

INTRODUCED: May 22, 2023

AN ORDINANCE No. 2023-175

To rezone the properties known as 500 Commerce Road and 520 Commerce Road from the M-2 Heavy 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: JUN 26 2023 AT 6 P.M

THE CITY OF RICHMOND HEREBY ORDAINS:

§ 1. That, as shown on the survey entitled “ALTA/NSPS Land Title Survey of 2.09 Acres of Land Situated at Commerce Road, Old South District, City of Richmond, Virginia,” prepared by Townes, dated March 28, 2018, 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 2023 records of the City Assessor are excluded 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 (2020), as amended, and that the same are included in the TOD-1 Transit-Oriented Nodal District and shall be subject to the provisions of

AYES:        7        NOES:        0        ABSTAIN: \_\_\_\_\_

ADOPTED:   JUN 26 2023    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:

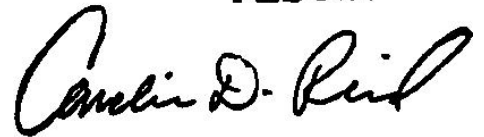
500 Commerce Road  
502 Commerce Road

Tax Parcel No. S000-0274/010  
Tax Parcel No. S000-0274/012

§ 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. Rind". The signature is fluid and cursive, with a large initial "C" and a stylized "R".

**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.2022.1153


### O & R Request


**DATE:** April 11, 2023 **EDITION:** 1

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

**THROUGH:** The Honorable Levar M. Stoney, Mayor (By Request)  
(This in 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  for KJV

**RE:** To rezone the properties known as 500 Commerce Road and 520 Commerce Road from the M-2 Heavy Industrial District to the TOD-1 Transit Oriented Nodal District.

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

**PURPOSE:** To rezone the properties known as 500 Commerce Road and 520 Commerce Road from the M-2 Heavy Industrial District to the TOD-1 Transit Oriented Nodal District.

**REASON:** The applicant is requesting to rezone two contiguous properties; 500 and 520 Commerce Road, which are currently zoned M-2 Heavy Industrial, to the TOD-1 Transit Oriented Nodal District, which requires a rezoning application.

**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.

**BACKGROUND:** The properties together consist of approximately 91,040 SF, or 2.09 acres, of land. The properties are located in the Old Town Manchester neighborhood between Maury and Marx Streets.

The City's Richmond 300 Master Plan designates these parcels as Destination Mixed Use. Such areas are intended to include "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."

Primary Uses: Retail/office/personal service, multi-family residential, cultural, and open space.  
Secondary Uses: Institutional and government. (p. 64)

Currently, adjacent properties to the north and east are zoned M-2 Heavy Industrial. Properties to the south are zoned TOD-1 Transit Oriented Nodal District, and properties to the West are zoned B-3 General Business 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:** \$1,700 Application fee

**DESIRED EFFECTIVE DATE:** Upon adoption

**REQUESTED INTRODUCTION DATE:** May 8, 2023

**CITY COUNCIL PUBLIC HEARING DATE:** June 12, 2023

**REQUESTED AGENDA:** Consent

**RECOMMENDED COUNCIL COMMITTEE:** None

**CONSIDERATION BY OTHER GOVERNMENTAL ENTITIES:** City Planning Commission  
June 5, 2023

**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:** Draft Ordinance, Application Form, Applicant's Report, Survey

**STAFF:** Jonathan Brown, Senior Planner, Land Use Administration (Room 511) 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.richmondgov.com/>

## Project Name/Location

Property Address: \_\_\_\_\_ Date: \_\_\_\_\_

Tax Map #: \_\_\_\_\_ Fee: \_\_\_\_\_

Total area of affected site in acres: \_\_\_\_\_

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

## Zoning

Current Zoning: \_\_\_\_\_

Existing Use: \_\_\_\_\_

## Proposed Zoning/Conditional Zoning

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

Existing Use: \_\_\_\_\_

Is this property subject to any previous land use cases?

