



# City of Richmond

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

## Legislation Text

---

**File #:** ORD. 2019-109, **Version:** 1

---

To rezone the property known as 1403 Roseneath Road from the B-7 Mixed-Use Business District to the TOD-1 Transit-Oriented Nodal District.

THE CITY OF RICHMOND HEREBY ORDAINS:

§ 1. That, as shown on the map entitled “Map Showing Two Parcels of Land Situated at the Northeast Intersection of Roseneath Road and W. Clay Street, City of Richmond, Virginia,” prepared by Virginia Surveys, dated December 8, 2004, and last revised February 24, 2005, a copy of which is attached to, incorporated into, and made a part of this ordinance, the property known as 1403 Roseneath Road, with Tax Parcel No. N000-1785/005 as shown in the 2019 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 (2015), as amended, and that the same is 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.

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

### O & R Request

**DATE:** March 11, 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:** Douglas C. Dunlap, Interim Deputy Chief Administrative Officer for Economic Development and Planning

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

**RE:** To rezone the property known as 1403 Roseneath Road from the B-7 Mixed-Use Business District to the TOD-1 Transit Oriented Nodal District.

**ORD. OR RES. No.**

**PURPOSE:** To rezone the property known as 1403 Roseneath Road from the B-7 Mixed-Use Business District to the TOD-1 Transit Oriented Nodal District.

**REASON:** The applicant is requesting to rezone the .433 acre parcel from the B-7 Mixed-Use Business District to the TOD-1 Transit Oriented Nodal District to enable the expansion of permitted uses on the site without the requirement of additional on-site parking

**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 6, 2019 meeting. A letter outlining the Commission's recommendation will be forwarded to City Council following that meeting.

**BACKGROUND:** The subject property consists of a .433 acre parcel located in the Scott's Addition neighborhood of the Near West Planning District. This mixed-use property houses a vacant restaurant with a legally nonconforming nightclub containing 7,784 square feet of floor space on the ground floor. The second floor contains 3,352 square feet of general office space. Surface parking for both uses is located along Roseneath Road and West Clay Street.

The B-7 Mixed-Use Business Zoning District allows office and restaurants as permitted uses. Based on the stated square footage of the restaurant, 18 parking spaces must be provided for the restaurant use. The site provides 14 spaces thus making the restaurant a legally non-conforming use. Should the proprietor wishes to provide outdoor seating, the off-site parking requirement would increase proportional to the size of the outdoor seating area. The TOD-1 Transit Nodal Zoning District has no on-site parking requirement. The current restaurant and office areas would be a permitted use as would a proposed outdoor seating area.

The Pulse Corridor Plan designates the subject property for Industrial Mixed-Use land use. "Industrial Mixed-use areas are traditionally industrial areas that are transitioning to mixed-use due to their proximity to growing neighborhoods, but still retain industrial uses...Primary Uses [include] industrial, multi-family residential, office, retail, and personal service [uses] (p. XII).

More specifically, the subject property is within the Cleveland Station Area. According to the Pulse Plan, the Cleveland Station vision is as follows: the "area unifies two vibrant, distinct, pedestrian-oriented neighborhoods by maximizing the potential of under-utilized parcels and supporting new forms of development that are walkable, dense, and mixed-use. Scott's Addition continues its evolution as a mixed-use neighborhood, and W. Broad Street transforms into a high quality urban avenue that is safe to cross, while becoming a destination in its own right for residential, office, retail and compatible entertainment uses." Also, "the Industrial Mixed-Uses in Scott's Addition accommodate the emerging residential, office, and retail uses alongside the established and emerging light industrial uses" (p. 54).

Across Roseneath Road to the northwest are the Scott's View apartments currently under construction on property located in the TOD-1 Transit Nodal Zoning District. To the south, across W. Clay Street is Golden's Auto Body and Paint shop. Abutting to the northeast is a paved parking lot. Abutting to the southeast is an office-warehouse use.

These properties are located in the B-7 Mixed-Use Business Zoning District.

**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:** April 8, 2019

**CITY COUNCIL PUBLIC HEARING DATE:** May 13, 2019

**REQUESTED AGENDA:** Consent

**RECOMMENDED COUNCIL COMMITTEE:** None

**CONSIDERATION BY OTHER GOVERNMENTAL ENTITIES:** City Planning Commission, May 6, 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, Survey, Draft Ordinance, Map

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

**Key Issues:**

Retain on Consent Agenda

Move to Regular Agenda

Refer Back to Committee

Remove from Council Agenda

Strike

Withdrawn

Continue to: