

INTRODUCED: April 12, 2021

AN ORDINANCE No. 2021-101

To rezone the property known as 103 East 2<sup>nd</sup> Street from the B-7 Mixed-Use Business District to the B-4 Central Business District, and the properties known as 104 East 2<sup>nd</sup> Street, 101 Stockton Street, and 121 Stockton Street from the M-2 Heavy Industrial District to the B-4 Central Business District.

\_\_\_\_\_  
Patron – Mayor Stoney (By Request)

\_\_\_\_\_  
Approved as to form and legality  
by the City Attorney  
\_\_\_\_\_

PUBLIC HEARING: MAY 10 2021 AT 6 P.M.

THE CITY OF RICHMOND HEREBY ORDAINS:

§ 1. That, as shown on the survey entitled “ ‘ALTA/NSPS Land Title Survey,’ Five Parcels of Land Located on the East and West Side of 2<sup>nd</sup> Street and the North Side of Stockton Street, Richmond, Virginia,” prepared by Timmons Group, and dated March 19, 2020, a copy of which is attached to, incorporated into, and made a part of this ordinance, the property known as 103 East 2<sup>nd</sup> Street, with Tax Parcel No. S000-0105/001 as shown in the 2021 records of the City Assessor, is excluded from the B-7 Mixed-Use Business District and shall no longer be subject to the provisions of sections 30-446.1 through 30-446.8 of the Code of the City of Richmond (2020), as amended, and that the same is included in the B-4 Central Business District and shall

AYES: 8 NOES: 0 ABSTAIN: \_\_\_\_\_

ADOPTED: MAY 10 2021 REJECTED: \_\_\_\_\_ STRICKEN: \_\_\_\_\_

be subject to the provisions of sections 30-440.1 through 30-440.7 and all other applicable provisions of Chapter 30 of the Code of the City of Richmond (2015), as amended.

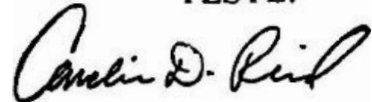
§ 2. That, as shown on the survey entitled “ ‘ALTA/NSPS Land Title Survey,’ Five Parcels of Land Located on the East and West Side of 2<sup>nd</sup> Street and the North Side of Stockton Street, Richmond, Virginia,” prepared by Timmons Group, and dated March 19, 2020, a copy of which is attached to, 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 included in the B-4 Central Business District and shall be subject to the provisions of sections 30-440.1 through 30-440.7 and all other applicable provisions of Chapter 30 of the Code of the City of Richmond (2020), as amended:

104 East 2 <sup>nd</sup> Street	Tax Parcel No. S000-0104/004
101 Stockton Street	Tax Parcel No. S000-0101/012
121 Stockton Street	Tax Parcel No. S000-0104/005

§ 3. 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.rva.gov

## Item Request

File Number: PRE.2021.541

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### O & R Request

**DATE:** March 15, 2021

**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:** 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 104 East 2nd Street, 121 Stockton Street, and 101 Stockton Street from the M-2 Heavy Industrial District, to the B-4 Central Business District and the property known as 103 East 2nd Street from the B-7 Mixed-Use Business District to the B-4 Central Business District.

**ORD. OR RES. No.** \_\_\_\_\_

**PURPOSE:** To rezone the properties known as 104 East 2nd Street, 121 Stockton Street, and 101 Stockton Street from the M-2 Heavy Industrial District, to the B-4 Central Business District and the property known as 103 East 2nd Street from the B-7 Mixed-Use Business District to the B-4 Central Business District.

**REASON:** The applicant is requesting to rezone the properties to B-4 Central Business District, which allows for dense, transit-oriented development with greater height than elsewhere in the region whereas the current M-2 Heavy Industrial District does not permit dwelling uses and permits a variety of industrial uses not permitted under the B-4 regulations and the B-7 Mixed-Use Business District permits less density and height than the B-4 regulations.

**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 3, 2021, meeting.

**BACKGROUND:** The proposed rezoning would include five parcels of land located at on both sides of East Second Street between Stockton Street and Decatur Street. The total land area of the parcels is 83,570 square feet, or 1.92 acres. The property is improved with several buildings (having been used for warehouse and retail purposes) and paved/unpaved parking areas.

