File #: ORD. 2018-322, **Version:** 1

To amend Ord. No. 95-198-182, adopted Jul. 24, 1995, as previously amended by Ord. No. 2000-208-199, adopted Jun. 26, 2000, and Ord. No. 2002-70-101, adopted Apr. 22, 2002, which authorized a Community Unit Plan (CUP) of the 62.9-acre property at the southwest corner of Chippenham Parkway and Forest Hill Avenue, to authorize drive-up, freestanding automated teller machines (ATM) as a principal use in the area designated as Parcel A, to authorize warehouses and self-storage facilities in the area designated as Parcel B as a principal permitted use, upon certain terms and conditions.

THE CITY OF RICHMOND HEREBY ORDAINS:

I. That Ordinance No. 95-198-182, adopted July 24, 1995, as previously amended by Ordinance No. 2000-208-199, adopted June 26, 2000, and Ordinance No. 2002-70-101, adopted April 22, 2002, be and is hereby amended and reordained as follows:

WHEREAS, by Ordinance No. 95-198-182, adopted July 24, 1995, City Council approved a Community Unit Plan for the use and development of 50.9 acres, more or less, with such development to occur in accordance with a concept plan (the "concept plan") entitled "METROCENTRE Community Unit Plan", dated May 31, 1995, as revised through June 16, 1995, prepared by The Planning and Design Collaborative, Inc., which was attached to Ordinance No. 95-198-182, and in accordance with the additional development standards set forth in Ordinance No. 95-198-182;

WHEREAS, by Ordinance No. 98-365-99-6, adopted January 11, 1999, City Council approved amendments to the Community Unit Plan to accommodate the use and development of additional land for commercial purposes which do not conform in all respects with the regulations and restrictions prescribed for the zoning district in which the land is situated, and for modifications to the development standards to address signage, outdoor storage, and outdoor merchandise and sales areas, with the revised land area then comprising a total of approximately 60.25 acres, and in accordance with the additional development standards set forth in

Ordinance No. 98-365-99-6;

WHEREAS, by Ordinance No. 99-90-169, adopted June 14, 1999 City Council approved an amendment to the concept plan and the development standards to authorize additional commercial space, and to modify development standards including but not limited to use authorizations, signage authorizations, and buffer requirements, then consisting of property known as Parcel Nos. C003-0177/16-26, 28, 30-33, 35, 42-50, 52-54, 56, 58, 60, 62, 69, 72-84, and 86 in the 1998 records of the City Assessor, more particularly described and depicted on the plat entitled "Plat Showing Street Vacation and Dedication, Easement Vacation and Dedication, Consolidation and Subdivision Chippenham Forest Square", prepared by Target Surveys, Inc., consisting of four sheets dated January 25, 1999, containing a combined acreage of 60.2 acres of land more or less; and

WHEREAS, by Ordinance No.2000-208-199 adopted June 26, 2000, City Council approved an amendment to the concept plan and development standards to accommodate the use and development of additional land for commercial purposes which do not conform in all respects with the regulations prescribed in the zoning district in which the land is situated, to authorize additional commercial space, and for modifications to the development standards to address buffers, setbacks, and screening, with the revised land area now comprising a total of approximately 62.9 acres consisting of a part of the property known as 2401 Harrods Lane also known as Parcel Number C003-0177/010 and all of Parcel Nos. C-003-0177/022, 36, 38, 39-41, 56, 60, 74 and 82 in the 2000 records of the City Assessor, being more particularly described as follows: *Beginning* at a point along the southerly right-of-way line of Forest Hill Avenue and being a point along the westerly right-of-way line of Chippenham Parkway; thence along the said westerly right of-way line of Chippenham Parkway the following courses and distances: Along the arc of a curve to the right having a radius of 185.00 an arc distance of 227.95 feet to a point; S 01 degrees 25 minutes 10 seconds W 93.95 feet to a point; S 15 degrees 18 minutes 48 seconds E 168.04 feet to a point; S 45 degrees 42 minutes 56 seconds E 123.92 feet to a point; S 59 degrees 22 minutes 44 seconds E 62.55 feet to a point; S 82 degrees 07 minutes 32 seconds E 62.55 feet to a point; S

