

INTRODUCED: September 27, 2021

AN ORDINANCE No. 2021-283

To rezone the property known as 2723 East Cary Street from the M-2 Heavy Industrial District to the B-5 Central Business District.

Patron – Mayor Stoney (By Request)

Approved as to form and legality
by the City Attorney

A TRUE COPY:
TESTE:
Camille D. Rind
City Clerk

PUBLIC HEARING: NOV 8 2021 AT 6 P.M

THE CITY OF RICHMOND HEREBY ORDAINS:

§ 1. That, as shown on the survey entitled “Topographic Survey of 2723 E. Cary Street, Richmond, Virginia,,” prepared by McKnight & Associates, P.C., and dated December 15, 2015, a copy of which is attached to, incorporated into, and made a part of this ordinance, the property known as 2723 East Cary Street, with Tax Parcel No. E000-0443/001 as shown in the 2021 records of the City Assessor, is 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 is included in the B-5 Central Business District and shall be subject to the provisions of sections 30-442.1 through 30-442.7 and all other applicable provisions of Chapter 30 of the Code of the City of Richmond (2020), as amended.

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

AYES: 9 NOES: 0 ABSTAIN: _____

ADOPTED: NOV 8 2021 REJECTED: _____ STRICKEN: _____



City of Richmond

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

Item Request File Number: PRE.2021.777

O & R Request

DATE: August 25, 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 property known as 2723 East Cary Street from the M-2 Heavy Industrial District to the B-5 Central Business District.

ORD. OR RES. No. ____

PURPOSE: To rezone the property known as 2723 East Cary Street from the M-2 Heavy Industrial District to the B-5 Central Business District.

REASON: The applicant is requesting to rezone the property to B-5 Central Business District, which allows for walkable, mixed-use development with building heights of up to five stories. The current M-2 Heavy Industrial District does not permit residential uses and allows for heavy industrial uses.

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 18, 2021, meeting.

BACKGROUND: The proposed rezoning would include a single parcel of land located at the southwest corner of East Cary Street and Pear Street, in the Shockoe Bottom neighborhood. The total land area of the parcel is 12,641 square feet, or 0.290 acres. The property is currently unimproved.

Richmond 300 recommends a future land use of “Corridor Mixed-Use” for the property. The primary uses envisioned for Corridor Mixed-Use are retail/office/personal service, multi-family residential, cultural, and open space. Secondary uses are single-family houses, institutional and government uses. The development style envisioned varies depending on historic densities and neighborhood characteristics. Future development should generally complement the existing context. New developments continue or introduce a gridded street pattern 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 generally two to ten stories, based on street widths and historic context and stepping down in height adjacent to residential areas. New buildings taller than the existing context should step back from the build-to line after matching the height of the predominant cornice line of the block. Pedestrian, bicycle and transit access must be prioritized.

The property is currently located in the M-2 Heavy Industrial District, which does not permit dwelling units, and permits a variety of heavy and light industrial uses and auto-oriented uses, including heavy manufacturing, warehousing, and drive-up uses. The proposed B-5 Central Business District permits a variety of uses, including dwelling units, and does not permit industrial uses or auto-oriented uses. The B-5 District has form based requirements to ensure that new developments are pedestrian-oriented.

Properties to the west and south are also located in the M-2 Heavy Industrial District. Properties to the north are located in the B-5 Central Business District. Properties to the east are located in both the B-5 Central Business District and the M-1 Light Industrial District. Multi-family developments are located to the north and a new multi-family building is currently under construction to the east. Surface parking areas are located to the west, and Great Shiplock Park is located to the south, across a CSX rail line and Dock Street.

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: September 27, 2021

CITY COUNCIL PUBLIC HEARING DATE: November 8, 2021

REQUESTED AGENDA: Consent

RECOMMENDED COUNCIL COMMITTEE: None

CONSIDERATION BY OTHER GOVERNMENTAL ENTITIES: City Planning Commission
October 18, 2021

AFFECTED AGENCIES: Office of the 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.richmondgov.com/>

Project Name/Location

Property Address: 2723 East Cary Street Date: 5/7/2021
Tax Map #: E0000443001 Fee: _____
Total area of affected site in acres: 0.291 acres

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

Zoning

Current Zoning: M-2 Heavy Industrial

Existing Use: Vacant land

Proposed Zoning/Conditional Zoning

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

B-5 Central Business District

Existing Use: Vacant land

Is this property subject to any previous land use cases?

