

INTRODUCED: November 8, 2021

AN ORDINANCE No. 2021-331

To rezone the property known as 4501 East Main Street from the RF-2 Riverfront District to the TOD-1 Transit-Oriented Nodal District.

Patron – Mayor Stoney (By Request)

Approved as to form and legality
by the City Attorney

PUBLIC HEARING: DEC 13 2021 AT 6 P.M

THE CITY OF RICHMOND HEREBY ORDAINS:

§ 1. That, as shown on the survey entitled “ALTA/NSPS Land Title Survey Showing Existing Improvements to #4405 East Main Street, City of Richmond, Virginia,” prepared by Shadrach & Associates LLC, and dated April 7, 2021, a copy of which is attached to, incorporated into, and made a part of this ordinance, the property known as 4501 East Main Street with Tax Parcel No. E000-0990/028 as shown in the 2021 records of the City Assessor, is excluded from the RF-2 Riverfront District and shall no longer be subject to the provisions of sections 30-447.10 through 30-447.19 of the Code of the City of Richmond (2020), as amended, and that the same is included in the TOD-1 Transit-Oriented Nodal District and shall be subject

AYES: 9 NOES: 0 ABSTAIN: _____

ADOPTED: DEC 13 2021 REJECTED: _____ STRICKEN: _____

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

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

A TRUE COPY:
TESTE:
Amelia D. Reed
City Clerk



City of Richmond

Item Request
File Number: PRE.2021.820

RECEIVED
By City Attorney's Office at 5:58 pm, Oct 06, 2021

RECEIVED
By CAO Office at 9:00 am, Sep 15, 2021

2021-443

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

O & R Request

DATE: September 13, 2021

EDITION: 1

TO: The Honorable Members of City Council

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

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

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

FROM: Kevin J. Vonck, Acting Director, Department of Planning and
Development Review

RE: To rezone the property known as 4501 East Main Street from the RF-2 Riverfront District to the TOD-1 Transit Oriented Nodal District.

ORD. OR RES. No. _____

PURPOSE: To rezone the property known as 4501 East Main Street from the RF-2 Riverfront District to the TOD-1 Transit Oriented Nodal District.

REASON: The applicant is requesting to rezone the property to the TOD-1 District, which requires, among other requirements, less off-street parking and greater lot coverage than the current RF-2 District.

RECOMMENDATION: In accordance with the requirements of the City Charter and the Zoning Ordinance, the City Planning Commission will review this request and make a recommendation to City Council. This item will be scheduled for consideration by the Commission at its November 1, 2021 meeting.

BACKGROUND: The property consists of approximately 80,817 SF, or 1.86 acres, of land. The property is located in the Shockoe Bottom Neighborhood between East Main Street and the CSX Railroad Right of Way to the East.

The City's Richmond 300 Master Plan designates these parcels as Corridor Mixed Use. Such areas are "found along major commercial corridors and envisioned to provide for medium- to medium high-density pedestrian- and transit-oriented development."

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

Secondary Uses: Single-family houses, institutional, and government. (p. 60)

Currently, most nearby properties are zoned M 2 Heavy Industrial. The adjacent property to the North is currently zoned TOD-1.

FISCAL IMPACT / COST: The Department of Planning and Development Review does not anticipate any impact to the City's budget for this or future fiscal years.

FISCAL IMPLICATIONS: Staff time for processing the request; preparation of draft ordinance; and publishing, mailing and posting of public notices.

BUDGET AMENDMENT NECESSARY: No

REVENUE TO CITY: \$1,600 Application fee

DESIRED EFFECTIVE DATE: Upon adoption

REQUESTED INTRODUCTION DATE: October 11, 2021

CITY COUNCIL PUBLIC HEARING DATE: November 8, 2021

REQUESTED AGENDA: Consent

RECOMMENDED COUNCIL COMMITTEE: None

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

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

RELATIONSHIP TO EXISTING ORD. OR RES.: None

REQUIRED CHANGES TO WORK PROGRAM(S): None

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

STAFF: Jonathan Brown, Senior Planner, Land Use Administration (Room 511) 646-5734



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: 4501 E Main St Date: July 21, 2021
Tax Map #: E0000990028 Fee: \$1,600.00
Total area of affected site in acres: 1.86 AC

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

Zoning

Current Zoning: RF-2 Riverfront

Existing Use: Warehouse

Proposed Zoning/Conditional Zoning

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

Mixed Use

Existing Use: Warehouse

Is this property subject to any previous land use cases?

