



CITY OF RICHMOND

Department of Planning & Development Review *Staff Report*

Ord. No. 2021-132: To authorize the special use of the property known as 501 Oliver Hill Way for the purpose of warehouse, brewery, and food and beverage manufacturing uses, upon certain terms and conditions.

To: City Planning Commission
From: Land Use Administration
Date: June 7, 2021

PETITIONER

Mark Baker – Baker Development Resources

LOCATION

501 Oliver Hill Way

PURPOSE

To authorize the special use of the property known as 501 Oliver Hill Way for the purpose of warehouse, brewery, and food and beverage manufacturing uses, upon certain terms and conditions.

SUMMARY & RECOMMENDATION

The applicant is requesting a special use permit to allow for the use of the existing two-story brick and cinderblock building for the purpose of warehouse, brewery, and food and beverage manufacturing uses. The proposed uses are not permitted in the B-5C Central Business-Conditional District. Additionally, the applicant is seeking to except certain conditions that were proffered by a previous owner with the rezoning of the property to B-5C Central Business-Conditional District.

The property was rezoned, conditionally, to B-5C - Central Business on November 27, 2006, at the request of the owner at that time with the intention to renovate the existing building for mixed use. Proffers were offered from the applicant that included requiring the use of the existing buildings to be mixed use, requiring a parking minimum of one space per dwelling unit, requiring screening for exterior parking areas, requiring sidewalk repair, imposing yard (setback) and height limitations, and a streetscape plan. The building was never renovated and has been vacant for more than two years, therefore the nonconforming rights to use the property as manufacturing or warehouse have expired.

Staff finds that the proposed brewery and food and beverage manufacturing uses are consistent with the City's Destination Mixed-Use land use classification, as these uses would be required to comply with the TOD-1 Transit Oriented Nodal District regulations other than maximum floor area. The TOD-1 regulations permit breweries and food and beverage manufacturing, provided that for food and beverage manufacturing there be consumption on the premises, and provided further that there be a minimum of 1,000 square feet of floor area within the building devoted to another permitted principal use.

However, staff finds the proposed general warehouse use is not consistent with the property's Destination Mixed-Use land use classification nor is it consistent with the vision of the "Downtown-Shockoe" priority growth node as a "national destination for historic tourism, education, and interpretation as well as a regional and neighborhood destination", as there is potential for warehouse use to occupy the building for an extended period of time, instead of a more active use consistent with the Master Plan. While the applicant has expressed to staff that the long-term vision is to redevelop the property in a manner consistent with the Destination Mixed-Use land use classification once the Shockoe Valley Streetscape project has been completed, requiring that the warehouse use cease to exist upon its completion cannot legally be incorporated into the special use permit ordinance.

Therefore, staff recommends approval of the ordinance with the amendment to allow warehouse use of the building only if a minimum of 1,000 SF of the building is dedicated to another use permitted by the Special Use Permit.

FINDINGS OF FACT

Site Description

The subject property contains a lot area of 37,113 square feet (0.852 acres) and is improved with a vacant two-story building containing approximately 39,000 square feet that was most recently been used as a warehouse. The property is located in the Upper Shockoe Valley neighborhood at the southeast corner of Oliver Hill Way and Venable Street.

Proposed Use of the Property

The proposed Special Use is for warehouse, brewery, and food and beverage manufacturing uses.

Master Plan

Richmond 300 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. Development should enhance the public realm and create a sense of place, with many vertically mixed-use buildings. A gridded street pattern should be continued or introduced to increase connectivity. Ground floor uses are envisioned to engage with and enliven the street through windows, doors, storefronts and other features that allow transparency and interaction between building and street. 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 "Downtown - Shockoe" primary growth node, which envisions the area as a national destination for historic tourism, education and interpretation as well as a regional and neighborhood destination. New development should complement historic sites and support public space amenities such as the 17th Street Farmer's Market Plaza, the Low Line, and a new park. Uses around Main Street Station support the bustle of a train station with

amenities that serve commuters, visitors, residents and employment base. A “primary next step” is creating the Shockoe Small Area Plan, which is currently under development. The portions of Oliver Hill Way and Venable Street that abut the property are both designated as “Major Mixed-Use Streets” on the Street Typologies Map.

