Legislation Details (With Text)

File #:	ORD. 2019-210	**Version:**	1	**Name:**	
Type:	Ordinance			**Status:**	Adopted
File created:	6/20/2019			**In control:**	City Council
On agenda:	9/3/2019			**Final action:**	9/9/2019
Title:	To conditionally rezone the properties known as 25 Nicholson Street and a portion of 101 Nicholson Street from the M-2 Heavy Industrial District to the B-7 Mixed-Use Business District (Conditional), upon certain proffered conditions.				
Sponsors:	Mayor Stoney (By Request)				
Indexes:					
Code sections:					
Attachments:	1. Ord. No. 2019-210, 2. Staff Report, 3. Application Form & Applicant's Report, 4. Exhibit 1.1, 5. Exhibit 2, 6. Exhibit 3, 7. Survey, 8. Map, 9. Letter of Support - Greater Fulton Civic Association				

Date	Ver.	Action By	Action	Result
9/9/2019	1	City Council	adopted	Pass
9/3/2019	1	Planning Commission	recommended for approval	
8/5/2019	1	City Council	introduced and referred	

To conditionally rezone the properties known as 25 Nicholson Street and a portion of 101 Nicholson Street from the M-2 Heavy Industrial District to the B-7 Mixed-Use Business District (Conditional), upon certain proffered conditions.

THE CITY OF RICHMOND HEREBY ORDAINS:

§ 1. That, as shown on the survey entitled “ALTA/NSPS Land Title Survey Showing 1.292 Acres Lying Along Nicholoson Street, City of Richmond, Virginia,” prepared by Timmons Group, and dated January 2, 2019, 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 2019 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 (2015), as amended, and that the same are included in the B-7 Mixed-Use Business District and shall be subject to the provisions of sections 30-446.1 through 30-446.8 and all other applicable provisions of Chapter 30 of the Code of the City of Richmond (2015), as amended:

25 North Nicholson Street	Tax Parcel No. E000-0990/006
A portion of 101 North Nicholson Street	Tax Parcel No. E000-1310/001

§ 2. That the rezoning set forth in section 1 of this ordinance shall be conditioned upon the compliance by the owner or owners with all of the proffered conditions contained in the agreement entitled "ZAC, LLC, Fulton Yard (Property A), Proffered Conditions," dated February 20, 2019, and last revised July 31, 2019, a copy of which is attached to, incorporated into, and made a part of this ordinance. These conditions, having been proffered by the owner or owners and accepted by the City, shall continue in full force and effect until a subsequent amendment to the City's zoning ordinance changes the zoning of the parcels rezoned by this ordinance and specifically repeals such conditions.

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

O & R Request

DATE: June 24, 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: Sharon L. Ebert, Deputy Chief Administrative Officer for Economic Development and Planning

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

RE: To rezone the properties known 25 Nicholson Street and a portion of 101 Nicholson Street from the M-2 Heavy Industrial District to the B-7 Mixed-Use District (Conditional).

ORD. OR RES. No.

PURPOSE: To rezone the properties known 25 Nicholson Street and a portion of 101 Nicholson Street from the M-2 Heavy Industrial District to the B-7 Mixed-Use District (Conditional).

REASON: The applicant is requesting to rezone approximately 1.3 acres from the M-2 Heavy Industrial District to the B-7 Mixed-Use District in order to allow the redevelopment of the property with a five-story commercial/office building and surface 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 September 3, 2019, meeting. A letter outlining the Commission's recommendation will be forwarded to City Council following that meeting.

BACKGROUND: The subject properties consist of approximately 1.3 acres of vacant land located in the

Greater Fulton Neighborhood and the Riverfront Station area of the Pulse Corridor Plan.

The City of Richmond's Pulse Corridor Plan designates the subject property for Neighborhood Mixed-Uses. Neighborhood Mixed-use areas are cohesive districts that provide a mix of uses, but with a larger amount of residential uses than other mixed-use districts. They are an urban, walkable environment with limited neighborhood-oriented uses incorporated along key commercial corridors and at corner sites. The building size, density, and zoning districts for these areas will vary depending on historic densities and neighborhood characteristics. New development should be in scale with existing context. Regardless of use, buildings should have street-oriented facades with windows and door openings along street frontages. Appropriate setbacks and open space should be provided for residential uses. New driveway entrances prohibited on priority streets. Vehicular access to parcels should use alleys where possible. Parking lots and parking areas should be located to the rear of street-facing buildings. The B-7 Mixed-Use Business District is consistent with this designation.

The applicant proposes to rezone the property from the M-2 Heavy Industrial District to the B-7 Mixed Use District to allow the construction of a five-story building with its approximately 20,000 square feet of floor area divided between retail and office uses. A long narrow portion of land noted as a portion of 101 Nicholson Street will be utilized as landscaped surface parking. This property abuts East Main Street and Orleans Street to the south. The remaining development site of the Fulton Yard project is located across Orleans Street.

The properties located to the north, across Nicholson Street, are owned by the Richmond Economic Development Authority and contain the Stone Brewery complex and associated surface parking. The properties are in the M-1 Light Industrial District. The CSX rail corridor abuts to the east and contains tandem elevated rail lines. Office uses are located on the property abutting to the west, which is located in the RF-2 Riverfront 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: $1,600 application fee

DESIRED EFFECTIVE DATE: Upon adoption

REQUESTED INTRODUCTION DATE: July 22, 2019

CITY COUNCIL PUBLIC HEARING DATE: September 9, 2019

REQUESTED AGENDA: Consent

RECOMMENDED COUNCIL COMMITTEE: None

CONSIDERATION BY OTHER GOVERNMENTAL ENTITIES: City Planning Commission September 3, 2019.

AFFECTED AGENCIES: Office of Chief Administrative Officer

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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: Draft Ordinance, Application Form, Applicant's Report, Proffers, Exhibits 1.1, 2 & 3, Survey, 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: