



Legislation Details (With Text)

File #: ORD. 2019-168 **Version:** 1 **Name:**

Type: Ordinance **Status:** Adopted

File created: 5/14/2019 **In control:** City Council

On agenda: 7/15/2019 **Final action:** 7/22/2019

Title: To approve the use of the property known as 738 Goodes Street for the storage of sulphurous, sulphuric, nitric, picric, hydrochloric, or other corrosive acid, in accordance with City Code § 30-454.1 (2).

Sponsors: Mayor Stoney (By Request)

Indexes:

Code sections:

Attachments: 1. Ord. No. 2019-168, 2. Staff Report, 3. Applicant's Letter, 4. Regulatory Agency List, 5. ISO Certificate, 6. NACD Letter, 7. Brenntag Company Information, 8. Hazardous Material Summary, 9. Location Map, 10. Vicinity & Land Use Map, 11. Plan

Date	Ver.	Action By	Action	Result
7/22/2019	1	City Council	adopted	Pass
7/15/2019	1	Planning Commission	recommended for approval	
6/24/2019	1	City Council	introduced and referred	

To approve the use of the property known as 738 Goodes Street for the storage of sulphurous, sulphuric, nitric, picric, hydrochloric, or other corrosive acid, in accordance with City Code § 30-454.1(2).

WHEREAS, section 30-454.1(2) of the Code of the City of Richmond (2015), as amended, requires City Council approval of certain uses in the M-2 Heavy Industrial District; and

WHEREAS, section 30-454.2 of the Code of the City of Richmond (2015), as amended, requires that the Chief Administrative Officer report in writing to the City Council on the effect that such use will have upon the safety, health, comfort, convenience and welfare of the inhabitants of the city and of persons in the locality in which such building is or premises are to be situated prior to City Council approval of such use; and

WHEREAS, the owner of the property known as 738 Goodes Street, which is situated in a M-2 Heavy Industrial District, has requested approval to use such property for the purpose of storing sulphurous, sulphuric, nitric, picric, hydrochloric, or other corrosive acid, in accordance with section 30-454.1(2) of the Code of the City of Richmond (2015), as amended; and

WHEREAS, the Chief Administrative Officer has reported in writing to the City Council on the effect that such use will have upon the safety, health, comfort, convenience and welfare of the inhabitants of the City and of persons in the locality in which such building is or premises are to be situated, a copy of which report is attached to and made a part of this ordinance; and

WHEREAS, in reliance upon the aforesaid Chief Administrative Officer's report, the Council believes that it is appropriate to approve the proposed use of 738 Goodes Street for the storage of sulphurous, sulphuric, nitric, picric, hydrochloric, or other corrosive acid, in accordance with section 30-454.1(2) of the Code of the City of Richmond (2015), as amended, subject to the terms and conditions set forth in this ordinance;

NOW, THEREFORE,

THE CITY OF RICHMOND HEREBY ORDAINS:

§ 1. That, in accordance with section 30-454.1(2) of the Code of the City of Richmond (2015), as amended, the Council hereby approves the use of the property known as 738 Goodes Street with Tax Parcel number S007-094/0034 as shown in the 2019 records of the City Assessor, for the storage of sulphurous, sulphuric, nitric, picric, hydrochloric, or other corrosive acid, in accordance with section 30-454.1(2)(d) and pursuant to the following terms and conditions:

- (a) All applicable regulations of the Virginia Uniform Statewide Building Code shall be complied with fully.
- (b) All applicable regulations of the Virginia Statewide Fire Prevention Code shall be complied with fully.
- (c) All applicable regulations of chapter 30 of the Code of the City of Richmond (2015), as amended, shall be complied with fully.

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

O & R Request

DATE: June 17, 2019
May 14, 2019 O&R Request)

EDITION: 2 (update of

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

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

RE: To approve the use of the property known as 738 Goodes Street for storage of sulphurous, sulphuric, nitric, picric, hydrochloric or other corrosive acid, in accordance with section 30-454.1(2) of the Code of the City of Richmond (2015), as amended.

ORD. OR RES. No.

PURPOSE: To approve the use of the property known as 738 Goodes Street for storage of sulphurous, sulphuric, nitric, picric, hydrochloric or other corrosive acid, in accordance with section 30-454.1(2) of the Code of the City of Richmond (2015), as amended.

REASON: The applicant intends to store chemicals on the subject property, including corrosive acids. Such a use is permitted in the M-2 Heavy Industrial District with approval from City Council after City Council receives a report from the Chief Administrative Officer, in accordance with section 30-454.1(2) of the Code of the City of Richmond (2015), as amended. This document serves as the report required by section 30-454.1(2). It has been updated to include additional information regarding the applicant and agencies responsible for regulating the applicant.

RECOMMENDATION: Staff finds that, due to the standards in place to regulate the proposed use, and due to the location of the proposed use within an industrial area, the proposed use would not have an adverse effect on the safety, health, comfort, convenience or welfare of the inhabitants of the city and of persons in the area in which such use is to be situated.

Staff therefore recommends approval of the proposed use provided the following conditions are met:

1. All applicable building code regulations shall be met.
2. All applicable fire code regulations shall be met.
3. All applicable zoning code regulations shall be met.

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 July 15, 2019, meeting.

BACKGROUND: The applicant is Brenntag Mid-South, Inc., a division of Brenntag North America, and is in the chemical warehouse and distribution business. The subject property is located at 738 Goodes Street,

between Commerce Road to the west and railroad tracks and Interstate 95 to the east. It is comprised of 1.025 acres improved with a 29,000 SF warehouse building constructed, per tax assessment records, in 1972.

The proposed chemical inventory to be stored on the property will include acids, bases/caustics, peroxides, flammables, food grade materials, and various non-regulated material. All hazardous materials will be contained and isolated to specific areas of the warehouse and multiple spill kits with compatible absorbent material will be in place. The use will be compliant with all applicable building and fire code regulations. Building code regulations will determine approved quantities and specific requirements for the storage of the hazardous materials. Richmond Fire and Emergency Services will be responsible for ensuring the requirements are being met.

In addition to local code requirements, the facility will be regulated by the National Association of Chemical Distributors, ISO Certification requirements, the Occupational Safety and Health Administration, Food & Drug Administration, Department of Environmental Quality, Department of Homeland Security, and the Drug Enforcement Administration.

According to the applicant, the company currently has sales of \$20 million in the Richmond area and will be stocking in excess of \$1 million in inventory at the Goodes Street location. The applicant is initially planning on hiring four employees in Richmond. The applicant has already hired an operations manager and will be adding two drivers and an additional warehouse employee as soon as the facility is approved to operate. The applicant's plans are to add an additional four employees within three years. The applicant currently employs two sales representatives who cover this sales market area. The applicant plans on adding one additional sales representative and one sales trainee as needed as they plan on doubling sales numbers within five years.

The subject property is located in the Old South Planning District, within the core of the industrial area along Commerce Road.

The City's Master Plan recommends Industrial land uses for the subject property and all surrounding properties. "Primary uses include a wide variety of manufacturing, processing, research and development, warehousing, distribution, office warehouse and service uses. Office, retail and other uses that complement industrial areas are often secondary support uses. The mix of industrial uses and character of such areas may vary depending on the location and available highway access. Typical zoning classifications that may accommodate this land use category: OS, M-1, and M-2." (City of Richmond, 2001 Master Plan., p. 135).

Specifically for the Old South Planning District, the Master Plan states "most of what currently exists is correct and appropriate" (p. 274).

The subject property and all surrounding properties are zoned M-2 Heavy Industrial.

Industrial land uses predominate the vicinity of the subject property with some office uses being present as well. The subject property is located approximately 1,500-2,000' from established residential areas and approximately 1,000' from a parcel at the corner of Commerce Road and Ingram Avenue that was recent rezoned to accommodate residential development.

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: None.

BUDGET AMENDMENT NECESSARY: No.

REVENUE TO CITY: Tax revenue from the proposed warehouse use of the property.

DESIRED EFFECTIVE DATE: Upon Adoption.

REQUESTED INTRODUCTION DATE: June 24, 2019

CITY COUNCIL PUBLIC HEARING DATE: July 22, 2019

REQUESTED AGENDA: Consent.

RECOMMENDED COUNCIL COMMITTEE: None.

CONSIDERATION BY OTHER GOVERNMENTAL ENTITIES: City Planning Commission, July 15, 2019.

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: Applicant's Letter, Regulatory Agency List, ISO Certificate, NACD Letter, Brenntag Company Information, Hazardous Material Summary, Plans, Location Map, Vicinity & Land Use Map

STAFF: Jeff Gray, Senior Policy Advisor, Office of the Chief Administrative Officer
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Key Issues:

Retain on Consent Agenda

Move to Regular Agenda

Refer Back to Committee

Remove from Council Agenda

Strike

Withdrawn

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