



CITY OF RICHMOND

Department of Planning & Development Review *Staff Report*

Ord. No. 2021-031: To rezone the property known as 2902 North Arthur Ashe Boulevard from the M-2 Heavy Industrial District to the TOD-1 Transit-Oriented Nodal District.

To: City Planning Commission
From: Land Use Administration
Date: March 1, 2021

PETITIONER

Lory Markham – Markham Planning

LOCATION

2902 North Arthur Ashe Boulevard

PURPOSE

To rezone the property known as 2902 North Arthur Ashe Boulevard from the M-2 Heavy Industrial District to the TOD-1 Transit-Oriented Nodal District.

SUMMARY & RECOMMENDATION

The applicant is requesting to rezone the property to TOD-1 Transit-Oriented Nodal District, which allows for dense, walkable transit-oriented mixed-use development whereas the current M-2 Heavy Industrial District does not permit dwelling units and permits a variety of industrial uses not permitted under the TOD-1 regulations.

Staff finds that the proposed rezoning is consistent with the recommendations of the Richmond 300 Master Plan. The recommended future land use of Industrial Mixed-Use includes commercial, multi-family residential, cultural and open space uses. While the proposed zoning permits a height of up to twelve stories and the Industrial Mixed-Use land use category generally calls for heights ranging from three to eight stories, the subject property's location within the "Greater Scott's Addition" priority growth node as well as its location along North Arthur Ashe Boulevard, which is designated as both a "major mixed-use street" and "great street" on the "Great Streets and Street Typologies Map," support the additional height.

Therefore, staff recommends approval of the rezoning request.

FINDINGS OF FACT

Site Description

The subject property contains a lot area of 137,936 square feet, or 3.17 acres, and is currently improved with a one-story office and distribution warehouse building containing a floor area of approximately 36,000 square feet. The property is located in the Greater Scott's Addition neighborhood, at the corner of Arthur Ashe Boulevard and Boulevard West.

Proposed Use of the Property

The proposed rezoning would accommodate development allowable within the TOD-1 Transit-Oriented Nodal District.

Master Plan

Richmond 300 recommends a future land use of “Industrial Mixed-Use” for the property. The primary uses envisioned for Industrial Mixed-Use are retail/office/personal service, multi-family residential, cultural, and open space. The development style envisioned is a mix of building types with low-scale, post-industrial buildings that are adapted for a new use adjacent to new taller residential and/or office buildings. Buildings should have street-oriented facades with window and door openings along street frontages. New light industrial uses are compatible with residential and office uses, and are attractively buffered. New developments continue or introduce a gridded street pattern to increase connectivity. Ground floor uses are envisioned to engage with and enliven the street through windows, doors, storefronts and other features that allow transparency and interaction between building and street. The recommended intensity is medium to high density with heights in the range of three to eight stories. Pedestrian, bicycle and transit access must be prioritized.

The property is also located within the “Greater Scott’s Addition” primary growth node, which envisions the area as a series of neighborhoods that provide new employment and housing developments connected by a series of open spaces and a transportation network that supports aging-in-place. A variety of housing options that provide opportunities for low-, moderate-, and high-income households is also envisioned. The subject property is located within the “Industrial Mixed-Use” district of the Greater Scott’s Addition primary growth node, which envisions a continued evolution of Scott’s Addition by combining entertainment, residential, office and light industrial uses. The portion of North Arthur Ashe Boulevard that abuts the property is designated as both a “Major Mixed-Use Street” and “Great Street” in Richmond 300’s “Great Streets and Street Typologies Map.”

Objective 14.5 of Richmond 300 states: Encourage more housing types throughout the city and greater density along enhanced transit corridors and at Nodes by amending the Zoning Ordinance.

Zoning and Ordinance Conditions

The property is currently located within the M-2 Heavy Industrial Zoning District.

The City’s Zoning Administration reviewed the application and provided the following comments:

ZONING AND USE:

CURRENT: The current zoning districts (M-2) permit a wide variety of commercial and industrial uses. The current zoning district does not permit dwelling units.