Yes

No



If Yes, please list the Ordinance Number: 2007-267-235

Applicant/Contact Person: Lory Markham

Company: Markham Planning

Mailing Address: 23 W Broad St

City: Richmond State: VA Zip Code: 23220

Telephone: (804) 248-2561 Fax: ()

Email: lory@markhamplanning.com

Property Owner: ROCKETTS BLOCK 8 LLC

If Business Entity, name and title of authorized signee: Jason Vickers-Smith

(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: 2701 E LUZEME ST

City: PHILADELPHIA State: PA Zip Code: 19137

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.



July 23, 2021

Mr. Kevin Vonck, Acting Director
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 4501 E Main St (Rocketts Landing Block 8)

Dear Mr. Vonck

Please accept this letter as the Applicant's Report for the request to rezone the following 1.86 acres property from the RF-2 Riverfront district to the TOD-1 Transit Oriented district:

Address	Tax Parcel ID	Acreage	Existing Zoning	Ownership
4501 E Main St	E0000990028	1.86	RF-2	CENTRAL VIRGINIA INVESTMENTS ROCKETTS LANDING LLC

With this application, the property owner is petitioning the City Council for a rezoning from the RF-2 zoning regulations in order to facilitate ongoing development that would be permitted by the regulations of the TOD-1 district. This requested rezoning is consistent with and in support of the development goals for the Rocketts Landing Neighborhood Node as detailed in the Richmond 300 Master Plan.

Property

The proposed rezoning will affect one parcel northeast of the intersection of E Main St and Old Main St in an area identified by the Richmond 300 Master Plan as the Rocketts Landing Neighborhood Node. The property totals 1.86 acres and is adjacent to a similarly sized parcel to the north that is also being currently developed by the property owner. This adjacent property was recently approved for a similar rezoning from the RF-2 to the TOD-1 District by Council on May 24, 2021. Other surrounding properties

are a mix between vacant and industrial uses, and properties along the riverfront in the City and Henrico County which have seen transformative development as part of Rocketts Landing – a project that has also been developed by the property owner.

Zoning Regulations & Background

The property is located in the RF-2 Riverfront zoning district which is intended to provide for medium scale, planned mixed-use developments on relatively large sites in close proximity to the riverfront in a manner that will protect prominent views of the James River from public spaces. This property was rezoned from the M-2 Heavy Industrial zoning district to RF-2 in 2007. At that time, the RF-2 district offered the most appropriate by-right development conditions for this property. Although not directly adjacent to the James River, the RF-2 regulations for the site require open spaces of at least 50 feet between buildings, side and rear yards of 25 feet, breaks in the portions of the building over four stories, and an inclined plane height restriction as measured from the side and rear property lines.

This application requests a rezoning to the TOD-1 zoning district to permit future development of the property the flexibility to create a high-quality urban environment consistent with the City's vision for growth along the new Pulse Bus Rapid Transit corridor as implemented by the City and GRTC in recent years. The 2017 Pulse Corridor Plan sets guidance for development along this corridor and seeks to promote pedestrian-oriented residential and commercial uses. As part of this plan's implementation, the TOD-1 district was created in order to regulate appropriate development conditions along the corridor including on E Main St.

The adopted TOD-1 regulations permit a maximum height of 12 stories, which is one story less than the maximum height permitted in RF-2. However, TOD-1 regulations do not require the additional restrictions such as the space between buildings, breaks in building portions over four stories, or the side and rear yard setbacks. For the subject property, the lack of these restrictions will allow a future development to include active uses fronting each side of existing streets and also along potential new streets to recreate the grid system. These active uses would be at the street frontage with minimal setback to allow for a parking structure to the rear. This type of a pedestrian-oriented environment is fully supported by the recommendations of both the Pulse Corridor Plan and the Richmond 300 Master Plan.

Richmond 300 Master Plan

This property is designated by Richmond 300 for 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. The Plan recommends developments of three to eight stories in height with ground floor uses that engage and enliven the street with parking located to the rear of street-facing buildings. Richmond 300 also designates the property as part of the Rocketts Landing Neighborhood Node. Nodes are places in Richmond where people and jobs are today and continue to grow into the future. Nodes are the places of convergence of many uses and include offices, shopping, housing, and/or public gathering places as well as access to multiple modes of transportation. Specifically for the property, the Plan recommends recreating the street grid in the industrial area near Nicholson Street.

In order to achieve these goals, new development in the area, especially on this underutilized property, must be encouraged provide sufficient density and mix of high quality commercial and residential uses fronting the streets. Accordingly, this requested rezoning of the property to TOD-1 regulations is consistent with the growth of the area as envisioned by the Richmond 300 Master Plan.

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 Rocketts Landing Neighborhood Node 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

Enclosures

cc: The Honorable Cynthia I. Newbille, 7th District Council Representative
Matthew Ebinger, Secretary to the City Planning Commission

Legal Description

(Per Title)

ALL that lot, piece or parcel of land, with all improvements thereon and appurtenances thereunto, if any, lying and being in the City of Richmond, Virginia, designated as Parcel B (1.855 Acres), all as more particularly described and shown on plat of survey prepared by Shadrach & Associates, Inc., dated March 23, 2020, entitled "Plat of Division of TAX PARCEL #E000-0990/019 BEING #4401 EAST MAIN STREET, CITY OF RICHMOND, VIRGINIA", a copy of which plat is attached to and recorded with that certain Deed of Subdivision in the Clerk's Office, Circuit Court, City of Richmond, Virginia as Instrument No. 200010974.

BEING the same real estate conveyed to Rocketts Block 8, LLC, a Virginia limited liability company, by Special Warranty Deed from Central Virginia Investments/Rocketts Landing, LLC, a Virginia limited liability company, dated December 30, 2020, and filed for record on December 31, 2020, as Instrument No. 200031785, in the Clerk's Office of the Circuit Court of the City of Richmond, Virginia.

(As Surveyed)

COMMENCING at the point of intersection of the southern boundary of the right of way line of Nicholson Street & the eastern boundary of the right of way line of East Main Street; Thence proceeding along the eastern boundary of the right of way line of East Main Street in a westerly direction the following six (6) courses and distances:

- 1) S 61°47'13" W 16.50 feet to a point;
- 2) Thence S 29°31'52" W 53.72 feet to a point;
- 3) Thence S 06°39'57" W 27.08 feet to a point;
- 4) Thence S 04°27'30" E 31.92 feet to a point;
- 5) Thence S 00°40'49" E 77.67 feet to a point;
- 6) Thence S 06°00'17" E 77.50 feet to a point, said point being the Actual Point and Place of Beginning;

Thence leaving the eastern boundary of the right of way line of East Main Street and proceeding in a southeasterly direction the following five (5) courses and distances:

- 1) S 89°59'11" E 354.06' feet to a point;
- 2) Thence S 03°47'02" E 2.59 feet to a point;
- 3) Thence N 85°29'27" E 18.47 feet to a point;
- 4) Thence S 06°50'09" E 20.01 feet to a point;
- 5) 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 proceeding along the northern boundary of the right of way line of East Main Street in a northwesterly direction the following five (5) courses and distances:

- 1) Along a curve to the left having a radius of 278.13 feet, a delta angle of 32°54'38" and an arc length of 159.76 feet to a point;
- 2) Thence N 70°33'22" W 101.57 feet to a point;
- 3) Thence along a curve to the right having a radius of 227.04 feet, a delta angle of 20°19'13" and an arc length of 80.52 feet to a point;
- 4) Thence along a curve to the right having a radius of 226.42 feet, a delta angle of 44°13'52" and an arc length of 174.79 feet to a point;
- 5) Thence N 06°00'17" W 21.35 feet to a point, said point being the Point and Place of Beginning, containing 1.855 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: April 6, 2021
- 2. This survey was made with the benefit of a Title Commitment issued by Fidelity National Title Insurance Company, dated effective as of March 31, 2021. (Commitment No. 533893-D-VA-CR-GRS-B).
- 3. All streets shown hereon are public.
- 4. Subject property has direct vehicular access from East Main Street.
- 5. The legal description does form a mathematically closed figure with no gaps, gores or overlaps.
- 6. Observed utilities are plotted and shown hereon. Subsurface delineation was not performed.
- 7. There were no delineated wetlands observed on site.
- 8. There was no evidence of cemeteries on the subject property.
- 9. The surveyor observed evidence of recent earth moving and demolition activity.
- 10. Surveyor is not aware of any proposed changes in the street right of way and observed no evidence of recent street or sidewalk construction or repairs.
- 11. There was no observed evidence of the site use as a solid waste dump, sump or sanitary landfill.
- 12. Subject property the same parcel as described in Title Commitment issued by Fidelity National Title Insurance Company, dated effective as of March 31, 2021.(Commitment No. 533893-D-VA-CR-GRS-B).

