

INTRODUCED: May 23, 2022

AN ORDINANCE No. 2022-159

To rezone the property known as 500 Maury Street from the M-2 Heavy Industrial District to the TOD-1 Transit-Oriented Nodal District.

Patron – Mayor Stoney (By Request)

Approved as to form and legality
by the City Attorney

PUBLIC HEARING: JUN 27 2022 AT 6 P.M

THE CITY OF RICHMOND HEREBY ORDAINS:

§ 1. That, as shown on the survey entitled “Survey of 6 Parcels of Land Located on the North Line of Albany Avenue, the East Line of E. 6th Street, the South Line of Maury Street, and the West Line of E. 5th Street Containing a Total of 1.839 Acres, Richmond, Virginia,” prepared by A. G. Harocopos and Associates, P.C., and dated January 10, 2022, a copy of which is attached to, incorporated into, and made a part of this ordinance, the property known as 500 Maury Street with Tax Parcel Number S000-0220/003 as shown in the 2022 records of the City Assessor, is excluded from the M-2 Heavy Industrial District and shall no longer be subject to the provisions of sections 30-454.1 through 30-454.6 of the Code of the City of Richmond (2020), as amended, and that the same is included in the TOD-1 Transit-Oriented Nodal District

AYES: 8 NOES: 0 ABSTAIN: _____

ADOPTED: JUL 25 2022 REJECTED: _____ STRICKEN: _____

and shall be subject to the provisions of sections 30-457.1 through 30-457.10 and all other applicable provisions of Chapter 30 of the Code of the City of Richmond (2020), as amended.

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

A TRUE COPY:
TESTE:
Amelia D. Reed
City Clerk



City of Richmond

Item Request File Number: PRE.2022.0140

RECEIVED
By City Attorney's Office at 12:51 pm, May 19, 2022

RECEIVED
By CAO Office at 11:23 am, May 12, 2022

2022-111

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

O & R Request

DATE: May 11, 2022

EDITION: 2

TO: The Honorable Members of City Council

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

THROUGH: J. E. Lincoln Saunders, Chief Administrative Officer

THROUGH: Sharon L. Ebert, Deputy Chief Administrative Officer for Economic Development and Planning

FROM: Kevin J. Vonck, Director, Department of Planning and Development Review

RE: To rezone the property known as 500 Maury Street from the M-2 Heavy Industrial District to the TOD-1 Transit Oriented Nodal District.

ORD. OR RES. No. ____

PURPOSE: To rezone the property known as 500 Maury Street from the M-2 Heavy Industrial District to the TOD-1 Transit Oriented Nodal District.

REASON: The applicant is requesting to rezone the property to the TOD-1 Transit Oriented Nodal zone, which allows for dense, walkable transit oriented mixed use development that includes residential and commercial uses, minimal yards, open space requirements, and a maximum height of 12 stories; whereas, the current M-2 Heavy Industrial allows primarily industrial uses with no yard requirements and a maximum building height of 45 feet, greater if setback from the property line.

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 June 6, 2022, meeting.

BACKGROUND: The proposed rezoning would include one parcel of land located on the south side of Maury Street between East 5th Street and East 6th Street, in the Old Town Manchester neighborhood. The total land area of the parcel is 27,000 square feet, or 0.63 acres. The properties are improved with a single-story warehouse building.

Richmond 300 recommends a future land use of “Destination Mixed Use” for the property. This designation 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.” The development style is defined as “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.”

The property is also located within the vicinity of the “Downtown-Manchester” primary growth node, which envisions the area as continuing to be a population center, with people and economic activity supporting a thriving business corridor along Hull Street.

The primary uses envisioned for Destination Mixed Use are retail/office/personal service, multifamily residential, cultural, and open space.

Secondary uses are institutional and government.

The applicant is requesting to rezone the property to the TOD-1 Transit Orientated Nodal zone which is designed with the goal of encouraging dense, walkable transit-oriented development consistent with the objectives of the master plan and to promote enhancement of the character of this development along principal corridors, at key gateways, and at nodes of high activity located near transit service, bicycle infrastructure, and pedestrian-friendly streetscapes. The district regulations are also intended to safeguard the character of adjoining properties by only being applied in areas that meet the criteria above, with buffering by setbacks and screening or transitional districts to lower intensity residential areas.

The TOD-1 zone allows for dense, walkable transit oriented mixed use development that includes residential and commercial uses, minimal yards, open space requirements, and a maximum height of 12 stories; whereas, the current M-1 Heavy Industrial allows primarily industrial uses with no yard requirements and a maximum building height of 45 feet, greater if setback from the property line.

The subject property is located on the southern edge of current development activities in the Old Manchester Neighborhood. Properties to south are zoned M-2 Heavy Industrial; to the east and west, TOD-1 Transit Oriented Nodal; and to the north, B-7 Mixed-Use Business District. 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. 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 round-about 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.

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: No

REVENUE TO CITY: \$1,500 application fee

DESIRED EFFECTIVE DATE: Upon adoption

REQUESTED INTRODUCTION DATE: May 23, 2022

CITY COUNCIL PUBLIC HEARING DATE: June 27, 2022

REQUESTED AGENDA: Consent

RECOMMENDED COUNCIL COMMITTEE: None

CONSIDERATION BY OTHER GOVERNMENTAL ENTITIES: City Planning Commission
June 21, 2022

AFFECTED AGENCIES: Office of Chief Administrative Officer
Law Department (for review of draft ordinance)

RELATIONSHIP TO EXISTING ORD. OR RES.: None

REQUIRED CHANGES TO WORK PROGRAM(S): None

ATTACHMENTS: Application Form, Applicant's Report, Draft Ordinance, Survey, Map

STAFF: Ray Roakes, Associate Planner, Land Use Administration (Room 511) 804-646-5467

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.richmondgov.com/>

Project Name/Location

Property Address: 500 Maury St Date: February 18, 2022
Tax Map #: S0000220003 Fee: \$1,600.00
Total area of affected site in acres: 0.62 AC

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

Zoning

Current Zoning: M-2 Heavy Industrial

Existing Use: Industrial/Vacant

Proposed Zoning/Conditional Zoning

(Please include a detailed description of the proposed use and proffers in the required applicant's report)
TOD-1

Existing Use: Industrial/Vacant

Is this property subject to any previous land use cases?

Yes
☐

No
☒

If Yes, please list the Ordinance Number: _____

Applicant/Contact Person: Lory Markham

Company: Markham Planning

Mailing Address: 208 E Grace St

City: Richmond State: VA Zip Code: 23219

Telephone: (804) 248-2561 Fax: ()

Email: lory@markhamplanning.com

Property Owner: Richard H. Westbrook

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: 506 Maury St

City: Richmond State: VA Zip Code: 23224

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.



May 3, 2022

Mr. Kevin Vonck, Acting Director
Department of Planning & Development Review
900 East Broad Street, Suite 511
Richmond, VA 23219
kevin.vonck@richmondgov.com

RE: Applicant's Report for Rezoning of 500 Maury St

Dear Mr. Vonck

Please accept this letter as the Applicant's Report for the request to rezone the following property from the M-2 Heavy Industrial district to the TOD-1 Transit-Oriented Nodal district:

| Address | Tax Parcel ID | Acreage | Existing Zoning | Ownership |
|--------------|---------------|---------|-----------------|----------------------|
| 500 Maury St | S0000220003 | 0.62 | M-2 | Richard H. Westbrook |

With this application, the property owner is petitioning the City Council for a rezoning to the TOD-1 to accommodate future mixed-use development of these properties that would be consistent with district regulations.

Property

The property is one parcel located in the City's Old Town Manchester neighborhood on the block bounded by Maury St and Albany Ave to the north and south, and E 5th and E 6th Streets to the east and west. The parcel is zoned M-2 Heavy Industrial and consists of 0.62 acres of land area. The property is currently improved with a one-story industrial building constructed in 1955.

Surrounding properties to the north, south, and west are also located in the M-2 district and are used for various industrial purposes such as warehousing and storage. The properties to the east across E 5th Street were rezoned to the TOD-1 in 2020 to permit mixed-use developments.

Zoning Regulations & Proposal

The subject property is located in the M-2 Heavy Industrial district which permits a variety of commercial and industrial uses. However, residential uses are not permitted. No setbacks are required, and building heights are generally limited to 45 feet.

