

INTRODUCED: April 23, 2018

AN ORDINANCE No. 2018-137

To rezone the property known as 127 North 17th Street from the M-1 Light 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 29 2018 6:00 P.M.

THE CITY OF RICHMOND HEREBY ORDAINS:

§ 1. That, as shown on the survey entitled “ALTA / ACSM Land Title Survey, Weiman’s Bakery L.L.C., Map of Existing Conditions on a 0.625 Acre Parcel of Land Lying at the Southeast Corner of North 17th Street and East Grace Street Located in the City of Richmond, Virginia,” prepared by Gene Watson & Associates, P.C., and dated December 16, 2015, a copy of which is attached to, incorporated into, and made a part of this ordinance, the property located at 127 North 17th Street, with Tax Parcel No. E000-0130/044 as shown in the 2018 records of the City Assessor, is excluded from the M-1 Light Industrial District and shall no longer be subject to the provisions of sections 30-452.1 through 30-452.4 of the Code of the City of Richmond (2015), as amended, and that the same is included in the TOD-1 Transit-Oriented Nodal District

AYES: 7 NOES: 0 ABSTAIN: _____

ADOPTED: MAY 29 2018 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 (2015), as amended.

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

City of Richmond

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

Item Request
File Number: PRE.2018.130

O & R REQUEST

4-7657
MAR 28 2018

Office of the
Chief Administrative Officer

RECEIVED

APR 15 2018

OFFICE OF CITY ATTORNEY

O & R Request

DATE: March 26, 2018

EDITION: 1

TO: The Honorable Members of City Council

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

THROUGH: Selena Cuffee-Glenn, Chief Administrative Officer

THROUGH: Peter L. Downey, Deputy Chief Administrative Officer for Economic Development and Planning

FROM: Mark A. Olinger, Director, Department of Planning and Development Review

RE: To rezone the property known as 127 North 17th Street from the M-1 Light Industrial District to the TOD-1 Transit-Oriented Nodal District.

ORD. OR RES. No. _____

PURPOSE: To rezone the property known as 127 North 17th Street from the M-1 Light Industrial District to the TOD-1 Transit-Oriented Nodal District.

REASON: The applicant is requesting to rezone the property at the corner of North 17th Street and East Grace Street from the existing industrial zoning regulations in the M-1 Light Industrial District to the TOD-1 Transit-Oriented Nodal District to develop a hotel on the property that is consistent with the form based regulations found in the City's new TOD-1 district.

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 May 21, 2018, meeting. A letter outlining the Commission's recommendation will be forwarded to City Council following that meeting.

BACKGROUND: The property is approximately 0.62 acres and is currently improved with a vacant

industrial building and a surface parking area. The buildings have most recently been used as a bakery facility operated by the Weiman's Bakery Company. The property is located in the Shockoe Bottom neighborhood and is primarily surrounded by surface parking areas, with a mix of commercial, mixed-use, industrial, office, vacant, and multi-family residential land uses in the general area. Surrounding properties are located within the M-1 Light Industrial District and B-5 Central Business District.

The subject property is currently located in M-1 Light Industrial District, which permits a wide variety of commercial, industrial and service uses. The proposed TOD-1 district regulations would allow for a mix of uses. The applicant wishes to construct new hotel on the property that would comply with the TOD-1 zoning district regulations.

The intent of the TOD-1 district is to encourage 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 district regulations are intended to encourage redevelopment and place-making, including adaptive reuse of underutilized buildings, to create a high-quality urban realm. They are intended to improve streetscape character by providing continuity of building setbacks, to enhance public safety by encouraging an active pedestrian environment consistent with the mixed-use character of the district by providing for windows in building facades along street frontages, and to promote an environment that is safe for walking and biking.

The TOD-1 district allows for a maximum of twelve stories and includes form-based requirements that are not found in the existing zoning district. These requirements include such things as regulation on the location and screening of parking, fenestration and setback maximums.

In addition to the normal zoning requirements, any development of the site as a hotel will require a plan of development be approved by the Director of Planning and Development Review to ensure compatibility with the district and the Pulse Corridor Plan.

The City's Pulse Corridor Plan recommends Neighborhood Mixed-Use land use for the subject property. Neighborhood Mixed-use areas are cohesive districts that provide a mix of uses, but with a larger amount of residential uses than other mixed-use districts. They are an urban, walkable environment with limited neighborhood-oriented uses incorporated along key commercial corridors and at corner sites (p. 31).

The subject property is located within the Main Street Station Area. According to the Pulse Corridor Plan, Nodal Mixed-Uses near Main Street Station allow for intense development with active ground-floor uses near the multi-modal heart of the Richmond Region. The Corridor Mixed-Uses along E. Broad and E. Main Streets encourage the redevelopment of surface parking lots and underutilized buildings into higher-density buildings that focus on creating walkable environments with active ground floors, appropriate streetscape, and minimal driveway entrances. Neighborhood Mixed-Uses in the surrounding area help maintain the existing residential and mixed uses found in the area, mainly in the form of repurposed warehouses, and allow for appropriate infill development (p. 104).

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: April 23, 2018

CITY COUNCIL PUBLIC HEARING DATE: May 29, 2018

REQUESTED AGENDA: Consent

RECOMMENDED COUNCIL COMMITTEE: None.

CONSIDERATION BY OTHER GOVERNMENTAL ENTITIES: City Planning Commission, May 21, 2018.

