



## CITY OF RICHMOND

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

**Ord. No. 2024-012:** To conditionally rezone the properties known as 4400 East Main Street and 4500 Old Main Street from the M-2 Heavy Industrial District to the TOD-1 Transit-Oriented Nodal District, upon certain proffered conditions.

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**To:** City Planning Commission  
**From:** Land Use Administration  
**Date:** February 6, 2024

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#### **PETITIONER**

Markham Planning

#### **LOCATION**

4400 E Main St and 4500 Old Main Street

#### **PURPOSE**

The applicant is requesting to conditionally rezone the subject properties from the M-2 Heavy Industrial District to the TOD-1 Transit Oriented Nodal District to allow for mixed-use development that promotes enhancing the character of development along a high activity corridor near public transit. While the M-2 district permits a wide range of uses, dwellings are not allowed, and the applicant reports that many of the industrial zoning uses could be considered noxious or undesirable to the riverfront and mix of other uses in the vicinity (Attachment 2).

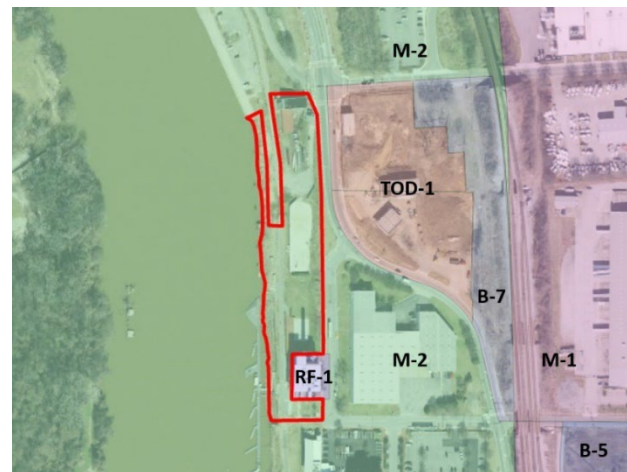


Figure 1: Surrounding Zoning Districts (subject properties outlined in red)

#### **RECOMMENDATION**

Staff finds that the proposal would be consistent with the recommendations of the City's Richmond 300 Master Plan. Staff finds that the proposal contributes to Objective 1.1 to "rezone the city in accordance with the Future Land Use Plan." (Richmond 300, p 109). The properties are designated as Corridor Mixed-Use (CMU) and Public Open Space. The CMU recommendations envision medium to medium-high density and pedestrian- and transit-oriented development that complements the existing context. This designation seeks ground floor uses that engage with and enliven the street, and buildings that generally range from two to ten stories, based on street widths and depending on the historic context. CMU supports retail/office/personal service, multi-family residential, cultural, and open space as primary uses.

Rezoning to TOD-1 is aligned with the CMU designation by allowing a variety of uses; encouraging dense, walkable, transit-oriented development; and enhancing the character of development along principal corridors, at key gateways, and at nodes of high activity located near transit service, bicycle infrastructure, and pedestrian-friendly streetscapes. Additionally, TOD-1

encourages an active pedestrian environment and enhances the mixed-use character of the district by providing windows in building facades along street frontages. The TOD-1 district provides 'form-based' standards that regulate the location and screening of parking areas, building façade fenestration, maximum setbacks, usable open space, and maximum and minimum height. In addition to these requirements, future development greater than 30,000 square feet of floor area requires a Plan of Development to ensure the compatibility with the surrounding uses. For these reasons, the TOD-1 Transit-Oriented Nodal District classification is desired as an alternative to M-2 district and is consistent with the CMU future land use recommendations.

Rezoning to TOD-1 at this location is aligned with the Public Open Space designation, which recommends "Public and quasi-public parks, recreation areas, open spaces, and cemeteries" and "includes passive and active recreation, natural habitats, cemeteries, and large plazas." (Richmond 300, p. 70). While rezoning to TOD-1 requires that a usable open space ratio be provided for newly constructed buildings, or portions thereof, devoted to dwelling uses, staff believes the properties provide ample passive and active recreation space that meets the recommendations of the Public Open Space future land use designation, since the properties already contain an existing 24-foot-wide trail easement running through the entire site.

Staff finds that the proposal contributes to Objective 6.1 to "Increase the number of residents and jobs at Nodes and along enhanced transit corridors in a land development pattern that prioritizes multi-modal transportation options." (Richmond 300, p. 109). The site is in the Rocketts Landing Neighborhood Node and is approximately 270 feet away from the GRTC Rocketts Landing bus station, which provides immediate access to public transit Pulse Bus Rapid Transit (BRT) routes leading into Downtown, Scott's Addition, and Willow Lawn.

Staff finds that the proposal is consistent with Objective 4.1 to "Create and preserve high-quality, distinctive, and well-designed neighborhoods and nodes throughout the City" (Richmond 300, p. 100). The site is located in the Rocketts Landing Neighborhood Node, which is described as "a local crossroads typically within, or next to, larger residential areas that offers goods and services to nearby residents, employees, and visitors." This node anticipates redevelopment occurring on underutilized industrial land, such as the properties subject to this proposal. Rezoning to TOD-1 provides form-based standards that will ensure high quality distinctive neighborhoods are created, while allowing for residential and commercial uses and greater density to support the growing mixed-use area.

Staff finds that the proposal is consistent with the 2009 Downtown Plan, which envisions a development scenario featuring Urban Center-character development, characterized by "higher density, mixed-use development, typically arranged on a fine-grained street network, with wide sidewalks, regular tree planting, and minimal setbacks." (Downtown Plan, p. 3.25) The proposed TOD-1 zone is aligned with the Downtown Plan by providing a mix of uses, minimal setbacks, and encouraging walkable and pedestrian-friendly streetscapes.



Figure 3: Approximate Location of Subject Properties (As viewed from Libby Hill)

Staff finds the proposal is generally in compliance with the Richmond Riverfront Plan and recommendations for the Downriver section. The proffered conditions (see section below) are consistent with the plan's recommendations of facilitating physical and visual connection to the river and extending public right-of-way to create view corridors preserving and enhancing sight lines to the river, in addition to providing physical access. While the Riverfront Plan envisions additional boat docks and slips along the river edge, between Nicholson and Orleans, marinas are not permitted in the TOD-1 district. However, should a marina expansion be sought in the future, the owner may seek a Special Use Permit to facilitate this use. Staff has reviewed the proposal and concludes that the priority view from the vantage point on Libby Hill will not be substantially impacted by the proposal. Staff finds that the property is located outside the river view area from Libby Hill Park (Figures 3 & 4). Staff believes that the existing easements running through the property adequately restrict the developable portions of the property to further minimize the massing and separation of future development from the James River, which will promote future developments visual connection to the river.



Figure 4: Approximate River View (From Libby Hill Park Vantage Point) (Subject Properties outlined in red)

**Summary of Proffered Conditions:** TOD-1 allows for buildings (including residential uses) up to 12 stories tall. Such a building could substantially increase the amount of pedestrian traffic in the vicinity, including to the riverfront. The applicant has submitted a Proffer Statement (Attachment 5) to address these impacts generated by the rezoning, which are summarized below. If adopted, the rezoning would be subject to the attached Proffer Statement.

1) Minimum of One Public Access Point

The owner proffers a minimum of one public access point through the Property linking E Main Street and the Capital Trail, the design of improvements will be reviewed by staff at the time of submitting a Plan of Development application. To address the substantially increased amount of pedestrian traffic, public access to the waterfront will be provided to preempt overcrowding of other access points and possible trespassing over private property.

2) Sidewalk and Streetscape Improvements

The owner proffers making sidewalk and streetscape improvements along E Main Street in accordance with the existing streetscape established in front of the 4708 Old Main St and 4501 E Main Street and in accordance with requirements of the Department of Public Works. There is approximately 370 feet of frontage along 4400 E Main Street that does not provide sidewalk infrastructure. The submitted proffer will create sidewalk

infrastructure necessary to serve the increased pedestrian traffic circulating around across the site that a development under TOD-1 could substantially generate.

3) Minimum Building Separation

The owner proffers a minimum building separation of 30 feet, inclusive of the Plantation Pipeline easement that intersects 4400 E Main Street. To protect communities future sight lines to the river and river view corridors between buildings, 30 feet of intervening space will be provided along the pipeline easement between buildings to address the potential impacts of future TOD-1 development. The TOD-1 zone does not require an intervening space between buildings; given that the site has approximately 740 feet of continuous frontage (to the north of 4708 Old Main Street) the proffered building separation will provide access to air and light midblock to protect future pedestrians and users generated by the development.

[Note: During a future Plan of Development review, this intervening space could be used (in conjunction with Proffer 1) to provide a public access point/connection to the Capital Trail and river.]

Staff finds that the submitted proffer statement attached to the ordinance align with the Richmond 300 Plan's goals of enhance walking, biking, and transit infrastructure (Goal 8) and establishing a distinctive city comprising architecturally significant buildings connected by a network of walkable urban streets and open spaces to support an engaging built environment (Goal 9). (Richmond 300, p. 23). E Main Street is identified as a Major Mixed-Use Street, and the above conditions are consistent with helping to carrying volumes of pedestrians through commercial and mixed-use areas and providing form elements. (Richmond 300, p. 72).

