

INTRODUCED: November 12, 2019

AN ORDINANCE No. 2019-321

To rezone the properties known as 710 Perry Street; 715 Porter Street; and 201, 209, and 213 West Commerce Road from the B-7 Mixed-Use Business District to the B-4 Central Business District.

\_\_\_\_\_  
Patron – Mayor Stoney (By Request)

\_\_\_\_\_  
Approved as to form and legality  
by the City Attorney  
\_\_\_\_\_

PUBLIC HEARING: DEC 9 2019      AT 6 P.M.

THE CITY OF RICHMOND HEREBY ORDAINS:

§ 1. That, as shown on the survey entitled “Plat Showing 6 Parcels of Land Lying on the North Line of Commerce Road,” prepared by Jennings Stephenson, P.C., and dated August 7, 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 2019 records of the City Assessor, are 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 are included in the B-4 Central Business District and shall be subject

AYES:                    9                    NOES:                    0                    ABSTAIN: \_\_\_\_\_

ADOPTED:            DEC 09 2019            REJECTED: \_\_\_\_\_            STRICKEN: \_\_\_\_\_

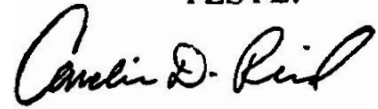
to the provisions of sections 30-440.1 through 30-440.7 and all other applicable provisions of Chapter 30 of the Code of the City of Richmond (2015), as amended:

710 Perry Street	Tax Parcel No. S000-0026/001
715 Porter Street	Tax Parcel No. S000-0026/022
201 West Commerce Road	Tax Parcel No. S000-0026/021
209 West Commerce Road	Tax Parcel No. S000-0026/023
213 West Commerce Road	Tax Parcel No. S000-0026/026

§ 2. 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

Received

## Item Request

File Number: PRE.2019.474

OCT 15 2019

Office of the  
Chief Administrative Officer

4-9291

## O & R Request

NOV 06 2019

EDITION:1

OFFICE OF THE CITY ATTORNEY

**DATE:** October 14, 2019

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

**THROUGH:** The Honorable Levar M. Stoney, Mayor (Patron: Mayor, by Request)  
(This in no way reflects a recommendation on behalf of the Mayor)

*[Handwritten signature]* 11/14/19

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

*[Handwritten signature]* 10/21/2019

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

*[Handwritten signature]*

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

**RE:** To rezone the properties known as 710 Perry Street; 213, 209, 201 West Commerce Road; and 715 Porter Street from the B-7 Mixed-Use Business District to the B-4 Central Business District.

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

**PURPOSE:** To rezone the properties known as 710 Perry Street; 213, 209, 201 West Commerce Road; and 715 Porter Street from the B-7 Mixed-Use Business District to the B-4 Central Business District.

**REASON:** The applicant is requesting to rezone the five parcels containing a combined .998 acres from the B-7 Mixed-Use Business District to the B-4 Central Business District to enable the property to be redeveloped at a higher density under the mixed-use form-based regulations permitted within the B-4 Central Business District.

**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 December 2, 2019, meeting. A letter outlining the Commission's recommendation will be forwarded to City Council following that meeting.

**BACKGROUND:** The subject properties are located on the block fronted by Commerce Road between Perry Street and Porter Street and comprise a combined 0.998 acres. A single-story building housing contractors' offices is located at 710 Perry Street. The remaining parcels are used for contractor storage and

contain accessory shell type storage buildings. The properties are located within the Old South Planning District and are included in the Manchester Industrial National Historic District as well as the City's Enterprise Zone 1.

The subject property falls within a Downtown Urban Center Area of the Manchester District, as established by the Richmond Downtown Plan. Such areas are "characterized by higher density, mixed use development, typically arranged on a fine grained street network, with wide sidewalks, regular tree planting, and minimal setbacks." Specifically addressing Manchester, the Downtown Plan states, *Manchester will benefit greatly from new construction and the infill of its many vacant properties. Such infill will introduce new energy to the district by increasing the residential population, repairing the streetscape, and enhancing safety by providing 'eyes on the street.* The proposed B-4 Central Business District designation conforms to these recommendations.

