

INTRODUCED: May 11, 2020

AN ORDINANCE No. 2020-123

To rezone the properties known as 400 Maury Street and 418 Maury Street from the M-2 Heavy Industrial District to the TOD-1 Transit-Oriented Nodal District and the property known as 401 Maury Street from the B-7 Mixed-Use Business 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: JUN 8 2020 AT 6 P.M.

THE CITY OF RICHMOND HEREBY ORDAINS:

§ 1. That, as shown on the plat entitled “Compiled Plat of 3 Parcels of Land Containing 4.007 Acres of [sic] Situated on the North and South Side of Maury Street, Manchester District, City of Richmond, Virginia,” prepared by Townes Site Engineering, and dated November 27, 2019, a copy of which is attached to, incorporated into, and made a part of this ordinance, the following properties, with tax parcel numbers as shown in the 2020 records of the City Assessor, are excluded from the from the M-2 Heavy Industrial District and shall no longer be subject to the provisions of sections 30-454.1 through 30-454.6 of the Code of the City of Richmond (2015), as amended, and that the same are included in the TOD-1 Transit-Oriented

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

ADOPTED:    JUN 8 2020    REJECTED: \_\_\_\_\_    STRICKEN: \_\_\_\_\_

Nodal District and shall be subject 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 (2015), as amended:

400 Maury Street  
418 Maury Street

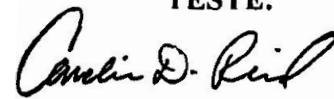
Tax Parcel No. S000-0219/002  
Tax Parcel No. S000-0219/001

§ 2. That, as shown on the plat entitled “Compiled Plat of 3 Parcels of Land Containing 4.007 Acres of [sic] Situated on the North and South Side of Maury Street, Manchester District, City of Richmond, Virginia,” prepared by Townes Site Engineering, and dated November 27, 2019, a copy of which is attached to, incorporated into, and made a part of this ordinance, the property known as 401 Maury Street with Tax Parcel No. S000-0178/001 as shown in the 2020 records of the City Assessor, is excluded from the B-7 Mixed-Use Business District and shall no longer be subject to the provisions of sections 30-446.1 through 30-446.8 of the Code of the City of Richmond (2015), as amended, and that the same is included in the TOD-1 Transit-Oriented Nodal District and shall be subject 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 (2015), as amended.

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

**A TRUE COPY:**

**TESTE:**



**City Clerk**

# City of Richmond

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

## Item Request

File Number: PRE.2020.002

### O & R REQUEST

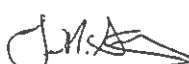
2020-022  
FEB 12 2020

### O & R Request

Office of the  
Chief Administrative Officer


**DATE:** February 10, 2020

**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.)  5/7/2020

**THROUGH:** Lenora G. Reid, Acting Chief Administrative Officer 

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

**FROM:** Mark A. Olinger, Director, Department of Planning and Development Review 

**RE:** To rezone the properties known as 400, 401, and 418 Maury Street from the M-2 Heavy Industrial District, and the B-7 Mixed-Use Business District, to the TOD-1 Transit Oriented Nodal District.

**ORD. OR RES. No.** \_\_\_\_\_

**PURPOSE:** To rezone the properties known as 400, 401, and 418 Maury Street from the M-2 Heavy Industrial District, and the B-7 Mixed-Use Business District, to the TOD-1 Transit Oriented Nodal District.

**REASON:** The applicant has requested to rezone the aforementioned properties for future infill development that follows the TOD-1 Transit Oriented Nodal District zoning requirements.

**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 April 6, 2020, meeting. A letter outlining the Commission's recommendation will be forwarded to City Council following that meeting.

**BACKGROUND:** The subject property consists of a three unimproved parcels together totaling 174,724 SF, or approximately 4 acres, and are a part of the Old Town Manchester neighborhood in the City's Old South Planning District, at the corner of Maury and 5<sup>th</sup> Street.

The City of Richmond's current Master Plan designates the two smaller parcels, 401 and 418 Maury Street, in the southern portion of subject properties for Industrial uses (IND). The plan calls for Primary uses include a wide variety of manufacturing, processing, research and development, warehousing, distribution, office, warehouse and service uses. Office, retail and other uses that complement industrial areas are often secondary support uses. The mix of industrial uses and character of such areas may vary depending on the location and available highway access. Typical zoning classifications that may accommodate this land use category: OS, M-1, and M-2.

