

INTRODUCED: September 9, 2019

AN ORDINANCE No. 2019-257

To rezone the properties known as 13, 17, 19, 21, and a portion of 9 West 20th Street; 16, 18, 20, and 22 West 19th Street; 1900, 1906, 1920, and 1922 Bainbridge Street; and a portion of 2005 Hull Street from the M-1 Light Industrial District to the B-7 Mixed-Use Business District; the property known as 12 West 19th Street and a portion of 9 West 20th Street from the M-1 Light Industrial District to the TOD-1 Transit-Oriented Nodal District; and the properties known as 1901, 1917, and a portion of 2005 Hull Street from the B-3 General Business 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: OCT 14 2019 AT 6 P.M.

THE CITY OF RICHMOND HEREBY ORDAINS:

§ 1. That, as shown on the plat entitled “Proposed Re zoning Map of #1901, #1917 and #2005 Hull Street, #12, #16, #18, #20 and #22 W. 19th Street, #1900, #1906, #1920 and #1922 Bainbridge Street, #9, #13, #17, #19 and #21 W. 20th Street, Richmond, Virginia,” prepared by A. G. Harocopos & Associates, P.C., and dated February 20, 2019, a copy of which is attached to, incorporated into, and made a part of this ordinance, the following properties, with tax parcel numbers as shown in the 2019 records of the City Assessor, are excluded from the M-1 Light Industrial District and shall no longer be subject to the provisions of sections 30-452.1

AYES: _____9_____ NOES: _____0_____ ABSTAIN: _____

ADOPTED: JAN 27 2020 REJECTED: _____ STRICKEN: _____

through 30-452.4 of the Code of the City of Richmond (2015), as amended, and that the same are included in the B-7 Mixed-Use Business District and shall be subject to the provisions of sections 30-446.1 through 30-446.8 and all other applicable provisions of Chapter 30 of the Code of the City of Richmond (2015), as amended:

13 West 20 th Street	Tax Parcel No. S000-0295/033
17 West 20 th Street	Tax Parcel No. S000-0295/035
19 West 20 th Street	Tax Parcel No. S000-0295/036
A portion of 9 West 20 th Street	Tax Parcel No. S000-0295/031
21 West 20 th Street	Tax Parcel No. S000-0295/037
16 West 19 th Street	Tax Parcel No. S000-0295/016
18 West 19 th Street	Tax Parcel No. S000-0295/015
20 West 19 th Street	Tax Parcel No. S000-0295/014
22 West 19 th Street	Tax Parcel No. S000-0295/013
1900 Bainbridge Street	Tax Parcel No. S000-0295/012
1906 Bainbridge Street	Tax Parcel No. S000-0295/009
1920 Bainbridge Street	Tax Parcel No. S000-0295/003
1922 Bainbridge Street	Tax Parcel No. S000-0295/001
A portion of 2005 Hull Street	Tax Parcel No. S000-0355/007

§ 2. That, as shown on the plat entitled “Proposed Re zoning Map of #1901, #1917 and #2005 Hull Street, #12, #16, #18, #20 and #22 W. 19th Street, #1900, #1906, #1920 and #1922 Bainbridge Street, #9, #13, #17, #19 and #21 W. 20th Street, Richmond, Virginia,” prepared by A. G. Harocopos & Associates, P.C., and dated February 20, 2019, a copy of which is attached to, incorporated into, and made a part of this ordinance, the following properties, with tax parcel numbers as shown in the 2019 records of the City Assessor, are 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 are 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 (2015), as amended:

12 West 19th Street
A portion of 9 West 20th Street

Tax Parcel No. S000-0295/018
Tax Parcel No. S000-0295/031

§ 3. That, as shown on the plat entitled “Proposed Re zoning Map of #1901, #1917 and #2005 Hull Street, #12, #16, #18, #20 and #22 W. 19th Street, #1900, #1906, #1920 and #1922 Bainbridge Street, #9, #13, #17, #19 and #21 W. 20th Street, Richmond, Virginia,” prepared by A. G. Harocpos & Associates, P.C., and dated February 20, 2019, a copy of which is attached to, incorporated into, and made a part of this ordinance, the following properties, with tax parcel numbers as shown in the 2019 records of the City Assessor, are excluded from the B-3 General Business District and shall no longer be subject to the provisions of sections 30-438.1 through 30-438.5 of the Code of the City of Richmond (2015), as amended, and that the same are 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 (2015), as amended:

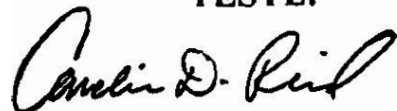
1901 Hull Street
1917 Hull Street
A portion of 2005 Hull Street

Tax Parcel No. S000-0295/019
Tax Parcel No. S000-0295/020
Tax Parcel No. S000-0355/007

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

A TRUE COPY:

TESTE:



City Clerk



City of Richmond

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

Item Request

File Number: PRE.2019.256

O & R REQUEST

RECEIVED

SEP 03 2019

4-9065
AUG 13 2019

Office of the
Chief Administrative Officer

OFFICE OF THE CITY ATTORNEY

O & R Request

DATE: August 12, 2019

EDITION: 1

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: Selena Cuffee-Glenn, Chief Administrative Officer

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

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

RE: To rezone properties known as 13, 17, 19, 21 and a portion of 9 W. 20th Street; 12, 16, 18, 20, 22 W. 19th Street; 1900, 1906, 1920, 1922 Bainbridge Street; a portion of 2005 Hull Street, from the M-1 Light Industrial District to the B-7 Mixed-Use Business District; A portion of 9 W. 20th Street, from the M-1 Light Industrial District to the TOD-1 Transit-Oriented Nodal District; as well as 1901, 1917, and a portion of 2005 Hull Street from the B-3 General Business District to the TOD-1 Transit-Oriented Nodal District.

ORD. OR RES. No. _____

PURPOSE: To rezone properties known as 13, 17, 19, 21 and a portion of 9 W. 20th Street; 12, 16, 18, 20, 22 W. 19th Street; 1900, 1906, 1920, 1922 Bainbridge Street; a portion of 2005 Hull Street, from the M-1 Light Industrial District to the B-7 Mixed-Use Business District; A portion of 9 W. 20th Street, from the M-1 Light Industrial District to the TOD-1 Transit-Oriented Nodal District; as well as 1901, 1917, and a portion of 2005 Hull Street from the B-3 General Business District to the TOD-1 Transit-Oriented Nodal District.

REASON: The applicant is requesting to rezone 17 parcels totaling 4.4595 acres from the M-1 Light Industrial and B-3 General Business Districts to the B-7 Mixed-Use Business and the TOD-1 Transit Oriented Nodal District in order to facilitate redevelopment consistent with the City of Richmond Master Plan recommendations for mixed-use areas.

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 October 7, 2019, meeting.

BACKGROUND: The rezoning area consists of 17 parcels totaling 4.4595 acres, and are located in the Swansboro neighborhood of the Old South Planning District, along West 19th and 20th Streets and Bainbridge and Hull Streets. The properties are primarily vacant with the remaining properties containing unoccupied buildings. The rezoning will help facilitate the rehabilitation of the former Siegel's Grocery Store and allow new mixed-use infill development.

The properties are located within the M-1 Light Industrial and the B-3 General Business Districts. In these districts, dwelling units are allowed as permitted uses provided that the dwelling units are located above the ground floor of the building or to the rear of other permitted principal uses.

The M-1 Light Industrial district has a height limit for buildings of 45 feet and the B-3 General Commercial District has a height limitation of 35 feet, with the possibility of up to 60 feet depending on proximity to residential areas. The TOD-1 district has a height limit of 12 stories and the B-7 Mixed-Use district has a height limit of five stories. If the development encompasses an entire city block the height in the B-7 district can be increased to six stories.

The intent of the B-7 Mixed-Use District is to encourage a broad range of mixed land uses, including residential, commercial and compatible industrial and service uses. The district is intended to promote enhancement of the character of mixed-use areas that are undergoing revitalization and adaptive reuse by providing for alternative economic use of existing structures, while enabling continuation of existing industrial and service uses. The district regulations are intended to encourage appropriate infill development on undeveloped land, promote adaptive reuse of vacant or underutilized buildings and enable redevelopment of properties where continuation of current uses or adaptive reuse is not feasible. The district regulations are also intended to safeguard the character of adjoining properties, to maintain the predominant existing streetscape character by providing continuity of building scale and setbacks, to enhance public safety and encourage an active pedestrian environment appropriate to the mixed-use character of the district by providing for windows in building facades along street frontages. (Sec. 30-446.1, Zoning Ordinance).