Yes

No

☐☐

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

**Applicant/Contact Person:** \_\_\_\_\_

Company: \_\_\_\_\_

Mailing Address: \_\_\_\_\_

City: \_\_\_\_\_ State: \_\_\_\_\_ Zip Code: \_\_\_\_\_

Telephone: \_(\_\_\_\_\_) \_\_\_\_\_ Fax: \_(\_\_\_\_\_) \_\_\_\_\_

Email: \_\_\_\_\_

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

If Business Entity, name and title of authorized signee: \_\_\_\_\_

(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: \_\_\_\_\_

City: \_\_\_\_\_ State: \_\_\_\_\_ Zip Code: \_\_\_\_\_

Telephone: \_(\_\_\_\_\_) \_\_\_\_\_ Fax: \_(\_\_\_\_\_) \_\_\_\_\_

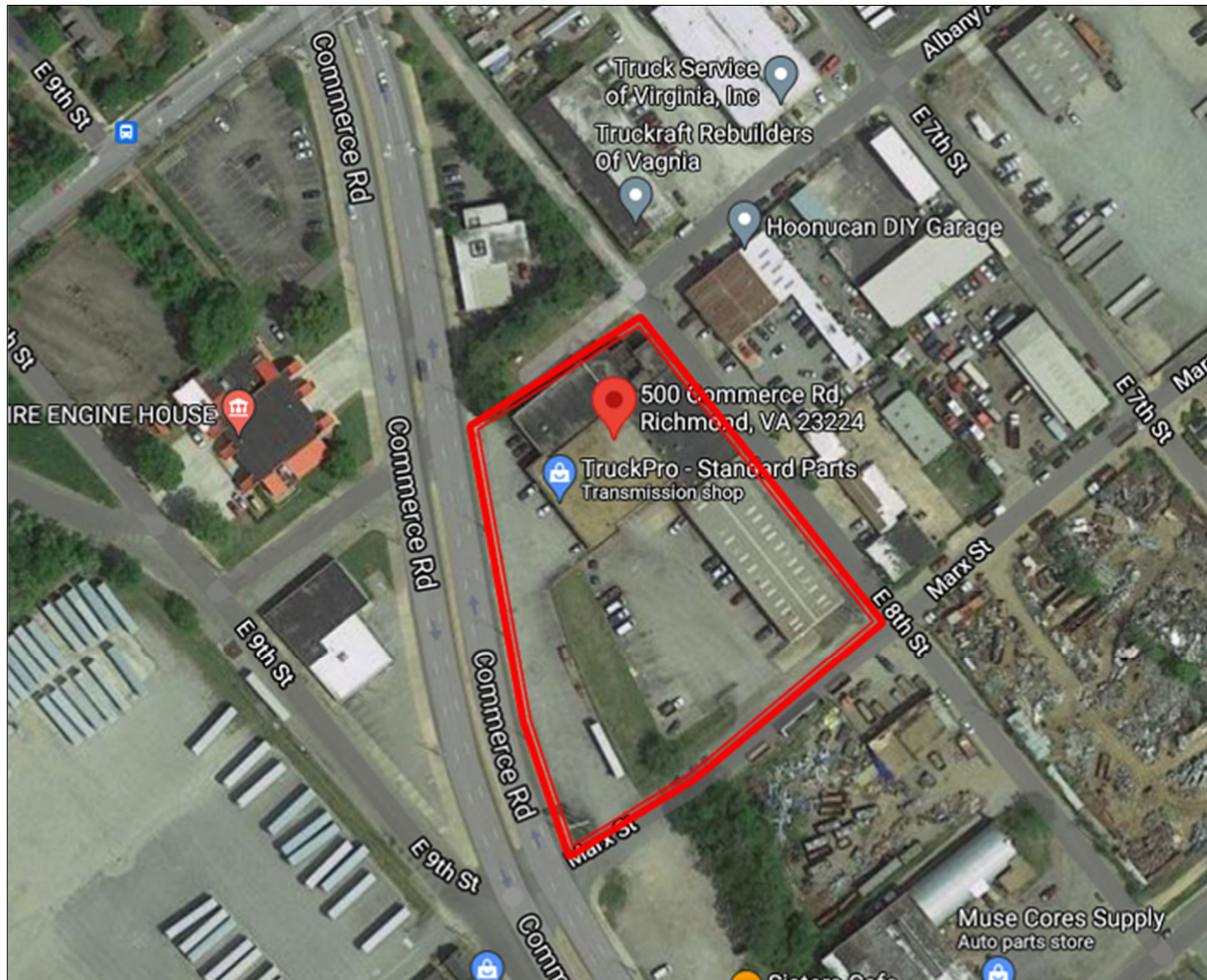
Email: \_\_\_\_\_

**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.

*Application for Rezoning*  
**500 – 520 Commerce Road**  
**TD 11, LLC**

City of Richmond



*Prepared by:*  
LaBella Associates  
1604 Ownby Lane  
Richmond, VA 23220

*LaBella Project No. CZ82117.00*

## **1.0 PROJECT DESCRIPTION**

### **1.1 Introduction**

The Applicant, TD 11, LLC<sup>1</sup>, requests the rezoning of 500 – 520 Commerce Road from Heavy Manufacturing (M-2) to Transit-Oriented Nodal District (TOD-1) from the City of Richmond's City Council. The site is located at the southern gateway to the City on a 2.09-acre parcel comprised of two tax parcels.<sup>2</sup> Currently, these parcels are developed with a Truck Pro facility that provides retail auto parts sales and a repair shop.