PROPOSED: The proposed zoning district (TOD-1) permits a more limited scope of commercial uses and also permits dwelling units, provided that when the principal street frontage for a given property is designated as street-oriented commercial, a portion of the first floor must be a permitted non-dwelling use. The current use of the property as a distribution warehouse facility

is not permitted in the B-5 district. Uses that are permitted by-right in the M-2 that would not be permitted in TOD-1 include:

- Any use with a drive-up facility
- Adult entertainment establishments, adult book stores, adult motion pictures theaters and massage parlors
- Auto service centers
- Auto, truck, motorcycle, boat, trailer, recreational vehicle, manufactured home and construction equipment sales, rental service, storage and general repair, and body repair and painting, convertible top and seat cover repair and installation
- Building material and contractors' sales and storage yards
- Churches and other places of worship
- Communication centers and telephone repeater stations operated by public service corporations
- Contractor's shops, offices and display rooms
- Drive-in theaters
- Funeral homes
- Furniture repair and upholstery shops
- Greenhouses and plant nurseries
- Hospitals
- Janitorial and custodial service and supply establishments
- Laboratories and research facilities
- Marinas
- Motor fuels dispensing
- Parking areas and parking lots
- Recreation and entertainment uses located outside of completely enclosed buildings
- Repair businesses conducted within completely enclosed buildings
- Sales lots for Christmas trees, vegetable stands and other seasonal uses
- Self-service auto washing facilities and automatic auto washing facilities operated by attendants
- Service stations
- Shopping centers
- Tire recapping and vulcanizing shops
- Tourist homes
- Travel trail parks and campgrounds
- Truck and freight transfer terminals
- Uses owned or operated by governmental agency, but not included facilities intended for incarceration or alternative sentencing or facilities primarily for the care, treatment or housing of persons who are currently illegally using or are addicted to a controlled substance as defined in State Code
- Wholesale, warehouse and distribution establishments
- Food and Beverage manufacturing 8,000 SF and over
- Metal and Metal Products manufacturing and processing
- Textile, bedding and fibers manufacturing and processing
- Wood and paper product manufacturing, packaging and processing
- Other unclassified uses listed in Section 30-452.1 (2) e of the Zoning Ordinance
- Curing, smoking, packing or storing of fish

- Incinerating, reducing dumping or storing, including transfer facilities
- Manufacturing or refining of ammonia, bleaching powder, chlorine, celluloid, pyroxylin and explosive or flammable products made therefrom; dyestuff, explosives and pyrotechnics, gypsum, lime, cement, plaster of Paris, matches, turpentine, paint, varnish and fertilizer from organic material or bone distillation
- Manufacturing or storage of sulphurous, sulphuric, nitric, picric, hydrochloric or other corrosive acid, exclusive of the use or storage thereof in connection with other permitted uses of buildings or premises
- Medical waste management facilities
- Flea markets
- Outdoor shooting ranges
- Nightclubs
- Private penal institutions
- Alternative incarceration domiciliary facilities and institutions
- Refining of tallow, grease or lard
- Refining of petroleum products
- Refining of fat
- Retail sales of liquor
- Sales, storage or disposal of used tires in bulk
- Storage of dyestuffs, explosives and pyrotechnics
- Storage of petroleum products in bulk for distribution in areas beyond the metropolitan area

YARDS:

CURRENT: M-2 has no yard requirements except along the property line or across an alley from property in an R district.

PROPOSED: TOD-1 has a front yard requirement of ten feet (minimum) and fifteen feet (maximum) for dwelling uses located on the ground floor. For uses other than dwelling units the front yard requirement is ten feet maximum (no minimum). Pedestrian plazas or outside dining allow the front yard maximum to be exceeded, upon approval from the Director with a recommendation from the UDC.

There are currently no side or rear yard requirements and there would be none under TOD-1 either.

