



# CITY OF RICHMOND

## Department of Planning & Development Review

### *Staff Report*

**Ord. No. 2022-146:** To rezone the property known as 1200 Dinwiddie Avenue from the M-1 Light Industrial zone to the B-7 Mixed-Use Business zone.

---

**To:** City Planning Commission  
**From:** Land Use Administration  
**Date:** June 6, 2022

---

#### **PETITIONER**

Lory Markham – Markham Planning

#### **LOCATION**

1200 Dinwiddie Avenue

#### **PURPOSE**

To rezone the property known as 1200 Dinwiddie Avenue from the M-1 Light Industrial zone to the B-7 Mixed-Use Business zone.

#### **SUMMARY & RECOMMENDATION**

The applicant is requesting to rezone the property to the B-7 Mixed-Use Business zone, which allows for dense, walkable transit oriented mixed use development that includes residential and commercial uses, minimal yards, and a maximum height of between five and six stories; whereas, the current M-1 Light Industrial allows primarily industrial uses with no yard requirements and a maximum building height of 45 feet, greater when set back from the property line.

Staff finds that the rezoning and allowable uses within the B-7 zone are consistent with the recommendations of the City's Richmond 300 Master Plan pertaining to Industrial Mixed-Use areas.

Staff further finds that the intent of the B-7 zone is consistent with several characteristics of the current Industrial Mixed-Use designation including street-oriented facades, active ground floor uses, rear off-street parking, and introduction of residential uses in a previously primarily "maker use" area.

Staff finds that the larger industrial neighborhood surrounding the subject property is a transition area between traditional residential neighborhoods to the west and currently industrial neighborhoods, which are designated as Destination Mixed Use and are experiencing significant growth activity, to the east along Commerce Road and south of Manchester. The proposed B-7 zoning allows a height of 5 stories, a height consistent with transition between primarily two story residential structures to the west and the TOD-1 zone that is becoming prevalent along Commerce Road which allows a maximum of 12 stories.

Staff finds that there are nearby neighborhood assets that will help transition the existing industrial uses to a residential/commercial neighborhood appropriate for the new users that will be introduced. The subject property is located on the north edge of a larger industrial neighborhood,

with industrial uses located to the northeast, east, south, and west. Detached Residential uses are located to the west, two blocks from the subject property. A City owned green space known as the Blackwell Community Center is located directly north of the subject property, which access has recently been provided from Dinwiddie Avenue, near the property. The Blackwell Community Center greenspace area is planned to be enlarged and have a number of improvements in the near future. A future Bus Rapid Transit line and the Fall Line Trail is envisioned to run north/south along East Commerce Road, two blocks from the subject property. That stated, future private and public investment will be needed to effectively transition from industrial neighborhood to that of residential/commercial user. Since no redevelopment plans for the subject property are included in this application, Staff finds that no further requirements are appropriate at this time, although improvements customary to development applications may be required by Staff in the future when such redevelopment is undertaken, such as improvements to the sidewalk and right-of-way.

Staff finds that the proposed rezoning is consistent with changing conditions in the area, in which vacant or underutilized parcels, many of which have historically been used for industrial or warehousing purposes, continue to be redeveloped for residential and mixed-use purposes, based on market demand. The existing M-1 zoning designation of the property is not consistent with the Master Plan and development of the property according to M-1 requirements would not be appropriate for the transitioning community.

Therefore staff recommends approval of the rezoning request.

---

## **FINDINGS OF FACT**

### **Site Description**

The property consists of approximately 135,007 SF, or 3.1 acres, of land and is improved with a warehouse style building, constructed roughly 1950, and totaling 87,777 sq ft in floor area. The property is located in the Oak Grove Neighborhood between East 12<sup>th</sup> Street and East 15<sup>th</sup> Street.

### **Proposed Use of the Property**

Allowed uses within the B-7 Mixed Use Business District.