Staff finds that, with the ordinance conditions, the safeguards contained within the City Charter, relative to the granting of Conditional Rezoning, are met. Staff finds that the proposed uses would not be detrimental to the general welfare of the community involved, would not create congestion in the streets in the area involved, and would not create hazards, overcrowding of land, or interfere with public requirements and adequate light and air.

Therefore, staff recommends approval of the Conditional Rezoning request.

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## **FINDINGS OF FACT**

### **Site Description and Surrounding Area**

The properties consist of two contiguous parcels totaling 2.96 acres (Figure 1) located in the Shockoe Bottom neighborhood. The parcels have street frontage along E Main Street and Old Main Street and abut the James River to the west and Nicholson Street and Orleans Street to the east. The subject property is currently improved with one small vacant two-story brick structure, a boat storage shed, concrete pad, retaining wall, volleyball court, and marina access. The site was formerly operated for industrial purposes by James River Oil Company until 1949 and the Crown Central Petroleum Corporation until 2002.

The site is intersected by Virginia's Capital Trail, a 51.7 mile dedicated shared-use path which connects Shockoe Bottom, Richmond to Jamestown Settlement, James City County. This portion of the trail runs over a discontinued railroad spur that was granted to the City of Richmond by the current owner in 2014. Together the properties total approximately 770 feet of street frontage and



offer pedestrians prominent riverfront views to the James River from street level and along the Capital Trail.



Figure 5: Photo of Site Taken by Staff (Viewed from Capital Trail facing South)

In addition to existing access and sewer easements that cross the site, at the junction of E Main and Old Main Street, the property provides a 10-foot-wide easement for an oil pipeline.

The properties make up part of a large M-2 Heavy Industrial District, which makes up the southeast portion of Richmond along the river. Other zones that exist in vicinity include RF-1, TOD-1, B-7, M-1, and B-5 zones to the east.

### **Master Plan**

The City's Richmond 300 Master Plan designates future land use for the subject properties which include Corridor Mixed-Use and Open Space.

#### **Corridor Mixed-Use**

The City's recently adopted Richmond 300 Master Plan designates a future land use for the subject property as Corridor Mixed-Use. A Corridor Mixed-Use designation describes, "Found along major commercial corridors and envisioned to provide for medium- to medium high-density pedestrian- and transit-oriented development."

Other defining elements describe, "Development Style: The building size, density, and zoning districts for these areas may vary significantly depending on historical densities and neighborhood characteristics. Future development should generally complement existing context. Uses may be mixed horizontally in several buildings on a block or vertically within the same building. Developments continue introduce a gridded street pattern to increase connectivity.

Ground Floor: 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.

**Mobility:** Pedestrian, bicycle, and transit access are prioritized and accommodated. Bike parking is provided. Driveway entrances are required to be off alleys whenever possible; new driveways are prohibited on priority and principal streets. Parking areas are located within the structure and to the rear of buildings and require screening; shared parking requirements are encouraged.

**Intensity:** Buildings generally ranging from two to ten stories, based on street widths and depending on the historic context and stepping down in height adjacent to residential areas. New buildings that are taller than historical buildings should step back from the build-to line after matching the height of the predominant cornice line of the block.

**Primary Uses:** Retail/office/ personal service, multi-family residential, cultural, and open space.

**Secondary Uses:** Single-family houses, institutional, and government.” (Richmond 300, p. 60).

### Public Open Space

The City’s recently adopted Richmond 300 Plan designates a future land use for the subject property as Public Open Space. A Public Open Space designation describes, “Public and quasi-public parks, recreation areas, open spaces, and cemeteries.”

Other defining elements describe, “Development Style: Includes passive and active recreation, natural habitats, cemeteries, and large plazas.

**Ground Floor:** Not applicable.

**Access:** Designed in a manner to allow access by all modes of transportation, while emphasizing connections to bicycle and pedestrian amenities, such as sidewalks, bike lanes, and shared-use paths. Bike parking and other such amenities are provided as well.

**Density/Height:** Not applicable.

**Primary Uses:** Open space.

**Secondary Uses:** Cultural, institutional, and governmental.” (Richmond 300, p. 70).

### **Neighborhood Participation**

Staff notified area residents and property owners, as well as the Shockoe Partnership. As of this date, staff has not received written public comments regarding the application.

### **Staff Contact:**

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### **Attachments**

1. Application Coversheet
2. Applicant’s Report
3. Surveys
4. Map
5. Proffer Statement