



# CITY OF RICHMOND

## Department of Planning & Development Review

### *Staff Report*

**Ord. No. 2022-189:** To rezone the property known as 807 Oliver Hill Way from the M-1 Light Industrial District to the TOD-1 Transit Oriented Nodal District.

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**To:** City Planning Commission  
**From:** Land Use Administration  
**Date:** July 5, 2022

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#### **PETITIONER**

Lory Markham – Markham Planning

#### **LOCATION**

807 Oliver Hill Way

#### **PURPOSE**

To rezone the property known as 807 Oliver Hill Way from the M-1 Light Industrial District to the TOD-1 Transit Oriented Nodal District.

#### **SUMMARY & RECOMMENDATION**

The applicant is requesting to rezone the subject property to the TOD-1 Transit Orientated Nodal District, which allows for dense, walkable, transit oriented mixed use development that includes residential and commercial uses, minimal yards, open space requirements, a maximum height of 12 stories, and minimum height of two 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 if setback from the property line.

Staff finds that the rezoning and allowable uses within the TOD-1 District are generally consistent with the recommendations of the City's Richmond 300 Master Plan pertaining to Destination Mixed-Use. The proposed rezoning would also be generally consistent with the draft Shockoe Small Area Plan, which indicates this area is appropriate for additional density.

Staff further finds that the intent of the TOD-1 District is consistent with several characteristics of the current Destination Mixed-Use designation including street-oriented facades, active ground floor uses, rear off-street parking, and the introduction of vertically mixed uses.

Staff finds that the larger industrial neighborhood surrounding the subject property is a transition area between traditional residential neighborhoods to the east, the Downtown Central Business District, the VCU Medical Center, and the Shockoe area. In recent years, development activity has increased near the subject property in the adjacent portion of Shockoe and rezoning facilitates further density and change of use from industrial to commercial as development activity moves its way up the Shockoe Valley, consistent with the Master Plan designation of Destination Mixed-Use.

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 community.

Therefore staff recommends approval of the rezoning request.

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## **FINDINGS OF FACT**

### **Site Description**

The property consists of approximately 89,830 square feet, or 2.0 acres, of land and is improved with a two-story industrial building roughly 20,000 square feet in size. The property is located in the Upper Shockoe Valley between Venable Street and the Leigh Street Viaduct.

The subject property is located on the southern edge of a larger industrial neighborhood, with industrial uses extending north along the Shockoe Valley. Residential uses are located to the east, separated from the subject property by elevation change along a bluff and residential/commercial mixed-uses are located to the south. City owned green spaces are located roughly four blocks to the southwest and five blocks to the southeast. Martin Luther King Jr. Middle School is located roughly three blocks to the northeast. Stair access from the Leigh Street Viaduct to North 18<sup>th</sup> Street allows access to the nearest bus stop, roughly three blocks away, serviced by GRTC Lines 5 and 12 which provides transit access to Downtown and Churchill. GRTC lines 7A, 7B, and 56 are accessible from stops along Broad Street, roughly three blocks away from the subject property. Exit 74C from Interstate I-95 enters the neighborhood on Oliver Hill Way in the south direction directly south of the property.

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

Allowed uses within the TOD-1 Transit Oriented Nodal District

### **Master Plan**

The City's Richmond 300 Master Plan designates this parcel as Destination Mixed-Use. Such areas are defined as "Key gateways featuring prominent destinations, such as retail, sports venues, and large employers, as well as housing and open space. Located at the convergence of several modes of transportation, including Pulse BRT or other planned transit improvements." The development style consists of higher density, transit-oriented development encouraged on vacant or underutilized sites. New development should be urban in form, may be of larger scale than existing context, and, where relevant, should pay special attention to the historic character of the existing context. Development should enhance the public realm and create a sense of place. Many buildings are vertically mixed-use. Developments continue or introduce a gridded street pattern to increase connectivity. Intensity: Buildings typically a minimum height of five stories.

The property is also located within the Downtown – Shockoe node. The vision for this node is:

Shockoe is a national destination for historic tourism, education, and interpretation as well as a regional and neighborhood destination. Shockoe is connected to other neighborhoods and amenities, such as the Virginia Capital Trail and the Canal Walk. New development complements historic sites and supports public space amenities such as the 17th Street Farmer's Market Plaza, the Low Line, and a new park. Main Street Station continues to serve as the multi-modal transportation hub of Richmond by augmenting its offerings to include more transportation options and high-speed rail service. Uses around Main Street Station support the bustle of a train station with amenities that serve commuters, visitors, residents, and employment base.

