

INTRODUCED: April 8, 2019

AN ORDINANCE No. 2019-109

To rezone the property known as 1403 Roseneath Road 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: MAY 13 2019 AT 6 P.M.

THE CITY OF RICHMOND HEREBY ORDAINS:

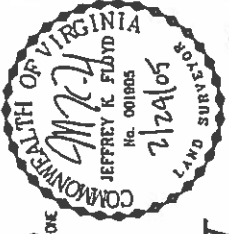
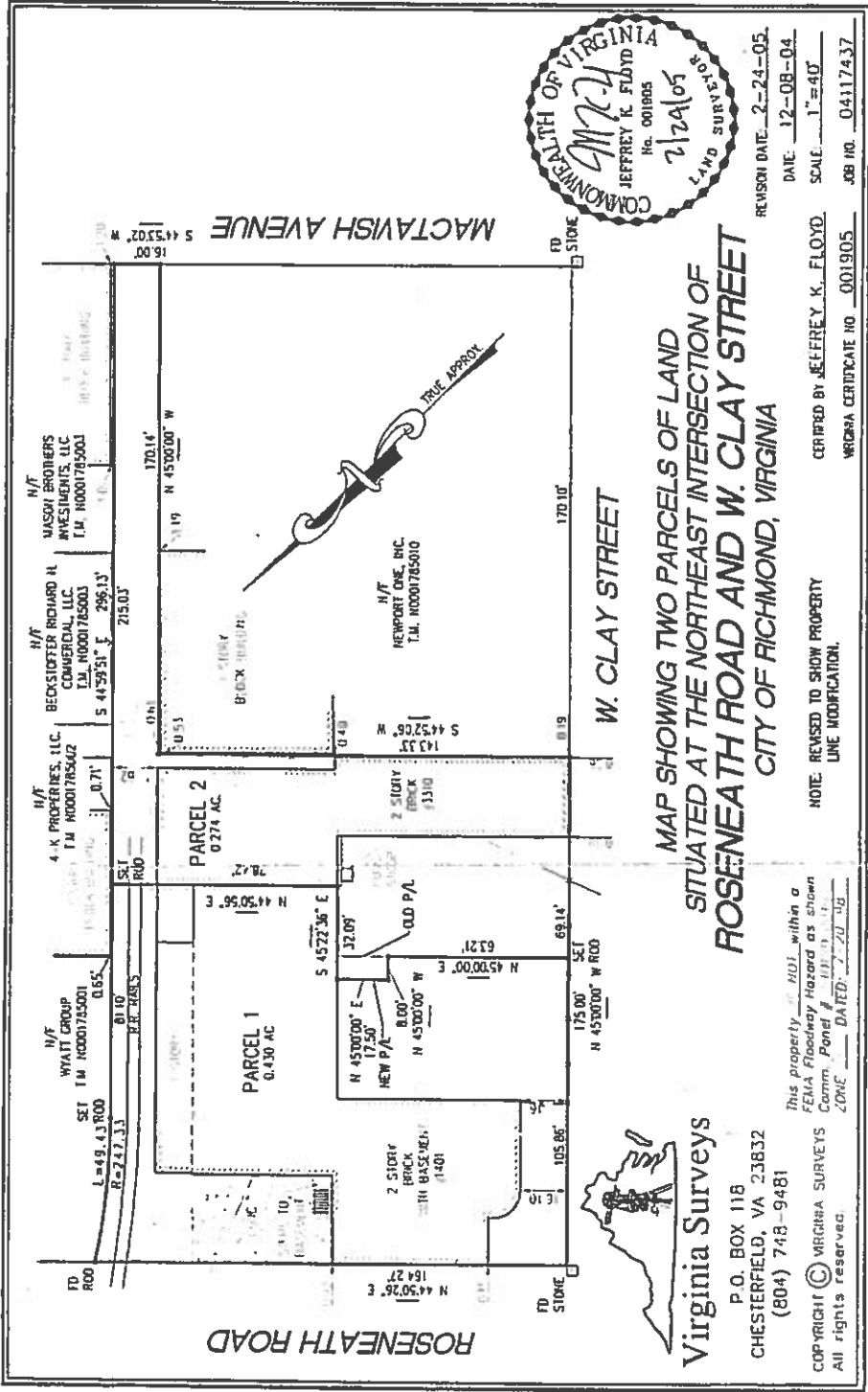
§ 1. That, as shown on the map entitled “Map Showing Two Parcels of Land Situated at the Northeast Intersection of Roseneath Road and W. Clay Street, City of Richmond, Virginia,” prepared by Virginia Surveys, dated December 8, 2004, and last revised February 24, 2005, a copy of which is attached to, incorporated into, and made a part of this ordinance, the property known as 1403 Roseneath Road, with Tax Parcel No. N000-1785/005 as shown in the 2019 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-

AYES: 9 NOES: 0 ABSTAIN: _____

ADOPTED: MAY 13 2019 REJECTED: _____ STRICKEN: _____

457.10 and all other applicable provisions of Chapter 30 of the Code of the City of Richmond (2015), as amended.

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



**MAP SHOWING TWO PARCELS OF LAND
SITUATED AT THE NORTHEAST INTERSECTION OF
ROSENEATH ROAD AND W. CLAY STREET
CITY OF RICHMOND, VIRGINIA**

Virginia Surveys
P.O. BOX 118
CHESTERFIELD, VA 23832
(804) 748-9481

NOTE: REVISED TO SHOW PROPERTY LINE MODIFICATION.

REVISION DATE: 2-24-05
DATE: 12-08-04
SCALE: 1" = 40'
JOB NO.: 04117437

This property is within a FEMA Floodway Hazard as shown on Comm. Panel # 173-1-13-13
ZONE DATED: 7-20-10

168.1009 - Jeff Floyd
768.59159 -



City of Richmond

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

Item Request

File Number: PRE.2019.057

~~O & R REQUEST~~

4-8669
MAR 13 2019

Office of the
Chief Administrative Officer

O & R Request

REC'D VIEW

EDITION MAR 29 2019

DATE: March 11, 2019

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)

OFFICE OF CITY ATTORNEY

3/29/19

THROUGH: Selena Cuffee-Glenn Chief Administrative Officer 

THROUGH: Douglas C. Dunlap, Interim Deputy Chief Administrative Officer for Economic
Development and Planning 

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

RE: To rezone the property known as 1403 Roseneath Road from the B-7 Mixed-Use Business
District to the TOD-1 Transit Oriented Nodal District.

ORD. OR RES. No. _____

PURPOSE: To rezone the property known as 1403 Roseneath Road from the B-7 Mixed-Use Business
District to the TOD-1 Transit Oriented Nodal District.

REASON: The applicant is requesting to rezone the .433 acre parcel from the B-7 Mixed-Use Business District
to the TOD-1 Transit Oriented Nodal District to enable the expansion of permitted uses on the site without the
requirement of additional on-site parking

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 6, 2019, meeting. A letter outlining the
Commission's recommendation will be forwarded to City Council following that meeting.

BACKGROUND: The subject property consists of a .433 acre parcel located in the Scott's Addition
neighborhood of the Near West Planning District. This mixed-use property houses a vacant restaurant with a
legally nonconforming nightclub containing 7,784 square feet of floor space on the ground floor. The second
floor contains 3,352 square feet of general office space. Surface parking for both uses is located along Roseneath
Road and West Clay Street.

The B-7 Mixed-Use Business Zoning District allows office and restaurants as permitted uses. Based on the stated square footage of the restaurant, 18 parking spaces must be provided for the restaurant use. The site provides 14 spaces thus making the restaurant a legally non-conforming use. Should the proprietor wishes to provide outdoor seating, the off-site parking requirement would increase proportional to the size of the outdoor seating area. The TOD-1 Transit Nodal Zoning District has no on-site parking requirement. The current restaurant and office areas would be a permitted use as would a proposed outdoor seating area.

The Pulse Corridor Plan designates the subject property for Industrial Mixed-Use land use. "Industrial Mixed-use areas are traditionally industrial areas that are transitioning to mixed-use due to their proximity to growing neighborhoods, but still retain industrial uses...Primary Uses [include] industrial, multi-family residential, office, retail, and personal service [uses] (p. XII).

More specifically, the subject property is within the Cleveland Station Area. According to the Pulse Plan, the Cleveland Station vision is as follows: the "area unifies two vibrant, distinct, pedestrian-oriented neighborhoods by maximizing the potential of under-utilized parcels and supporting new forms of development that are walkable, dense, and mixed-use. Scott's Addition continues its evolution as a mixed-use neighborhood, and W. Broad Street transforms into a high quality urban avenue that is safe to cross, while becoming a destination in its own right for residential, office, retail and compatible entertainment uses." Also, "the Industrial Mixed-Uses in Scott's Addition accommodate the emerging residential, office, and retail uses alongside the established and emerging light industrial uses" (p. 54).

Across Roseneath Road to the northwest are the Scott's View apartments currently under construction on property located in the TOD-1 Transit Nodal Zoning District. To the south, across W. Clay Street is Golden's Auto Body and Paint shop. Abutting to the northeast is a paved parking lot. Abutting to the southeast is an office-warehouse use. These properties are located in the B-7 Mixed-Use Business Zoning District.

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: \$1,500 application fee

DESIRED EFFECTIVE DATE: Upon adoption

REQUESTED INTRODUCTION DATE: April 8, 2019

CITY COUNCIL PUBLIC HEARING DATE: May 13, 2019

REQUESTED AGENDA: Consent

RECOMMENDED COUNCIL COMMITTEE: None

CONSIDERATION BY OTHER GOVERNMENTAL ENTITIES: City Planning Commission,
May 6, 2019

AFFECTED AGENCIES: Office of Chief Administrative Officer
Law Department (for review of draft ordinance)
City Assessor (for preparation of mailing labels for public notice)

RELATIONSHIP TO EXISTING ORD. OR RES.: None

REQUIRED CHANGES TO WORK PROGRAM(S): None

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

STAFF: David Watson, Senior Planner
Land Use Administration, 804-646-1036



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/>

R2011-046737-2018

Project Name/Location

Property Address: 1403 Roseneath Rd, Richmond, VA 23230 Date: 12.18.18
Tax Map #: 16001785005 Fee: \$1,500
Total area of affected site in acres: .433

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

Zoning

Current Zoning: B-7

Existing Use: restaurant / Bar (Vacant)

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: _____

Is this property subject to any previous land use cases?

Yes

No

If Yes, please list the Ordinance Number: _____

Applicant/Contact Person: Nolen Blackwood
Company: 1403 Roseneath, LLC
Mailing Address: 7302 Boulder View Ln
City: North Chesterfield State: VA Zip Code: 23225
Telephone: (804) 320-0422 Fax: ()
Email: nblackwood@blackwooddevelopment.com

Property Owner: 1403 Roseneath, LLC
If Business Entity, name and title of authorized signee: [Signature]

(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: 7302 Boulder View Ln
City: North Chesterfield State: VA Zip Code: 23225
Telephone: (804) 320-0422 Fax: ()
Email: nblackwood@blackwooddevelopment.com

Property Owner Signature: [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.



7301 BOULDER VIEW LANE
NORTH CHESTERFIELD, VA 23225
PHONE: (804) 320-0422 • FAX: (804) 497-5903
www.blackwooddevelopment.com

December 18, 2018

Mr. Mark Olinger, Director
Department of Planning & Development Review
900 East Broad Street, Suite 511
Richmond, VA 23219
Mark.Olinger@richmondgov.com

RE: Applicant's Report for Rezoning of 1403 Roseneath Road

Mr. Mark Olinger,

Please accept this letter as the Applicant's Report accompanying the application for a rezoning from B-7 Mixed-Use Business District to TOD-1 Transit-Oriented Nodal District (TOD-1) for the property known as 1403 Roseneath Road, identified as Tax Parcel N000-1785/005 (the "Property"). The proposed rezoning would facilitate the redevelopment and reorientation of the Property in character with the Scott's Addition updated zoning.

The property is located in the Scott's Addition neighborhood at the intersection of Roseneath Road and W Clay St. The Property contains approximately .433 acres of lot area and is currently a mixed-use property with a vacant nightclub/restaurant on the ground floor and office space above along with surface parking spaces on both Roseneath Road and West Clay St. The building on the subject Property is comprised of 11,306 square feet of finished living area above grade and 544 square feet of basement storage area. The first floor of the building is 7,784 square feet of nightclub/restaurant space that was most recently occupied by Infuzion Nightclub/Taste Restaurant. The second floor is 3,352 square feet of general office space currently occupied by Business Owners Institute (BOI).

