



City of Richmond

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

Intracity Correspondence

Pre Introduction to Council: PRE. 2016-329

File Number: PRE. 2016-329

4-5938
O & R REQUE

To rezone the properties known as 1207 School Street and 1207A School Street from the M-2 zoning district to the B-7C zoning district, upon certain proffered conditions.

NOV 18 2016

O&R REQUEST

Chief Administration Of
City of Richmond

EDITION: 1


TO: The Honorable Members of City Council

THROUGH: Dwight C. Jones, Mayor 
(This in no way reflects a recommendation on behalf of the Mayor)

THROUGH: Selena Cuffee-Glen, Chief Administrative Officer 

THROUGH: Peter L. Downey, Deputy Chief Administrative Officer 

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

RE: Rezoning of 1207 School Street and 1207A School Street from the M-2 zoning district to the B-7C zoning district, upon certain proffered conditions. 

ORD. OR RES. No.

PURPOSE: To conditionally rezone the properties known as 1207 School Street and 1207A School Street from the M-2 (Heavy Industrial District) zoning district to the B-7 (conditional) (Mixed-Use Business District) zoning district, upon certain proffered conditions

REASON: Current M-2 zoning does not allow for residential units by-right. The applicant is proposing to construct a residential development of not more than 200 units and is therefore requesting a conditional rezoning to B-7 (conditional), which would allow residential units.

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 January 3, 2017 meeting. A letter outlining the Commission's recommendation will be forwarded to City Council following that meeting.

BACKGROUND: The subject properties are located in the Chamberlayne Industrial Center neighborhood and consists of two parcels of land which are currently used as a scrap metal recycling facility. The total property is approximately 4.99 acres, and is bounded by: (i) to the north: by a parcel comprised of industrial uses fronting on School Street (split-zoned M-2 and M-1), (ii) to the east: by two parcels comprised of an office building and a restaurant, each fronting on Brook Road (zoned M-1), (iii) to the south: by Sledd Street, and (iv) to the west: by Interstate I-95.

The *VUU/Chamberlayne Neighborhood Plan*, adopted in February 2016, designates these parcels as part of an "Industrial Innovation Area," which is described in part as an area that "could be branded as a unique business center close to the downtown area for small companies and as an incubator location for startups," and that, "Light industrial businesses should be encouraged to stay in the area, but screening along high-visibility corridors such as I-64/I-95 may be required or encouraged" (p. 37). B-7 is a recommended zoning district for this type of land use, and with these requirements met, the proposed development could comply with B-7 zoning. Allowed uses in the B-7 zoning district include a wide mix of businesses, some manufacturing uses, and residential units.

The subject property, as well as those properties to the southeast, are located in the M-2 Heavy Industrial District, while other surrounding properties are located in the M-1 Light Industrial District. Allowed uses in the M-2 zoning district include those associated with heavy and light manufacturing.

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: N/A

REVENUE TO CITY: \$1,900 application fee

DESIRED EFFECTIVE DATE: Upon adoption

REQUESTED INTRODUCTION DATE: December 12, 2016

CITY COUNCIL PUBLIC HEARING DATE: January 9, 2017

REQUESTED AGENDA: Regular

RECOMMENDED COUNCIL COMMITTEE: None

CONSIDERATION BY OTHER GOVERNMENTAL ENTITIES: City Planning Commission, January 3, 2017

AFFECTED AGENCIES: Office of the Deputy Chief Administrative Officer, Office of the City Attorney (review of draft ordinance), Office of the Assessor (preparation of mailing labels for public notice)

RELATIONSHIP TO EXISTING ORD. OR RES.: None.

REQUIRED CHANGES TO WORK PROGRAM(S): N/A

ATTACHMENTS: Draft Ordinance & Proffers, Application Form, Applicant's Report, Conceptual Plan

STAFF: William Palmquist, Planner II
Department of Planning and Development Review (Room 510)
646-6307

Lory Markham, Planner III
Department of Planning and Development Review (Room 511)
646-6309

PDR O&R No. 16-34



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

Project Name: 1207 SCHOOL ST. Date: 9/12/16

Property Address: 1207 SCHOOL ST. Tax Map #: N0000475020 + T
N0000475022

Fee: \$1900 Total area of affected site in acres: 4.95
(See page 3 for fee schedule, please make check payable to the "City of Richmond")

Zoning

Current Zoning: M-2

Existing Use: SCRAP METAL RECYCLING

Is this property subject to any previous land use cases?

