

INTRODUCED: March 8, 2021

AN ORDINANCE No. 2021-077

To rezone the properties known as 600 Commerce Road, 602 Commerce Road, and 606 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: APR 12 2021 AT 6 P.M.

THE CITY OF RICHMOND HEREBY ORDAINS:

§ 1. That, as shown on the survey entitled “ALTA / NSPS Land Title Survey, Sisters Cafe, Project #20-5306-Site #001, 600, 602 and 606 Commerce Road, Richmond, VA,” prepared by CreSurveys, date June 8, 2020, and last revised September 15, 2020, 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 2021 records of the City Assessor, are 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 are

AYES: 8 NOES: 0 ABSTAIN: _____

ADOPTED: APR 12 2021 REJECTED: _____ STRICKEN: _____

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:

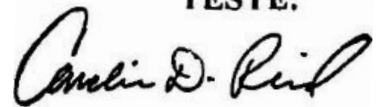
600 Commerce Road
602 Commerce Road
606 Commerce Road

Tax Parcel No. S000-0325/001
Tax Parcel No. S000-0325/002
Tax Parcel No. S000-0325/003

§ 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. Reed".

City Clerk

City of Richmond

2021-242
900 East Broad Street
2nd Floor of City Hall
Richmond, VA 23219
www.rva.gov

Item Request File Number: PRE.2021.487

O & R Request

DATE: February 8, 2021

EDITION: 1

TO: The Honorable Members of City Council

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



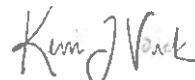
THROUGH: J.E. Lincoln Saunders, Acting Chief Administrative Officer



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



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



RE: To rezone the properties known as 600, 602, and 606 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 600, 602, and 606 Commerce Road 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
District, which allows a greater range of uses and densities than the current M-2 Heavy Industrial 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 April 5, 2021 meeting.

BACKGROUND: The properties, together, consist of approximately 16,135 SF, or .38 acres, of land. The
properties are located in the Old Town Manchester Neighborhood between Marx Street and Dinwiddie
Avenue.

The City's Richmond 300 Master Plan designates these parcels as Destination Mixed-Use. Such areas are 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. This category is characterized by higher density, transit-oriented development encouraged on vacant or underutilized sites.

Primary Uses: Retail/office/personal service, multi-family residential, cultural, and open space.

Secondary Uses: Institutional and government.

Currently, all adjacent properties are zoned the same M-2 Heavy Industrial, as well as some B-3, General Business District, in the vicinity.

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: March 8, 2021

CITY COUNCIL PUBLIC HEARING DATE: April 12, 2021

REQUESTED AGENDA: Consent

RECOMMENDED COUNCIL COMMITTEE: None

CONSIDERATION BY OTHER GOVERNMENTAL ENTITIES: City Planning Commission
April 5, 2021

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

**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/LocationProperty Address: 800, 802, 806 Commerce RoadDate: October 14, 2020Tax Map #: 80000325001, 80000325002, 80000325003 Fee: \$1,500Total area of affected site in acres: 0.371

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

ZoningCurrent Zoning: M-2Existing Use: Commercial/Surface Parking**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: Commercial/Surface Parking

Is this property subject to any previous land use cases?

Yes

No

☐☒

If Yes, please list the Ordinance Number: _____

Applicant/Contact Person: Lory MarkhamCompany: Markham PlanningMailing Address: 2314 West Main StreetCity: RichmondState: VAZip Code: 23220Telephone: (804) 248-2561Fax: ()Email: lory@markhamplanning.com**Property Owner:** Commerce Road LLCIf Business Entity, name and title of authorized signee: Pinson Neal

(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: 4901 Dickens Road, Suite 119City: RichmondState: VAZip Code: 23230Telephone: (804) 334-3421Fax: ()Email: pneal@landmark-property.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.