87 degrees 41 minutes 29 seconds E 48.36 feet to a point; S 54 degrees 22 minutes 25 seconds E 88.88 feet to a point; S 00 degrees 35 minutes 42 seconds W 234.55 feet to a point; S 12 degrees 08 minutes 56 seconds W 154.74 feet to a point; S 00 degrees 47 minutes 57 seconds W 40.05 feet to a point; S 00 degrees 47 minutes 57 seconds W 60.07 feet to a point; S 07 degrees 46 minutes 26 seconds E 100.50 feet to a point; S 00 degrees 37 minutes 52 seconds E 200.06 feet to a point; S 05 degrees 52 minutes 39 seconds E 150.33 feet to a point; S 10 degrees 35 minutes 39 seconds E 101.12 feet to a point; S 03 degrees 38 minutes 50 seconds W 100.50 feet to a point; S 22 degrees 38 minutes 40 seconds E 106.82 feet to a point; S 01 degrees 56 minutes 23 seconds E 86.99 feet to a point along the northerly line of the Norfolk Southern Railway property; thence along the said northerly line of the Norfolk Southern Railway property S 73 degrees 00 minutes 54 seconds W 1,919.81 feet to a point; thence departing the said northerly line of the Norfolk Southern Railway property the following courses and distances: N 02 degrees 3 1 minutes 56 seconds W 640.88 feet to a point; N 69 degrees 01 minutes 04 seconds E 215.87 feet to a point; S 02 degrees 35 minutes 56 seconds E 214.84 feet to a point; N 69 degrees 01 minutes 04 seconds E 234.00 feet to a point; N 16 degrees 07 minutes 26 seconds W 189.46 feet to a point; N 74 degrees 49 minutes 43 seconds E 19.99 feet to a point; N 04 degrees 19 minutes 34 seconds E 240.65 feet to a point; N 11 degrees 26 minutes 34 seconds E 123.00 feet to a point; N 08 degrees 05 minutes 26 seconds W 31.95 feet to a point; N 88 degrees 44 minutes 24 seconds E 275.15 feet to a point; N 01 degrees 16 minutes 46 seconds W 349.79 feet to a point; S 88 degrees 20 minutes 01 seconds W 227.97 feet to a point; N 04 degrees 30 minutes 34 seconds E 330.40 feet to a point; N 25 degrees 59 minutes 14 seconds E 348.48 feet to a point; N 07 degrees 33 minutes 37 seconds W 90.23 feet to a point along the said southerly right-of-way line of Forest Hill Avenue; thence along the said southerly right-of-way line of Forest Hill Avenue the following courses and distances: along the arc of a curve to the right having a radius of 1,520.79 feet and an arc distance of 22.73 feet to a point; N 78 degrees 07 minutes 35 seconds E 100.40 feet to a point; N 76 degrees 02 minutes 42 seconds E 177.32 feet to a point along Sheila Lane; thence along the lines of Sheila Lane the following courses and distances: S 51 degrees 00 minutes 51 seconds E 51.57 feet to a point; S 21 degrees 05 minutes 55 seconds E

252.06 feet to a point; S 02 degrees 13 minutes 16 seconds E 75.38 feet to a point; N 71 degrees 20 minutes 05 seconds E 101.46 feet to a point; N 02 degrees 28 minutes 15 seconds W 109.82 feet to a point; N 53 degrees 10 minutes 34 seconds W 10.81 feet to a point; N 21 degrees 20 minutes 54 seconds W 148.81 feet to a point; along the arc of a curve to the right having a radius of 246.00 feet and an arc distance of 41.08 feet to a point; N 34 degrees 25 minutes 30 seconds E 52.55 feet to a point along the said southerly right-of-way line of Forest Hill Avenue; thence along the said southerly right-of-way line of Forest Hill Avenue N 81 degrees 23 minutes 32 seconds E 453.13 feet to the point of beginning and containing 2,740,730 square feet or 62.9185 acres of land more or less; and as depicted on the plat entitled "Plat Showing Street Vacation and Dedication, Easement Vacation and Dedication, Consolidation and Subdivision Chippenham Forest Square", prepared by Target Surveys, Inc., consisting of four sheets dated January 25, 1999, containing a combined acreage of 60.2 acres of land more or less and as supplemented by the plat entitled "The Shops at Chippenham Forest Square" prepared by Koontz Bryant, P.C., dated April 14, 2000;