**Fidelity National Title Insurance Company
Schedule B - Commitment No. 533893-D-VA-CR-GRS-B**

(Referenced by corresponding number in Commitment)

- 9 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. May or may not affect, instrument not provided.
- 10 Rights of the railroad company servicing the railroad siding located on 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. Not a survey related item.
- 11 Matters shown on plat of survey prepared by Shadrach & Neal, inc., dated January 24, 2008 entitled "ALTA/ACSM LAND TITLE SURVEY SHOWING EXISTING IMPROVEMENTS TO THREE TRACTS OF LAND SITUATED AT THE NORTHEAST CORNER OF THE INTERSECTION AND SOUTHWEST CORNERS OF THE INTERSECTION OF NICHOLSON AND EAST MAIN STREETS". Remaining matters affecting the Subject Property plotted and shown hereon.
- 12 Plat of Survey prepared by Shadrach & Associates, LLC, dated June 8, 2020, entitled "ALTA/NSPS LAND TITLE SURVEY SHOWING EXISTING IMPROVEMENTS TO #4405 EAST MAIN STREET, CITY OF RICHMOND, VIRGINIA", discloses the following:
 - a. Bollards, trench drains, wooden and metal signs located throughout the insured premises;
 - b. Fences located throughout the insured premises.Remaining matters affecting the Subject Property plotted and shown hereon.
- 13 Terms, conditions, covenants, and restrictions as set forth in that certain Deed of Utility Easement by and between Rocketts Block 8, LLC, a Virginia limited liability company, Central Virginia Investments/Rocketts Landing, LLC, a Virginia limited liability company, and the City of Richmond, Virginia, filed for record on March 12, 2021, as Instrument No. 210007130, in the Clerk's Office of the Circuit Court of the City of Richmond, Virginia.

NOTE: Any covenant, condition or restriction referred to herein indicating a preference, limitation or discrimination based on race, color, religion, sex, handicap, familial status or national origin is omitted as provided in 42 U.S.C. Section 3604, unless and only to the extent that the restriction (a) is not in violation of state or federal law, (b) is exempt under 42 U.S.C. Section 3607, or (c) related to handicap, but does not discriminate against handicapped people. Utility Easement plotted and shown hereon.

Surveyor's Certificate

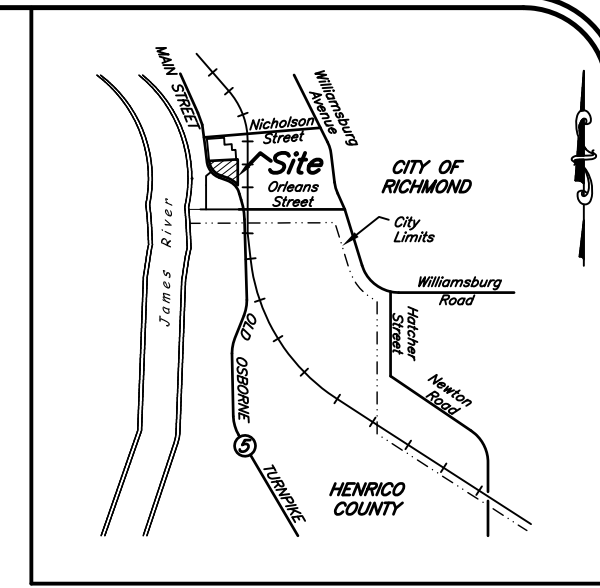
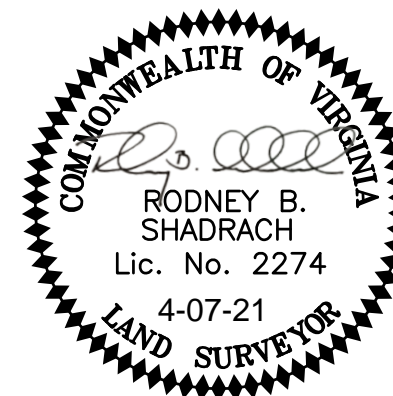
This survey is certified to and prepared for the sole and exclusive benefit of the entities and/or individuals listed below as of APRIL 7, 2021 and shall not be relied upon by any other entity or individual whomsoever.