### **1.2 Land Use**

The site is located between the Historic Blackwell and Manchester neighborhoods near South Richmond. North of the site is a social services facility, east of the site includes auto repair and services, and south of the site is a parking lot and carry-out restaurant. Across Commerce Road, the site abuts a trucking facility, construction contractor and a fire station. The CSX railroad travels south and east of the site.

Recent rezonings have taken place in the immediate area. For instance, 600, 602 and 606 Commerce was recently rezoned from M-2 to TOD-1, 600 and 610 Maury Street was recently rezoned from M-2 to TOD-1; and 1003 Commerce Road was recently rezoned from M-2 to TOD-1. With these rezonings, the area is in a better position to realize the vision of Richmond 300, which identifies these sites as, "Destination Mixed Use" and "Industrial Mixed Use."

Similar to the sites noted above, the site is designated, "Destination Mixed Use," further described in Richmond 300 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." A rezoning of 500 - 520 Commerce Road to TOD-1 would allow a mix of uses and include form-based design requirements that will ensure development is contextual and relates to/promotes street activity.

Furthermore, the site is located just outside the Manchester Node, which is a priority growth node. A rezoning to TOD-1 would enable residential use, which could better support the vision for Manchester, which includes increased population and economic activity to support the Hull Street corridor. Commerce Road is identified as a Greenway and Shared Use Path and is less than 0.5 miles from enhanced transit service.

Finally, Commerce Road is a designated "Great Street," which are described as, "significant entrances to the city and serve as major connectors between city destinations." As this relates to the site, Commerce Road, connects Manchester and Bellemeade. The

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<sup>1</sup> TD 11, LLC is an affiliate of Tessera Development. Tessera Development is a boutique, commercial real estate development firm headquartered in Nashville, Tennessee, and operating across the Southeast. [www.tesseradevelopment.com](http://www.tesseradevelopment.com)

<sup>2</sup> Tax Lot S0000274010 is comprised of 0.89 acres and is developed with the 30,598 SF Truck Pro facility. Tax Lot S0000274012 is comprised of 1.2 ac. and is developed with a 9,600 SF one-story cinder block building.

redevelopment of this site under TOD-1 would enable development that addresses the street complementing the Greenway and Shared Use Path qualities.

## **1.3 Zoning**

### *1.3.1 Permitted Uses*

The site is currently zoned M-2, which permits commercial, manufacturing, wholesaling and distribution establishments, see Table 1 below. Note that no residential is permitted. As shown in Table 1, the TOD-1 District allows a variety of residential and commercial uses, including retail, offices, personal service businesses and restaurants. A plan of development is required for certain uses, (including buildings with greater than 10 dwelling units) and for any newly constructed building with greater than 30,000 square feet of floor area, and construction of any new building where vehicular circulation, including driveways, parking areas or loading areas, is to be provided on the site.

From a use standpoint, the TOD-1 District better enables the type of development proposed in the Richmond 300 Plan. Given the site's location adjoining the Manchester Node and the other nearby rezonings to TOD-1, the impetus is in place to transform this area into a more prominent destination. Given market conditions, TD 11, LLC anticipates a mixed use building, with ground floor commercial and dwelling units above for the site.

### *1.3.2 Bulk and Dimensional Requirements*

The M-2 District requires yard setbacks only where the site adjoins a property in the Residential or Residential Office Districts. Screening is required for parking areas, refuse areas and junkyards or similar uses. Heights are limited to 45 FT maximum and may not penetrate the inclined plane.

In the TOD-1 District, there is a required front yard setback maximum of 15 FT for residential on ground floor. No front yard is required for other uses. No side or rear yards area required. The TOD-1 requires buildings to have 2 stories at minimum and 12 stories are the permitted maximum. The TOD-1 District requires open space at a ratio of not less that 0.1 for residential developments. Screening is required for parking areas and refuse areas. Parking and vehicular circulation is required to be located behind the main building on the lot. In addition, TOD-1 requires building façade fenestration stipulated by use type and varied according to story height.