The property owner is proposing a rezoning to the TOD-1 district to facilitate future development that would be a mix of commercial and residential uses. This district permits a combination of commercial uses and residential uses. When a develop features commercial uses at ground level, no yard setbacks are required. Building heights must be between two and twelve stories.

Similar to the rezoning of the nearby properties in 2020, the TOD-1 district regulations would permit active, mixed-use, and pedestrian-friendly development to on properties that have been underutilized for many years. While development plans have not yet been finalized, a rezoning of the properties would put regulations in place that would promote the type of future development envisioned by property owners, residents, and City officials as outlined in the Richmond 300 Master Plan.

Richmond 300 Master Plan

The properties are designated for future land use as Destination Mixed Use by Richmond 300. These areas are key gateways featuring prominent destinations such as retail, sports venues, and large employers, as well as housing and open space. These areas are also located at the convergence of several modes of transportation, including Pulse BRT or other planned transit improvements.

In Destination Mixed Use areas, higher-density, transit-oriented developments are 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.

The proposed rezoning of the currently underutilized parcels to TOD-1 fully supports Richmond 300's vision of future development for the properties. With these regulations in place, future development will help to transform this portion of Old Town Manchester into a destination and key gateway to the City. Potential future development under TOD-1 will bring active and vibrant uses to the properties and benefit the entire neighborhood and surrounding area.

City Charter Conditions

For this reason, we trust that you will agree with us that the potential development of the site under TOD-1 regulations would support the efforts to develop the properties in a manner consistent with the Plan; and that the rezoning meets the City Charter considerations to be observed in the alteration of zoning regulations.

Thank you for your consideration of this application. Please feel free to contact me at lory@markhamplanning.com or (804) 248-2561 if you have any questions or require additional materials to process the application.

Very Truly Yours,

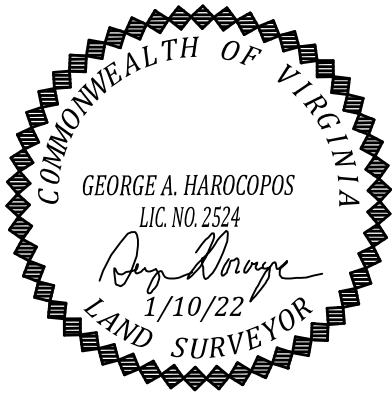
A handwritten signature in black ink, appearing to read 'Lory Markham', with a stylized, cursive script.

Lory Markham

Enclosures

cc: The Honorable Ellen F. Robertson, 6th District Council Representative
Richard Saunders, Secretary to the City Planning Commission

This is to certify that on 1/10/22
I made an accurate field survey of the known premises
shown hereon; that all improvements known or visible
are shown hereon; that there are no encroachments by
improvements either from adjoining premises, or from
subject premises upon adjoining premises, other than
shown hereon.

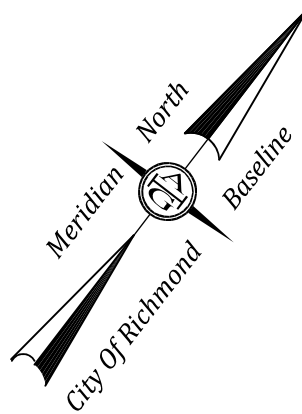


NOTE: THIS LOT APPEARS
TO BE IN FEMA FLOOD ZONE
X AS SHOWN ON HUD
COMMUNITY PANEL NUMBERS
5101290043E

NOTE:
This survey has been prepared without
the benefit of a title report and does
not therefore necessarily indicate all
encumbrances on the property.