Yes

No



If Yes, please list the Ordinance Number: Special Use Permit, Ord. No. 2016-192 (expired)

Applicant/Contact Person: Mark Baker

Company: Baker Development Resources

Mailing Address: 1519 Summit Avenue, Suite 102

City: Richmond State: VA Zip Code: 23230

Telephone: (804) 874-6275 Fax: ()

Email: markbaker@bakerdevelopmentresources.com

Property Owner: PEAR ST, LLC

If Business Entity, name and title of authorized signee: David White

(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: 1723 Park Avenue

City: Richmond State: VA Zip Code: 23220

Telephone: () Fax: ()

Email: _____

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.



May 4, 2021

Mr. Matthew Ebinger
City of Richmond Department of Community Development
Land Use Administration Division, Room 511
City Hall, 900 East Broad Street
Richmond, Virginia 23219

Re: Rezoning: 2723 East Cary Street

Dear Matthew:

This letter shall serve as the Applicant's Report accompanying the application for a rezoning from M-2 Heavy Industrial to B-5 Central Business for the property known as 2723 E Cary Street, identified as Tax Parcel E000-0443/001 (the "Property"). The Property is located on the south side of east Cary Street at its intersection with Pear Street and contains 0.291 acres of lot area. The Property is currently vacant. The proposed rezoning would facilitate the redevelopment of the Property with residential uses according to the B-5 district guidelines.

The Property is currently zoned M-2 Heavy Industrial. The surrounding similarly situated properties to the north of East Cary Street or east of Pear Street are predominantly zoned B-5 Central Business but also include a number of properties zoned M-1 Light Industrial. Properties to the west and south are zoned M-2. The irregular overall zoning pattern in this area can be attributed to a past City policy of encouraging the property-by-property rezoning of the area to B-5, consistent with Master Plan guidance, based on individual requests rather than an area-wide City-driven rezoning.

The M-1 and M-2 districts have generally been recognized by the Richmond 300 Plan ("the Master Plan") (and previous land use guidance including the Pulse Corridor Plan, Downtown Plan, the 2000 Master Plan and the Shockoe Bottom Land Use and Development Strategy) as being inappropriate for most of the Shockoe Bottom area. The Property is identified in the Master Plan as "Corridor Mixed-Use," which, among other things, suggests multi-family dwellings (primary use) and single-family dwellings (secondary use) are appropriate. The M-2 district is the City's most permissive zoning classification and permits a broad range of intense uses, which exceed the scope of uses typically associated with residential or mixed-use development, thereby permitting a mix of intense and potentially incompatible land uses. The M-2 district also prohibits residential uses. The rezoning request to B-5 is consistent with the Master Plan recommendation and provides an opportunity for the redevelopment the Property with a residential use, on a scale that is compatible with the surrounding land uses.

2723 East Cary Street
May 4, 2021
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Potential development concepts include the redevelopment of the Property with approximately 10 high quality single-family attached dwellings or with a five-story multi-family residential building including approximately 40 dwelling units. Under any eventual B-5 development scenario, the district includes “form-based” requirements, such as building façade fenestration, maximum setbacks, minimum and maximum heights and restrictions on the location of parking areas. These criteria would address any concerns over the new development’s design and character. Subsequent to a successful B-5 rezoning, further project design review would be required through a Plan of Development (“POD”) in the case of multi-family dwellings or by virtue of the review of civil site drawings as a part of the Subdivision process where single-family attached dwellings would be concerned. Compliance with the POD or Subdivision requirements would further ensure that the development is compatible with other development in the vicinity.