The larger parcel, at 401 Maury Street, towards the north is within the Master Plan's Downtown Urban Center Area designation which is characterized by higher density, mixed-use development, typically arranged on a fine-grained street network, with wide sidewalks, regular tree planting, and minimal setbacks.

400 and 418 Maury Street are currently zoned M-2 Heavy Industrial and 401 Maury Street is zoned B-7 Mixed-Use Business, as are surrounding parcels to the West. A mix of commercial, residential, and industrial land uses are present in the area. The property is flanked by Interstate 95 access to the east and the rapidly developing Manchester neighborhood to the west.

**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:** March 9, 2020

**CITY COUNCIL PUBLIC HEARING DATE:** April 13, 2020

**REQUESTED AGENDA:** Consent

**RECOMMENDED COUNCIL COMMITTEE:** None

**CONSIDERATION BY OTHER GOVERNMENTAL ENTITIES:** City Planning Commission  
April 6, 2020

**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:** Jonathan Brown, Senior Planner  
Land Use Administration (Room 511) 804-646-5734



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.richmond.gov/>

**Project Name/Location**

Property Address: 400 and 418 Maury Street and 401 Maury Street Date: \_\_\_\_\_

Tax Map #: S0000219-001 and 002\* Fee: \$1800.00 Amended to \$1,800.00

Total area of affected site in acres: \_\_\_\_\_  
\*S0000178-001

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

**Zoning**

Current Zoning: M-2 (S-219-1 & 2) B-7 (S-178-1)

Existing Use: Vacant Land

**Proposed Zoning/Conditional Zoning**

(Please include a detailed description of the proposed use and proffers in the required applicant's report)  
**TOD-1**

Existing Use: Vacant Land

Is this property subject to any previous land use cases?

Yes

No

If Yes, please list the Ordinance Number: \_\_\_\_\_

**Applicant/Contact Person:** Representative - Jeffrey P. Geiger

Company: Hirschler

Mailing Address: P.O. Box 500

City: Richmond State: VA Zip Code: 23218

Telephone: (804) 771-9557 Fax: (804) 644-0957

Email: jgeiger@hirschlerlaw.com

**Property Owner:** Shield Exit Ramp LLC

If Business Entity, name and title of authorized signer: Christian E. Shield

(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: 1516 Willow Lawn Drive

City: Richmond State: VA Zip Code: 23230

Telephone: (804) 730-7314 Fax: ( )

Email: CHarless@united-leasing.com

**Property Owner Signature:** \_\_\_\_\_

Jeffrey P. Geiger - Representative

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.

Jeffrey P. Geiger  
D: 804 771 9557  
jgeiger@hirschlerlaw.com

Hirschler Fleischer | hirschlerlaw.com  
2100 East Cary Street | Richmond, VA 23223  
P: 804.771 9500 | F: 804 644 0957

December 5, 2019

**BY HAND**

Mr. Jonathan W. Brown  
Senior Planner  
Land Use Administration  
ADU Program Manager  
900 East Broad Street, Suite 511  
Richmond, Virginia 23219

**RE: Rezoning approximately 3.35 acres at the intersection of Maury Street and East 4<sup>th</sup> Street, being Map Reference Numbers S0000219-001, S0000219-002 and S0000178-001.**

Dear Jonathan,

On October 29, 2019, on behalf of our client, Shield Exit Ramp LLC, (the "Applicant"), we submitted a rezoning application for approximately 1.3 acres at Maury and East 4<sup>th</sup> Street. The Applicant would now like to amend the original application to include the parcel shown on the City's tax map as #S0000178-001. This parcel adds an additional 2.004 acres to the rezoning request. The change in the acreage amount is the only change to the original submission.

Please find enclosed the following regarding the above-captioned matter:

- Power of Attorney for the additional parcel;
- Revised application;
- Revised Applicant's Report and redline of same;
- Revised survey;
- Check from Hirschler payable to the City of Richmond in the amount \$200.00 for the additional application fees.

