

INTRODUCED: April 24, 2023

AN ORDINANCE No. 2023-140

To rezone the property known as 1011 Commerce Road 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: MAY 22 2023 AT 6 P.M

THE CITY OF RICHMOND HEREBY ORDAINS:

§ 1. That, as shown on the survey entitled “2021 ALTA/NSPS Land Title Survey of 1011 Commerce Road ~ Map Number S0000388001, Now in the Name of Meyer Co LLC & RJ Company Assoc. LLC & Spoor Enterprises LLC., et als.,” prepared by christopher consultants, dated August 9, 2021, and last revised October 6, 2021, a copy of which is attached to, incorporated into, and made a part of this ordinance, the property known as 1011 Commerce Road, with Tax Parcel No. S000-0388/001 as shown in the 2023 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 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.

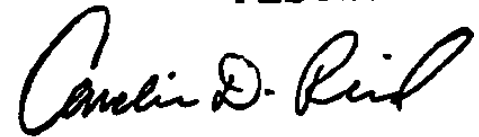
AYES: 8 NOES: 0 ABSTAIN: _____

ADOPTED: MAY 22 2023 REJECTED: _____ STRICKEN: _____

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

A TRUE COPY:

TESTE:

A handwritten signature in black ink, appearing to read "Carlin D. Reil". The signature is written in a cursive, flowing style.

City Clerk

City of Richmond

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

Item Request File Number: PRE.2022.1268

O & R Request

DATE: March 28, 2023

EDITION: 1

TO: The Honorable Members of City Council

THROUGH: The Honorable Levar M. Stoney, Mayor (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 properties known as 1011 Commerce Road from the M-2 Heavy Industrial
District, to the TOD-1 Transit Oriented Nodal District.

ORD. OR RES. No. ____

PURPOSE: To rezone the properties known as 1011 Commerce Road from the M-2 Heavy Industrial
District, to the TOD-1 Transit Oriented Nodal District.

REASON: The applicant is requesting a Rezoning for Tax Parcel Number S0000388/001, as shown in the
2022 records of the City Assessor, and exclude them from the M-2 Heavy Industrial District, and no longer
make them 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 include it in the TOD-1 Transit Oriented Nodal District, subject to the
provisions of sections 30-457.1 through 30-457.10.

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.

BACKGROUND: The property is located in the Manchester neighborhood between Perry and Semmes
Streets. The property is a total of 239,529 sq. ft. (5.5 acres), improved with a nine-story, 225,918 sq. ft.
office building, constructed in 1974.

The City's Richmond 300 Master Plan designates a future land use for the property as Industrial Mixed Use. This designation is 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."

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.

The current zoning for the properties is M-2 Heavy Industrial District. The surrounding land uses include primarily light industrial uses.

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: \$2,000 application fee

DESIRED EFFECTIVE DATE: Upon adoption

REQUESTED INTRODUCTION DATE: April 24, 2023

CITY COUNCIL PUBLIC HEARING DATE: May 22, 2023

REQUESTED AGENDA: Consent

RECOMMENDED COUNCIL COMMITTEE: None

CONSIDERATION BY OTHER GOVERNMENTAL ENTITIES: City Planning Commission
May 15, 2023

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

STAFF: Jonathan Brown, Senior Planner, Land Use Administration (Room 511) 646-5734