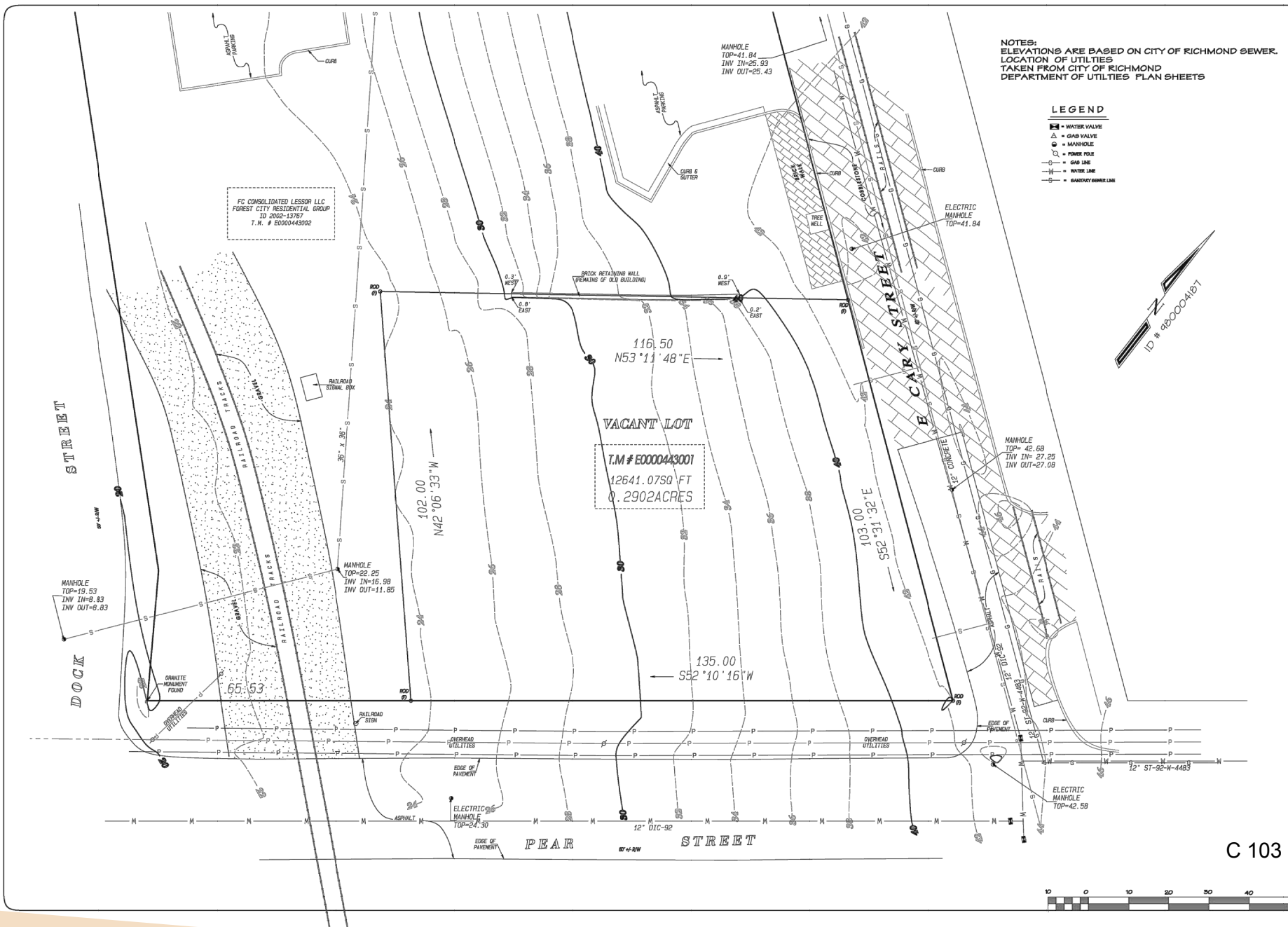
Thank you for your time and consideration of this request, please let me know if you have any questions.

Sincerely,

A handwritten signature in black ink, appearing to read 'Mark Baker', with a stylized, cursive script.

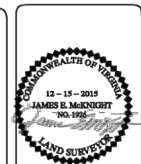
Mark Baker

Enclosures



NOTES:
ELEVATIONS ARE BASED ON CITY OF RICHMOND SEWER.
LOCATION OF UTILITIES
TAKEN FROM CITY OF RICHMOND
DEPARTMENT OF UTILITIES PLAN SHEETS

- LEGEND**
- WATER VALVE
 - △ GAS VALVE
 - MANHOLE
 - POWER POLE
 - GAS LINE
 - WATER LINE
 - SANITARY SEWER LINE



REVISION	DATE
SHEET 1 OF 1	
DRAWN BY: H. J. H.	
CHECKED BY: J. E. H.	
DATE: DECEMBER 15, 2015	

McKNIGHT & ASSOCIATES, P.C.
LAND SURVEYORS
201 TWIN RIDGE LANE
RICHMOND, VIRGINIA 23229
TELEPHONE (804) 382-2646
FAX (804) 382-7925

TOPOGRAPHIC SURVEY
OF 773 E CARY STREET
RICHMOND, VIRGINIA

DATE: DECEMBER 15, 2015
SCALE: 1\"/>

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