



CITY OF RICHMOND

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

Ord. No. 2022-159: To rezone the properties known 500 Maury Street from the M-2 Heavy Industrial District to the TOD-1 Transit-Oriented Nodal District.

To: City Planning Commission
From: Land Use Administration
Date: June 21, 2022

PETITIONER

Lory Markham, Markham Planning

LOCATION

500 Maury Street

PURPOSE

To rezone the property known 500 Maury Street 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 the TOD-1 Transit Oriented Nodal District, which allows a greater range of uses and densities than the current M-2 Heavy Industrial District.

Staff finds that the proposed rezoning is appropriate given the area's future land use designation within the City's recent Richmond 300 Plan. The Plan designates a future land use category for the property as Destination Mixed-Use. This category better aligns with the property's infill potential, within a TOD-1 zone.

Staff also finds that the properties are within and in close proximity to the Downtown Manchester National/Regional Priority Growth Node and that the TOD-1 rezoning will assist in achieving the targeted growth objectives as defined by the Richmond 300 Master Plan.

Staff further finds that a portion of the properties are on a designated Major Mixed-Use Street which, among other defining characteristics, are intended to be "ideal locations for transit routes and transit stops". As such, TOD-1 is seen as the appropriate zoning category for Major Mixed-Use Streets.

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-2 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.

FINDINGS OF FACT

Site Description

The property consists of approximately 27,000 SF, or 0.63 acres, of land. The property is located in the Old Town Manchester Neighborhood between East 5th Street and East 6th Street.

Proposed Use of the Property

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

Richmond 300 Master Plan

The City's *Richmond 300* Plan designates a future land use category for the aforementioned property as Destination Mixed-Use which is 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."

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. 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. Driveway entrances are required to be of alleys whenever possible; new driveways are prohibited on priority and principal street frontages. Surface parking is prohibited as a principal use; when surface parking is provided as an accessory use, it should be located to the rear of buildings and screened. Parking requirements are reduced to allow more market-based parking strategies, including shared parking. Buildings typically a minimum height of five stories.

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

Secondary Uses: Institutional and government. (p. 64)

This property is located within a designated "Great Street" under the category of "Major Mixed-Use Street" which is characterized by the following:

- Carry high volumes of vehicles, pedestrians, and bicycles, through commercial and mixed-use areas
- Prioritize use and density-scaled sidewalks and crosswalks
- Require form elements, such as buildings to the street with parking in the rear, as well as building windows and entrances on the street
- Incorporate streetscape features, such as trees, benches, and trash receptacles

- Ideal locations for transit routes and transit stops
- Prioritize the curbside for walking, bicycling, transit, and short-term parking access and loading for local shops and restaurants (p. 72)

Currently, adjacent properties are zoned B-7 Mixed-Use Business District to the north, TOD-1 Transit Oriented-Nodal to the east and west, and M-2 Heavy Industry to the south.

The subject property is located on the southern edge of current development activities in the Old Manchester Neighborhood. Industrial uses are located on the immediate blocks surrounding the subject properties and properties to the south; multifamily residential uses are located two blocks to the north. The nearest publically owned greenspace is located roughly six (6) blocks to the west along Maury Street, across Commerce Street, and is known as the Charlie Sydnor Playground. This green space has undergone recent and is the subject of future planned improvements and expansion. Exit 73 from Interstate I 95 enters the neighborhood on Maury Street to the east of the subject properties, the gateway of which has recently been improved with a roundabout and other Right of Way enhancements. 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.

Zoning and Ordinance Conditions

The properties are located in the M-2 Heavy Industrial District. The City's Zoning Administration reviewed the application and provided the following comments:

The proposal is to rezone 500 Maury Street from M-2 (Heavy Industrial) to TOD-1 (Transit-Oriented Nodal). No detailed plans for development or proffers were submitted with the rezoning.

Please be advised of the following changes with the rezoning:

ZONING AND USE:

CURRENT: The current zoning district (M-2) permits many commercial uses, including manufacturing, wholesaling and distribution establishments.

PROPOSED: The proposed zoning district (TOD-1) permits a variety of residential and commercial uses, including retail, offices, personal service businesses and restaurants.