The Richmond 300 Master Plan recommends a future land use of “Destination Mixed-Use” for the property. The primary uses envisioned for Destination Mixed-Use are retail/office/personal service, multi-family residential, cultural, and open space. Secondary uses are institutional and government. The development style envisioned is “higher-density, transit-oriented on vacant or underutilized sites. New development should be urban in form, may be of larger scale than the existing context, and should pay special attention to the historic character of the existing context.” The recommended intensity is high with new buildings typically a minimum of five stories. Pedestrian, bicycle and transit access must be prioritized. The property is also located within the vicinity of the “Downtown-Manchester” primary growth node, which envisions the area as continuing to be a population center, with people and economic activity supporting a thriving business corridor along Hull Street. Hull Street, which is one block from the property, is designated as a “Future Enhanced Transit” corridor on the “Enhanced Transit Map.”

The properties are currently located in the M-2 Heavy Industrial District and B-7 Mixed-Use Business District. The M-2 district permits a variety of commercial and industrial uses, including heavy industrial uses that generate heavy truck traffic. Auto-oriented uses including auto repair and sales, drive-up facilities, and fuel dispensing are permitted under the M-2 Heavy Industrial. Dwelling uses are not permitted in the M-2 Heavy Industrial District. The B-7 district permits a variety of commercial uses and dwelling uses, however limits the height of new buildings to five stories.

Properties to the northeast are located in the M-2 Heavy Industrial District. Properties to southeast, southwest and northwest are located in the B-7 Mixed-Use Business District. Other industrial properties are located to the southwest towards the Maury Street I-95 interchange. CSX railroad and a Dominion Power substation are located to the northeast. A majority of the properties to the northwest and southwest are multi-family dwellings, with light industrial uses scattered intermittently.

**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:** \$1,600 application fee

**DESIRED EFFECTIVE DATE:** Upon Adoption

**REQUESTED INTRODUCTION DATE:** April 12, 2021

**CITY COUNCIL PUBLIC HEARING DATE:** May 10, 2021

**REQUESTED AGENDA:** Consent

**RECOMMENDED COUNCIL COMMITTEE:** None

**CONSIDERATION BY OTHER GOVERNMENTAL ENTITIES:** City Planning Commission  
May 3, 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:** Application Form, Applicant's Report, Draft Ordinance, Survey, Map

**STAFF:** Richard Saunders, Senior Planner, Land Use Administration (Room 511) 646-5648



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.richmond.gov/>

**Project Name/Location** 103 East 2nd St  
**Property Address:** 104 East 2nd St, 121 Stockton, 101 Stockton St. **Date:** \_\_\_\_\_  
**Tax Map #:** see list (right) **Fee:** \$1,600  
**Total area of affected site in acres:** 1.7195

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

Zoning	Address	Tax ID	Zoning District
Current Zoning: <u>M2, B-7</u>	104 E. 2nd St	S0000104004	M-2
	121 Stockton St	S0000104005	M-2
Existing Use <u>Storage Warehouse</u>	101 Stockton St	S000101012	M-2
	103 E. 2nd St	S0000105001	B-7

**Proposed Zoning/Conditional Zoning**

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

B-4  
Existing Use: Storage Warehouse

Is this property subject to any previous land use cases?

Yes  No  If Yes, please list the Ordinance Number: \_\_\_\_\_

**Applicant/Contact Person:** Jennifer D. Mullen  
**Company:** Roth Jackson Gibbons Conklin PLC  
**Mailing Address:** 1519 Summit Avenue, Suite 102  
**City:** Richmond **State:** VA **Zip Code:** 23230  
**Telephone:** (804) 441-2440 **Fax:** (804) 441-9439  
**Email:** j.mullen@rothjackson.com

**Property Owner:** Recent Ruins LLC  
If Business Entity, name and title of authorized signee: James F. Kastelberg

(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:** 8099 Prospect Lane  
**City:** Hanover, VA **State:** VA **Zip Code:** 23069  
**Telephone:** (804) 232-4175 **Fax:** ( )  
**Email:** caravatis@gmail.com

**Property Owner Signature:** James F. Kastelberg

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

January 12, 2021

Jennifer D. Mullen, Esq.  
Richmond Office  
(804) 977-3374 (direct)  
jmullen@rothjackson.com

VIA EMAIL

Mr. Matthew Ebinger, AICP  
Planning and Development Review  
900 East Broad Street, Room 511  
Richmond, VA 23219

Re: Rezoning Request: Tax Map No's. S0000104004, S0000104005, S0000101012, and S0000105001

Dear Mr. Ebinger:

This letter shall serve as the applicant's report accompanying the application for a rezoning of 104 East 2<sup>nd</sup> Street, 121 Stockton Street, and 101 Stockton Street and 103 East 2<sup>nd</sup> Street (the "Property"). The Property is generally located in the northern quadrant of the intersections of Stockton Street and East 2<sup>nd</sup> Street, with the 103 East 2<sup>nd</sup> Street parcel occupying a portion of the western quadrant. Our firm represents Catalyst Development Company, LLC (the "Applicant"), the contract purchaser of Property, in their request to rezone the Property from the M-2 Heavy Industrial zoning district and B-7 Mixed-Use Business District to the B-4 Central Business zoning district (the "Rezoning").

