



## CITY OF RICHMOND

### Department of Planning & Development Review *Staff Report*

**Ord. No. 2016-21:** To conditionally rezone the property known as 800 Jefferson Davis Highway from the M-1 Light Industrial District to the B-6C Mixed-Use Business District.

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**To:** City Planning Commission  
**From:** Land Use Administration  
**Date:** September 6, 2016

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#### **PETITIONER**

Jennifer Mullen, Roth Doner Jackson Gibbons Condlin, PLC

#### **LOCATION**

800 Jefferson Davis Highway – American Tobacco

#### **PURPOSE**

Conditional rezoning from M-1 Light Industrial to B-6C Mixed-Use Business, Conditional to allow for residential use of the property

#### **SUMMARY & RECOMMENDATION**

The property is located roughly between Maury and Kern Streets along Jefferson Davis Highway. The subject property consists of an 11.07 acre (482,297 SF) parcel of land and improved with 4 large, interconnected brick buildings, 2 rows of one-story metal warehouses, a free standing brick warehouse and several accessory vacant industrial buildings. The applicant has requested a conditional rezoning to the B 6C Mixed Use District in order to accommodate mixed use development that includes residential uses currently not permitted in the existing M-1 Light Industrial District.

The subject property falls within the Mixed Used future land use designation of the City of Richmond Master Plan. Such areas are “characterized by a combinations of office, retail, personal service, general commercial and service uses and, in some cases, multi-family residential and dwelling units above ground floor commercial. Generally, such areas consist of a mix of several types of uses, designed and arranged to be compatible with one another. Each type of use could function independently, but all benefit from proximity to one another.” (Page 134).

Staff finds that the proposed B-6 zoning district along with the proffer of a specific site plans meets the Master Plan’s recommended future land use designation of Mixed-Use. However, the configuration of the existing building along with the applicant’s desire to receive historic tax credits for the proposed development make it unclear how the development, if used for dwelling uses, will have access to natural light and air. No plans have been submitted to the City by the applicant; however, plans submitted to the Department of Historic Resources for the first phase of the proposed development indicate a total of 31 units (23%) that would not meet the Planning Commission’s Windowless Dwelling Unit Resolution. Additionally, the plans show perforated metal panels covering the windows in one of the buildings, presumably in an effort to gain historic tax credits by maintaining the exterior appearance of the building. Therefore, staff recommends

approval of the rezoning to B-6C subject to a condition that the proposed development will comply with the Planning Commission's Windowless Dwelling Unit Resolution.

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## **FINDINGS OF FACT**

### **Site Description**

The subject property consists of an 11.07 acre (482,297 SF) parcel of land and improved with 4 large, interconnected brick buildings, 2 rows of one-story metal warehouses, a free standing brick warehouse and several accessory vacant industrial buildings constructed, per tax assessment records, circa 1930 to 1937. The property is located roughly between Maury and Kern Street along Jefferson Davis.

### **Proposed Use of the Property**

The applicant proposes to develop the properties in a manner consistent with the B-6 Mixed-Use Urban Business District regulations. The applicant is proposing primarily residential use of the property.

### **Master Plan**

The subject property falls within the Mixed Used future land use designation of the Old South Planning district, as established by the 2000–2020 City of Richmond Master Plan. Such areas are “characterized by a combinations of office, retail, personal service, general commercial and service uses and, in some cases, multi-family residential and dwelling units above ground floor commercial. Generally, such areas consist of a mix of several types of uses, designed and arranged to be compatible with one another. Each type of use could function independently, but all benefit from proximity to one another.” (Page 134).

### **Zoning & Ordinance Conditions**

The B-6 zoning district was designed to promote the development of mixed land use and promote enhancement of the character of development. The B-6 Mixed-Use Business District encourages an urban style of mixed-use development by requiring minimum heights, maximum setbacks and the orientation of parking to the side or the rear of buildings.

The existing zoning designation of the property as M-1 Light Industrial permits commercial and office uses, however residential uses are not permitted. In addition, the M-1 district permits a variety of uses, including car dealerships, drive-thru restaurants, and the manufacture of metal, wood, and food products. The proposed B-6 Mixed-Use Business District permits commercial, office, and residential uses, while restricting uses such as drive-thrus, the manufacturing of products, and the outdoor storage of products.

The existing M-1 zoning requires parking to be provided as outlined in the Zoning Ordinance, which is typically one space for every 300 square feet of floor area for retail and personal service uses. Restaurants require one space for every 100 square feet of floor area in the M-1 district. The B-6 district requires one parking space for every dwelling unit and a maximum of one space per 300 square feet of floor area for commercial uses. The B-6 district also permits shared parking and provides a 50% reduction in the parking requirement for uses located in existing buildings. The proposed residential development would be

eligible for the 50% reduction in the parking requirement, as it will be located in existing renovated warehouse buildings.

In addition to the B-6 district regulations, the applicant has proffered a site plan to which any redevelopment of the property would have to adhere. The site plan shows the primary access to the site from Kern Street to the south and across property owned by the Department of Public Utilities to the north of the subject property.

### **Surrounding Area**

Properties to the east of the subject property are zoned B-3 General Business. Properties to the north, south, and west are in the same M-1 district as the subject property. Property zoned in the B-6C – Mixed-Used Business (Conditional) District are also located just a little further down the Jefferson Davis Corridor to the south of the subject property. A mix of multi-family residential, office, commercial, industrial, institutional, public-open space, and mixed-use land uses are present in the vicinity.

### **Neighborhood Participation**

Staff has not received any letters of support or opposition regarding this proposal.

**Staff Contact:** Lory Markham, (804) 646-6309