YARDS:

CURRENT: The M-2 district has the following yard requirements for this location:

- (1) Front yard. None
- (2) Side yards. None
- (3) Rear yard. None

PROPOSED: The TOD-1 district has the following yard requirements for these properties:

- (1) Front yard.

a. For dwelling units located on the ground floor:

1. A front yard of at least ten feet shall be required. In no case shall a front yard with a depth greater than fifteen feet be permitted, except for pedestrian plazas, outdoor dining areas and other features.

b. For all other uses.

1. No front yard is required. In no case shall a front yard with depth greater than ten feet be permitted, except for pedestrian plazas, outdoor dining areas and other features.

(2) Side yards. None

(3) Rear yard. None

HEIGHT:

CURRENT: In the M-2 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 of 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: In the TOD-1 zoning district, 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.

USABLE OPEN SPACE:

In the proposed TOD-1 zoning district, a usable open space ratio of not less than 0.10 shall be provided for newly constructed buildings or portions thereof devoted to dwelling uses.

PARKING:

In the proposed TOD-1 zoning district, off-street parking spaces shall not be required for uses other than dwelling uses, hotels and motels. For multifamily dwelling units, no parking spaces are required for 1 to 16 dwelling units. One parking space is required per 2 dwelling units over 16 units.

- *Parking decks and parking garages are permitted uses, provided that:*
 - a. *No portion of such structure located along a principal street frontage or a priority street frontage shall be used for parking or related circulation of vehicles, but such portion shall be devoted to other permitted principal uses which shall have a depth of not less than 20 feet along the principal street frontage or priority street frontage or to means of pedestrian or vehicle access, provided that vehicle access along any principal street frontage or priority street frontage shall be permitted only when no alley or other street frontage is available for adequate access. In the case of a portion of a story located along a street frontage and having less than five feet of its height above the grade level at the building façade along the street frontage, the provisions of this paragraph prohibiting parking or related circulation of vehicles shall not apply, provided that parking spaces shall be completely screened from view from the street by structural material similar to the material of the building façade.*

- b. *Except as provided in subdivision a of this subsection, parking spaces contained therein shall be screened from view from abutting streets by structural material of not less than 45 percent opacity.*
 - c. *Any card reader or other access control device at an entrance to a parking deck or parking garage shall be provided with not less than one stacking space situated off the public right-of-way.*
 - d. *A plan of development shall be required as set forth in Article X of this chapter.*
- *REQUIREMENTS FOR AREAS DEVOTED TO PARKING OR CIRCULATION OF VEHICLES: The proposed TOD-1 zoning district does not permit areas devoted to the parking or circulation of vehicles to be located between the main building on a lot and the street line, nor shall such areas be located closer to the street than the main building on the lot. On a lot having more than one street frontage, this requirement applies only along the principal street frontage of the lot. In addition, the TOD-1 district does not permit a 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 to serve such lot. These requirements do not apply to the existing M-2 zoning district.*

BUILDING FAÇADE FENESTRATION: *There are no fenestration requirements in the existing M-2 zoning district. Building façade fenestration requirements, as listed in Section 30-457.10, apply to buildings in the TOD-1 zoning district.*

SIGNAGE:

CURRENT: *The M-2 zoning district permits three square feet of signage for each linear foot of lot frontage along the street and permit a maximum of 300 square feet for each street frontage.*

PROPOSED: *Signage in the TOD-1 zoning district shall not exceed two square feet for each linear foot of lot frontage along the street nor in any case 200 square feet for each street frontage.*

Additional Comments:

- *The principal street frontage for each parcel would be designated as follows:*
 - *500 Maury Street principal street frontage: Maury Street*
 - *413 E 5th Street principal street frontage: E 5th Street*
 - *511 Albany Ave principal street frontage: Albany Ave*
- *There are no proposed plans submitted along with the request, so not all zoning implications can be identified at this time. 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 applicants report that the owner wished to construct a new mixed-use development on the property but does not specify if any of the existing buildings/parking areas will remain or be demolished.*
- *The proposed rezoning would take the existing buildings and uses out of compliance with current zoning regulations. The property includes uses such as metal fabrication, warehousing centers, and parking areas, however all uses this office can locate record of would become nonconforming if the property was rezoned to TOD-1.*

Surrounding Area

The property is within a very large M-2 Heavy Industrial District. The area is a mix of commercial and industrial uses with a rapidly developing residential segment along Commerce Street to the west and blocks north of the subject property.

Neighborhood Participation

Staff notified the Manchester Alliance and area residents and property owners of the proposed rezoning. The Manchester Alliance has indicated concern regarding parking. Staff and the applicant have reached out to the applicant.

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