We look forward to working with you on this matter. Should you have any questions, please do not hesitate to contact me.

December 5, 2019  
Page 2

Sincerely yours,

A handwritten signature in black ink, appearing to be 'JG', written in a cursive style.

Jeffrey P. Geiger

/ss

Enclosures

cc: C. Brandon Spaulding, Esq. (via email)

## **SHIELD EXIT RAMP, LLC'S, APPLICANT'S REPORT**

### **1. REZONING REQUEST.**

Shield Exit Ramp, LLC (the "Applicant") desires to implement the vision of Richmond 300 (the "Master Plan") at the Maury Street gateway off of Interstate 95. The Applicant desires to rezone to the TOD-1 zoning district approximately 3.35 acres located on both sides of Maury Street at the East 4<sup>th</sup> Street intersection (collectively, the "Property") in the City of Richmond, Virginia (the "City"). The subject Property is shown on the City's tax map as #S0000219001, #S0000219002 (#S0000219001 and #S0000219002 are, collectively, "418 Maury St."), and "#S0000178001" (individually, "401 Maury St."). The Master Plan designates this Property as Nodal Mixed Use and the Applicant understands that TOD-1 is an appropriate rezoning for the Nodal Mixed Use designation.

### **2. DEVELOPMENT PROPOSAL.**

The Applicant shares the Master Plan's vision of using the properties at the end of the Maury Street interchange to create a gateway neighborhood for the City, attracting visitors, consumers and businesses from Interstate 95. The Applicant believes the capital investment market will be attracted to TOD-1 zoned land at this location. Granting this rezoning request will allow the Applicant to attract investment into, and development of, these underutilized parcels within the confines of the form-based requirements of the TOD-1 zoning district. The rezoning of this Property will serve as a catalyst for mixed-use, dense, walkable development that will lead to the transformation of this area into a neighborhood with active streets lined with craft restaurants, craft breweries, office, retail, cultural, and multi-family residential uses.

The City realized the economic benefits of by-right zoning with its blanket rezoning efforts in Scott's Addition and other parts of the City. Investment capital was attracted to the City, economic development expanded and aging areas of the City have been rejuvenated with new lifestyle neighborhoods. New business are opening up offices in the City and the City's population is growing, providing the workforce necessary to continue the expansion of the City's commercial economy.

Through the rezoning process, the Applicant would appreciate receiving from staff confirmation that the TOD-1 district is appropriate for the Nodal Mixed Use designation and comments from staff that would guide the Applicant's development of a site plan post-rezoning.

### **3. EXISTING PROPERTY CONDITIONS.**

418 Maury St. is currently zoned M-2 heavy industrial. 418 Maury St. is unimproved, except for temporary work trailers. 418 Maury St. has been operated in the past for storage uses.



401 Maury St. is currently zoned B-7 mixed-use business. 401 Maury St. is unimproved, except for temporary sheds and temporary storage containers. 401 Maury St. has been operated in the past for storage uses.

Neighboring properties include a mixture of uses. The Property shares a border with another vacant lot abutting Albany Avenue, a metal works company and a small gas station along 5<sup>th</sup> Street, and a towing and recovery company along 4<sup>th</sup> street. Within 3 blocks of the Property there are four apartment complexes.

#### **4. ECONOMIC DEVELOPMENT.**

Rezoning this Property to TOD-1 would allow the City to leverage this underutilized tract of land for new economic development at a key gateway into the City.

The project will be a catalyst for the new investment and economic growth envisioned within the Master Plan for this area. This catalyst will come without the need for new infrastructure spending by the City. Attracting capital to develop this Property will create new jobs in this area of the City and provide new consumer dollars for the local businesses. The development of this Property will also bring new residents and consumers to further stimulate economic growth.

#### **5. MASTER PLAN.**

##### *a. Follows the City's Master Plan.*

The City's Master Plan recognizes the potential for this Property by designating it as a Nodal Mixed Use Area. As a Nodal Mixed Use Area this Property has been identified by the City as appropriate for higher density pedestrian and transit oriented development. Rezoning this Property to TOD-1 follows the plan for this Property set out in the Master Plan.