The district regulations of the TOD-1 Transit-Oriented Nodal Zoning District 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 (Sec. 30-457.1, Zoning Ordinance).

The City of Richmond Master Plan land use map indicates Mixed Uses for the majority of the parcels. Community Commercial uses are indicated for the two parcels located at 1901 and 1917 Hull Street which total .716 acres. The remaining parcels along Bainbridge Street are designated as Single-Family (Medium Density).

For Mixed-Use areas primary uses include combinations of office, retail, personal service, general commercial and service uses and, in some cases, multi-family residential and dwelling units above ground floor commercial. Generally, such areas consist of a mix of several types of uses, designed and arranged to be compatible with one another. Each type of use could function independently, but all benefit from proximity to one another. The mix of uses and predominant land use character may vary considerably by location, and are described in each case in the text of the District Plans. Typical zoning classifications that may accommodate this land use category: B-5, UB, UB-2, B-6, and B-7.

For Community Commercial areas primary uses 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 a section of the City. As compared to Neighborhood Commercial, this category includes a broader range of uses of greater scale and intensity, with greater vehicular access and orientation, but that are also compatible with nearby residential areas. Typical zoning classifications that may accommodate this land use category: B-2, UB, and UB-2.

The properties to the north, across Bainbridge Street, contain single-family residences on land zoned the R-7 Single-and-Two-Family Urban Residential. A funeral home and vacant properties are located to the east, across W. 19th Street on land zoned B-3 General Business District. To the south, across Hull Street, are properties both vacant and with improvements on land zoned B-3 General Commercial. Abutting to the west is an out of service CSX right-of-way on land zoned M-1 Light Industrial.

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: \$1,900 application fee

DESIRED EFFECTIVE DATE: Upon adoption

REQUESTED INTRODUCTION DATE: September 9, 2019

CITY COUNCIL PUBLIC HEARING DATE: October 14, 2019

REQUESTED AGENDA: Consent

RECOMMENDED COUNCIL COMMITTEE: None

CONSIDERATION BY OTHER GOVERNMENTAL ENTITIES: City Planning Commission
October 7, 2019

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: David Watson, Senior Planner, Land Use Administration, 804-646-1036



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/>

Plan

9 W. 20th Street

Project Name/Location

Property Address: Siegel's Grocery site; See attached property information

Date: April 28, 2019

Tax Map #: See attached property information Fee: \$1,900.00

Total area of affected site in acres: 4.48

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

Zoning

Current Zoning: Mixed Zoning: M-1 and B-3

Existing Use: Vacant land; vacant commercial and industrial buildings

Proposed Zoning/Conditional Zoning

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

Mixed Zoning: TOD-1 and B-7. Use: mixed-use multi-family residential, retail, office, restaurant, brewery/distillery

Existing Use: Vacant land; vacant commercial and industrial buildings

Is this property subject to any previous land use cases?

Yes

No



If Yes, please list the Ordinance Number: 2002-262-265
2002-262-265

Applicant/Contact Person: Lawrence H. Pearson, Jr., Esq.

Company: Fleckenstein & Associates, P.C.

Mailing Address: 311 S. Arthur Ashe Boulevard

City: Richmond

State: VA

Zip Code: 23220

Telephone: (804) 3,589,400

Fax: (804)

3,589,088

Email: lane@pl-law.com

Property Owner: Kingfisher LLC, Gardenia LLC, Church Hill Ventures LLC

If Business Entity, name and title of authorized signee: Laura Hild, Manager

(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: P.O. Box 14144

City: Richmond

State: VA

Zip Code: 23225

Telephone: (804) 5,805,905

Fax: ()

Email: boydburton@churchhillventures.com

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.

SIEGEL'S GROCERY SITE APPLICATION/PROPERTY INFORMATION

Property Owner Information:

Church Hill Ventures LLC, Gardenia LLC, and Kingfisher LLC
C/O Mr. Boyd Burton
P.O. Box 14144
Richmond, VA 23225
(804) 590-5905
boydburton@churchhillventures.com

[illegible]

