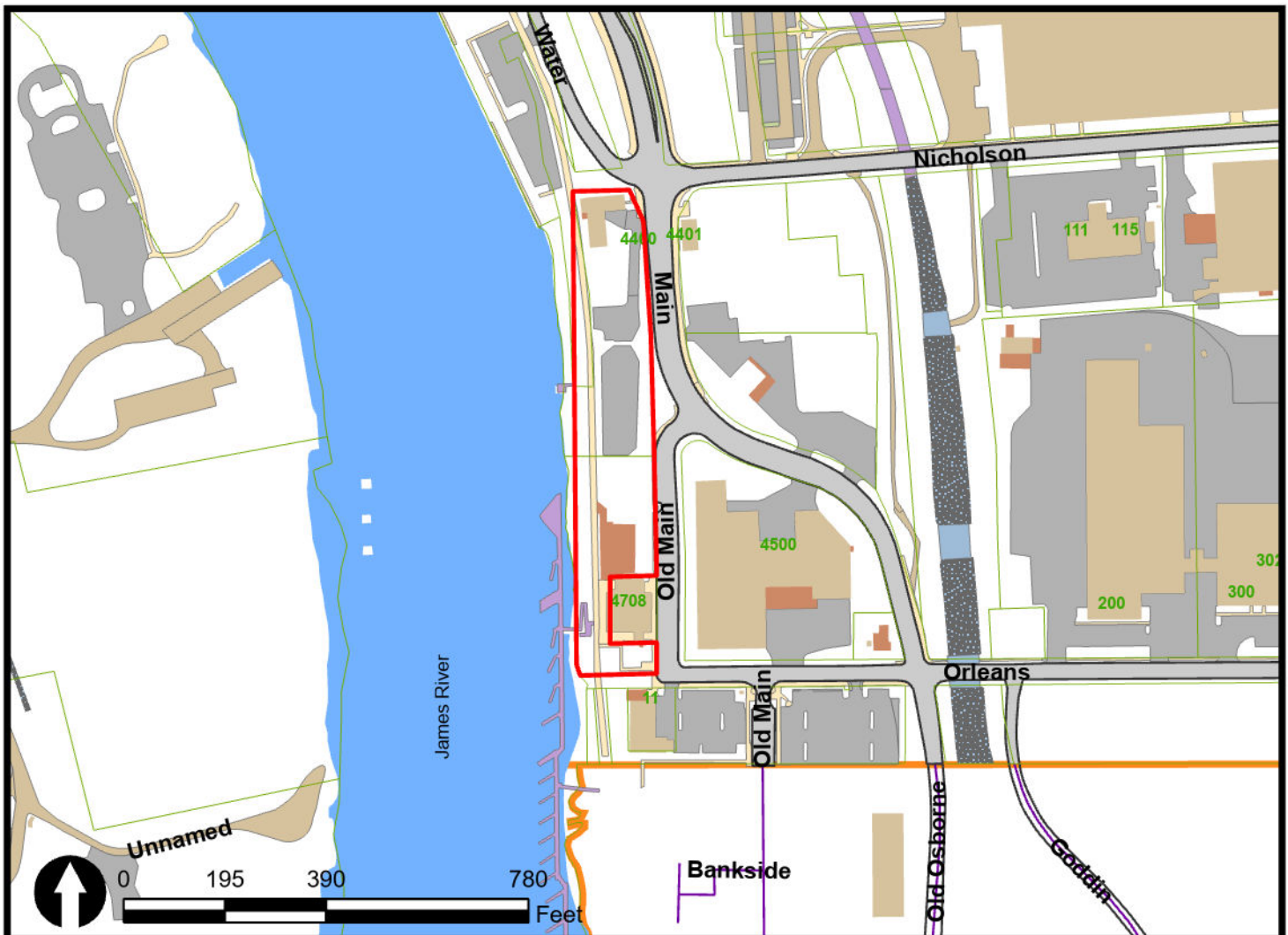
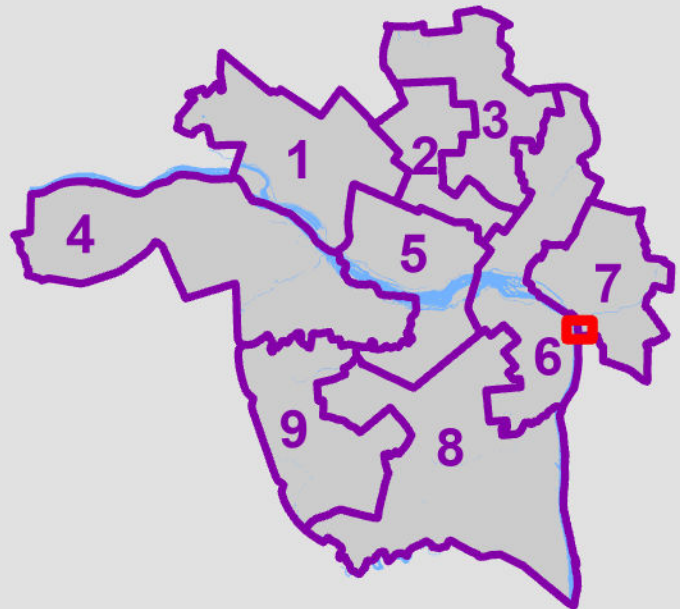
APPLICANT: Markham Planning

COUNCIL DISTRICT: 7

PROPOSAL: To conditionally rezone the properties known as 4400 E Main Street and 4500 Old Main Street from M-2 Heavy Industrial District to TOD-1 Transit-Oriented Nodal District.

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

Conditional Rezoning



Proffer Statement

The owner of the properties located 4400 E Main Street (E0000996001) and 4500 Old Main Street (E0000996003), "the Property", hereby voluntarily proffer the following conditions in connection to the rezoning:

1. A minimum of one access point through the Property shall be provided for general public pedestrian access linking E Main Street and the Capital Trail and shall be improved by the owner prior to the issuance of a permanent certificate of occupancy for any building on the property. The design of the pedestrian improvements shall be reviewed and approved as part of the Plan of Development, but shall not require the provision of a publicly accessible elevator.
2. Sidewalk and streetscape improvements shall be provided by the owner along E Main Street in i) general conformance with the existing streetscape already established in front of the Boathouse Restaurant and Waterford apartment building, (ii) accordance with the requirements of the Department of Public Works prior to the issuance of a permanent certificate of occupancy for any building on the property.
3. A minimum building separation of 30 feet, inclusive of the Plantation Pipeline easement shown on the survey entitled "Exiting Improvements to Three Tracts of Land Situated at the Northeast, Southeast and Southwest Corners of the Intersection of Nicholson and East Main Streets" prepared by Shadrach & Neal, inc. and dated January 24, 2008, shall be required.

Executed this 31st day of October 2023.

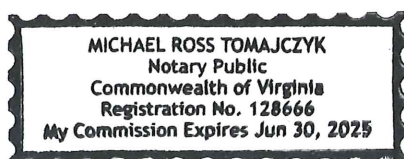
Central Virginia Investments Rocketts Landing, LLC

By: 

Name: Richard Souter, Authorized Representative

The foregoing was acknowledged before me the 31 day of October 2023.

My commission expires: 6/30/25.




Notary Public

Notary Reg No. 128666