Yes No

If Yes, please list the Ordinance Number:

Proposed Zoning/Conditional Zoning

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

REDEVELOPMENT AS A MULTIFAMILY

RESIDENTIAL PROJECT WITH TWO

4-STORY BUILDINGS AND NO MORE THAN
200 UNITS

Applicant/Contact Person: ANDREW BASHAM

Company: SPY ROCK DEVELOPMENT

Mailing Address: 1310 ROSENATH RD. SUITE 200

City: RICHMOND State: VA Zip Code: 23230

Telephone: (804) 209-9618 Fax: ()

Email: Andrew@spy-rock.com

Property Owner: 1207 SCHOOL ST, 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: 204 RIVERS BEND BLVD SUITE A

City: CHESTERFIELD State: VA Zip Code: 23836

Telephone: (804) 641-1833 Fax: ()

Email: bburnette@jamesivierexteriors.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.)

September 12, 2016

VIA HAND DELIVERY AND E-MAIL

City of Richmond Department of Planning and Development Review
Land Use Administration Division
City Hall, 900 East Broad Street, Room 511
Richmond, Virginia 23219
Attn: Ms. Lory Markham

Re: Conditional Rezoning Application of 1207 School Street, being comprised of Tax Parcel Nos. N0000475022 and N0000475020 (together, the "Property")

Dear Ms. Markham:

Spy Rock Development (the "Applicant"), submits this application on behalf of 1207 School St, LLC which owns the captioned Property located in the City of Richmond (the "City"). We submit the enclosed the materials referenced on Exhibit A (collectively, the "Application") for the conditional rezoning of the Property as authorized pursuant to Section 30-1170.1 *et seq.* of the Code of the City (the "Code"). This letter will serve as the Applicant's Report.

Current Use

The Application proposes the conditional rezoning of the Property from its present zoning designation of Heavy Industrial (M-2) to Mixed Use Business District (B-7). The Property is presently used as a scrap metal recycling facility. The Property is approximately 4.95 acres, more or less, and is bounded by the following: (i) to the north: by a parcel comprised of industrial uses fronting on School Street (split-zoned M-2 and M-1), (ii) to the east: by two parcels comprised of an office building and a restaurant, each with frontage along Brook Road (all zoned M-1), (iii) to the south: by Sledd Street, and (iv) to the west: by Interstate I-95. The property is highly visible from vehicles traveling northbound on I-95.

Proposed Use

The Applicant proposes the redevelopment of the Property as a multifamily residential project comprised of two (2) buildings not greater than four (4) stories in height with not greater than 200 units in total, together with related amenities, as generally illustrated on the enclosed Conceptual Plan and Illustrative Elevations. Access will be via School Street and Sledd Street. Off-street parking will be supplied on the Property per the requirements of Sec. 30-710.1 *et seq.* of the Code.

Conformance with Master Plan

The Property is located within the portion of the City that is subject to the VUU/Chamberlayne Neighborhood Plan, as adopted by City Council on November 16, 2015 (the "Neighborhood Plan"). The Neighborhood Plan is a component of the Richmond Master Plan, adopted by City Council in 2001, which "sets the policy direction for development in the city." The Neighborhood Plan includes an exhibit labeled "Proposed Land Use Plan", which designates the Property as being within a neighborhood sub-area labeled "Industrial Innovation District." Notably,

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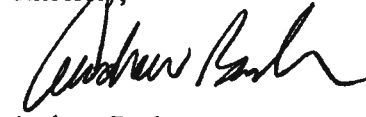
the Proposed Land Use Plan designates the Property as being rezoned to B-7, which is the zoning district designation proposed by the Application. The B-7 district regulations would allow the proposed use described in the Application as a matter of right, subject to the proffered conditions enclosed in the Application. Accordingly, approval by City Council of the proposed rezoning would implement the proposed land use designation described in the Neighborhood Plan.

Conclusion

The proposed rezoning would allow significant new investment in a portion of the City that is poised for redevelopment, as evidenced by City Council's recent approval of the Neighborhood Plan. The proposed use is consistent with the character of the surrounding properties and will conserve the value of land, buildings and structures, while encouraging the most appropriate use of the subject Property, as required by Section 17.12 of the Charter of the City.

Thank you for your consideration of this matter. Please contact us if you have any questions or require additional materials.

Sincerely,

A handwritten signature in black ink, appearing to read "Andrew Basham". The signature is fluid and cursive, written over a light background.

Andrew Basham

Enclosures

cc: Brian Burnette, Junior Burr: 1207 School St., LLC

1207 SCHOOL STREET

File No: 9742

Proffered Conditions

The undersigned, 1207 School Street, LLC, a Virginia limited liability company, as owner of parcels designated Tax Parcel Nos. N0000475022 and N0000475020, voluntarily agrees for itself, its agents, personal representatives, successors and assigns that in the event the Property is rezoned to Mixed-Use Business District (B-7) then the use of the subject Property shall be in substantial conformance with the following conditions. In the event the above-referenced rezoning is not granted as applied for by Spy Rock Development, LLC. (the "Applicant"), then these proffers shall be withdrawn and are null and void.


1. Maximum Residential Units. The number of dwelling units on the property at any time shall not exceed two hundred (200).

2. Development Plan. The property shall be developed in substantial conformance with the attached Sheet C-2, entitled "Conceptual Plan" by AES Engineering (the "Concept Plan"). In connection with review and approval of the Plan of Development, the Director of Planning and Development Review shall be authorized to approve changes in materials and other designs of the proposed development of the Property, provided that such changes are in substantial conformance with the Concept Plan.

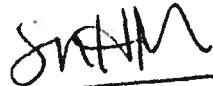
3. These proffers are in addition to any applicable City of Richmond laws, policies, and requirements and in no way alter or abrogate such laws, polices, and requirements.

Executed this 1st day of November, 2016.

1207 SCHOOL STREET, LLC,
a Virginia limited liability company

By: 
Name: BRIAN BUENNETTE
Its: OFFICER




Reg# - 7884188

MY COMM. EXPIRES - JUNE 30th, 2020

- **Environmental Testing.** The Applicant will conduct a Phase I, and if recommended a Phase II, environmental site assessment (an "ESA") of the subject property as a condition of closing on the acquisition from the current owner. Any remediation recommended by the ESA will be evaluated in connection with the purchase. The Applicant will comply with all federal, state and local laws concerning the environmental condition of the property.
- **Plan of Development.** If the Application is approved, the Applicant will obtain a POD to the extent required by applicable City Code.

ZONING OFFICE

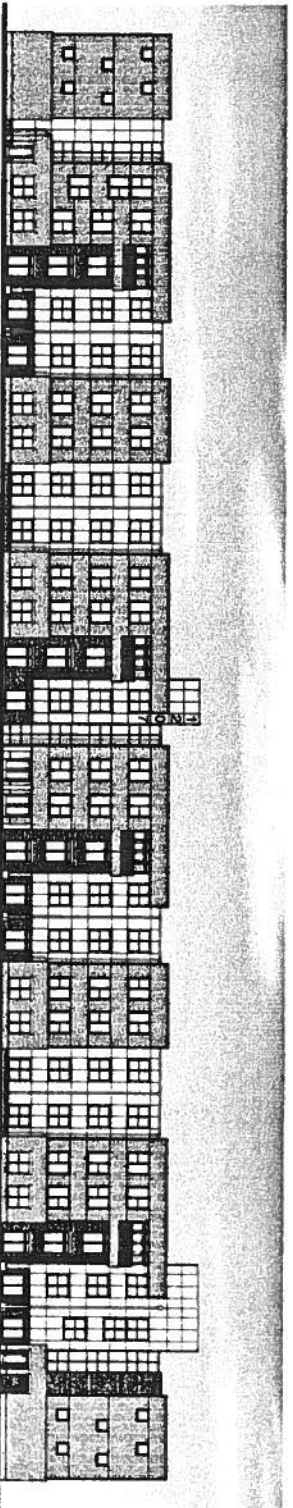
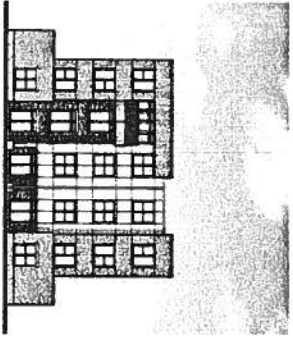
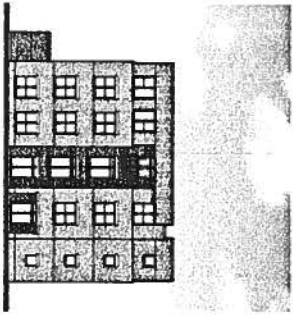
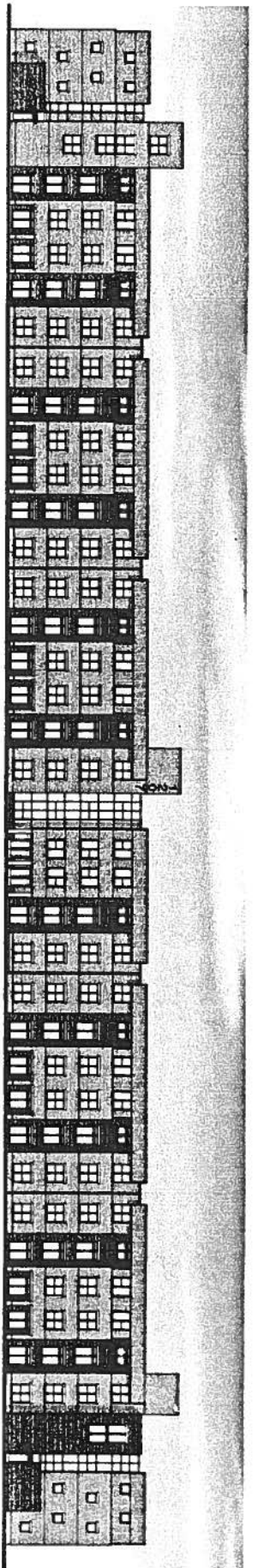
- *"The proffered conditions incorrectly cite B-5..."* - Proffered conditions revised (see enclosed).
- *"The number of units should be stated in terms of 'dwelling units'"* - Proffered conditions revised (see enclosed).
- *"Substantial conformance with following conditions"* – Proffered conditions revised (see enclosed).
- *"2nd proffered condition should be revised"* – Proffered conditions revised (see enclosed).
- *"No information on access"* – Concept plans revised to show access to Sledd St. (see enclosed sheet C-2).
- *"Insufficient detail to determine full compliance with B-7... parking lot landscape requirements not met."* – Concept plans revised to meet B-7 zoning requirements (see enclosed sheet C-2).

