

INTRODUCED: June 25, 2018

AN ORDINANCE No. 2018-186

To amend Ord. No. 2008-111-133, adopted Jun. 23, 2008, which conditionally rezones the properties known as 1000 and 1100 Jefferson Davis Highway (also known as the Model Tobacco Site) from the M-1 Light Industrial District to the B-6 Mixed-Use Business District (Conditional), upon certain proffered conditions, to revise the proffered conditions.

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

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

PUBLIC HEARING: JULY 23 2018 AT 6 P.M.

THE CITY OF RICHMOND HEREBY ORDAINS:

I. That Ordinance No. 2008-111-133, adopted June 23, 2008, be and is hereby amended and reordained as follows:

§ 1. That, as shown on the plat entitled “Two Parcels of Land Located at the Northwest Corner of Hopkins Road and Jefferson Davis Highway,” prepared by McCrone, Inc., and dated November 28, 2007, and the plat entitled “Plat of Property Situated on the Northwest Corner of Hopkins Road and Jefferson Davis Highway, Richmond, VA,” prepared by Chas. H. Fleet & Associates, and dated February 17, 1989, [a copy] copies of which [is] are attached to, incorporated into, and made a part of [this ordinance] Ordinance No. 2008-111-133, adopted

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

ADOPTED:    JULY 23 2018    REJECTED:    \_\_\_\_\_    STRICKEN:    \_\_\_\_\_

June 23, 2008, and this amendatory ordinance, the following properties, with tax parcel numbers as shown in the ~~[2008]~~ 2018 records of the City Assessor, are excluded from the M-1 Light Industrial District and shall no longer be subject to the provisions of sections ~~[114-452.1]~~ 30-452.1 through ~~[114-452.4]~~ 30-452.4 of the Code of the City of Richmond ~~[(2004)]~~ (2015), as amended, and that the same are included in the B-6 Mixed-Use Business District (Conditional) and shall be subject to the provisions of sections ~~[114-444.2]~~ 30-444.2 through ~~[114-444.8]~~ 30-444.8 and all other applicable provisions of Chapter ~~[114]~~ 30 of the Code of the City of Richmond ~~[(2004)]~~ (2015), as amended:

1000 Jefferson Davis Highway	Tax Parcel No. S007-0975/001
1100 Jefferson Davis Highway	Tax Parcel No. S007-0975/002

§ 2. That this rezoning shall be conditioned upon the compliance by the owner or owners with all of the proffered conditions contained in the agreement entitled “Proffered Conditions for ~~[1000—1100]~~ 1000-1100 Jefferson ~~[Davis Highway,]~~ Da vis Idghway [sic] Model Tobacco Complex” and dated ~~[May 21, 2008]~~ January 3, 2018, a copy of which is attached to, incorporated into, and made a part of this ordinance. These conditions, having been proffered by the owner or owners and accepted by the City, shall continue in full force and effect until a subsequent amendment to the City’s zoning ordinance changes the zoning of the parcels rezoned by this amendatory ordinance and specifically repeals such conditions.

§ 3. This ordinance shall be in force and effect upon adoption.

II. This amendatory ordinance shall be in force and effect upon adoption.

# City of Richmond

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

## Item Request

File Number: PRE.2018.233

**RECEIVED**

JUN 13 2018

OFFICE OF CITY ATTORNEY

O & R Request

**O & R REQUEST**

MAY 30 2018

4-7860

Office of the

Chief Administrative Officer

**DATE:** May 29, 2018

**EDITION:** 1

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

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

**THROUGH:** Selena Cuffee Glenn, Chief Administrative Officer

**THROUGH:** Peter L. Downey, Deputy Chief Administrative Officer for Economic Development and Planning

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

**RE:** To amend Ord. No. 2008-111-133, which conditionally rezoned the properties known as 1000 and 1100 Jefferson Davis Highway (also known as the Model Tobacco Site) from the M-1 Light Industrial District to the B-6 Mixed-Use Business District (Conditional), to amend certain proffered conditions.

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

**PURPOSE:** To amend Ord. No. 2008-111-133, which conditionally rezoned the properties known as 1000 and 1100 Jefferson Davis Highway (also known as the Model Tobacco Site) from the M-1 Light Industrial District to the B-6 Mixed-Use Business District (Conditional), to amend certain proffered conditions.