GENERAL NOTES

- THE PROPERTY SHOWN IS IDENTIFIED ON THE CITY OF RICHMOND, VIRGINIA GIS AS PARCEL S000388001.
- THE PROPERTY SHOWN HEREON IS NOW IN THE NAME OF MEYERS CO. LLC, RJ COMPANY ASSOC. LLC AND SPOOR ENTERPRISES, LLC, ET. ALS. RECORDED IN THE LAND RECORDS OF CITY OF RICHMOND, VIRGINIA.
- HORIZONTAL DATUM SHOWN HEREON IS REFERENCED TO THE NORTH AMERICAN DATUM OF 1983(NAD83)
- DURING THE PROCESS OF OUR PHYSICAL SURVEY THERE WERE NO INDICATIONS OF A CEMETERY.
- THE PHYSICAL IMPROVEMENTS AND BOUNDARY SHOWN HEREON ARE BASED UPON A FIELD SURVEY BY THIS FIRM COMPLETED ON JULY 21, 2021.
- NO GEOTECHNICAL, SUBSURFACE, FIELD REVIEWS, RESEARCH, AGENCY OR GOVERNMENTAL RECORD REVIEWS, OR OTHER MATERIALS, OR OTHER ENVIRONMENTAL CONCERNS ON SITE IN THE PERFORMANCE OF CHRISTOPHER CONSULTANTS, LTD SERVICES FOR THE PROJECT AS SHOWN HEREON.
- NO CERTIFICATION IS MADE AS TO THE LOCATIONS OF UNDERGROUND UTILITIES SUCH AS, BUT NOT LIMITED TO ELECTRIC, GAS, TELEPHONE, CATV, WATER, SANITARY AND STORM SEWERS.
- AS TO ITEM 9 OF TABLE "A" THE TOTAL NUMBER OF STRIPED REGULAR PARKING SPACES ON THE SURVEYED PORTION OF THE S SUBJECT PROPERTY IS 0 AND 0 HANDICAP PARKING SPACES.
- AS TO ITEM 16 OF TABLE "A" THERE IS NO VISIBLE EVIDENCE OF RECENT EARTH MOVING, BUILDING CONSTRUCTION OR ADDITIONS.
- AS TO ITEM 17 OF TABLE "A" THERE IS NO VISIBLE EVIDENCE OF RECENT STREET OR SIDEWALK CONSTRUCTION OR REPAIR.

NOTES CORRESPONDING TO SCHEDULE B-SECTION 2

THE FOLLOWING EASEMENTS AND/OR EXCEPTIONS AS LISTED IN SCHEDULE B - SECTION 2 OF THE COMMITMENT FOR TITLE INSURANCE FURNISHED BY OLD REPUBLIC NATIONAL TITLE INSURANCE COMPANY, COMMITMENT NO. 21013295, EFFECTIVE DATE OF SEPTEMBER 16, 2021 AT 8:00 A.M., WAS REVIEWED AND ADDRESSED AS FOLLOWS AS TO THEIR CONNECTION WITH THE PROPERTY SHOWN HEREON AND AS DESCRIBED IN SCHEDULE A OF SAID COMMITMENT:

- ⑤ EASEMENTS, TERMS AND CONDITIONS, AS CONTAINED IN DEED BY AND BETWEEN ACME LAND CORPORATION AND ALLEGHANY WAREHOUSE COMPANY, INCORPORATED, DATED JULY 1, 1938, RECORDED AUGUST 5, 1938, IN DEED BOOK 77A, PAGE 296 FOR CONSTRUCTION, MAINTENANCE AND OPERATION OF RAILROAD SIDE TRACKS, AS AMENDED BY INSTRUMENT DATED FEBRUARY 14, 1947, RECORDED MARCH 28, 1947, IN DEED BOOK 106, PAGE 466, AND AMENDED BY INSTRUMENT DATED MARCH 30, 1948, RECORDED MAY 27, 1948, IN DEED BOOK 122, PAGE 39.
RESPONSE: APPROXIMATE LOCATION SHOWN ON SURVEY. RAILROAD SPUR NO LONGER EXISTS ON PARCEL.
- ⑥ EASEMENT TO VIRGINIA ELECTRIC AND POWER COMPANY, DATED APRIL 24, 1948, RECORDED MAY 17, 1948, IN DEED BOOK 121, PAGE 345.
RESPONSE: EASEMENT IS SHOWN ON SURVEY. ASSOCIATED POLE LINE NO LONGER EXISTS.
- ⑦ EASEMENT TO VIRGINIA ELECTRIC AND POWER COMPANY, DATED FEBRUARY 17, 1955, RECORDED MAY 24, 1955, IN DEED BOOK 212, PAGE 312.
RESPONSE: EASEMENT IS SHOWN ON SURVEY.
- ⑧ INTENTIONALLY DELETED

RECORD DESCRIPTION

ALL THAT CERTAIN TRACT OR PARCEL OF LAND, WITH ALL THE IMPROVEMENTS THEREON AND APPURTENANCES THEREUNTO BELONGING, LYING AND BEING IN THE CITY OF RICHMOND, VIRGINIA, CONTAINING 5.073 ACRES, AS SHOWN ON A PLAT MADE BY J. K. TIMMONS AND ASSOCIATES DATED SEPTEMBER 18, 1968, REVISED MARCH 25, 1980, ENTITLED "MAP SHOWING PROPERTY AT THE NORTHWESTERN INTERSECTION OF COMMERCE ROAD AND GORDON AVENUE, RICHMOND, VIRGINIA," A COPY OF WHICH PLAT IS ATTACHED TO A DEED RECORDED IN THE CLERK'S OFFICE, CIRCUIT COURT, CITY OF RICHMOND, VIRGINIA, DIVISION II, IN DEED BOOK 571, PAGE 440 AND BEING MORE PARTICULARLY BOUNDED AND DESCRIBED IN ACCORDANCE WITH SAID PLAT AS FOLLOWS:

BEGINNING AT THE POINT OF INTERSECTION OF THE NORTH LINE OF GORDON AVENUE AND THE WEST LINE OF COMMERCE ROAD, WHICH POINT IS MARKED BY A LEAD-HUB SET; THENCE EXTENDING IN A WESTERLY DIRECTION S. 51° 35' 09" W. 473.97 FEET TO A STONE; THENCE IN A NORTHERLY DIRECTION N. 38° 26' 57" W. 442.77 FEET TO A POINT; THENCE IN AN EASTERLY DIRECTION N. 51° 35' 09" E. 485.18 FEET TO A ROD ON THE WEST LINE OF COMMERCE ROAD; THENCE SOUTHERLY ALONG THE WEST LINE OF COMMERCE ROAD S. 43° 23' 00" E. 213.25 FEET TO A LEAD-HUB SET; THENCE ALONG A CURVE TO THE RIGHT HAVING A RADIUS OF 1,094.92 FEET, 194.41 FEET TO A ROD SET; THENCE S. 0° 18' 34" W. 46.39 FEET TO THE POINT AND PLACE OF BEGINNING.

ZONING INFORMATION

THE SUBJECT PROPERTY IS CURRENTLY ZONED "M-2", HEAVY INDUSTRIAL

ZONING INFORMATION SHOWN BELOW AS REFERENCED FROM A ZONING REPORT FROM THE EDGE GROUP LLC, PROJECT 20210216-01. THIS INFORMATION IS FOR REFERENCE ONLY, NO CERTIFICATION IS MADE TO THE GENERAL ZONING COMPLIANCE OF THE SITE SHOWN HEREON.

REQUIRED SET BACKS

FRONT	NONE
SIDE	NONE
REAR	NONE

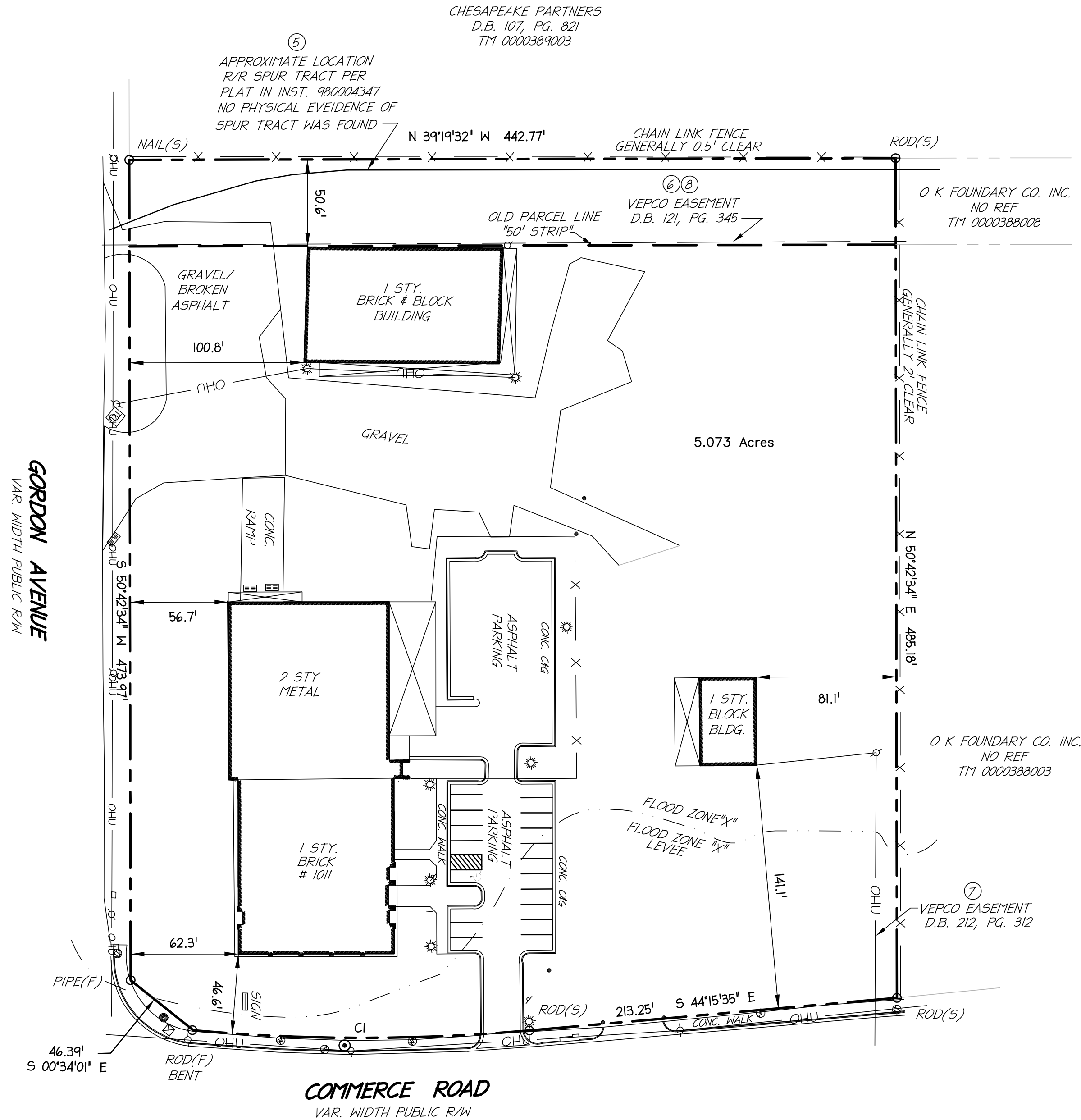
PARKING REQUIREMENTS: VARIES PER USE

EXISTING REGULAR: 19
EXISTING HANDICAPPED: 1
PARKING STRIPES ARE FADED. AERIAL PHOTOS USED.

FLOOD ZONE NOTE

THE PROPERTY SHOWN HEREON IS LOCATED ON THE FLOOD INSURANCE RATE MAP (FIRM), COMMUNITY PANEL NO. 510120043E, EFFECTIVE DATE OF JULY 16, 2014, BY GRAPHICALLY DEPICTION ONLY. THE PROPERTY SHOWN HEREON IS SHOWN IN:
FLOOD ZONE "X", AREAS DETERMINED TO BE OUTSIDE 500-YEAR FLOODPLAIN
FLOOD ZONE "X", AREAS WITH REDUCED RISK DUE TO LEVEE

A FIELD SURVEY WAS NOT PERFORMED TO DETERMINE THE FLOOD ZONES LISTED HEREON. AN ELEVATION CERTIFICATE MAY BE NEEDED TO VERIFY THIS DETERMINATION OR APPLY FOR A VARIANCE FROM THE FEDERAL EMERGENCY MANAGEMENT AGENCY.



CURVE	RADIUS	ARC LENGTH	DELTA ANGLE	CHORD LENGTH	CHORD BEARING
C1	1094.92	194.38	101°10'14"	194.13	S 34°10'30" E

SURVEYOR'S CERTIFICATION

TO: OLD REPUBLIC NATIONAL TITLE INSURANCE COMPANY AND TON-TON LLC

THIS IS TO CERTIFY THAT THIS MAP OR PLAT AND THE SURVEY ON WHICH IT IS BASED WERE MADE IN ACCORDANCE WITH THE 2021 MINIMUM STANDARD DETAIL REQUIREMENTS FOR ALTA/NSPS LAND TITLE SURVEYS, JOINTLY ESTABLISHED AND ADOPTED BY ALTA AND NSPS, AND INCLUDES ITEMS 1, 2, 3, 4, 6(A), 8, 9, 13, 14, 16 AND 17 OF TABLE A THEREOF.

THE FIELD WORK WAS COMPLETED ON JULY 21, 2021.

Brian M Long
LICENSED LAND SURVEY NO.: 2372
COMMONWEALTH OF VIRGINIA



Rev#	DATE	REVISION
1	10/6/21	CLIENT COM

9301 Innovation drive (suite 150) · manassas, va 20110
phone 703.393.9887 · fax 703.273.6820

2021 ALTA/NSPS LAND TITLE SURVEY
OF
1011 COMMERCE ROAD ~ MAP NUMBER 50000388001
NOW IN THE NAME OF
MEYER CO LLC & RJ COMPANY ASSOC. LLC & SPOOR ENTERPRISES LLC, ET ALS.
CITY OF RICHMOND ~ VIRGINIA

PROJECT:

SCALE: 1" = 100'

DATE: 8/9/21

DRAWN: BML
CHECKED:

SHEET No.

/ of /