**The Property**

The Property consists of four parcels that include a total of approximately 1.9185 acres per records of the City Assessor. In reference to Figure 1 (below), the portion of the Property within the green border is bounded by Stockton Street, East 2<sup>nd</sup> Street, an adjacent surface parking lot, and a parcel that is owned by Norfolk Southern Railway Corp. The portion of the Property within the blue border is bounded by Stockton Street, East 2<sup>nd</sup> Street, Decatur Street, and the property line it shares with parcels having Tax IDs of S0000105021 and S0000105020.



Figure 1

{01173085,v1}

**RICHMOND**

1519 Summit Avenue, Suite 102, Richmond, VA 23230  
P: 804-441-8440 F: 804-441-8438

**TYSONS CORNER**

8200 Greensboro Drive, Suite 820, McLean, VA 22102  
P: 703-485-3535 F: 703-485-3525

### **Land Use Context**

The properties in the immediate vicinity are generally either undeveloped or industrial in use. The Norfolk Southern-owned property to the north is periodically used for freight to access a maintenance yard located just east of the Manchester Bridge. Just one block to the west along Stockton Street begins a series of multi-family uses across multiple parcels. One block to the North is Hull Street, which is rapidly becoming a dense mixed-use corridor. Moving south and east from the Property, the land use pattern is predominately industrial and commercial in nature.

### **Zoning Context**

The Property lies within the M-2 Heavy Industrial zoning district and within the B-7 Mixed-Use District. The M-2 district is an industrial classification that permits a range of intense uses related to manufacturing, production, and warehousing, as well as certain vehicle-oriented uses. This zoning classification generally extends north and east from the Property. A portion of the Property, as well as other properties across Stockton and East 2<sup>nd</sup> Street, is zoned B-7 Mixed-Use, which permits a variety of uses such as multifamily residential, commercial, office, and entertainment uses. Within a block of the Property towards Hull Street, there are a number of properties that are zoned B-4 Central Business.

### **Richmond 300 Future Land Use Designation**

On December 14<sup>th</sup>, City Council approved the Richmond 300 Master Plan (the "Master Plan"). The Master Plan's future land use designation contemplates a supportive recommendation of "Destination Mixed-Use" for the Property. The Destination Mixed-Use designation is generally described as having a development style that engages the public realm. New development should help create a sense of place, and may be of greater scale than the existing context. This designation anticipates multi-family residential as being an appropriate primary use of new development. In encouraging additional residential density, this designation is also selectively applied to areas that have frequent transit service and/or proximity to Downtown. Lastly, the Property lies between the Downtown and Manchester Priority Growth Nodes. This is additional geography-based guidance offered by the Master Plan to suggest that the Property is particularly critical to satisfy the Master Plan's goals and objectives. This Node suggests primary next steps to rezone properties that currently do not allow for residential uses (such as the Property) to districts that allow for residential uses.

This request would rezone the Property to the B-4 Central Business District. In doing so, the existing building can be preserved and renovated for multi-family dwelling use. Furthermore, as the need arises, the vacant portions of the Property can be redeveloped for a variety of uses that are more consistent with the guidance offered by the Master Plan.

Should you have any further questions about this request, please do not hesitate to contact me.

Sincerely,

Jennifer D. Mullen, Esq.

{01173085;v1}

#### **RICHMOND**

1519 Summit Avenue, Suite 102, Richmond, VA 23230  
P: 804-441-8440 F: 804-441-8438

#### **TYSONS CORNER**

8200 Greensboro Drive, Suite 820, McLean, VA 22102  
P: 703-485-3535 F: 703-485-3525



THIS DRAWING, REGARDLESS OF THE DATE THEREON, IS VALID ONLY IF IT IS ACCOMPANIED BY THE ORIGINAL SET OF PLANS AND SPECIFICATIONS. ANY REVISIONS TO THIS DRAWING SHALL BE MADE BY A SUPPLEMENTAL SHEET OR SHEETS.