The proposed rezoning will allow redevelopment of the properties at a greater density and currently allowed in under the current zoning classification. The B-7 Mixed Use Business District stipulates a maximum building height not to exceed five stories. The B-4 Central Business District does not have a specified maximum height limit. Maximum height is determined by requiring that no portion of a building shall penetrate an inclined plane originating at the centerline of each abutting street and extending over the lot at an inclination of one foot horizontal for each four feet vertical and provided, such inclined plane may be penetrated by a building wall adjacent to a street for a horizontal distance not exceeding 50 percent of the length of the property line along such street.

**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:** \$1,600 application fee

**DESIRED EFFECTIVE DATE:** Upon adoption

**REQUESTED INTRODUCTION DATE:** November 12, 2019

**CITY COUNCIL PUBLIC HEARING DATE:** December 9, 2019

**REQUESTED AGENDA:** Consent

**RECOMMENDED COUNCIL COMMITTEE:** None

**CONSIDERATION BY OTHER GOVERNMENTAL ENTITIES:** City Planning Commission  
December 2, 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, Map, Survey, Ordinance Draft

**STAFF:** David F. 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/>

**Project Name/Location**

Property Address: 710 Perry Street, 213, 209, 201 West Commerce Road, 715 Porter Street  
Tax Map #: \_\_\_\_\_ Fee: \$1,500  
Total area of affected site in acres: 0.998 acres

Date: 8/21/2019  
8/1/2019

Tax Map #:  
S0000026001  
S0000026026  
S0000026023  
S0000026021  
S0000026022

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

**Zoning**

Current Zoning: B-7 Mixed-Use Business district

Existing Use: Contractor office and vacant industrial land

**Proposed Zoning/Conditional Zoning**

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

Proposed Zoning: B-4 Central Business district

Existing Use: Contractor Office and Storage Yard

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: 23 West Broad Street, Suite 304

City: Richmond

State: VA

Zip Code: 23220

Telephone: (804) 248-2561

Fax: ( )

Email: lory@markhamplanning.com

**Property Owner:** Manchester Properties LLC

If Business Entity, name and title of authorized signer: Brent Graves, Principal

(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: 5617 Langdon Court

City: Richmond

State: VA

Zip Code: 23225

Telephone: (804) 852-7490

Fax: ( )

Email: brent.l.graves@gmail.com

**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.



August 21, 2019

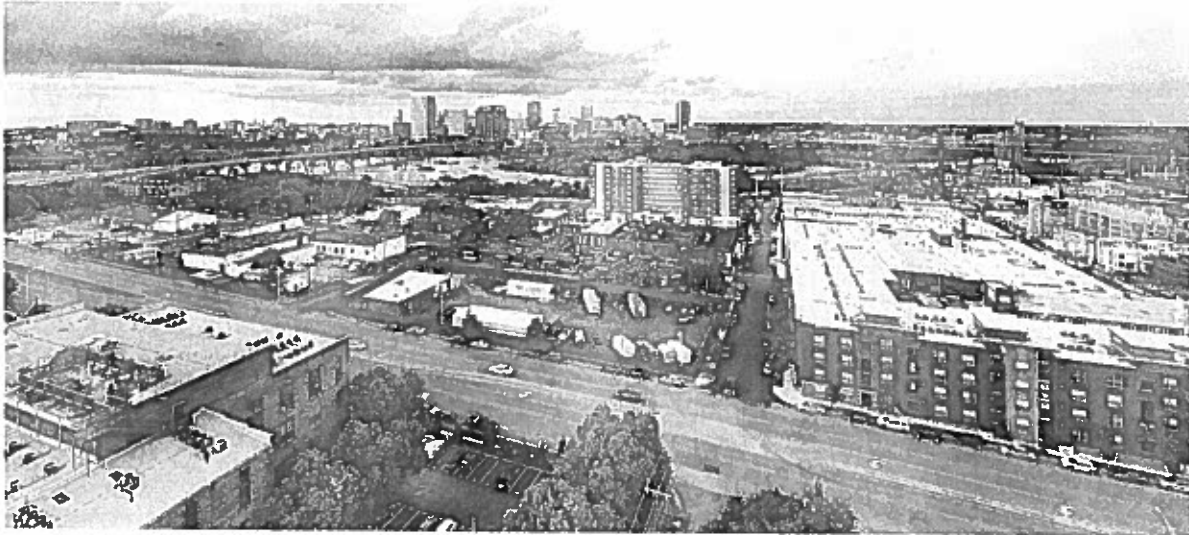
Mr. Mark Olinger, Director  
Department of Planning & Development Review  
900 East Broad Street, Suite 511  
Richmond, VA 23219  
[Mark.Olinger@richmondgov.com](mailto:Mark.Olinger@richmondgov.com)