To: ROCKETTS BLOCK 8, LLC, a Virginia limited liability company
To: ATLANTIC UNION BANK, its successors and/or assigns as their respective interests may appear
To: FIDELITY NATIONAL TITLE INSURANCE COMPANY
To: GRS TITLE SERVICES, LLC

The undersigned further certifies that this map or plat and the survey on which it is based were made in accordance with the 2021 Minimum Standard Detail Requirements for ALTA/NSPS Land Title Surveys, jointly established and adopted by ALTA and NSPS and includes items 1-4, 6(a), 6(b), 7(a), 7(c), 8, 9, 11(a), 12, 14, 16, 17, 18, and 19 of Table A thereof. The fieldwork was completed on April 6, 2021.

[Signature] 4/07/21
Rodney B. Shadrach Date
Shadrach & Associates, LLC
Va. Registered Surveyor No. 2274

I hereby certify that this ALTA 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.



1" = 2000'

Statement of Encroachments

None Found by Surveyor

Zoning

Current Zoning: RF-2 (Riverfront District)

Yard Setbacks:

Front/Street: None
Side: None, if abutting adjacent property line 25 Feet
Rear: None, if abutting adjacent property line 25 Feet

Maximum Height: 13 Stories

* ZONING TO BE VERIFIED BY ZONING CONFIRMATION LETTER

Parking

No Delineated Spaces

For further clarification of Zoning Requirements - Contact:
Zoning Division - Planning and Development Review
900 E. Broad St., Room 110
Richmond, Virginia 23219
(804) 646-6340

Flood Certification

I have examined the Flood Insurance Rate Map for the City of Richmond, Virginia, Community Panel No. 510129-0043-E, effective July 16, 2014, and hereby certify to the best of my professional knowledge and belief that the property is located within the limits of the 100 Year Flood Plain Boundary as defined by National Flood Insurance Program, Federal Emergency Management Agency, Department of Housing and Urban Development. The approximate location of the floodplain lines are shown hereon. Areas Marked Zone X* are designated as 0.2% Chance Annual Flood Hazard. Areas Marked Zone AE are designated as 1.0% Chance Annual Flood Hazard. Areas marked Zone X are designated as Area of Minimal Flood Hazard.

LEGAL REFERENCE

Rocketts Block 8, LLC
Instrument #20-31785
Parcel ID #E000-0990/028
#4501 East Main Street

ALTA/NSPS LAND TITLE SURVEY
SHOWING EXISTING IMPROVEMENTS
TO #4405 EAST MAIN STREET
CITY OF RICHMOND, VIRGINIA
DATE: APRIL 7, 2021

Scale: 1"=50'