AFFECTED AGENCIES: Office of Chief Administrative Officer
Law Department (for review of draft ordinance)
City Assessor (for preparation of mailing labels for public notice)

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

PDR O&R No. 18-20



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/>

RZON-029201-2018

Project Name/Location

Property Address: 127 N 17th Street
Tax Map #: E000-0130/044 Fee: \$1,500
Total area of affected site in acres: 0.6244 acres

Date: 1-22-18

RECEIVED

JAN 22 2018

LAND USE ADMINISTRATION

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

Zoning

Current Zoning: M-1 Light Industrial

Existing Use: Vacant buildings and parking area

Proposed Zoning/Conditional Zoning

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

TDD-1 Transit Oriented Development District

Existing Use: Vacant buildings and parking area

Is this property subject to any previous land use cases?

Yes

No

If Yes, please list the Ordinance Number: BZA 1952-075

Applicant/Contact Person: Lory Markham

Company: Markham Planning

Mailing Address: 2314 West Main Street

City: Richmond State: VA Zip Code: 23220

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

Email: lory@markhamplanning.com

Property Owner: Weimans Bakery LLC

If Business Entity, name and title of authorized signee: H. Louis Salomonsky

(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: 1553 East Main Street

City: Richmond State: VA Zip Code: 23219

Telephone: (804) 237-8247 Fax: ()

Email: HL.Salomonsky@swa-co.com

Property Owner Signature: *H. Louis Salomonsky*
H. LOUIS SALOMONSKY, MANAGER of ITS MANAGER

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.



March 26, 2018

Mr. Mark Olinger, Director
Department of Planning & Development Review
900 East Broad Street, Suite 511
Richmond, VA 23219
Mark.Olinger@richmondgov.com

RE: Applicant's Report for Rezoning of Weiman's Bakery Property at 127 N 17th Street

Dear Mr. Olinger,

Please accept this letter as the Applicant's Report for the Rezoning application for 127 N 17th Street from the M-1 Light Industrial District to the new TOD-1 Transit Oriented Development District. With this application, Louis Salomonsky of Weiman's Bakery LLC is petitioning the City Council to rezone this Shockoe Bottom property from the existing outdated industrial district to the City's new mixed-use zoning district intended to encourage dense, walkable transit-oriented development as recommended by the Pulse Corridor Plan adopted by City Council in July 2017.

Site

The proposed rezoning is for one corner property located at the intersection of E Grace Street and N 17th Street. The property is approximately 0.6244 acres and is currently improved with a vacant industrial building and a surface parking area. The buildings have most recently been used as a bakery facility operated by the Weiman's Bakery Company. The property is located in the Shockoe Bottom neighborhood and is primarily surrounded by surface parking areas.

Zoning Regulations

The property is currently located in M-1 Light Industrial District, which permits a wide variety of commercial, industrial and service uses, many of which could be considered noxious or undesirable so close to the mix of uses currently found in Shockoe Bottom and so proximate to the central business district. The M-1 district allows for a base building height of forty-five feet with additional height based on an incline plane from the adjacent streets. This would allow a building height of ninety-nine feet at the property line along E Grace Street.

The applicant wishes to construct new hotel on the property that would comply with the TOD-1 zoning district regulations. The proposed TOD-1 district regulations would allow for a mix of uses, including hotels. The applicant plans to develop the property in accordance with the stated intent of the TOD-1 district. The district's intent is to promote enhancement of the character of 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 intended to encourage

appropriate redevelopment and place-making, including adaptive reuse of underutilized buildings, to create a high-quality urban realm. They are intended to improve streetscape character by providing continuity of building setbacks, to enhance public safety by encouraging an active pedestrian environment consistent with the mixed-use character of the district by providing for windows in building facades along street frontages, and to promote an environment that is safe for walking and biking.

The TOD-1 district allows for a maximum of twelve stories and includes form-based requirements that are not found in the existing zoning district, which will ensure that any development of the site is more urban in character, will provide life and activity on the street and will promote walking and biking. These requirements include such things as regulation on the location and screening of parking decks and lots, fenestration and setbacks maximums.

In addition to the normal zoning requirements, any development of the site as a hotel will require a plan of development be approved by the Director of Planning and Development Review to ensure compatibility with the district and the Pulse Corridor Plan.

Pulse Corridor Plan / Master Plan

In July 2017, the Richmond City Council adopted the Pulse Corridor Plan to establish three goals for future development along the Pulse Corridor in support of the new Pulse Bus Rapid Transit line. The stated goals for development along the transit line is that it will be Compact & Mixed, Connected, and Thriving & Equitable. Following the adoption of the Plan, the City created a new zoning district, the TOD-1 Transit Oriented Development District, to implement these stated goals.

The subject property is included within the recommendations of the Pulse Corridor Plan and is designated within the Neighborhood Mixed-Use District established by the Plan. The Neighborhood Mixed-Use District are intended provide a mix of uses, but with a larger amount of residential uses than other mixed-use districts. They are an urban, walkable environment with limited neighborhood-oriented uses incorporated along key commercial corridors and at corner sites. The property to the south and most of the properties within the block are designated within the Corridor Mixed-Use District established by the Plan. This District is found along major, traditionally commercial corridors like Broad and E. Main Streets, and envisioned to provide for medium-density pedestrian- and transit-oriented infill development to fill "missing teeth" of the corridor fabric.

Both the Neighborhood Mixed-Use District and the Corridor Mixed-Use District are supportive of the type of development allowed and encouraged by the requested TOD-1 Transit Oriented Development District. They both recommend medium density mixed-use development at heights ranging from 2 to 8 or 10 stories. Additionally, the form-based requirements related to fenestration, maximum setbacks and the location and screening of parking areas that found in the TOD-1 District are all elements supported by the Plan for the subject property.

City Charter Conditions

We trust that you will agree with us that the development of the site would be better suited under the regulations in the TOD-1 Transit Oriented Development District than the existing outdated M-1 Industrial District 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 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', written in a cursive style.

Lory Markham

Enclosures

cc: The Honorable Cynthia Newbille
Matthew Ebinger, Secretary to the City Planning Commission