The Property is currently zoned B-7 Mixed-Use Business District ("B-7"). "The intent of the B-7 district is to encourage a broad range of mixed land uses, including residential, commercial and compatible industrial and service uses. The district is intended to promote enhancement of the character of mixed-use areas that are undergoing revitalization and adaptive reuse by providing for alternative economic use of existing structures, while enabling continuation of existing industrial and service uses."

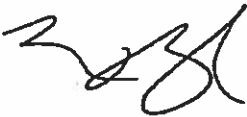
As constructed, the property is non-conforming with the B-7 master zoning of the Scott's Addition neighborhood. "Areas devoted to the parking or circulation of vehicles shall not be located between the main building on a lot and the street line, nor shall such areas be located closer to the street than the main building on the lot. On a lot having more than one street frontage, the provisions of this paragraph shall apply to the principal street frontage of the lot as defined in article XII of this chapter as well as any priority street frontage. (Ord. No. 2017-150, 9-25-2017)." With Roseneath designated as a priority street and the current parking between Roseneath and the main building, the property is non-conforming. By eliminating commercial parking requirements and allowing the additional outdoor patio space be constructed on the current parking spaces facing Roseneath, this will be in conformance. In addition, the relationship between the Property and streetscape will be more in pattern with the priority street designation.

The Property is located within a Plan of Development Overlay District. In addition, TOD-1 district regulations specify that a Plan of Development (POD) is required by any redevelopment or new construction of the site that is greater than 30,000 square feet of floor area, or any construction of a new building or addition to the current building where vehicular circulation, including driveways, parking areas, or loading areas is affected. POD approval would take place after the proposed rezoning and would ensure compliance with the technical requirements of the code and the site planning criteria set forth in the zoning ordinance, appropriate general character and overall quality of the redevelopment, and compatibility with nearby uses.

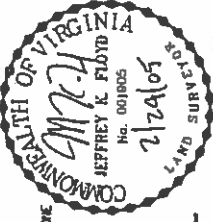
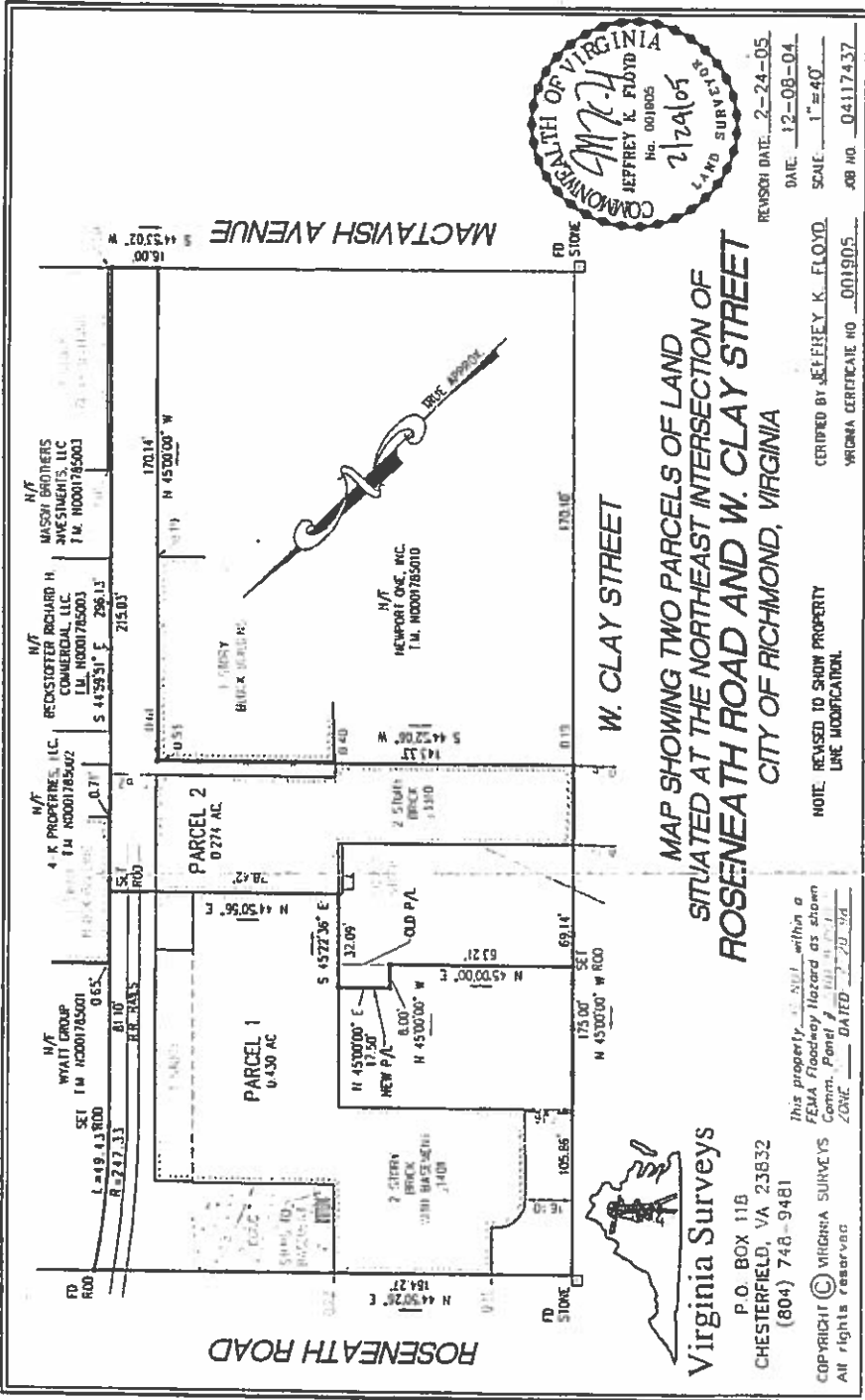
This redevelopment is a unique investment opportunity in an increasingly attractive neighborhood flooded by young professionals, new and expanding retail businesses, luxury apartments, and an increasingly dynamic office market. A mix of breweries, restaurants, offices, and entertainment options has grown this former sleepy industrial warehouse district into the premier cultural hub within the greater Richmond metropolitan area.