HEIGHT:

CURRENT: M-2 both has a maximum height of 45' with additional height permitted when all portions of buildings or structures over 45' in height are set back from side and rear lot lines a minimum of one foot for each two feet in height in excess of 45' and provided, further, that no portion of a building or structure shall penetrate an inclined plane originating at the centerline of an abutting street and extending over the lot at an inclination of one foot horizontal for each three feet vertical.

PROPOSED: TOD-1 has a maximum height of twelve stories, with each story except the ground floor being at least 10' and no greater than 15' (the ground floor would be permitted to exceed 15' in height). For any new building the minimum height is two stories, except that porches, porticos and similar structures attached to a main building may be of a lesser height. In cases where rear or side lot lines abut or are situated across from an alley of property locate in an R-district, no portion of a building can penetrate an inclined plane originating from the third story of the property at the side building wall and extending over the lot to the front lot line at an inclination of one foot horizontal for each one foot vertical.

ADDITIONAL FORM REQUIREMENTS: The TOD-1 zoning district has several form-based requirements that do not currently apply in the M-2 zoning districts. This includes the following:

- Location of parking and circulation areas- Areas devoted to the parking and circulation of vehicles shall not be located between the main building and principal street. The first floor of parking decks and parking garages (both stand alone and when contained within a building with other uses) along the principal street frontage must be devoted to other permitted principal uses which shall have a depth of not less than 20' along the principal street frontage or to means of pedestrian or vehicle access, provided that vehicle access along such street frontage shall be permitted only when no other street or alley is available for adequate access. *If Boulevard West is the principal street frontage, parking areas will not be permitted between main buildings and Boulevard West, and parking areas must be no closer to Boulevard West than the main buildings.*
- Driveways from streets- No driveway intersecting a street which constitutes the principal street frontage of a lot shall be permitted when other street frontage or alley access is available. *If Boulevard West is the principal street frontage, no NEW entrance will be permitted off of it (the existing entrance must be utilized).*
- Building façade fenestration- Depending on use (nondwelling vs. dwelling) and story (street level vs. upper), a portion of the building façade (30%-60%) facing the principal street must be comprised of windows, and must be double-hung, single-hung, awning or casement type for dwelling uses.

PARKING: TOD-1 requires fewer spaces for parking due to availability of transit and proximity to a variety of uses, including residential and commercial.

CURRENT: M-2 district off-street parking requirements are dictated by the chart found in Section 30- 710.1 (a) in the zoning ordinance. On-street parking fronting the parcel is eligible to count towards off-street parking requirements.

PROPOSED: In TOD-1, off-street parking spaces shall not be required for uses other than dwelling uses, hotels and motels. For dwelling units, no parking spaces are required for the first sixteen (16) dwelling units; one parking space per two dwelling units is required in excess of sixteen (16) dwelling units.

Bike parking will be required for multi-family and parking deck uses.

Based on the existing guardrails and grade difference between the site and North Arthur Ashe Boulevard, in addition to the orientation of buildings along Boulevard West, the principal frontage of the lot appears to be Boulevard West. This may change based on proposed grading and orientation of new buildings on the site.

A plan of development shall be required for the construction of any new building containing more than ten dwelling units. Compliance with the above criteria for the TOD-1 zoning district, in addition to parking and screening requirements, will take place with Plan of Development and/or Building Permit submittal.

Surrounding Area

Properties to the south, west and north are also located in the M-2 Heavy Industrial District. Properties to the east are located in the M-1 Light Industrial District. The property is bordered by CSX railroad right-of-way to the south.

Other industrial properties are located to the west along Boulevard West and a Greyhound bus station is located to the north. Vacant property owned by the City of Richmond Public Works Department is located directly across North Arthur Ashe Boulevard to the east, and The Diamond complex and Sports Backers Stadium is located to the north and east, respectively, of the City-owned vacant property.

Neighborhood Participation

Staff notified the Scott's Addition Boulevard Association of the proposed rezoning as well as area residents and property owners. Staff received a Development Proposal Response Form from the association indicating that it does not take a position on the proposal.

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