**REASON:** The applicant is requesting an amendment to the proffers made part of Ord. No. 2008-111-133, which was approved by City Council on June 23, 2008. The 2008 rezoning request was made for the purposes of facilitating an adaptive reuse of the property primarily for residential uses.

**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 16, 2018, meeting. A letter outlining the Commission's recommendation will be forwarded to City Council following that meeting.

**BACKGROUND:** The subject properties, occupying approximately 15.89 acres, are located on the northwest corner of Jefferson Davis Highway and Hopkins Road, in the Maury neighborhood of the Old South Planning District. The properties are currently occupied by the historic Model Tobacco site, which includes a 6-story Art Deco style building historically used as a tobacco factory. The properties also contain various other historic industrial buildings associated the manufacturing and production of tobacco

The applicant is proposing to adaptively reuse a majority of the existing buildings on the properties with a mix of uses. The primary use of the property is proposed as residential, with up to 600 dwelling units located in the existing buildings.

The intent of the B-6 zoning district is to encourage development of mixed land uses consistent with the objectives of the master plan and the downtown plan, and to promote enhancement of the character of development along principal corridors and in other areas. The district regulations are intended to encourage appropriate infill development on undeveloped land, promote adaptive reuse of underutilized buildings or enable redevelopment of properties where continuation of current uses or adaptive reuse is not feasible, depending on the character and needs of particular areas. The district regulations are also intended to safeguard the character of adjoining properties, to maintain existing streetscape character by providing continuity of building setbacks and heights, to enhance public safety and encourage an active pedestrian environment appropriate to the mixed use character of the district by providing for windows in building facades along street frontages, and to promote an environment that is conducive to preservation of important historic, architectural and cultural features that may exist within the district. Finally, the district regulations are intended to ensure adequate accessible parking and safe vehicular and pedestrian circulation, to facilitate a streetscape with minimum setbacks along principal street frontages and to provide for limited interruption by driveways and vehicular traffic across public sidewalk areas along principal street frontages.

The applicant proposes to develop the properties in a manner consistent with the B-6 Mixed-Use Urban Business District regulations. The applicant is proposing primarily residential use of the property with possible secondary office and commercial uses. The B-6 Mixed-Use Business District regulates minimum heights, maximum setbacks and the orientation of parking to the side or the rear of buildings.

The proffers are being amended to remove the condition requiring a swimming pool and to add a condition requiring a landscaping, parking and streetscape plan be approved by the Director of Planning and Development Review prior to issuance of any building permits. All other conditions will remain as previously approved.

The Master Plan recommends "Mixed-Use" for the subject property, which includes "combinations of office, retail, personal service, general commercial, and service uses and, in some cases, multi-family residential and dwelling units above ground floor commercial" (p. 134). The B-6 district is a typical zoning classification to accommodate this land use category.

Specifically for the Jefferson Davis Highway, the Master Plan states that "revitalization of the Jefferson Davis Highway corridor is a high priority" (p. 274).

The surrounding properties are zoned M-1 Light Industrial and B-3 General Business and are occupied by a mix of uses, including commercial, office, and industrial.

**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:** None.

**REVENUE TO CITY:** \$1,800 application fee.

**DESIRED EFFECTIVE DATE:** Upon adoption.

**REQUESTED INTRODUCTION DATE:** June 25, 2018

**CITY COUNCIL PUBLIC HEARING DATE:** July 23, 2018

**REQUESTED AGENDA:** Consent.

**RECOMMENDED COUNCIL COMMITTEE:** None.

**CONSIDERATION BY OTHER GOVERNMENTAL ENTITIES:** City Planning Commission, July 16, 2018

**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.:** Amendment of Ord. No. 2008-111-133.

**REQUIRED CHANGES TO WORK PROGRAM(S):** None.

**ATTACHMENTS:** Application Form, Applicant's Report, Draft Amended Ordinance and Proffers, Surveys, Map

**STAFF:** Jonathan Brown, Senior Planner  
Land Use Administration (Room 511) 646-5734

*PDR O&R No. 18-39*



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.richmondva.gov>

**Project Name/Location**

Property Address: 1000 AND 1100 JEFFERSON DAVIS HWY Date: DEC 28, 2017  
Tax Map #: \_\_\_\_\_ Fee: \_\_\_\_\_  
Total area of affected site in acres: 15.87

TAX MAP #  
5007-0975/001  
5007-0975/002

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

**Zoning**

Current Zoning: B-G CONDITIONAL

Existing Use: VACANT

**Proposed Zoning/Conditional Zoning**

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

PROFFER AMENDMENT  
Existing Use: \_\_\_\_\_

Is this property subject to any previous land use cases?

Yes

No

If Yes, please list the Ordinance Number: 2008-111-133

**Applicant/Contact Person:** WILLY THOMPSON

Company: MARLBHAM PLANNING

Mailing Address: 3314 WEST MAIN ST

City: RICHMOND

State: VA

Zip Code: 23220

Telephone: (540) 583-7320

Fax: ( )

Email: WILLY.THOMPSON@MARLBHAMPLANNING.COM

**Property Owner:** SEE ATTACHED PROPERTY OWNER SHEET

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: SEE ATTACHED

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.



February 15, 2018

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 a Conditional Rezoning Amendment Application at 1000 and 1100 Jefferson Davis Highway (Also known as Model Tobacco Site); and a Rezoning Application at 210 Brinser Street

Dear Mr. Olinger,

Please accept this letter as the Applicant's Report for the Conditional Rezoning Amendment (REZ) application for 1000 and 1100 Jefferson Davis Highway, also known as Model Tobacco Site. With this application, Chris Harrison, is petitioning the City Council for authorization to amend the existing proffers approved in 2008 as part of a rezoning from M-1 Light Industrial to B-6 Mixed-Use Business. The proposed amendment would remove the proffer requiring an indoor swimming pool and modify the proffer regulating the site's landscaping.

In addition, the applicant is requesting to rezone 210 Brinser Street from M-1 Light Industrial to B-6 Mixed-Use Business.

#### *Site*

The properties 1000 and 1100 Jefferson Davis Highway, occupying approximately 15.89 acres, are located on the northwest corner of Jefferson Davis Highway and Hopkins Road. The properties are currently occupied by the historic Model Tobacco site, which includes a 6-story Art Deco style building historically used as a tobacco factory. The properties also contain various other historic industrial buildings associated with the manufacturing and production of tobacco. In 2008, the properties were conditionally rezoned from M1- Light Industrial to B-6 Mixed-Use Business for the purposes of adaptively reusing a majority of the existing buildings for a mix of uses. The primary use proposed was residential, with up to 600 dwelling units.

The property at 210 Brinser Street, occupying approximately 0.84 acres, is located at the end of Brinser Street off of Jefferson Davis Highway. The property adjoins 1000 Jefferson Davis Highway to the north.

*Proposal*

The applicant proposes to amend the existing proffers for 1000 and 1100 Jefferson Davis Highway, which among other things require that an indoor swimming pool be constructed in Building 2 (Proffer #7). The applicant intends to construct an outdoor swimming pool. In addition, the applicant proposes to amend Proffer #10, to require a landscape, parking, and streetscape plan to be provided to and approved by the Director of Planning and Development Review prior to issuance of any building permits. All other proffers would remain as approved.

In addition, the applicant proposes to rezone 210 Brinser Street from M-1 to B-6.

*Zoning and Ordinance Conditions*

The zoning is B-6 Mixed-Use Business, which permits multi-family residential uses and a mix of commercial uses. All existing proffers will remain as approved except for the proposed amendments to Proffers #7 and #10.

*Master Plan*

The City's 2001 Master Plan recommends Mixed-Use and specifically states that the revitalization of the Jefferson Davis Highway corridor is a high priority.

*City Charter Conditions*

This is an ideal opportunity in the City's Jefferson Davis Highway corridor to utilize a historically commercial property for the community's benefit. We trust that you will agree with us that this amendment meets the City Charter criteria as the project will not (i) be detrimental to the safety, health, morals and general welfare of the community involved; (ii) tend to create congestion in streets, roads, alleys and other public ways and places in the area involved; (iii) create hazards from fire, panic or other dangers; (iv) tend to overcrowding of land and cause an undue concentration of population; (v) adversely affect or interfere with public or private schools, parks, playgrounds, water supplies, sewage disposal, transportation or other public requirements, conveniences and improvements; or (vi) interfere with adequate light and air.

Thank you for your consideration of this application. Please feel free to contact me at [willy.thompson@markhamplanning.com](mailto:willy.thompson@markhamplanning.com) or (540) 383-4320 if you have any questions or require additional materials to process the application.

Very Truly Yours,

Willy Thompson, AICP

**Enclosures**

cc: The Honorable Reva Trammell  
Matthew Ebinger, Secretary to the City Planning Commission



PROPERTY OWNERS INFORMATION

1000 JEFFERSON DAVIS HIGHWAY  
CHARLES J & EILEEN M KECK  
400 HUGUENOT TRAIL, MIDLOTHIAN, VA 23113

1100 JEFFERSON DAVIS HWY  
CHARLES J KECK  
1100 JEFFERSON DAVIS HWY, RICHMOND, VA 23224

**PROFFERED CONDITIONS FOR  
1000-1100 JEFFERSON DA VIS IDGHWAY MODEL TOBACCO COMPLEX**

The undersigned owner of Tax Parcels S0070975002 and S0070975001 (the "Property") hereby agree that development of the Property shall be undertaken in accordance with the following proffered conditions, to the extent that the proffered conditions are accepted by City Council in conjunction with the rezoning of the Property.

**Historic Preservation**

1. The existing 6-story brick building (Building 1 on attached plat) located at the front of the property shall not be demolished and shall be restored in accordance with the Secretary of the Interior's Standard's for Rehabilitation.
2. The existing 1-story brick building (Building 2 on attached plat) shall not be demolished and shall be restored in accordance with the Secretary of the Interior's Standard's for Rehabilitation.
3. The three (3) existing 1-story metal "tobacco warehouse" buildings (Buildings 3, 4, and 5 on attached plat) shall not be demolished and shall be restored in accordance with the Secretary of the Interior's Standard's for Rehabilitation.
4. The "MODEL TOBACCO" signage located on the north and south ends of the 6-story brick building (Building 1 on attached plat) shall be preserved.

**Amenities**

5. There shall be no more than 600 dwelling units located on the property. No more than 221 dwelling units may be developed on the property using low-income housing tax credits. No less than forty-nine (49) market rate units shall be developed in the existing 6-story building (Building 1 on the attached plat) without the use of low-income housing tax credits.
6. Each dwelling unit shall have a floor area of not less than 560 square feet. The average floor area of all dwelling units shall not be less than 750 square feet. A minimum of 12% of the dwelling units shall have a floor area equal to or greater than 1,000 square feet.
7. There shall be a community room for usage by all residents. The community room will be located on the roof of Building 1 on the attached plat.
8. Building 7 on the attached plat shall be not be used for dwelling units.
9. Landscaping, parking, and streetscape improvements shall be provided and approved by the Director of Planning and Development Review prior to issuance of any building permits.
10. Emergency vehicular access to the site shall be provided at the intersection of Elton Street and Thurman Street.

January 3, 2018

Charles J. Keck, Property Owner

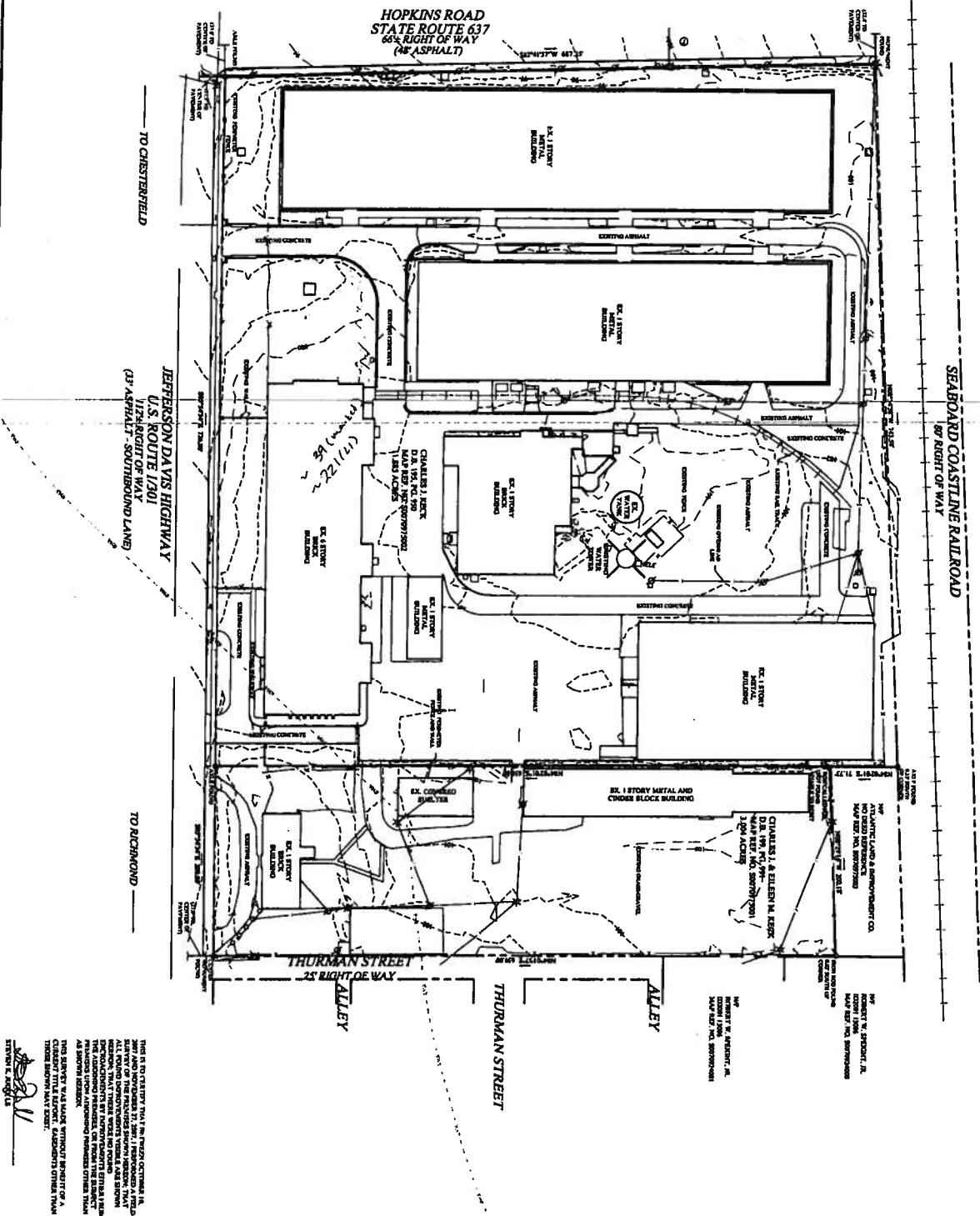


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**LEGEND**

- PROPERTY LINE
- PROPERTY CORNER
- BUILDING OUTLINE
- SIDEWALK
- CONCRETE
- FINISH PAVT
- FINISH LINE
- TELEPHONE SERVICE
- TELEPHONE SERVICE
- POWER POLE
- LIGHT POLE
- OVERHEAD DISTRIBUTION LINE
- UNDERGROUND DISTRIBUTION LINE
- APPROXIMATE WALL LIMITS



THIS IS TO CERTIFY THAT THE SURVEYING INSTRUMENTS AND EQUIPMENT USED IN THE SURVEY WERE CALIBRATED AND FOUND TO BE ACCURATE AND THAT THE SURVEY WAS MADE WITHOUT PREJUDICE TO ANY PARTY AND THAT THE SURVEYOR HAS NOT BEEN AFFECTED BY ANY INTEREST IN THE LAND SURVEYED. THE SURVEYOR HAS NOT BEEN AFFECTED BY ANY INTEREST IN THE LAND SURVEYED. THE SURVEYOR HAS NOT BEEN AFFECTED BY ANY INTEREST IN THE LAND SURVEYED.

STEVEN E. JOHNSON

PLAT SHOWING SURVEY OF  
**TWO PARCELS OF LAND**  
 LOCATED AT THE NORTHWEST CORNER OF  
 HOPKINS ROAD AND JEFFERSON DAVIS HIGHWAY  
 RECORDED IN D.B. 195, PG. 150 & D.B. 199, PG. 991  
 CITY OF RICHMOND, VIRGINIA

DATE	11-28-2007
JOB NUMBER	V1870268
SCALE	1"=40'
DRAWN BY	BJL
DESIGNED BY	BJL
APPROVED BY	BJL
DATE	11-28-2007

**McCRONE**

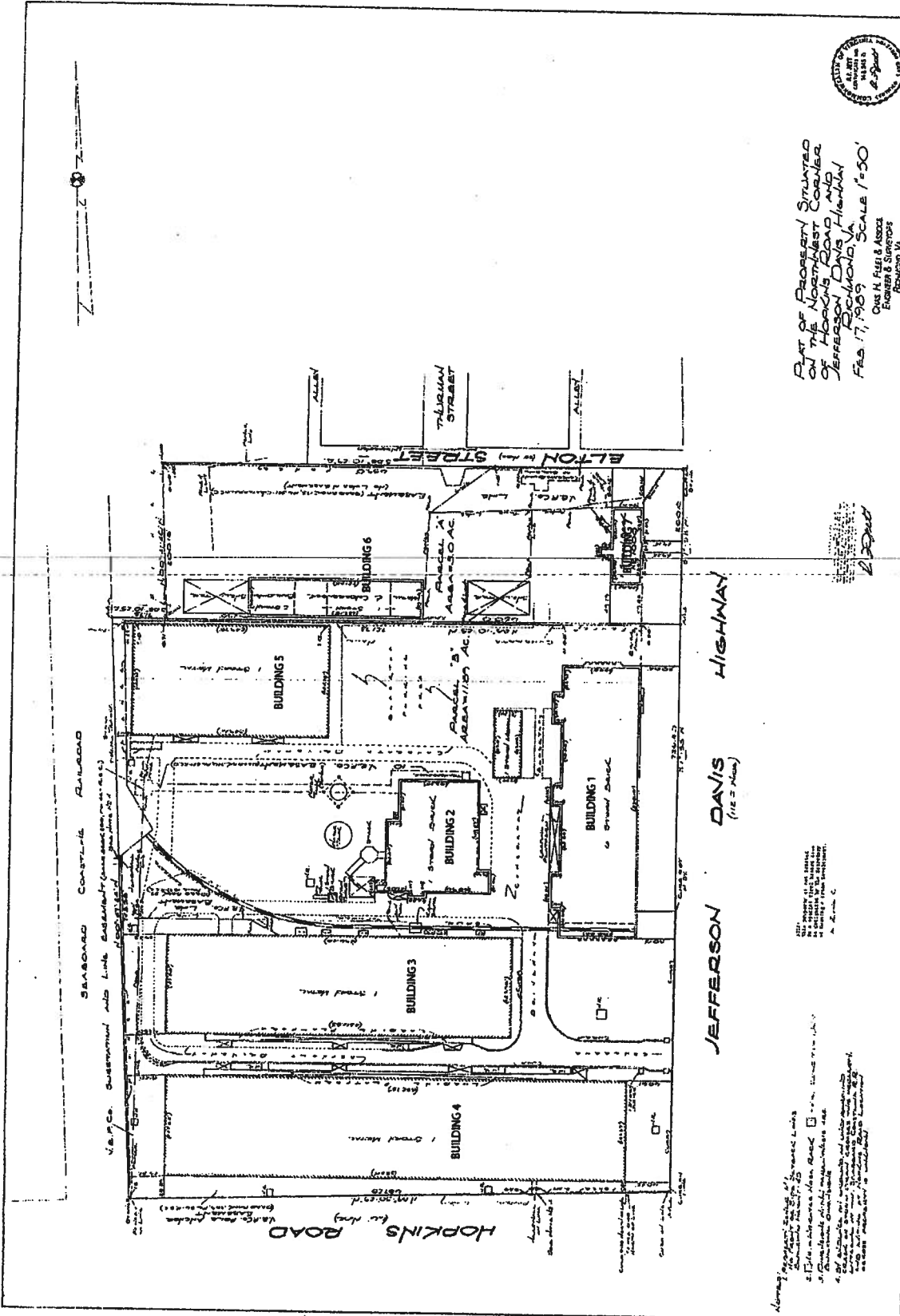
- Engineering
- Environmental Sciences
- Construction Services
- Land Planning & Surveying

ANNAPOLIS • CENTREVILLE • DOVER • ELKTON • RICHMOND • SALISBURY

**REVISIONS**

REV. #	DATE	DESCRIPTION





PLAT OF PROPERTY SITUATED ON THE NORTHEAST CORNER OF HOPKINS ROAD AND JEFFERSON DAVIS HIGHWAY, RICHMOND, VA. FILED 17, 1989. SCALE 1"=50'

Chas. H. Fultz & Assoc.  
Engineers & Surveyors  
Richmond, VA.



± H-45

JEFFERSON DAVIS HIGHWAY  
(116 = Main)

ALL PROPERTY OF THE STATE OF VIRGINIA IS HEREBY RETURNED TO THE PUBLIC DOMAIN.

1. The property shown on this plan is the property of the State of Virginia.

2. The property shown on this plan is the property of the State of Virginia.

3. The property shown on this plan is the property of the State of Virginia.

4. The property shown on this plan is the property of the State of Virginia.

5. The property shown on this plan is the property of the State of Virginia.