October 14, 2020

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 Application at 600, 602 and 606 Commerce Road

Dear Mr. Olinger,

Please accept this letter as the amended Applicant's Report for the rezoning application for 600, 602 and 606 Commerce Road. With this application Commerce Road LLC is petitioning the City Council to rezone the three properties from M-2 Heavy Industrial to TOD-1 Transit Oriented Development. This rezoning will facilitate the future redevelopment of the properties with primarily residential uses, parking and commercial fronting on Commerce Road.

Site

The property is located at the intersection of Marx Street and Commerce Road. It is comprised of three tax parcels totaling 0.371 acres (16,135 square feet). The property is improved with a small one-story restaurant and a gravel surface parking area.

Zoning

The property is currently located in the M-2 Heavy Industrial Districts, which permits a wide variety of commercial, industrial, drive-through, gas station and service uses, many of which could be considered noxious or undesirable this southern gateway to the City. There are no yard setback requirements in either district. A base building maximum height of 45 feet is permitted at the property line. Additional height is allowed and based on an incline plane from the centerline of the abutting streets.

This application requests a rezoning to the TOD-1 Transit Oriented Development District to allow for residential uses and the redevelopment of the currently underutilized properties. This district encourages walkable transit-oriented development to promote enhancement of the character of development along principal corridors such as Commerce Road, at key gateways and nodes of high activity located near transit services, bicycle infrastructure, and pedestrian-friendly streetscapes. It permits a wide variety of uses such as art galleries, grocery stores, hotels, offices, restaurants and retail stores. The TOD-1 district would prohibit the noxious commercial and industrial uses currently allowed

MARKHAM PLANNING
2314 West Main Street • Richmond, Virginia 23220
(804) 248-2561

and would permit the redevelopment of the property with a mix of uses appropriate to context of the site.

The TOD-1 district includes form-based requirements that are not found in the existing industrial zoning districts, which will ensure that any development of the site is more urban in character and will provide activity on the street. These requirements include such things as regulation on the location and screening of parking decks and lots, fenestration and setbacks maximums. There is no setback requirement in the TOD-1 district for uses other than residential and height is limited to twelve stories. This will require new development to be located closer to the street and provide for a more engaging streetscape. Additionally, any development of the site as a mixed-use residential project with more than 10 units or greater than 50,000 square feet will require a plan of development to be approved by the Director of Planning and Development Review to ensure compatibility with the district and the character of the surrounding area.

Master Plan

The City's 2001 Master Plan recommends Industrial land uses for the property. The TOD-1 district was created after the adoption of the 2001 Master Plan and has been used in places that are transitioning from predominantly industrial areas to areas with larger range of retail and residential uses. The 2001 Master Plan identifies Commerce Road as a Principal Arterial Image Corridor and calls for the creation of land uses along Commerce Road that will evoke high-quality and attractive images for the City. The proposed redevelopment of a underutilized gravel parking lot to a vibrant residential community will improve the image of the City along Commerce Road as recommended by the Master Plan.

Additionally, the from-based design requirements found in the proposed TOD-1 district would implement the Master Plan recommendation to develop design guidelines for private development activities along image corridors. There are several other larger goals stated by the 2001 Master Plan that are consistent with the intent of the TOD-1 zoning district and the redevelopment of the property for residential uses, including: (1) Land use strategies for economic development should stress infill development and parcel consolidation for redevelopment projects; (2) Revitalize of specific areas and neighborhoods in older sections of the City that have experienced population loss, commercial disinvestment and social decline; and (3) In the Old South Planning District, industrial uses should transition to uses that are less noxious and more compatible with residential neighborhoods.

City Charter Conditions

This is an ideal opportunity in the City's Old South area to utilize a historically industrial property for the community's benefit. We trust that you will agree with us that rezoning this property to a mixed-use district 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,



Lory Markham

Enclosures

**cc: The Honorable Ellen Robertson
 Matthew Ebinger, Secretary to the City Planning Commission**