**SIEGEL'S GROCERY SITE
APPLICANT'S REPORT**

1. INTRODUCTION.

Church Hill Ventures LLC, Gardenia LLC, and Kingfisher LLC (collectively, the "Applicant") own seventeen parcels of real property (the "Property") totaling approximately 4.5 acres and comprising the better part of two city blocks bounded by Bainbridge Street to the north, West 19th Street to the east, Hull Street to the south, and a CSX railroad right of way to the west. The Property has been underutilized in recent years, characterized by vacant buildings and automotive storage on the unimproved parcels. The Applicant is developing plans that include a combination of historic rehabilitation and infill development on the Property. Ultimately, the Applicant envisions a pedestrian-oriented, mixed-use development that will serve as a neighborhood hub for commercial and residential uses. This redevelopment effort will feature increased density and height along Hull Street, the primary transportation thoroughfare serving the Property, and a business, retail, and residential campus-style development at the "rear" (northern portion) of the site, along West 19th and West 20th Streets. The Applicant's proposed mixed-use development will offer retail amenities and job opportunities to existing residents and newcomers alike, becoming a node of economic and community strength. The residential component of the development will increase housing options in the area and bolster the market for additional services and amenities that the community desires.

2. PROPERTY/AREA.

The Property is shown on the enclosed plat of survey prepared by A.G. Harocopos & Associates, P.C., Certified Land Surveyor and Consultant, dated February 20, 2019. The Property is currently zoned B-3 along Hull Street and M-1 along West 19th and West 20th Streets. The majority of the lots are unimproved. The remaining lots have unused improvements upon them, most notably the architecturally significant Seigel's Grocery Store building at 2005 Hull Street.

Neighboring properties include a mixture of uses. Parcels along Hull Street at the southern border of the Property include retail uses and vacant lots zoned B-3. Properties to the west of the Property, on the other side of the overgrown CSX right of way, include a variety of uses, including light industrial, residential, retail, and vacant lots, and are zoned B-3 or R-7. At the northern border of the Property, along Bainbridge Street, properties include vacant land, single-family houses, and commercial/manufacturing buildings. The zoning at Bainbridge Street is M-1 along the southern side and R-7 along the northern side. Parcels at the eastern border of the Property, along West 19th Street, include a funeral home, surface parking, and unimproved vacant land, all zoned B-3. The City's Master Plan recommendations from 2000 suggest that the majority of the Property be "Mixed Use" with the remainder of the Property designated

"Community Commercial" with a strip of "Single Family (medium density)" fronting Bainbridge Street.

3. DEVELOPMENT OVERVIEW.

The Applicant plans to redevelop the approximately 4.5-acre Property with a combination of thoughtfully-designed adaptive reuse and infill construction. The Applicant proposes a pedestrian-oriented, mixed-use development that will include retail uses, restaurant space, office space, art and artisan studios, collaborative small-business spaces, and multifamily housing, all with associated parking. The historic Siegel's Grocery Store building will be the architectural centerpiece of the development, rehabilitated to function as a retail market and food and beverage-oriented "maker space," allowing local artisans to produce and sell their products on site.

The unit blocks of West 19th and 20th Street will feature retail and business uses along the ground floor and multifamily housing above, up to five stories in total height. The building height will increase up to twelve stories along the Hull Street frontage of the Property, in order to bring appropriate density and scale to this section of the Hull Street corridor and befitting this important urban node along one of Richmond's primary transportation routes. Additionally, the increased housing density will contribute to a meaningful increase in Richmond's overall housing inventory and bring housing opportunities to a site where none currently exist.

To permit the development of this pedestrian-friendly, mixed-use development, the Applicant requests the City's approval of a rezoning of the Property from the current B-3 and M-1 classifications to the TOD-1 and B-7 classifications. The Applicant requests that the proposed TOD-1 classification replace the existing B-3 zoning in a slightly expanded footprint along the Hull Street frontage of the Property, extending two hundred (200) feet from the northern line of Hull Street. The Applicant requests that the remainder of the Property be rezoned from M-1 to B-7.

The Applicant's proposed investment in the Property will help further the community's desires for the area, eliminating underutilized spaces and fostering small business development, increased housing opportunities, and job creation for existing and new residents. The development will help increase the City's tax base and transform a neglected site into a hub of activity.

4. CONCLUSION.

This rezoning request is consistent with the desires of the community and urban planning best practices. Currently, the Property is underutilized and ripe for transformation. There is a dearth of neighborhood amenities and job opportunities in the immediate area. Likewise, there are limited housing options in the vicinity, and very little of the dense, sensitively designed, multifamily housing that characterizes robust urban communities. The requested rezoning will foster the creation of a dynamic residential and commercial environment.

