

INTRODUCED: June 13, 2022

AN ORDINANCE No. 2022-189

To rezone the property known as 807 Oliver Hill Way from the M-1 Light Industrial 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: JUL 25 2022 AT 6 P.M

THE CITY OF RICHMOND HEREBY ORDAINS:

§ 1. That, as shown on the survey entitled “Physical Survey & Map Showing 2.061 Acres of Land on N. 17th Street & N. 18th Street in the City of Richmond, Virginia,” prepared by Taylor & Taylor, P.C., and dated July 26, 2002, a copy of which is attached to, incorporated into, and made a part of this ordinance, the property known as 807 Oliver Hill Way with Tax Parcel No. E000-0318/002 as shown in the 2022 records of the City Assessor, is excluded from the M-1 Light Industrial District and shall no longer be subject to the provisions of sections 30-452.1 through 30-452.4 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

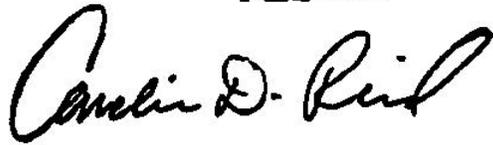
AYES: 8 NOES: 0 ABSTAIN: _____

ADOPTED: JUL 25 2022 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, appearing to read "Camille D. Reed". The signature is written in a cursive style with a large initial 'C'.

City Clerk



City of Richmond

RECEIVED
By City Attorney's Office at 1:49 pm, Jun 09, 2022

RECEIVED
By CAO Office at 9:51 am, May 17, 2022

2022-123

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

Item Request File Number: PRE.2022.0182

O & R Request

DATE: May 16, 2022

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, Chief Administrative Officer

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

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

RE: To authorize the rezoning of the property located at 807 Oliver Hill Way from M-1 (Light Industrial) to TOD-1 (Transit Oriented Nodal), upon certain terms and conditions.

ORD. OR RES. No. ____

PURPOSE: To rezone the property known as 807 Oliver Hill Way from the M-1 Light Industrial District to the TOD-1 Transit Oriented Nodal District.

REASON: The applicant is requesting to rezone the properties to the TOD-1 Transit Orientated Nodal zone, which allows for dense, walkable transit oriented mixed use development that includes residential and commercial uses, minimal yards, open space requirements, a maximum height of 12 stories, and minimum height of two-stories; whereas, the current M-1 Light Industrial allows primarily industrial uses with no yard requirements and a maximum building height of 45 feet, greater if setback from the property line.

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 July 5, 2022, meeting.

BACKGROUND: The proposed rezoning would include one parcel of land located on the east side of Oliver Hill Way between Venable Street and the Leigh Street Viaduct, in the Upper Shockoe Valley neighborhood. The total land area of the parcel is 89,830 square feet, or 2.0 acres. The property is currently improved with a two-story warehouse building, parking lot, and large lawn.

Richmond 300 recommends a future land use of “Destination Mixed Use.” The future land use designation is defined as “Key gateways featuring prominent destinations, such as retail, sports venues, and large employers, as well as housing and open space. Located at the convergence of several modes of transportation, including Pulse BRT or other planned transit improvements.” The primary uses envisioned for Destination Mixed-Use are Retail/office/ personal service, multi-family residential, cultural, and open space. Secondary uses are institutional and government.

The property is also located within adjacent to the “Shockoe National/Regional” priority growth node, which envisions the area as allowing appropriate growth while also protecting and enhancing significant historic sites and area’s larger historical legacy.

The primary uses envisioned for Destination Mixed Use are retail/office/personal service, multifamily residential, cultural, and open space. Secondary uses are institutional and government.

The applicant is requesting to rezone the property to the TOD-1 Transit Orientated Nodal zone which is designed with the goal of encouraging dense, walkable transit-oriented development consistent with the objectives of the master plan and to promote enhancement of the character of this development along principal corridors, at key gateways, and at nodes of high activity located near transit service, bicycle infrastructure, and pedestrian-friendly streetscapes. The district regulations are also intended to safeguard the character of adjoining properties by only being applied in areas that meet the criteria above, with buffering by setbacks and screening or transitional districts to lower intensity residential areas.