##### *b. Meets the Goals of the City's Master Plan.*

Granting the requested rezoning will also address other goals the City has espoused in its Master Plan. The TOD-1 zoning will provide a unique opportunity in this area for new, high-quality development that will enhance the public realm and create a sense of place to encourage other adjacent vacant and underutilized property to redevelop consistent with the Master Plan. The tremendous success of Scott's Addition and other areas of the City shows how granting by-right zoning leads to attracting capital investment into the City and the expansion of tax revenue for the City.

## 6. CONCLUSION.

Currently, the Property is vacant, underutilized, and ripe for development as high-density mixed use that will stimulate additional development within this gateway to the City. The City's Master Plan's designation recognizes and promotes this potential.

Approval of this rezoning request will allow for significant investment into the Property. This new investment will continue the success the City has realized through its creation of by-right opportunities. These by-right opportunities are attracting new business, consumers and residents to the City and expanding the City's commercial economy and revenue. These new revenues from by-right economic development opportunities will be instrumental in funding the City's public schools and other infrastructure for the years to come.

**SPECIAL LIMITED POWER OF ATTORNEY**

KNOW ALL MEN BY THESE PRESENTS:

1. That I, Christian E. Shield,

(Telephone) (804) 78-7914, (Address) 1616 Willow Lawn Drive, Richmond, VA 23280  
as owner of the property described as:

2. Parcels: S0090178-001

and authorized to take such action, do hereby make, constitute and appoint:

Jeffrey P. Gaigar, James W. Theobald

3. (Name) either of whom may act (Telephone) 771-9557 and 771-9518  
(Address) Hirschler Fleischer, P. O. Box 500, Richmond, VA 23218-0500

to act as my true and lawful attorney-in-fact for and in my name, place and stead with full power and authority I would have if acting personally to seek site plan approval, subdivision approval, rezoning, conditional use, special use permit and/or special exception, and to set forth and offer such legally acceptable voluntarily proffered conditions including any additions, amendments, modifications or deletions thereto that in his discretion are deemed reasonable, appropriate and necessary.

4. In witness thereof, I have hereto set my hand and seal this 5 day of December 2019.

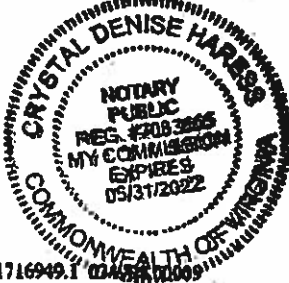
SHIELD EXIT RAMP LLC  
a Virginia limited liability company