The Shockoe Alliance is currently preparing the “Shockoe Small Area Plan,” which will provide land use guidance for the Shockoe Bottom area, including the property, upon its adoption. The draft plan currently recommends mixed-use land use with a 12-story maximum height for the area in which the property is located.

Zoning and Ordinance Conditions

The current zoning for the property is B-5C (Central Business-Conditional). The City’s Zoning Administration office reviewed the application and provided the following comments:

Please be advised that the following conditions of the proposed uses do not comply with the current zoning regulations:

- **PERMITTED PRINCIPAL USE:** Per Section 30-442.1 of the Richmond Zoning Ordinance, warehouse and/or uses related to breweries & manufacturing, warehouse & distribution of food & beverages are not permitted principal uses in the B-5 (Central Business) District. The applicant is proposing the brewery & manufacturing, warehouse & distribution of food & beverages uses as defined in Sections 30-457.2 (4) & (14) the Zoning Ordinance (TOD-1 District Permitted Principal Uses).

The ordinance for the Special Use would impose the following conditions on the Property:

(a) The Special Use of the Property shall be limited to warehouse, brewery, and food and beverage manufacturing uses.

(b) The warehouse, brewery, and food and beverage manufacturing uses shall be in accordance with sections 30-457.2(4) and 30-457.2 (14) of the Code of the City of Richmond (2020), as amended, shall meet the respective district requirements specified in Chapter 30, Article IV, Division 31 of the Code of the City of Richmond (2020), as amended, provided that that the maximum floor area imposed in section 30-457.2 (14) of the Code of the City of Richmond (2020), as amended, shall not be required.

(c) Uses permitted in the B-5 Central Business District pursuant to Chapter 30, Article IV, Division 23 of the Code of the City of Richmond (2020), as amended, shall be permitted on the Property.

(d) Compliance with the specific proffered conditions shown in stricken text on a copy of the document entitled “Cold Storage Conditional Rezoning Proffers” and dated October 18, 2006, which copy is entitled “Excepted Proffers for SUP Application,” undated, and prepared by an unidentified preparer, on which Ordinance No. 2006-277-278, adopted November 27, 2006, conditioned the rezoning of the Property to the B-5 Central Business District (Conditional), shall not be required for the Special Use of the Property.

(e) No outside storage related to the Special Use is permitted.

(f) All mechanical equipment serving the Property shall be located or screened so as not to be visible from any public right-of-way.

(g) If five or more parking spaces are to be provided on the Property in a single parking area, then prior to the issuance of a final certificate of occupancy and any necessary certificate of zoning compliance for the Special Use, plans for all parking area improvements and parking area landscaping on the Property, including civil plans where necessary, must have been approved by the Zoning Administrator, and all such approved improvements and landscaping must be completed and compliant with the minimum dimension requirements of section 30-710.3:1 of the Code of the City of Richmond (2020), as amended, the minimum improvement requirements of section 30-710.12 of the Code of the City of Richmond (2020), as amended, and the minimum perimeter buffer requirements of section 30-710.13 of the Code of the City of Richmond (2020), as amended.

Surrounding Area

The subject property and properties to the east and south are located within the B-5C Central Business (Conditional) District. Properties to the west were recently rezoned to TOD-1 Transit-Oriented Nodal District. The property directly to east is improved with a parking deck serving the multi-family use located to the south. Properties to the north are improved with warehouse buildings.

Neighborhood Participation

Staff notified area residents, property owners, and the Shockoe Partnership of the application. A letter of support was received from the Shockoe Partnership.

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