### **Master Plan**

The City's Richmond 300 Master Plan designates this parcel as Industrial Mixed Use. Such areas are defined as "formerly traditional industrial areas that are transitioning to mixed-use because of their proximity to growing neighborhoods and changes in market conditions. These areas may still retain some light industrial uses." The development style consists of a mix of building types with low-scale, post-industrial buildings that are adapted for a new use are adjacent to new taller residential and/or office buildings. These areas allow "maker uses" to continue while encouraging more individuals to live, work, and play in the area. Buildings should have street-oriented façades with windows 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 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. Pedestrian, bicycle, and transit access are prioritized and accommodated. Bike parking is provided. New driveway entrances are prohibited on primary and principal street frontages and minimal driveway entrances are allowed on secondary streets. Vehicular access to parcels should use alleys where possible. Loading for trucks must be provided off-street. Parking lots and parking areas should be located to the rear of street-facing buildings. Intensity: Medium- to high density, three to eight stories. Primary Uses: Retail/office/personal service, multi-family residential, cultural, and open space. Secondary Uses: Institutional and government. (p. 62)

## Zoning

The current zoning for this property is M-1 Light Industrial. The City's Zoning Administration reviewed the application and provided the following comments:

*The proposal is to rezone one parcel totaling 3.1 acres at 1200 Dinwiddie Avenue from M-1 (Light Industrial) to B-7 (Mixed Use Business District). No detailed plans for development were submitted but the proposal is to "facilitate future development that would be permitted under the regulations of the B-7 District". No proffers are proposed with the rezoning. Please be advised of the following changes with the rezoning:*

### *Proposed B-7 Zone*

*Sec. 30-457.1. - Intent of district.*

*Pursuant to the general purposes of this chapter, the intent of the B-7 district is to encourage a broad range of mixed land uses, including residential, commercial and compatible industrial and service uses. The district is intended to promote enhancement of the character of mixed-use areas that are undergoing revitalization and adaptive reuse by providing for alternative economic use of existing structures, while enabling continuation of existing industrial and service uses. The district regulations are intended to encourage appropriate infill development on undeveloped land, promote adaptive reuse of vacant or underutilized buildings and enable redevelopment of properties where continuation of current uses or adaptive reuse is not feasible. The district regulations are also intended to safeguard the character of adjoining properties, to maintain the predominant existing streetscape character by providing continuity of building scale and setbacks, 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 façades along street frontages. Finally, the district regulations are intended to assure 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. (Code 2004, § 114-446.1; Code 2015, § 30-446.1; Ord. No. 2010-19-31, § 1, 2-22-2010)*

*EXISTING ZONING AND USES: The current zoning district (M-1) permits many commercial uses, including manufacturing, wholesaling and distribution establishments.*

*PROPOSED USES: The proposed zoning district (B-7) permits a variety of residential and commercial uses, including retail, offices, personal service businesses and restaurants.*

*YARDS: The M-1 district has the following yard requirements for this location:*

- (1) Front yard. None, unless abutting residential use*
- (2) Side yards. None, unless abutting residential use*
- (3) Rear yard. None, unless abutting residential use*

### *PROPOSED SETBACKS:*

#### *(1)Front yard.*

- a. No front yard shall be required. In no case shall a front yard with a depth greater than ten feet be permitted, provided further that not more than ten percent of the building wall of the street level story along the street shall be set back more than ten feet, except as may be authorized pursuant to subsections (1)b and (1)c of this section.*

b. A front yard with a depth greater than permitted by application of the provisions of subsection (1)a of this section may be provided when such front yard is improved for purposes of a pedestrian plaza or outdoor dining area as permitted by [Section 30-446.2](#) and is approved subject to a plan of development as set forth in Article X of this chapter. Except where the property is within an old and historic district, the City Urban Design Committee shall review the application and plans and submit a recommendation to the Director of Planning and Development Review prior to approval of such plan of development by the Director.

c. A building entrance feature that is set back from the street a greater distance than the primary building façade along the street and that is no greater than two times the width of the building entranceway shall be permitted, and shall not be subject to the provisions of this subsection.

(2) Side yard. No side yards shall be required, except that where a side lot line abuts or is situated across an alley from property in an R or RO district there shall be a side yard of not less than ten feet in width.

(3) Rear yard. No rear yard shall be required, except that where a rear lot line abuts or is situated across an alley from property in an R or RO district there shall be a rear yard of not less than 20 feet in depth.

**EXISTING HEIGHT:** In the M-1 Light Industrial District, no building or structure shall exceed 45 feet in height, provided that additional height shall be permitted, except for sign structures, when all portions of a building or structure over 45 feet 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 feet 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 HEIGHT: B-7 District**

(1) Maximum height in general. No building shall exceed five stories in height. For purposes of this section, story height as defined in Article XII of this chapter shall be not less than ten feet and not greater than 15 feet, except that the ground floor of a building may be of greater height.