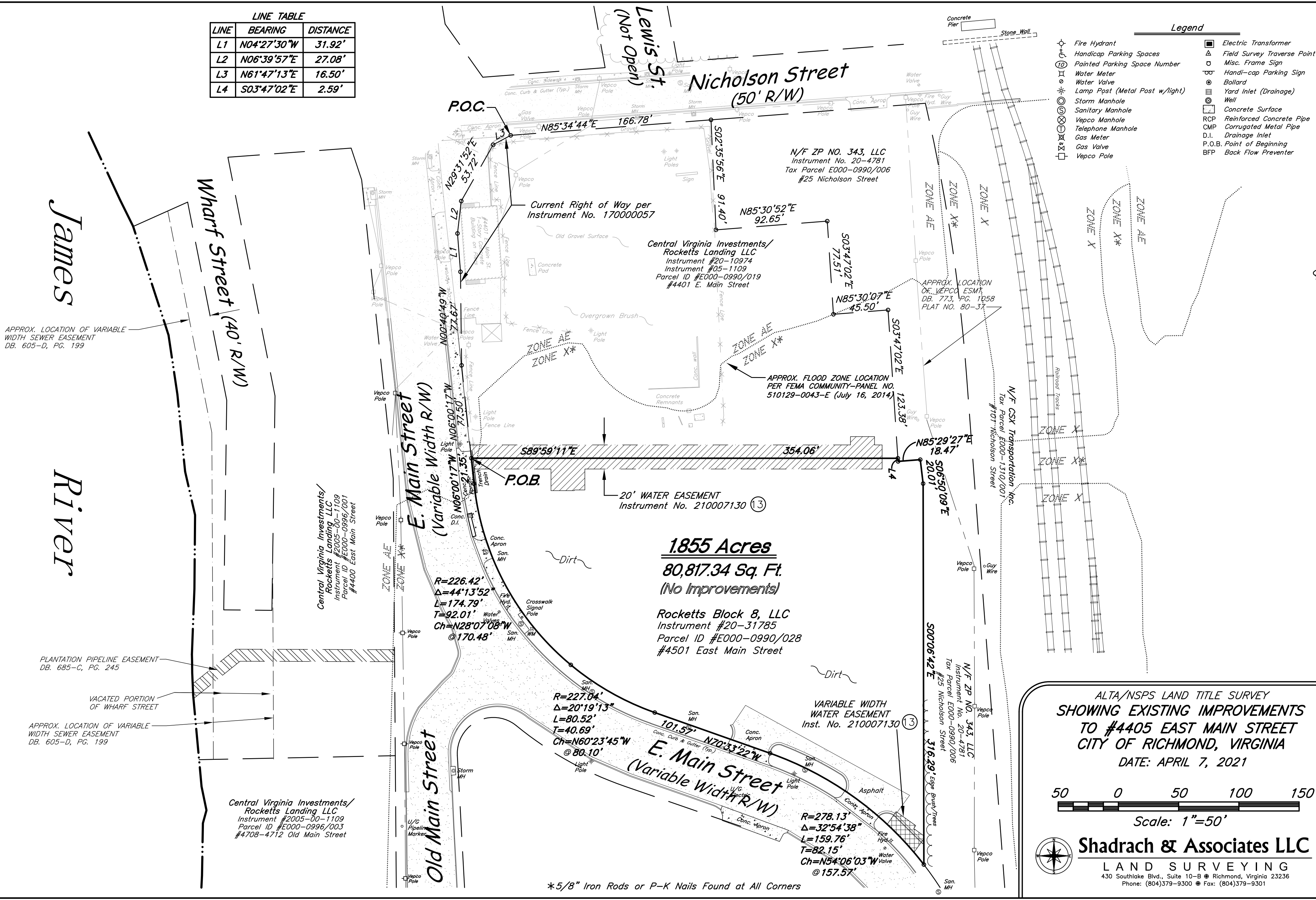


Shadrach & Associates LLC

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

LINE	BEARING	DISTANCE
L1	N04°27'30"W	31.92'
L2	N06°39'57"E	27.08'
L3	N61°47'13"E	16.50'
L4	S03°47'02"E	2.59'

- Legend**
- Fire Hydrant
 - Handicap Parking Spaces
 - ⑩ Painted Parking Space Number
 - Water Meter
 - Water Valve
 - Lamp Post (Metal Post w/light)
 - Storm Manhole
 - Sanitary Manhole
 - Vepco Manhole
 - Telephone Manhole
 - Gas Meter
 - Gas Valve
 - Vepco Pole
 - Electric Transformer
 - △ Field Survey Traverse Point
 - Misc. Frame Sign
 - Handicap Parking Sign
 - Bollard
 - Yard Inlet (Drainage)
 - Well
 - Concrete Surface
 - RCP
 - CMP
 - D.I.
 - P.O.B. Point of Beginning
 - BFP Back Flow Preventer



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

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

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

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

R=226.42'
Δ=44°13'52"
L=174.79'
T=92.01'
Ch=N28°07'08"W
@ 170.48'

R=227.04'
Δ=20°19'13"
L=80.52'
T=40.69'
Ch=N60°23'45"W
@ 80.10'

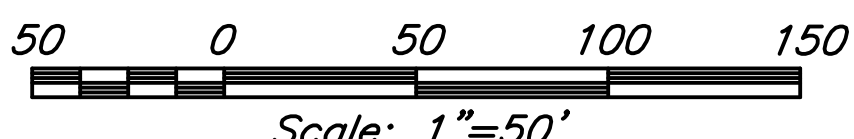
R=278.13'
Δ=32°54'38"
L=159.76'
T=82.15'
Ch=N5°46'03"W
@ 157.57'

*5/8" Iron Rods or P-K Nails Found at All Corners

1.855 Acres
80,817.34 Sq. Ft.
(No Improvements)

Rocketts Block 8, LLC
Instrument #20-31785
Parcel ID #E000-0990/028
#4501 East Main Street

ALTA/NSPS LAND TITLE SURVEY
SHOWING EXISTING IMPROVEMENTS
TO #4405 EAST MAIN STREET
CITY OF RICHMOND, VIRGINIA
DATE: APRIL 7, 2021



Shadrach & Associates LLC
LAND SURVEYING
430 Southlake Blvd., Suite 10-B • Richmond, Virginia 23236
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