Thank you for your ongoing assistance with the proposal and please contact me with any questions.

Sincerely,



Andrew Basham
Spy Rock Development, LLC



1207 SCHOOL STREET CONCEPTUAL ELEVATIONS

Richmond, VA

September 9, 2016

ELEVATIONS FOR CONCEPTUAL PURPOSES ONLY



Cox, Klewfer & Associates, P.C.
 ARCHITECTS
 1000 COMMONWEALTH AVENUE, SUITE 200
 RICHMOND, VA 23261
 TEL: 804.771.1234 FAX: 804.771.1235
 WWW.COXKLEWFER.COM

SHEET NO.
A-1



November 1, 2016

City of Richmond
Department of Planning
& Development Review
900 E. Broad Street, Suite 511
Richmond, VA 23219
Attn: William Palmquist, AICP

Re. 1207 School St (N0000475020) & 1207 A School St (N0000475022)
Conditional Rezoning to B-7 (Mixed-Use Business District)
Applicant's Response to Comments from City Staff

Dear Mr. Palmquist:

Below is our response to your letter dated October 13, 2016, providing comments to the captioned application for conditional rezoning.

PLANNING & DEVELOPMENT REVIEW

- ***Consistency with VUU/Chamberlayne Neighborhood Plan.*** The VUU/Chamberlayne Neighborhood Plan (the "Neighborhood Plan") designates the subject property as an "Industrial Innovation Area", which is described in part as an area that "could be branded as a business center close to the downtown area for small companies and as an incubator location for startups" and for which B-7 (Mixed-Use Business District) is recommended. The subject property is currently used for heavy industrial uses that are not consistent with the vision set forth in the Neighborhood Plan. The Applicant proposes to eliminate the heavy industrial use and transition the property as a multifamily residential use. Multifamily residential is not presently available in the vicinity of the property, which acts as a disincentive for "small companies and ... startups" to relocate to the neighborhood. As demonstrated by the growth and redevelopment of the Scott's Addition neighborhood, the availability of quality multifamily housing fueled the relocation of entrepreneurial uses. Many workers in the "creative class" workforce express a preference for work and home being located in close proximity with one other, which also fosters growth in restaurants, markets and other uses that serve both classifications. The proposed rezoning to B-7 for multifamily uses is consistent with the Neighborhood Plan by eliminating an inconsistent heavy industrial use in favor of a use that has the potential to foster growth in the neighborhood's redevelopment as an industrial innovation area.
- ***Open Space.*** Open space has been identified on the revised concept plan (see enclosed).