By: [Signature]  
Name: Christian E. Shield  
Title: Manager

STATE Of Virginia, Unknown, to-wit:  
CITY/COUNTY OF Unknown

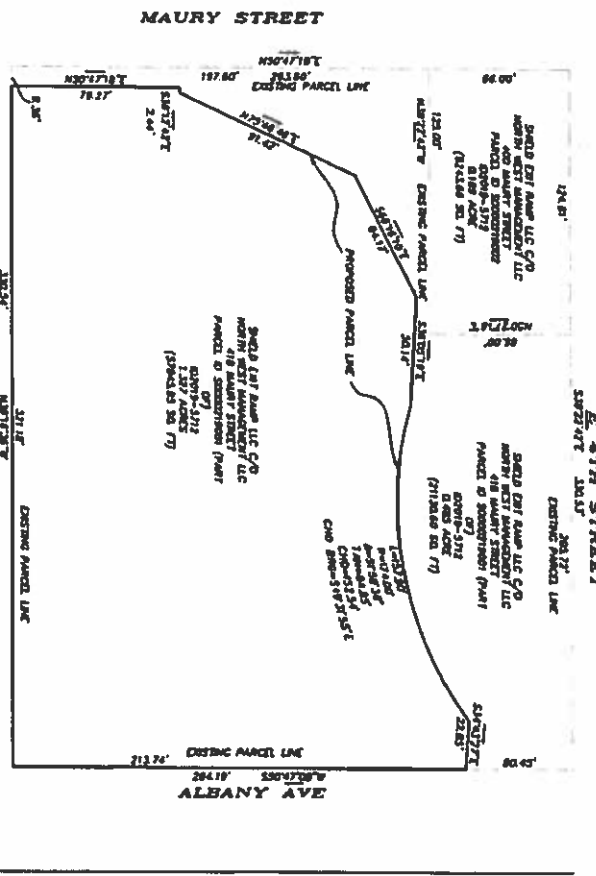
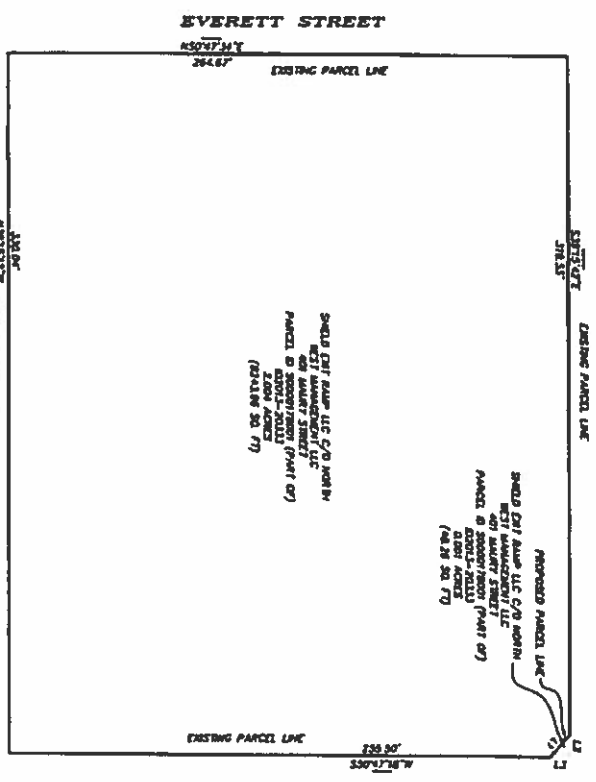
The foregoing Power of Attorney was acknowledged before me in my jurisdiction aforesaid by Christian E. Shield as manager of Shield Exit Ramp LLC, a Virginia limited liability company, this 5 day of December, 2019.

My commission expires: 5-31-2022  
My notary registration number is: 7083405

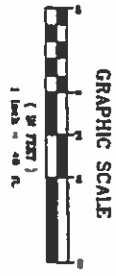


Crystal Denise Hares  
Notary Public

LINE	LENGTH	BEARING
L1	13.84'	N82°17'36"E
L2	10.43'	S89°15'42"E
L3	8.27'	S50°17'39"W



EXISTING PARCEL LINES PER CITY  
OF ROCKHOLD BASILINE MAP 118  
PROPOSED PARCEL LINES PER  
UNOFFICIAL RECORDS PROJECT  
0001-17-0712-101-10-20-20-20  
NO FIELD WORK WAS PERFORMED BY THE  
ENGINEER. THE ENGINEER HAS REVIEWED  
THE RECORDS AND PROJECT PROPERTY LINES  
MATCH FROM PLATS AND PLANS OF RECORD.  
THIS SUBJECT IS SUBJECT TO ANY  
FUTURE RECORDS AND OTHER  
RECORDS THAT MAY BE FILED.  
NO ENCUMBRANCES SHOWN.  
THIS SUBJECT LINES HAVE FOR THE PURPOSE  
OF BEING USED AS A BASIS FOR THE  
DRAFTING OF THIS PLAN. THE ENGINEER  
HAS REVIEWED THE RECORDS AND  
ENCUMBRANCES, FEATURES SUCH AS UTILITIES  
OR ENCUMBRANCES, WHICH ARE ENVIRONMENTAL  
OR REGULATORY, SHALL BE SHOWN.



COMPILED PLAT  
OF  
3 PARCELS OF LAND CONTAINING 4.007  
ACRES OF SITUATED  
ON THE NORTH AND SOUTHWEST CORNER  
OF  
MAURY STREET  
CITY OF ROCKHOLD, VIRGINIA  
SCALE 1" = 40'  
NOVEMBER 27, 2019  
**Townes**  
SITE ENGINEERING  
1 PARK WEST CIRCLE, SUITE 100  
ROCKHOLD, VIRGINIA 23114  
PHONE: (804) 748-8011 FAX: (804) 748-2590  
CHECKED BY: \_\_\_\_\_