### **Zoning and Ordinance Conditions**

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 approximately 2.062 acres at 807 Oliver Hill Way from M-1 (Light Industrial) to TOD-1 (Transit-Oriented Nodal). The property is currently improved with a two-story warehouse containing approximately 20,000 square feet and two surface parking areas, one accessed from Oliver Hill Way, and one accessed for loading from N 18th Street. The remainder of the property is a grassy unimproved lot. No detailed plans for development or proffers were submitted with the rezoning. Zoning Administration offers the following comments for this request:*

- 1. There are no proposed plans submitted along with the request. Upon submittal of specific development plans, including detailed floor plans, for any proposed use(s), this office will evaluate for conformance with all zoning requirements in effect at that time. It is indicated in the applicant's report that the owner wishes to redevelop the property for residential use but does not specify if any of the existing buildings/parking areas will remain or be demolished.*
- 2. The proposed zoning designation would permit dwelling uses and commercial uses. It would not permit any industrial or warehousing uses, and the existing warehouse use at 807 Oliver Hill Way would become nonconforming if rezoned to TOD-1. Nonconforming uses are not allowed to expand or be modified without special approval. Whenever a nonconforming use is discontinued for a period of two years or more, nonconforming rights will be lost.*
- 3. A plan of development (POD) is required for the construction of any new building containing more than ten dwelling units.*
- 4. No street oriented commercial or priority street designation exists and dwelling units could be located along the street frontage of the ground floor.*
- 5. Driveways are not permitted on the principal street frontage, which cannot be identified at this time without proposed plans. The existing parking area fronting on N 18<sup>th</sup> Street would become nonconforming if N 18<sup>th</sup> was deemed to be the principal street frontage as the location of any parking areas must not be between the main building and the principal street frontage, nor shall they be located closer to the principal or priority street frontage than the main building. No new driveways will be permitted on the principal street frontage.*

#### **ADDITIONAL REQUIREMENTS APPLICABLE IN TOD-1:**

*YARDS: For dwelling units located on the ground floor, a front yard of at least ten feet shall be required. In no case shall a front yard with a depth greater than 15 feet be permitted. For all other uses, a new building would have no front yard setback requirement. In no case shall a front yard with a depth greater than ten feet be permitted, except when improved for purposes of a pedestrian plaza, outdoor dining area as permitted by Section 30-440.1 or vehicular drop-off or pick-up area permitted by Section 30-440.4:1. No side or rear yards shall be required.*

*HEIGHT: No building shall exceed twelve stories in height. Every main building hereinafter constructed shall have a minimum height of not less than two stories, except that porches, porticos and similar structures attached to a main building may be of lesser height.*

*OFF-STREET PARKING: In the TOD-1 district, off-street parking spaces shall not be required for uses other than dwelling uses, hotels and motels.*

*None for 1 to 16 dwelling units; 1 per 2 dwelling units over 16 units.*

*USABLE OPEN SPACE: The minimum usable open space ratio for newly constructed buildings or portions thereof devoted to dwelling uses is 0.10.*

*BUILDING FAÇADE FENESTRATION: 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)*

*BICYCLE PARKING: Bicycle parking is dependent on the number of dwelling units proposed and such requirements are specified in Section 30-730.2(1) of the Zoning Ordinance. The maximum requirement for long-term spaces is 1 bicycle space for each 4 dwelling units and 2 short-term spaces for each 50 dwelling units or major fraction thereof. The location of the required bicycle parking is detailed in Section 30-730.3 of the Zoning Ordinance.*

### **Surrounding Area**

Properties to the immediate north, south, and west are zoned M-1 Light Industrial. Properties to the immediate east and west are zoned B-5 Central Business District. Properties to the immediate southwest are zoned TOD-1 Transit Oriented Nodal. Properties further south are zoned B-5 Central Business District, TOD-1 Transit Oriented Nodal, and R-63 Multi-Family Urban Residential.

### **Neighborhood Participation**

Staff notified area residents, property owners, and the Shockoe Partnership and Union Hill Civic Association of the proposed Rezoning. Staff received letters of support from the owner of the Jefferson Townhomes, located in the vicinity, and the Shockoe Partnership.

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