WHEREAS, by Ordinance No. 2002-70-101, adopted April 22, 2002, City Council approved an amendment to the Community Unit Plan of the 62.9-acre property at the southwest corner of Chippenham Parkway and Forest Hill Avenue, to authorize drive-up, freestanding automated teller machines as a principal use in the area designated as Parcel A;

WHEREAS; a proposed amendment to modify the permitted principal uses within the area designated as Parcel [~~A~~] B has been submitted to the City Planning Commission;

WHEREAS, the City Planning Commission, after holding a public hearing on the proposed amendment to the community unit plan, approved the undated concept plan as a Preliminary Community Unit Plan, based on written findings of fact, and submitted a copy of its resolution to that effect to the Council together with its findings of fact, a copy of which resolution is attached to the draft of this amendatory ordinance; and

WHEREAS, the Council concurs in the findings of fact made by the City Planning Commission;

NOW, THEREFORE,

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THE CITY OF RICHMOND HEREBY ORDAINS:

§ 1. That pursuant to Section 17.10 (g) of the Charter of the City of Richmond, and Article V of Chapter 30 of the Code of the City of Richmond (2015), as amended, the development and use of the above-referenced property, generally in accordance with the concept plan entitled: "Chippenham Forest Square Community Unit Plan Amendment" prepared by Bury + Pittman, dated February 1999, and the applicant's report entitled "Community Unit Plan for Amendment Ordinance No. 98-365-99-6 Chippenham Forest Square", dated February 15, 1999, prepared by McGuire, Woods, Battle & Boothe, L.L.P., copies of which are attached to and made a part of Ordinance No. 99-90-169 and also in accordance with the [~~attached~~] drawing entitled "Community Unit Plan on the Properties to be Known as Chippenham Forest Square West" prepared by Target Surveys, Inc. and dated February 15, 2000, attached to Ordinance No. 2000-208-199, adopted June 26, 2000, and the [~~attached~~] concept plan entitled "The Shops at Chippenham Forest Square" prepared by Koontz Bryant P.C. dated April 14, 2000, consisting of sheets MP and PAR, attached to Ordinance No. 2000-208-199, adopted June 26, 2000, and the applicant's report entitled "Amendment to Community Unit Plan, Ordinance No. 99-90-169, Chippenham Forest Square" prepared by McGuire, Woods, Battle & Boothe LLP dated April 14, 2000, is hereby approved and permitted, subject to the following standards, terms, and conditions:

I. DEVELOPMENT CONCEPT: The Preliminary Community Unit Plan for the development of the property is depicted on the two (2) concept plans, the first being the plans attached to Ordinance No. 99-90-169 and the second being the plans attached to [~~this ordinance~~] Ordinance No. 2000-208-199, adopted June 26, 2000. The concept plans depict a maximum of 483,000 square feet of commercial space and establish the location of the two distinct commercial districts identified as Transition Zone (Parcel A) and Primary Retail Zone (Parcel B), and depict and establish the buffers around and open space within the development. The concept plans also depict the layout of other features and arrangements of buildings and parking areas, however, such layout may be subject to change through Final Plan approval by the City Planning Commission, provided that the Final Plan is consistent with the objectives of the Preliminary Plan as adopted by Council and

not in conflict with the standards, terms and conditions set forth herein. Final Plans shall be submitted for review in accordance with the provisions of Article [~~V~~] VI, Division [~~3,~~] 30 [~~Section 32-530~~] of the [~~Zoning Ordinance~~] Code of the City of Richmond (2015), as amended. For the purposes of this ordinance, the term "commercial space" shall include space that meets the definition of floor area, as well as space devoted to permitted principal and accessory uses outside of enclosed buildings, unless specifically excluded from the calculation of commercial space by other provisions of this ordinance.