The TOD-1 zone allows for dense, walkable transit oriented mixed use development that includes residential and commercial uses, minimal yards, open space requirements, a maximum height of 12 stories, and minimum height of two-stories; whereas, the current M-1 Light Industrial allows primarily industrial uses with no yard requirements and a maximum building height of 45 feet, greater if setback from the property line.

The subject property are located south of the Leigh Street Viaduct and north of a number of other properties within the area that have been redeveloped as residential multi-family. Properties to west, across Oliver Hill Way, have recently been rezoned to B-5 Central Business District; properties directly to the east are also zoned B-5 Central Business District; properties directly to the southwest are zoned TOD-1 Transit Oriented Nodal Development; properties directly to the north and south are zoned M-1 Light Industrial; and properties further to the south are zoned a mix of TOD-1 Transit Oriented Nodal Development, B-5 Central Business District, M-1 Light Industrial, and R-63 Multi-Family Urban Residential. Multifamily is located directly to the west of the property, social service to the north, industrial warehouse to the south, and multifamily to the east although with significant grade difference and vegetation in-between. Exit 74C from Interstate I-95 enters the neighborhood on Oliver Hill Way in the south direction directly south of the property. The nearest transit stops are serviced by GRTC lines 7A, 7B, and 56 and are accessible from stops along Broad Street, roughly 1,300 feet away from the subject property. Transit stops serviced by GRTC Lines 5 and 12 would be accessible from the subject property if pedestrian access were created from North 18th Street to the Leigh Street Viaduct.

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

REQUESTED INTRODUCTION DATE: June 13, 2022

CITY COUNCIL PUBLIC HEARING DATE: July 25, 2022

REQUESTED AGENDA: Consent

RECOMMENDED COUNCIL COMMITTEE: None

CONSIDERATION BY OTHER GOVERNMENTAL ENTITIES: Planning Commission July 5, 2022

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: Ray Roakes, Associate Planner, Land Use Administration (Room 511) 804-646-5467



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: 807 Oliver Hill Way Date: March 16, 2022
 Tax Map #: E0000318002 Fee: \$1,700
 Total area of affected site in acres: 2.062

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

Zoning

Current Zoning: M-1

Existing Use: Industrial/Surface Parking

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: Industrial/Surface Parking

Is this property subject to any previous land use cases?

Yes No If Yes, please list the Ordinance Number: _____

Applicant/Contact Person: Lory Markham

Company: Markham Planning
 Mailing Address: 208 E Grace Street
 City: Richmond State: VA Zip Code: 23219
 Telephone: (804) 248-2561 Fax: ()
 Email: lory@markhamplanning.com

Property Owner: OHW LC

If Business Entity, name and title of authorized signee: Ivor Massey

(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: 117 S. 14th Street, Suite 300
 City: Richmond State: VA Zip Code: 23219
 Telephone: (804) 402-9610 Fax: ()
 Email: ivor.massey@gmail.com

Property Owner Signature:

3/16/2022 2:48:53 PM EDT

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.



March 16, 2022

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 807 Oliver Hill Way

Dear Mr. Vonck,

Please accept this letter as the Applicant’s Report for the Rezoning application for the following property, totaling 2.06 acres, from the M-1 Light Industrial zoning district to the TOD-1 Transit Oriented Development zoning district:

Address	Tax Parcel ID	Acreage	Existing Zoning	Ownership
807 Oliver Hill Way	E0000318002	2.062	M-1	OHW LC

With this application, the owner and contract purchaser of the subject property are petitioning the City Council to rezone the properties from the existing industrial zoning regulations in order to facilitate the development of a mixed-use residential community consistent with the regulations of the TOD-1 district. The proposed development is fully consistent with City’s Master Plan’s recommendations for use of the properties.

Properties

The proposed rezoning would cover 2.06 acres at the intersection of the I-95 off ramp and Oliver Hill Way. These properties are at a key gateway into the heart of the City from the interstate and neighborhoods to the east. The property has approximately 335 feet of frontage on both Oliver Hill Way and N. 18th Street. The property is currently improved with a two-story warehouse containing approximately 20,000 square feet and two surface parking areas, one accessed from Oliver Hill Way, and one accessed for loading from N 18th Street. The remainder of the property is a grassy unimproved lot.