(2) Maximum height in special cases. Where there are no buildings existing on an entire block at the time of development, or where there are existing buildings to be retained and vacant land to be developed on an entire block, and where the entire block is to be developed under the same ownership or control pursuant to an overall development plan, the maximum permitted height shall be six stories.

**ADDITIONAL REQUIREMENTS APPLICABLE IN B-7:**

The location of any parking areas must not be between the main building and the principal or priority street frontage, nor shall they be located closer to the principal or priority street frontage than the main building. No new driveways are permitted on the principal or priority street frontage for each parcel. Parking decks located along the principal street frontage must be screened by another use along the entirety of the frontage with a depth of at least 20', and must be screened from other street frontages by a structural material with an opacity of not less than 45 percent.

Fenestration requirements will be applicable to principal and priority street frontages (30% for dwelling units, operable window/doors); 60% for ground floor commercial uses (30% for upper stories)

**PROPOSED PARKING:**

The parking requirement for uses other than dwellings is per the table in Sec. 30-710.1 (a) of the zoning ordinance, provided that in no case shall the parking requirement for uses whose requirement is determined by floor area be more than one space per 300 square feet. Multi-family dwellings require one space per unit. On-street spaces count towards meeting the off-street parking requirement and on-site spaces for dwelling uses may be shared with nondwelling uses, provided that the nondwelling use not be routinely open between 6 PM and 8 AM. The parking requirement is reduced by 50% for uses located within buildings constructed prior to July 1, 2017.

Street buffer and internal screening requirements related to parking areas will be required for new parking areas in accordance with Section 30-710.1.

Bike parking will be required for multifamily and parking deck uses.

**EXISTING SIGNAGE:** Signage is more limited in the B-7 district than in the M-1/M-2 district. The M-1 zoning district permits three square feet of signage for each linear foot of lot frontage along the street with a maximum of 300 square

feet for each street frontage. Wall signs, projecting signs, suspended signs, awning signs, canopy signs, freestanding signs, roof signs and off-premises signs shall be permitted.

*PROPOSED SIGNAGE: Unless specifically provided otherwise in this article and subject to the regulations and restrictions applicable to all districts set forth in this article, the following signs shall be permitted and the following sign regulations shall apply in the B-7 Mixed-Use Business District:*

*(1) Types of permitted signs. Wall signs, projecting signs, suspended signs, awning signs, canopy signs, freestanding signs and roof signs shall be permitted, subject to the restrictions set forth in this section.*

*(2) Permitted sign area. The aggregate area of all signs directed toward or intended to be viewed from any street frontage shall not exceed two square feet for each linear foot of lot frontage along the street nor in any case 300 square feet for each street frontage. Where more than one main building is located on a lot, the above formula for determining permitted sign area shall apply to individual buildings and building frontages along a street, rather than to lots and lot frontages.*

*(3) Projecting signs. No projecting sign shall be located within 25 feet of another projecting sign on the same building wall. No such sign, other than a noncommercial flag, shall project greater than five feet from the face of the building or extend above the height of the wall to which it is attached.*

*(4) Freestanding signs. One freestanding sign not exceeding 50 square feet in area or 15 feet in height shall be permitted along each street frontage.*

*(5) Roof signs. Roof signs located on buildings utilized for uses permitted by Section 30-446.2(46), when such signs are lawfully existing on the effective date of the ordinance from which this section is derived to include the property in the B-7 district, and provided that such signs shall not be included in the calculation of permitted sign area set forth in subsection (2) of this section.*

## **Surrounding Area**

Properties to the immediate south, east, and west are zoned M-1 Light Industrial; to the immediate north, R-7 Single and Two-Family Urban Residential and M-2 Heavy Industrial. TOD-1 Transit Oriented Nodal is located two blocks to the east and B-6 Mixed-Use Business is located two blocks to the southwest, both of which are recent rezonings approved within the last decade.

## **Neighborhood Participation**

Staff notified area residents, property owners, and the Oak Grove Civic Association of the proposed Rezoning. Staff received a letter from the adjacent property owner to the west, Waste Management of Virginia, Inc., stating that the company's current operations on the property, although stated as not exceeding any requirements of zoning or other City requirement and are customary to the industrial zoning of that property, may create significant noise externalities for any new residential uses introduced on the subject property to be rezoned. Waste Management of Virginia, Inc., requested that the applicant acknowledge this reality to avoid any future incompatibility and the applicant has done so.

**Staff Contact:** Ray Roakes, Associate Planner, Land Use Administration, 804-646-5467