II. DEVELOPMENT STANDARDS APPLICABLE TO PARCEL "A" (Transition Zone): The concept plan attached to Ordinance No. 2000-208-199, adopted June 26, 2000, establishes the limits of the portion of the site designated as Parcel A (Transition Zone), with such limits set at four hundred fifty (450) feet back from and parallel to the existing right of way line of Forest Hill Avenue. On the west side of the entry boulevard, the limit shall be extended coincide with the development parcel identified on the plan *as Additional Parcel A* on the plan entitled "The Shops at Chippenham Forest Square - Parcel 'A' Plan" prepared by Koontz Bryant P.C. dated April 14, 2000. Development within Parcel A shall be subject to the standards, terms and conditions listed below. The exact limits of Parcel A shall be determined through Final Plan approval, provided that the boundary does not vary from that depicted on the concept plans by more than two hundred (200) feet on that portion of the site lying to the east of the main entry boulevard, and the overall land area contained within Parcel A is not reduced below a minimum land area of eight and one half (8.5) acres. In the event that the entire square footage of floor area authorized within the subject property is provided within the bounds of Parcel B (Primary Retail Zone), Parcel A shall continue to be set aside as a transition area to the uses of Parcel B, with a minimum depth from Forest Hill Avenue and a minimum land area maintained as specified above.

A. PERMITTED PRINCIPAL AND ACCESSORY USES - The following uses of buildings and premises shall be permitted within the area designated as Parcel A, except for the development site located to the west of the main entrance boulevard:

1. Permitted Principal Uses:

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(a) Auto service centers and service stations;

(b) Bakeries where products are sold principally at retail on the premises and where distribution of products off the premises does not involve the use of delivery vehicles having a gross vehicle weight exceeding six thousand (6,000) pounds;

(c) Banks, savings and loan offices, and drive-up freestanding automated teller (ATM) machines;

(d) Business, professional and administrative offices, medical and dental clinics and studios;

(e) Catering businesses, provided that not more than five (5) persons are employed on the premises in the conduct of any such business;

(f) Cultural uses, including theatres, art galleries and museums;

(g) Custom dressmaking, tailoring and garment repair businesses employing not more than five (5) persons on the premises;

(h) Custom printing and engraving shops not involving the printing of periodicals, books, catalogs or similar items requiring frequent shipment or delivery of large quantities of materials, provided that not more than five (5) persons shall be employed in the conduct of such business;

(i) Day nurseries licensed by and subject to the requirements of the State of Virginia Department of Social Services;

(j) Dry cleaning and laundering establishments, provided that the total capacity of all cleaning machines shall not exceed one hundred (100) pounds dry weight and that the total capacity of all laundry machines shall not exceed two hundred fifty (250) pounds dry weight;

(k) Eating and drinking establishments where food or drink is intended to be consumed on the premises either in vehicles or outside of a completely enclosed building, provided that:

i. No deck, patio, terrace, drive up lane, or other area outside of a completely enclosed building and used for the service or accommodation of restaurant patrons shall be situated within one hundred (100) feet of any property in an R District located outside

the community unit plan boundaries.

ii. Covered trash containers shall be provided in service areas, and fences, walls or vegetative screening shall be provided around service areas, except at entrances and exits, to prevent refuse from blowing onto adjacent properties.

iii. No music or public address system shall be operated in such a manner that sound produced is audible beyond the boundaries of the premises.

