



## CITY OF RICHMOND

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

**Ord. No. 2016-211:** To conditionally rezone the properties in the blocks bounded by North 24th Street, T Street, U Street, North 26th Street, Nine Mile Road and Fairmount Avenue from the B-2 Community Business District, R-6 Single-Family Attached Residential District and R-5 Single-Family Residential District to the B-5C Central Business District (Conditional), upon certain terms and conditions.

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**To:** City Planning Commission  
**From:** Land Use Administration  
**Date:** September 6, 2016

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#### **PETITIONER**

James W. Theobald  
Hirschler Fleischer  
PO Box 500  
Richmond, VA 23223

#### **LOCATION**

Properties in the blocks bounded by North 24<sup>th</sup> St., T St., U St., North 26<sup>th</sup> St., Nine Mile Road, and Fairmount Avenue.

#### **PURPOSE**

To conditionally rezone the properties in the blocks bounded by North 24th Street, T Street, U Street, North 26th Street, Nine Mile Road and Fairmount Avenue from the B-2 Community Business District, R-6 Single-Family Attached Residential District and R-5 Single-Family Residential District to the B-5C Central Business District (Conditional), upon certain terms and conditions.

#### **SUMMARY & RECOMMENDATION**

The applicant, Church Hill North Retail Center, Inc., has partnered with RRHA to develop a plan to redevelop and revitalize approximately 3.33 acres in an area known as the Church Hill Redevelopment Area. The applicant proposes a pedestrian-oriented, mixed-used development including a grocery store, retail space, and may include a neighborhood clinic, restaurant space, and multi-family housing, all with associated parking. The site consists of forty (40) parcels that are currently unimproved.

The subject properties are currently zoned B-2, R-6 and R-5. Neighboring properties include a mixture of uses. Properties near the southern property line of the property include retail properties zoned B-2 and vacant lots. The remainder of the Property is surrounded by mostly vacant lots zoned R-6. The request is rezone all the subject properties to B-5 Central Business District.

The applicant has proffered that the properties will be developed in accordance with a conceptual layout, which is attached to the proposed rezoning ordinance. The conceptual layout shows an approximately 25,000 square foot grocery store, a number of smaller retail spaces with dwelling

uses above, attached to the grocery store and fronting on Fairmount Avenue, additional commercial and multi-family dwelling uses north of the Nine Mile Road intersection with T Street and N. 26<sup>th</sup> Street. The layout shows parking located behind the proposed buildings fronting on Nine Mile Road and Fairmount Avenue.

In addition to the rezoning request, the applicant has petitioned to close an alley between T Street and Fairmount Avenue and the alley between North 25<sup>th</sup> Street and North 26<sup>th</sup> Street. There is also a request to close the portion of North 25<sup>th</sup> Street that runs from the Nine Mile Road traffic circle to T Street.

The Master Plan was amended in 2003 to specifically recommend Community Commercial land uses for the subject properties. This land use designation identifies primary land uses that include office, retail, personal service and other commercial and service uses, intended to provide the shopping and service needs of residents of a number of nearby neighborhoods or sections of the City. This category includes a broader range of uses of greater scale and intensity, with greater vehicular access and orientation, but are also compatible with nearby residential areas” (Page 134).

Staff finds that the proposed rezoning with the proffered condition requiring development to be in accordance with the proposed site plan is consistent with Master Plan’s recommendations for Community Commercial land uses and that the applicant will be able to meet all B-5 zoning requirements. Therefore, staff recommends approval of the rezoning to B-5C Central Business District (Conditional).

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## **FINDINGS OF FACT**

### **Site Description**

The applicant, Church Hill North Retail Center, Inc., has partnered with RRHA to develop a plan to redevelop and revitalize approximately 3.33 acres in an area known as the Church Hill Redevelopment Area. The site consists of forty (40) parcels that are currently unimproved and are in the blocks bounded by North 24<sup>th</sup> Street, T Street, U Street, North 26<sup>th</sup> Street, Nine Mile Road and Fairmount Avenue.

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

The applicant proposes a pedestrian-oriented, mixed-used development including a grocery store, retail space, and may include a neighborhood clinic, restaurant space, and multi-family housing, all with associated parking.

### **Master Plan**

The Master Plan was amended in 2003 to specifically recommend Community Commercial land uses for the subject properties. This land use designation identifies primary land uses that include office, retail, personal service and other commercial and service uses, intended to provide the shopping and service needs of residents of a number of nearby neighborhoods or sections of the City. This category includes a broader range of uses of

greater scale and intensity, with greater vehicular access and orientation, but are also compatible with nearby residential areas.” (Page 134).

### **Zoning & Ordinance Conditions**

The subject properties are currently zoned B-2, R-6 and R-5. Neighboring properties include a mixture of uses. Properties near the southern property line of the property include retail properties zoned B-2 and vacant lots. The remainder of the Property is surrounded by mostly vacant lots zoned R-6. The request is rezone all the subject properties to B-5 Central Business District.

The applicant has proffered that the properties will be developed in accordance with a conceptual layout, which is attached to the proposed rezoning ordinance. The conceptual layout shows an approximately 25,000 square foot grocery store, a number of smaller retail spaces with dwelling uses above, attached to the grocery store and fronting on Fairmount Avenue, a possible restaurant northwest of the traffic circle and additional commercial and multi-family dwelling uses north of the Nine Mile Road intersection with T Street and N. 26<sup>th</sup> Street. The layout shows parking located behind the proposed buildings fronting on Nine Mile Road and Fairmount Avenue.

In addition to the rezoning request, the applicant has petitioned to close an alley between T Street and Fairmount Avenue and the alley between North 25<sup>th</sup> Street and North 26<sup>th</sup> Street. There is also a request to close the portion of North 25<sup>th</sup> Street that runs from the Nine Mile Road traffic circle to T Street.

All uses on the site will have to provide parking as required in the zoning ordinance for off-premises parking as well as meet all other B-5 zoning requirements.

### **Surrounding Area**

The subject properties are currently zoned B-2, R-6 and R-5. Neighboring properties include a mixture of uses. Properties near the southern property line of the property include retail properties zoned B-2 and vacant lots. The remainder of the Property is surrounded by mostly vacant lots zoned R-6. The request is rezone all the subject properties to B-5 Central Business District.

### **Neighborhood Participation**

Staff has contacted 7<sup>th</sup> District Council Representative, Cynthia Newbille, the Union Hill, Church Hill Central, New Visions, and Unity Civic Associations. Staff has received one petition of opposition and one phone call of opposition. Staff has received a letter of support from the Church Hill Central Civic Association.

**Staff Contact:** Willy Thompson, Senior Planner, (804) 646-5734