LEGEND

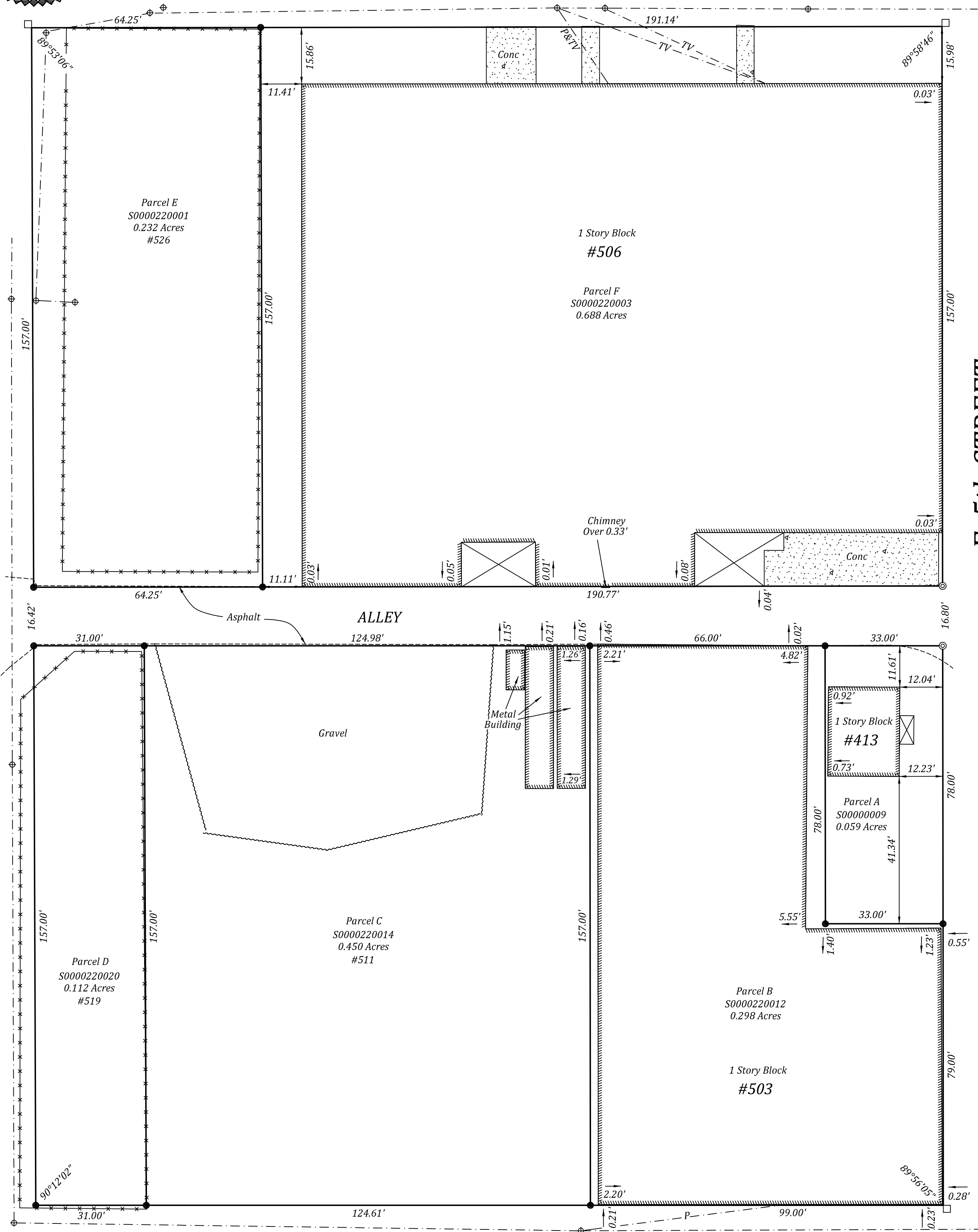
- Rod/S
- ⊙ Nail/S
- ⊕ Power Pole
- Rod/F
- Stone/F



MAURY STREET

E. 6th STREET

E. 5th STREET



ALBANY AVENUE

SURVEY OF
6 PARCELS OF LAND LOCATED ON THE NORTH LINE OF ALBANY AVENUE,
THE EAST LINE OF E. 6th STREET, THE SOUTH LINE OF MAURY STREET
AND THE WEST LINE OF E. 5th STREET CONTAINING A TOTAL OF 1.839 ACRES.
RICHMOND, VIRGINIA

NOTE: PLAT PREPARED FOR THE EXCLUSIVE
USE OF THE CONVEYANCE TO
XXXXXXX

IN 51391

A. G. HAROCOPOS & ASSOCIATES, P.C.

CERTIFIED LAND SURVEYOR AND CONSULTANT

4920 E. MILLRIDGE PKWY. SUITE 200 MIDLOTHIAN VA. 23112
Office 804 744 2630 FAX 804 744 2632
E-MAIL AGHAROCOPOS72@GMAIL.COM

Scale 1"=20' Date 1/10/22 Drawn by GAH