(l) Laundromats and laundry and dry-cleaning pick-up stations, provided that such uses shall not be operated between the hours of 11:00 p.m. and 6:00 a.m.;

(m) Libraries, museums, schools, parks and recreational facilities owned or operated by a governmental agency, and other uses required for the performance of a governmental function and primarily intended to serve residents of adjoining neighborhoods;

(n) Parking areas serving permitted uses;

(o) Personal loan and financial services;

(p) Personal service establishments, including barber shops, beauty parlors, health clubs, shoe repair shops and similar establishments;

(q) Pet shops, animal hospitals and Boarding kennels, provided that all facilities are located within fully enclosed, air-conditioned and soundproof buildings;

(r) Recreation and entertainment uses including, but not limited to, clubs, theaters, museums, auditoriums, bowling alleys and amusement centers, when such uses are conducted within completely enclosed buildings;

(s) Rental establishments for household, hobby, recreational and similar equipment, but not including the rental of motor vehicles, trailers or contractors' equipment, provided that there shall be no outside storage or display of any items;

(t) Rights-of-way, easements and appurtenances for public utilities and public transportation,

loading platforms, passenger depots, but not including railroad yards, freight depots, generating plants, transformer stations and similar uses;

(u) Sales lots for Christmas trees and other temporary retailing activities when such use is operated for a period not exceeding thirty (30) days;

(v) Shopping centers containing uses permitted in Parcel A;

(w) Shops for the repair of household items, watches, locks, bicycles and similar items, provided that not more than five (5) persons are employed on the premises in the conduct of such activity, and provided further that no gasoline engines shall be repaired or serviced except within a completely enclosed, soundproof building;

(x) Stores and shops for the conduct of retail business;

(y) Dwelling uses shall not be permitted within the community unit plan, except that any dwelling use lawfully existing at the effective date of this ordinance may be maintained or improve but not expanded, provided that the then existing lot area, lot width or yard depths shall not be reduced to less than that required by the R-5 District regulations, or reduced further, if already less than such regulations;

2. Permitted Accessory Uses - The following uses shall be permitted as accessory uses:

(a) Uses and structures customarily incidental and clearly subordinate to uses permitted and located within Parcel A;

(b) Incidental storage of merchandise within a building to be sold at retail on the premises, provided that not more than thirty (30) percent of the floor area of a building occupied by a permitted use shall be used for such purpose;

(c) Outdoor sales and merchandise areas up to 3,000 square feet for an individual business and an aggregate area of up to 20,000 for businesses within Parcel A, only in conjunction with a

permitted principal use of equal or greater floor area located within an enclosed building, provided that such outdoor merchandise area is enclosed on a minimum of seventy-five (75) percent of its perimeter by a combination of landscaping material and structural screen, with such structural screen of at least twenty-five percent opacity and using architectural materials and elements similar to those utilized in the main building. Use of chain link fencing as a screening or enclosing material for such areas shall not be permitted;

(d) Self-service and automatic auto washing facilities with not more than two (2) washing stalls, as an accessory use to an auto service center, provided that such use shall not be operated between 11:00 p.m. and 7:00 a.m.;

(e) Drive-up facilities where service is rendered to or business is transacted directly with customers located within a motor vehicle.

The use of the development site located to the west of the main entrance boulevard shall be limited to uses permitted in the B-1 District except for service stations, with the following additional uses permitted 1) Dry cleaning pick-up stations, 2) Custom printing and engraving shops not involving the printing of periodicals, books, catalogs or similar items requiring frequent shipment or delivery of large quantities of materials, provided that not more than five (5) persons shall be employed in the conduct of such business; and 3) Catering businesses not employing more than five (5) persons on premises. Notwithstanding other provisions generally applicable to the CUP, there shall be a front yard along the Forest Hill Avenue frontage with a minimum of twenty-five (25) feet and a rear and street side yard along the main entrance boulevard with a minimum of twenty (20) feet, and a minimum five (5) foot wide landscaping strip shall be provided in any such yard along the property lines, with visual screening provided along the rear and the west side property lines. The side yard along the western property line shall be as specified below for the CUP site as a whole. Entrances and exits for this site shall be limited to those approved by the Director of Public Works through Final Plan review. The servicing of refuse collection facilities and delivery of merchandise occurring within the service areas shall be

limited to between 8:00 a.m. and 7:00 p.m. daily for this portion of Parcel A.