**RE:** Applicant's Report for the Rezoning of 201 West Commerce Street and adjacent parcels from B-7 Business District to B-4 Business District

Dear Mr. Olinger,

Please accept this letter as the Applicant's Report for the Rezoning application for 201 West Commerce Road, 710 Porter Street, 209 West Commerce Road, 213 West Commerce Road, 710 Perry Street from the B-7 Mixed-use Business zoning district to the B-4 Central Business zoning district. With this application, Brent Graves of Manchester Properties LLC is petitioning City Council to rezone the property from the existing zoning regulations, which restrict the development of the industrial properties in terms height and parking requirements, to the higher density B-4 zoning district, which allows a mix of uses under the urban mixed-use form-based regulations found in that district.

*Site*



The proposed rezoning is for five contiguous parcels fronting West Commerce Street between Perry and Porter Street in the Manchester neighborhood. The subject properties are included in the Manchester Industrial National Historic District. These properties and the surrounding neighborhood are represented by the Manchester Alliance Association. The properties together are comprised of 0.998 acres. 710 Perry Street is currently improved with a one-story structure containing contractor offices. Please note, the 710 Perry Street parcel is shown divided into A and B sections on the plat enclosed. The

remaining adjacent parcels serve the business for outside storage with two shell storage structures as well.

### *Zoning Regulations*

This application requests the removal of the transitional B-7 district so that these properties will be developed with the higher density allowed in the B-4 district. The inclusion of the properties to the B-4 Central Business district will allow for the redevelopment of the surface areas within the form-based regulations of the B-4 district. This will allow for a more vibrant, visually interesting neighborhood and streetscape along the major arterial and secondary streets.

The owner's intention is to redevelop the all parcels simultaneously with a mixed-use development consistent with B-4 regulations. The mixed-use development could provide below and above grade parking on-site, street level retail with an anchor tenant, office uses and residential units above under the proposed B-4 district.

In 2009 the City included Manchester in the Downtown Plan for the first time and subsequently rezoned the subject and surrounding properties. This is when the B-7 was put in place on this block and adjacent properties. The B-7 district is a mixed-use industrial district and was intended to be a transitional district that would slowly be replaced as the area transitioned from an industrial neighborhood to more of a mixed-use residential neighborhood. This transition has occurred in much of Manchester including properties across Hull Street, making up four city blocks in this neighborhood, that have been rezoned to B-4 in 2018.

This application requests the removal of the transitional B-7 district so that these properties will be designated similarly to those redeveloped in the neighborhood. This will allow for a more vibrant neighborhood and streetscape along this block.

### *Master Plan*

The properties were included in the 2009 Downtown Plan, which recommends that they be developed consistent with the Urban Center Character Area. The Urban Center Character Area calls for higher density, mixed-use development, typically arranged on a fine-grained street network, with wide sidewalks, regular tree planting, and minimal setbacks.

Specifically addressing Manchester, the Downtown Plan states, "Manchester will benefit greatly from new construction and the infill of its many vacant properties. Such infill will introduce new energy to the district by increasing the residential population, repairing the streetscape, and enhancing safety by providing 'eyes on the street'." (page 4.33)

The more recently developed Riverfront Plan designates the portion of the subject properties included in the plan for future development, stating, "The Plan anticipates incremental redevelopment of under-utilized parcels and languishing former industrial sites. Development strategies should favor mixed use, with an emphasis on street level retail, where appropriate. The fundamental emphasis of redevelopment along the Riverfront is to intensify pedestrian activity at street level through infill development with sufficient density to be an attractor and destination of activity. Greater density



reinforces urban character, provides for an increase in pedestrian activity, resulting in a safer and more vibrant city." (p. 11).