The rezoning is at a significant intersection of Roseneath Road and Expressway terminus at Clay Street providing direct access from major interstates, public transportation, and city bicycle networks. Along with the growing commercial space within the neighborhood, this will allow the Property flexibility as the neighborhood matures. It is hoped that this rezoning will set the tone for future development further into the Scott's Addition neighborhood by encouraging the elimination of street front parking, the reorientation of buildings to relate to the priority streets, create continuity in storefront character and a safe, inviting pedestrian sense of place.

Sincerely,



Nolen W. Blackwood
Blackwood Development Co.
7301 Boulder View Lane
North Chesterfield, Va. 23225
nblackwood@blackwooddevelopment.com



REVISION DATE 2-24-05
 DATE 12-08-04
 SCALE 1"=40'
 JOB NO. 04117437

MAP SHOWING TWO PARCELS OF LAND
 SITUATED AT THE NORTHEAST INTERSECTION OF
ROSENEATH ROAD AND W. CLAY STREET
 CITY OF RICHMOND, VIRGINIA

NOTE: REVISION TO SHOW PROPERTY
 LINE MODIFICATION.
 CERTIFIED BY JEFFREY K. FLOYD
 VIRGINIA CERTIFICATE NO. 001905

Virginia Surveys
 P.O. BOX 118
 CHESTERFIELD, VA 23832
 (804) 748-9481

This property is still within a
 FEMA Floodway Hazard as shown
 Comm. Panel # 1011111-1
 ZONE DATED 2-29-04
 All rights reserved
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768,1009 - Jeff Floyd
 768,5959 -



**City of Richmond
Department of Planning
& Development Review**

Change of Zoning

LOCATION: 1403 Rosenheath Road

APPLICANT: 1403 Rosenheath LLC

COUNCIL DISTRICT: 2

PROPOSAL: To change the zoning of the property known as 1403 Rosenheath Road from the B-7 Mixed-Use Business District to the TOD-1 Transit Oriented Nodal District.

For questions, please contact Matthew Ebinger at 804-646-6308 or Matthew.Ebinger@richmondgov.com