B. MAXIMUM FLOOR AREA PER TENANT SPACE - The maximum floor area, including any accessory outdoor dining or sales areas, of any one store or tenant space, shall not exceed 5,000 square feet, except that up to two stores or tenant spaces may exceed that limit provided that one such tenant space contain no more than 20,000 square feet of floor area and one such store or tenant space contain no more than 60,000 square feet of floor area. In the event that a building is located partially within Parcel A and partially within Parcel B, these limitations shall apply only to that portion of the floor area of any one store or tenant space that extends within Parcel A, and the floor area located within Parcel B shall not count towards these maximums;

C. MAXIMUM FLOOR AREA WITHIN PARCEL A - The maximum aggregate floor area permitted within Parcel A, based on the size of Parcel A being expanded to the greatest extent permitted by this ordinance, shall not exceed 100,000 square feet. If Parcel A is of a lesser size, then the maximum permitted floor area shall be reduced proportional to the reduction in land area.

D. MAXIMUM FLOOR AREA ON A LOT - The ratio of floor area on any lot within Parcel A to the land area within the bounds of that lot shall not exceed .40.

E. MAXIMUM HEIGHT - No building or structure, except for signs authorized herein for additional heights, shall exceed twenty-eight (28) feet in height. Additional exceptions to this height limitation shall be in accordance with the exceptions permitted by the applicable provisions of Chapter 30 of the Code of the City of Richmond [~~Zoning Ordinance, 1993~~] (2015), as amended.

III. DEVELOPMENT STANDARDS APPLICABLE TO PARCEL B (Primary Retail Zone): The attached concept plan establishes the limits of the portion of the site designated as Parcel B (Primary Retail Zone), with such limits beginning at four hundred fifty (450) feet back from and parallel to the existing right of way line of Forest Hill Avenue, and extending south between the eastern and western property boundaries, to the southern boundary of the property. Development within Parcel B shall be subject to the standards, terms and conditions listed below. The exact limits of Parcel B may be adjusted through Final Plan approval, provided that the

boundary does not extend into the area denoted on the concept plan as Parcel A by more than two hundred (200) feet.

A. PERMITTED PRINCIPAL AND ACCESSORY USES: The following uses of buildings and premises shall be permitted within Parcel B:

1. Permitted Principal Uses: Any principal use permitted within the bounds of the area designated as Parcel A, shall be permitted within the area designated as Parcel B, without the limitations on tenant size established for Parcel A. Additionally, warehouses and self-storage facilities shall be permitted as a principal use within the area designated as Parcel B, Lot 1 on the drawing entitled "Forest Hill Storage," prepared by The Bay Companies, Inc., dated August 27, 2018, and last revised October 15, 2018, a copy of which is attached to and made a part of this amendatory ordinance.

2. Permitted Accessory Uses: Any use permitted as an accessory use in Parcel A, and the following:

(a) outdoor sales and merchandise areas for businesses within Parcel B only in conjunction with a permitted principal use located within an enclosed building with such outdoor sales and merchandise area not exceeding thirty-five (35) percent of the floor area of the enclosed building, provided that such outdoor merchandise area is enclosed on a minimum of seventy-five (75) percent of its perimeter by either landscaping material, an opaque or semi-opaque structural screen or a combination thereof, with the specific landscaping materials [~~and/or~~] or structural screen subject to approval as part of Final Plan review by the Planning Commission. Use of chain link fencing as a screening or enclosing material for such areas shall not be permitted except as may be authorized by the Planning Commission through Final Plan review;

(b) areas inside of enclosed buildings containing a permitted principal use for the purpose of wholesale, warehouse, [~~and/or~~] or distribution activities related to merchandise or services

offered as part of the principal use, provided that such areas occupy no more than sixty-five (65) percent of the gross floor area of the building;