The type of development and mix of uses that would be permitted under the proposed B-4 district is consistent with the recommendations found for the area in the Downtown Plan and the density supported by the Riverfront Plan.

*City Charter Conditions*

We trust that you will agree with us that the development of the site would be better suited under the regulations in the B-4 Central Business 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 contact me at [lory@markhamplanning.com](mailto:lory@markhamplanning.com) or (804) 248-2561 if you have any questions or require additional materials to process the application.

Very Truly Yours,



Lory Markham

Enclosures

cc: The Honorable Ellen F. Robertson  
Matthew Ebinger, Secretary to the City Planning Commission

**NOTES**

**1.) OWNERSHIP AND REFERENCES:**

PARCELS A,B,C,E,F  
 MANCHESTER PROPERTIES LLC  
 INST.# 030000069  
 TAX ID: #5000-0026/001, S000-0026/026,  
 S000-0026/21, S000-0026/022

PARCEL D  
 MANCHESTER PROPERTIES LLC  
 INST.# 030000068  
 TAX ID: #5000-0026/023

2.) THIS SURVEY WAS PREPARED WITHOUT THE BENEFIT OF A TITLE COMMITMENT, THEREFORE ALL ENCUMBRANCES OF RECORD MAY NOT BE SHOWN.

3.) DURING THE PROCESS OF OUR PHYSICAL PERIMETER SURVEY, NO INDICATIONS OF A CEMETERY WERE FOUND. NO FURTHER INSPECTION OF THIS PROPERTY HAS BEEN MADE FOR POSSIBLE CEMETERIES.

4.) THIS PROPERTY IS LOCATED IN ZONE 'X' OF THE FEMA DEFINED FLOOD HAZARD AREA AS SHOWN ON FLOOD INSURANCE RATE MAP #5101290039E, EFFECTIVE DATE JULY 16, 2014.

5.) THIS IS TO CERTIFY THAT ON 8-7-19 I MADE AN ACCURATE FIELD SURVEY OF THE PREMISES SHOWN HEREON; THAT ALL IMPROVEMENTS KNOWN OR VISIBLE ARE SHOWN HEREON; THAT THERE ARE NO ENCROACHMENTS BY IMPROVEMENTS EITHER FROM ADJOINING PREMISES, OR FROM THE SUBJECT PREMISES UPON ADJOINING PREMISES, OTHER THAN AS SHOWN HEREON.