One of the primary next steps for the Manchester Nodes is to, "implement design standards to create a high-quality, well-designed urban realm, including elements such as street lights and exploring the creation of signature public art." According to Richmond 300, a "Destination Mixed Use,"

*"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. Ground floor uses engage with, and enliven, the street. Monolithic walls are discouraged, while*



*windows, doors, storefronts, and other features that allow transparency and interaction between building and street are encouraged. Active commercial ground floor uses are required on street-oriented commercial frontages. Buildings typically a minimum height of five stories."*



**Figure 1: Manchester Conceptual Aerial - Richmond 300**

Accordingly, the rezoning of the site to TOD-1 would result in a building envelope that would enliven the streetscape, create a sense of place, and would assist in connecting this area with the greater Manchester Node complementing the vision for the Node, see Figure 1. TD 11, LLC anticipates redevelopment of this site with a zoning compliant structure (including bicycle parking) that will complement the vision for the area and activate the street with a building that is scaled to that vision.

**Table 1: M-2 vs. TOD-1 Permitted Uses**

M-2 Zoning District	Permitted Uses	TOD-1 Zoning District	Permitted Uses
	Any use in the M-1 District (light industrial food and beverage; metal and metal products, textiles, bedding and fiber, wood and paper products, and several other unclassified uses (e.g., substations, generating plants, and chemical compound blending)		Adult day care
	Any use or structure not permitted in any other district		Art galleries
	Curing, smoking, packing, storing of fish		Banks and other financial services
	Non-governmental waste/dead animal/refuse incineration, dumping, transfer station		Breweries < 10,000 barrel of beer annually and distilleries < 25,000 case of liquor annually
	Manufacturing chemicals, including explosive or flammable products		Catering
	Medical waste management facilities		Day nurseries
	Flea market		Dwelling units
	Outdoor shooting range		Grocery stores, convenience stores, specialty food and beverage, and bakeries
	Nightclub		Hospitals, but not psychiatric
	Private penal institution		Hotels, except on transitional sites
	Public/private alternative incarceration dorms and institutions		Laundromats and dry cleaning
	Refineries of tallow, grease or lard		Laboratories and research facilities
	Petroleum refinery		Manufacturing, warehouse, and distribution of < 8,000 SF of food or beverages with consumption on premise
	Fat rendering		Nursing homes
	Liquor sales		Office supply, business and office service
			Offices, business, professional, medical and artist studios

M-2 Zoning District	Permitted Uses	TOD-1 Zoning District	Permitted Uses
	Used tires sales, storage, disposal		Parking decks and garages
	Storage of dyestuffs, explosives, pyrotechnics		Personal service businesses
	Bulk petroleum storage for distribution		Pet shop, veterinary clinic, and animal hospital
			Postal and package mailing services
			Printing, publishing and engraving establishments < 20 people
			Professional, business and vocational schools
			Recreation and entertainment, including theaters and museums, except on transitional sites
			Restaurants, tearooms, cafes, and similar food and beverage establishments, including catering
			Retail sales, food, beverage
			Retail stores and shops
			Rights-of-way, easements, public utility and public transportation, limited
			Service businesses
			Governmental facilities, not including incarceration or substance abuse facilities
			Wireless communications
			Short-term rental
			Nightclubs
			Social service delivery uses

Note: Uses listed above have been abbreviated and may include supplementary or condition use requirements not stated herein.

## **1.4 Public Policy**

TD 11, LLC has engaged with the local community and the City's Councilmember for this area. The following meetings were held to discuss the potential rezoning of this site from M-2 to TOD-1:

- 8/12/21 Manchester Alliance President Mr. David Bass – Introduction to rezoning petition
- 8/16/21 Councilmember Robertson and Tavares Floyd – Introduction to rezoning petition
- 11/3/21 Ms. Louise McQueen, Councilmember Robertson and Mr. Tavares Floyd – Introduction to rezoning petition
- 10/6/2022 Councilmember Robertson and Mr. Tavares Floyd – Check-in on neighborhood trends

During these meetings, the existing conditions and existing zoning were discussed and compared to the possibilities under the TOD-1 Zoning District. TD 11, LLC explained their anticipated development scenario for the site. To date, no major objections have been communicated; however, TD 11, LLC remains open to any concerns that may arise.

## **1.5 Conclusion**

As described above, the site is categorized as, "Destination Mixed Use" in Richmond 300, which means that it is considered a "Key Gateway" area that can feature prominent destinations, such as retail, sports venues, and large employers, as well as housing and open space. Richmond 300 identifies 500 – 520 Commerce Road as a site that is suited to higher density, transit-oriented development that enhances the public realm and creates a sense of place. The site is located on a Major Mixed Use Street and form-based design elements, such as building windows and entrances on the street, are required for a Destination Mixed Use site. Furthermore, this site is located near to enhanced transit opportunities and along a Greenway and Shared Use Path. TD 11, LLC anticipates building a mixed-use development with ground floor commercial and residential on upper floors in a structure that complies with zoning and meets the intent of the Richmond 300 vision.