100' DISTANCE AROUND THROUGH CURVES

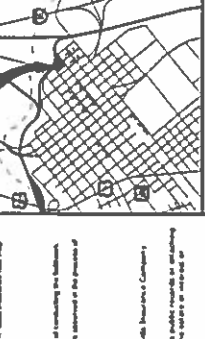
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**GENERAL NOTES**

1. These notes shall govern over any and all other notes on this drawing. If there is a conflict between these notes and any other notes, these notes shall prevail.

2. The owner is responsible for obtaining all necessary permits and approvals for this project.

3. The contractor shall be responsible for obtaining all necessary permits and approvals for this project.

4. The contractor shall be responsible for obtaining all necessary permits and approvals for this project.

5. The contractor shall be responsible for obtaining all necessary permits and approvals for this project.

**SCHEDULE B EXCEPTIONS**

1. All areas shown on this drawing shall be as shown on the attached schedule B drawings.

2. The contractor shall be responsible for obtaining all necessary permits and approvals for this project.

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**LEGAL DESCRIPTION**

Parcel 1

Parcel 2

Parcel 3

Parcel 4

Parcel 5

Parcel 6

Parcel 7

Parcel 8

Parcel 9

Parcel 10

Parcel 11

Parcel 12

Parcel 13

Parcel 14

Parcel 15

Parcel 16

Parcel 17

Parcel 18

Parcel 19

Parcel 20

**SYMBOL LEGEND**

1. 1/4" = 1' SCALE

2. 1/2" = 1' SCALE

3. 3/4" = 1' SCALE

4. 1" = 1' SCALE

5. 1 1/2" = 1' SCALE

6. 2" = 1' SCALE

7. 3" = 1' SCALE

8. 4" = 1' SCALE

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15. 18" = 1' SCALE

16. 20" = 1' SCALE

17. 24" = 1' SCALE

18. 30" = 1' SCALE

19. 36" = 1' SCALE

20. 48" = 1' SCALE

21. 60" = 1' SCALE

22. 72" = 1' SCALE

23. 84" = 1' SCALE

24. 96" = 1' SCALE

25. 108" = 1' SCALE

26. 120" = 1' SCALE

27. 144" = 1' SCALE

28. 168" = 1' SCALE

29. 192" = 1' SCALE

30. 216" = 1' SCALE

31. 240" = 1' SCALE

32. 264" = 1' SCALE

33. 288" = 1' SCALE

34. 312" = 1' SCALE

35. 336" = 1' SCALE

36. 360" = 1' SCALE

**ABBREVIATION LEGEND**

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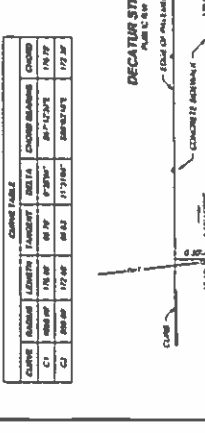
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35. 336" = 1' SCALE

36. 360" = 1' SCALE



**ALTA CERTIFICATION**

I, the undersigned, a duly qualified and licensed Professional Land Surveyor in the State of Virginia, have surveyed and prepared this plan of land for the purpose of recording the same in the Public Records of the County of Alexandria, Virginia. I have examined the original survey and the records of the same and find that the same are correct and true to the original survey and the records of the same. I have also examined the original survey and the records of the same and find that the same are correct and true to the original survey and the records of the same. I have also examined the original survey and the records of the same and find that the same are correct and true to the original survey and the records of the same.

Date: \_\_\_\_\_

Signature: \_\_\_\_\_

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Date: \_\_\_\_\_

Signature: \_\_\_\_\_

**"ALTA/NSPS LAND TITLE SURVEY"**  
**FIVE PARCELS OF LAND LOCATED ON THE**  
**EAST AND WEST SIDE OF 2ND STREET AND**  
**THE NORTH SIDE OF STOCKTON STREET**  
 ALEXANDRIA, VIRGINIA

Date: March 19, 2020 Scale: 1" = 20'  
 Sheet 1 of 1 J.N. - 45503-903  
 Drawn By: J Livingston Checked By: W.M. Nulty  
 Revised:

Date: March 19, 2020 Scale: 1" = 20'  
 Sheet 1 of 1 J.N. - 45503-903  
 Drawn By: J Livingston Checked By: W.M. Nulty  
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