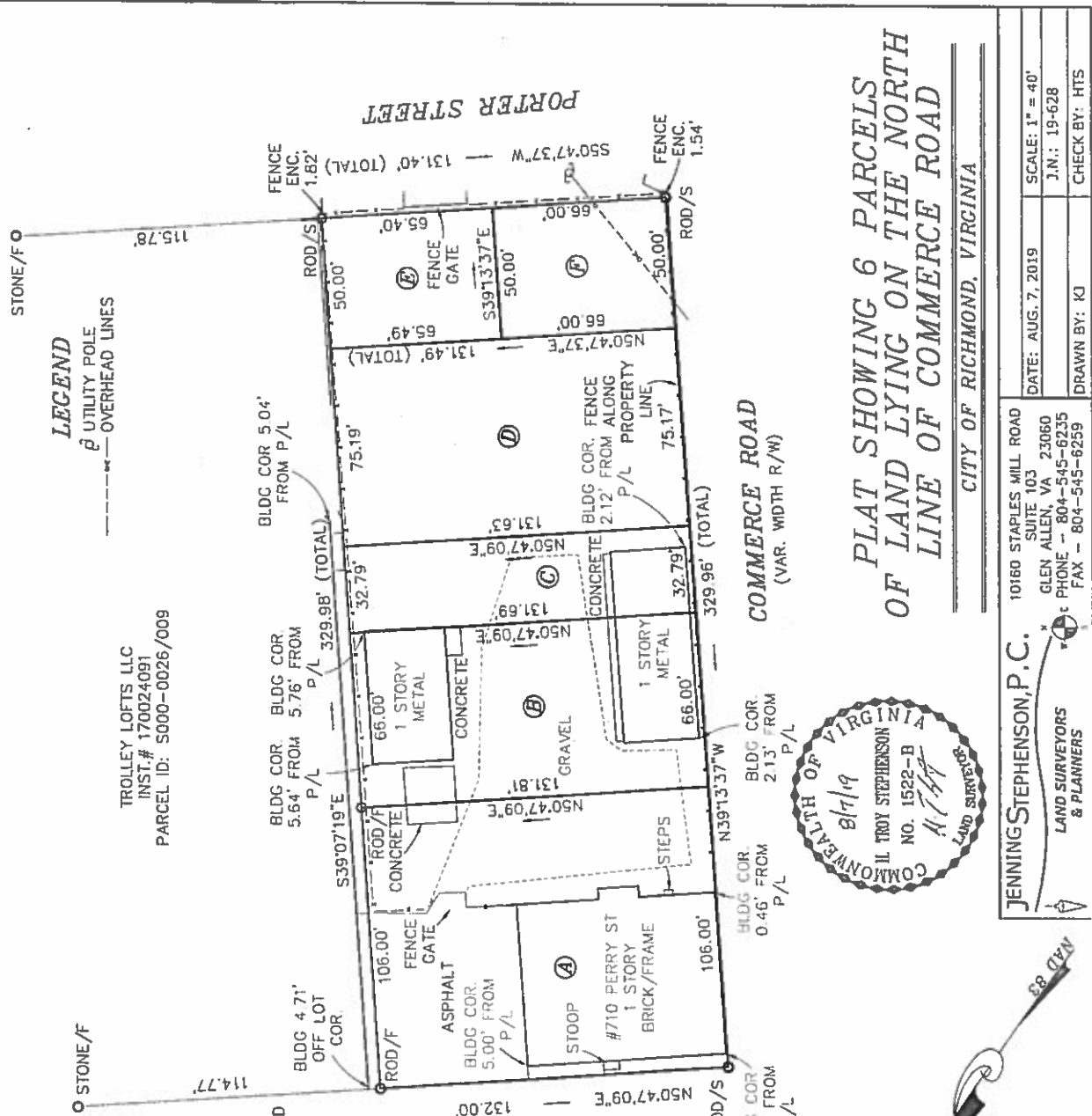
**AREA TOTALS**

PARCEL A = 0.321 ACRES  
 PARCEL B = 0.200 ACRES  
 PARCEL C = 0.099 ACRES  
 PARCEL D = 0.227 ACRES  
 PARCEL E = 0.075 ACRES  
 PARCEL F = 0.076 ACRES  
**TOTAL = 0.998 ACRES**

**GRAPHIC SCALE**



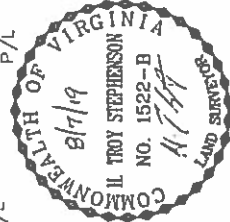
( IN FEET )  
 1 Inch = 40 ft.



**LEGEND**

⊕ UTILITY POLE  
 ——— OVERHEAD LINES

TROLLEY LOFTS LLC  
 INST.# 170024091  
 PARCEL ID: S000-0026/009



**PLAT SHOWING 6 PARCELS OF LAND LYING ON THE NORTH LINE OF COMMERCE ROAD**

CITY OF RICHMOND, VIRGINIA

**JENNING STEPHENSON, P.C.**  
 LAND SURVEYORS & PLANNERS

10160 STAPLES MILL ROAD  
 SUITE 103  
 GLEN ALLEN, VA 23060  
 PHONE - 804-545-6235  
 FAX - 804-545-6259

DATE: AUG. 7, 2019  
 SCALE: 1" = 40'  
 J.N.: 19-628  
 DRAWN BY: KI  
 CHECK BY: HTS