Zoning Regulations & Background

The property is currently located in the M-1 Light Industrial, which permits a wide variety of commercial, industrial, drive-through, gas station and service uses, many of which could be considered noxious or undesirable so close to the City’s downtown and at this gateway to the City. There are no yard setback requirements in the M-1 district. A base building maximum height of 45 feet is permitted at the property line. Additional height is allowed and based on an incline plane from the centerline of the

abutting streets. No portion of a building can penetrate the inclination of one foot horizontal for each three feet vertical. N. 18th Street is 65' and Oliver Hill Way is 110', which would allow a height of 97.5' along N. 18th Street at the property line and 165' along Oliver Hill Way at the property line. If the building were setback additional height would be permitted.

This application requests a rezoning to the TOD-1 Transit Oriented Development District to allow for residential uses and the redevelopment of the currently underutilized property. This district encourages walkable transit-oriented development to promote enhancement of the character of development along principal corridors (East Broad Street), at key gateways (The I-95 off-ramp) and nodes of high activity located near transit services, bicycle infrastructure, and pedestrian-friendly streetscapes. It permits a wide variety of uses such as art galleries, grocery stores, hotels, offices, restaurants and retail stores. The TOD-1 district would prohibit the noxious commercial and industrial uses currently allowed and would permit the redevelopment of the property with a mix of uses appropriate to the urban context of the site.

The TOD-1 district includes form-based requirements that are not found in the existing industrial zoning districts, which will ensure that any development of the site is more urban in character and will provide activity on the street. These requirements include such things as regulation on the location and screening of parking decks and lots, fenestration and setbacks maximums. There is no setback requirement in the TOD-1 district for uses other than residential and height is limited to twelve stories. This will require new development to be located closer to the street and provide for a more engaging streetscape. Additionally, any development of the site as a mixed-use residential project with more than 10 units or greater than 50,000 square feet will require a plan of development to be approved by the Director of Planning and Development Review to ensure compatibility with the district and the character of the surrounding area. The TOD-1 district also substantially limits the number of uses that would be permitted under the existing zoning

Master Plan

The property is designated for future land use as Destination Mixed Use by Richmond 300. These areas are key gateways featuring prominent destinations such as retail, sports venues, and large employers, as well as housing and open space. These areas are also located at the convergence of several modes of transportation, including Pulse BRT or other planned transit improvements.

In Destination Mixed Use areas, higher-density, transit-oriented developments are encouraged on vacant or underutilized sites. New development should be urban in form, may be of larger scale than existing context, and, where relevant, should pay special attention to the historic character of the existing context. Development should enhance the public realm and create a sense of place. Many buildings are vertically mixed-use. Developments continue or introduce a gridded street pattern to increase connectivity.

The proposed rezoning of the currently underutilized parcel to TOD-1 fully supports Richmond 300's vision of future development for the properties. With these regulations in place, future development will help to transform this portion of Shockoe into a destination and key gateway to the City. Potential future development under TOD-1 will bring active and vibrant uses to the properties and benefit the entire neighborhood and surrounding area.

City Charter Conditions

Given the recommendations in the City's Richmond 300 Plan, we trust that you will agree with us that the development of the site would be better suited under the regulations in the TOD-1 Transit Oriented Development district 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,

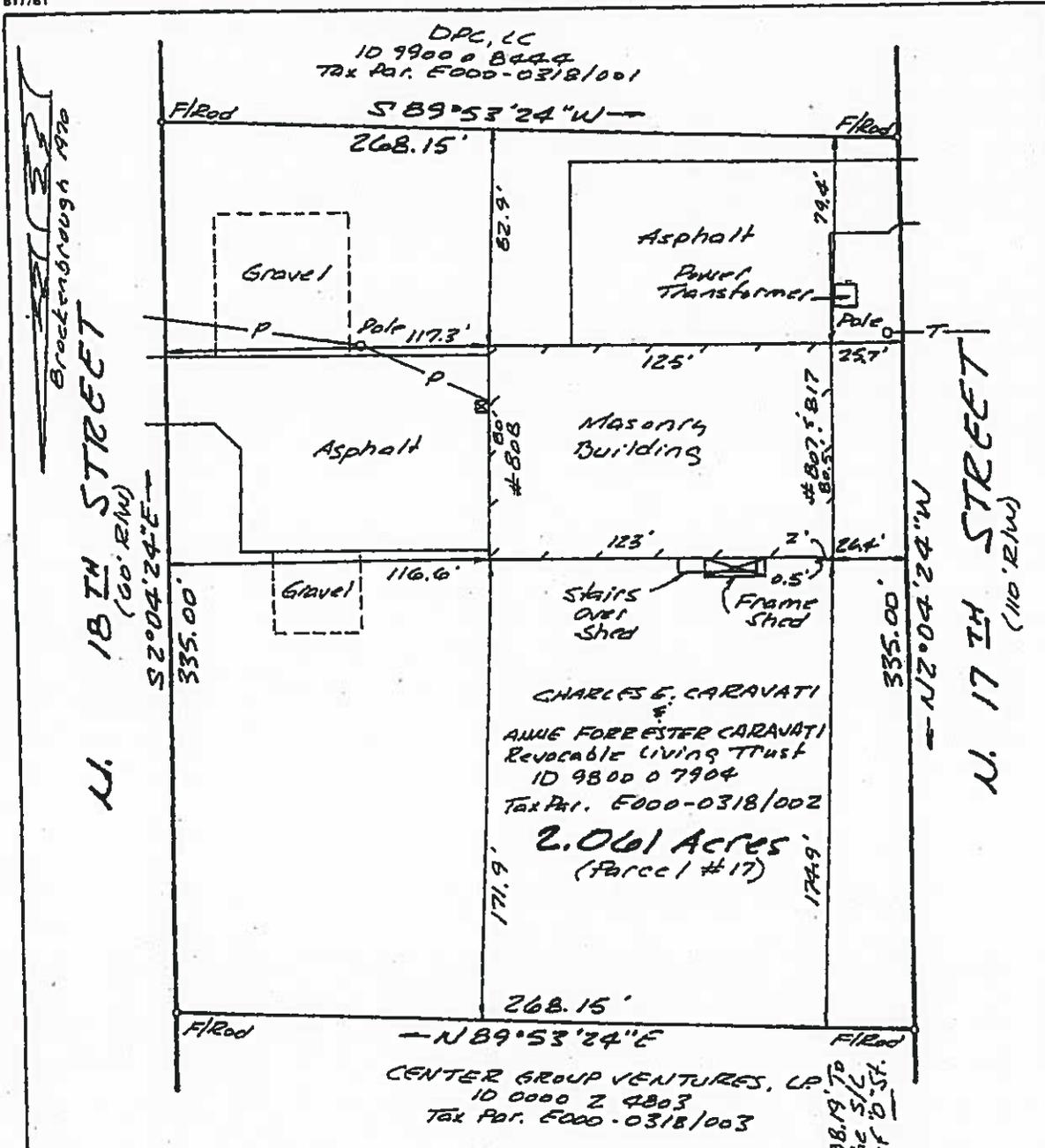
A handwritten signature in black ink, appearing to read 'Lory Markham', written in a cursive style.

Lory Markham

Enclosures

cc: The Honorable Cynthia Newbille
Richard Saunders, Secretary to the City Planning Commission

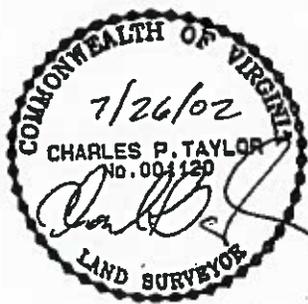
817761



Physical Survey, Map Showing 2.061 Acres Of Land On N. 17th Street & N. 18th Street In The City Of Richmond, Virginia

NOTES:
 This survey was prepared without benefit of a current title report. Easements may exist that are not shown.
 This property appears to fall within Zone/s as shown on HUD/FIA Flood Insurance Rate Map.
 I hereby certify that as of the field survey date shown hereon this current field survey made under my supervision correctly shows the relation of buildings and other structures to the property line of the land indicated hereon; that the walls of said buildings are plumb and that there are no encroachments of adjoining buildings or structures onto said land, no overlap of buildings or structures from said land; that there is no visible evidence of easements, except as shown.

REFERENCE:



FIELD SURVEY DATE:
 July 26, 2002

SCALE: 1" = 50'

FILE NUMBER: 15802

TAYLOR & TAYLOR, P.C.
 LAND SURVEYORS
 2445 HUGUENOT TRAIL
 POWHATAN, VIRGINIA 23130
 (804)794-7706