

INTRODUCED: April 26, 2021

AN ORDINANCE No. 2021-116

To rezone the property known as 4401 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: MAY 24 2021 AT 6 P.M

THE CITY OF RICHMOND HEREBY ORDAINS:

§ 1. That, as shown on the survey entitled “Plat of Division of Tax Parcel #E000-0990/019, Being #4401 East Main Street, City of Richmond, Virginia,” prepared by Shadrach & Associates LLC, and dated March 23, 2020, a copy of which is attached to, incorporated into, and made a part of this ordinance, the property known as 4401 East Main Street, with Tax Parcel No. E000-0990/019 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 to the provisions of

AYES:            8            NOES:            0            ABSTAIN: \_\_\_\_\_

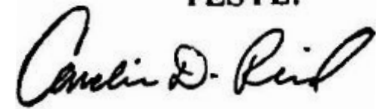
ADOPTED:    MAY 24 2021    REJECTED: \_\_\_\_\_    STRICKEN: \_\_\_\_\_

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:**

A handwritten signature in black ink that reads "Amelia D. Reed". The signature is written in a cursive style with a large initial 'A'.

**City Clerk**

# City of Richmond

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

## Item Request

File Number: PRE.2021.586

### O & R Request

**DATE:** March 26, 2021

**EDITION:** 1

**TO:** The Honorable Members of City Council

**THROUGH:** The Honorable Levar M. Stoney, Mayor (Patron: Mayor, by Request)  
(This is no way reflects a recommendation on behalf of the Mayor.)



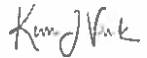
**THROUGH:** J. E. Lincoln Saunders, Acting Chief Administrative Officer



**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 4401 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 4401 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 TOD-1 Transit-Oriented Nodal District, which allows for dense, walkable transit-oriented mixed-use development whereas the current RF-2 Riverfront District has yard and open space requirements that significantly restrict the buildable area on the property.

**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 May 17, 2021, meeting.

**BACKGROUND:** The proposed rezoning would include a single parcel of land located at the southeast corner of East Main Street and Nicholson Street. The total land area of the parcel is 81,173 square feet, or 1.86 acres. The property contains a one-story office trailer on stilts, with parking underneath.

The Richmond 300 Master Plan recommends a future land use of “Corridor Mixed-Use” for the property and also places the property within the vicinity of the Rocketts Landing Priority Grown Node. The primary uses envisioned for Corridor Mixed-Use are retail/office/personal service, multi-family residential, cultural, and open space. Secondary uses are single-family houses, institutional and government uses. The development style envisioned varies depending on historic densities and neighborhood characteristics. Future development should generally complement the existing context. New developments continue or introduce a gridded street pattern to increase connectivity. Ground floor uses are envisioned to engage with and enliven the street through windows, doors, storefronts and other features that allow transparency and interaction between building and street. The recommended intensity is generally two to ten stories, based on street widths and historic context and stepping down in height adjacent to residential areas. New buildings taller than the existing context should step back from the build-to line after matching the height of the predominant cornice line of the block. Pedestrian, bicycle and transit access must be prioritized.

The Rocketts Landing Priority Grown Node is envisioned as being a dense, walkable destination for workers, residents and visitors, particularly in and around the Pulse stations. The area around the terminus of the Pulse is envisioned to become a major mixed-use area featuring active ground floor uses and a walkable environment.

The property is currently located in the RF-2 Riverfront District, which permits commercial and residential uses. Auto-oriented uses including auto repair and sales, drive-up facilities, and fuel dispensing are not permitted under the current RF-2 Riverfront District.

Properties to the north and west are located within the M-2 Heavy Industrial District. The property to the east is located within the B-7 Mixed-Use Business District. The property to the south is also located within the RF-2 Riverfront District. The property is located at the northern edge of the Rocketts Landing development, which is a dense mixed-use community that is in both the City of Richmond and Henrico County. Directly to the east of the property is a vacant piece of property that was recently rezoned, conditionally, from M-1 Light Industrial to B-7 Mixed-Use Business to allow for the construction of a five-story mixed use building. To the west is a one-story office building and volleyball courts that is planned for future commercial development in the Rocketts Landing Master Plan. To the north is vacant property owned by the applicant and a parking area owned by the City of Richmond Economic Development Authority that serves Stone Brewery.

**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:** \$1,800 application fee

**DESIRED EFFECTIVE DATE:** Upon Adoption

**REQUESTED INTRODUCTION DATE:** April 26, 2021

**CITY COUNCIL PUBLIC HEARING DATE:** May 24, 2021

**REQUESTED AGENDA:** Consent

**RECOMMENDED COUNCIL COMMITTEE:** None

**CONSIDERATION BY OTHER GOVERNMENTAL ENTITIES:** City Planning Commission  
May 17, 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:** Application Form, Applicant's Report, Draft Ordinance, Survey, Map

**STAFF:** Richard Saunders, Senior Planner  
Land Use Administration (Room 511) 646-5648



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: 4401 E Main St Date: February 1, 2021  
Tax Map #: E0000990019 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:** CENTRAL VIRGINIA INVESTMENTS ROCKETTS LANDING LLC  
If Business Entity, name and title of authorized signee: ~~Richard Gorder~~ 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: ~~PO BOX 8829~~ 301 S 11<sup>th</sup> Street, Unit 2000  
City: RICHMOND State: VA Zip Code: ~~23225-8829~~ 23219  
Telephone: ( ) Fax: ( )  
Email: JVE@NIVS.COMPENIES.COM

**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.



February 2, 2021

Mr. Kevin Vonck, Acting Director  
Department of Planning & Development Review  
900 East Broad Street, Suite 511  
Richmond, VA 23219  
[kevin.vonck@richmondgov.com](mailto:kevin.vonck@richmondgov.com)

RE: Applicant's Report for Rezoning of 4401 E Main St (Rocketts Landing Block 6)

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
4401 E Main St	E0000990019	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 future 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 at the southeast corner of the intersection of E Main St and Nicholson 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 south that is also being currently developed by the property owner. 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](mailto: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, 7<sup>th</sup> District Council Representative  
Matthew Ebinger, Secretary to the City Planning Commission

I hereby certify that this boundary survey is the best of my professional knowledge and skill, is correct and complies with the State Board of Architects Professional Engineers, Land Surveyors, and Certified Landscape Architects.



THE PURPOSE OF THIS PLAT IS TO SPLIT TAX PARCEL #E000-0990/019 INTO TWO TAX PARCELS

PLAT OF DIVISION OF TAX PARCEL #E000-0990/019 BEING #4401 EAST MAIN STREET CITY OF RICHMOND, VIRGINIA  
DATE: MARCH 23, 2020  
Scale: 1"=50'  
Shadrach & Associates LLC  
LAND SURVEYING  
128 West Main Street, Richmond, VA 23220  
Phone: (804)771-1200 • Fax: (804)771-2881