(c) areas outside of enclosed buildings intended for the storage of merchandise offered for sale elsewhere on premises, with such areas not accessible to customers, provided that such areas are enclosed on a minimum of seventy-five (75) percent of its perimeter by either landscaping material, an opaque or semi-opaque structural screen, or a combination thereof, with such enclosure subject to approval by the Planning Commission as part of Final Plan review. Use of chain link fencing as a screening or enclosing material for such areas shall not be permitted except as may be authorized by the Planning Commission through Final Plan review. When such storage space is an accessory use for the occupant of more than 100,000 square feet of floor area within an enclosed building, and when it is not covered, it shall not be considered floor area for the purpose of calculating maximum floor area on a lot, a section of the CUP, or within the overall CUP, provided that the aggregate so excluded on any one lot shall not exceed twenty-five thousand (25,000) square feet of area;

(d) sidewalk merchandise display space, located within thirty (30) feet of a face or extension of the plane thereof of the building to which it is accessory, subject to final location approval as part of Final Plan review by the Planning Commission. When such display space is an accessory use for the occupant of more than 100,000 square feet of floor area within an enclosed building, such space shall not be considered floor area for the purpose of calculating maximum floor area on a lot, section of the CUP, or within the overall CUP, provided that such space is not secured by enclosing screens, walls, or fences, and that the aggregate sidewalk merchandise display space so excluded on any one lot shall not exceed ten thousand (10,000) square feet of area;

B. MAXIMUM FLOOR AREA - There shall be no limit on the maximum floor area permitted within Parcel B, except to the extent that the ratio of total floor area within Parcel B to total land area within the

bounds of Parcel B does not exceed .40, and the maximum permitted within the community unit plan is not exceeded. The maximum floor area of warehouses and self-storage facilities within the area designated as Parcel B, Lot 1 on the drawing entitled "Forest Hill Storage," prepared by The Bay Companies, Inc., dated August 27, 2018, and last revised October 15, 2018, a copy of which is attached to and made a part of this amendatory ordinance, shall not exceed 130,000 square feet and shall be exempted from the calculation of the maximum floor area ratio within the community unit plan.

C. MAXIMUM FLOOR AREA ON A LOT - The ratio of floor area on any lot within Parcel B to the land area within the bounds of that lot shall not exceed .40.

D. MAXIMUM HEIGHT - No building or structure, except for signs authorized herein for additional height, shall exceed thirty-five (35) feet in height, except that for buildings exceeding one hundred thousand square feet in floor area the height may be increased to forty (40) feet where necessary to provide screening of rooftop equipment or to accommodate building design elements intended to foster the architectural diversity of rooflines required by the CUP. Additional exceptions to this height limitation shall be in accordance with the exceptions permitted by the applicable provisions of Chapter 30 of the Code of the City of Richmond [~~Zoning Ordinance, 1993~~] (2015), as amended.

IV. BUFFERS AND SETBACKS: Buffers and setbacks within the community unit plan shall be as follows:

A. SETBACKS FROM FOREST HILL AVENUE AND CHIPPENHAM PARKWAY ON-RAMP - A minimum setback of twenty-five (25) feet for buildings, structures, and parking and maneuvering areas shall be provided from Forest Hill Avenue and from the on-ramp to Chippenham Parkway. A minimum of twenty (20) trees shall be planted within the Forest Hill Avenue setback, which may be clustered or planted with regular spacing in street tree fashion.

B. BUFFERS AND SETBACKS ALONG THE WESTERN COMMUNITY UNIT PLAN BOUNDARY LINE - Buffers and setbacks from the western boundary line shall be provided as follows:

1. A buffer area of a minimum forty (40) feet in width shall be required, within which the

existing vegetation shall be retained and supplemental landscaping [and/or] or fences shall be provided to create a visual screen between the premises and the abutting properties to the west in the location depicted on the concept plan attached to Ordinance 99-90-169, adopted June 14, 1999, and the concept plan attached to this amendatory ordinance, as determined through the Final Plan review. Exceptions to the buffer requirement shall be limited to the following circumstances:

(a) The buffer may be cleared as necessary to be traversed by utility extensions;

(b) The buffer may be traversed with a public or private street to provide access to the single-family residential properties to the west to accommodate any existing rights of way held by the owners of those properties;

(c) The buffer may be reduced as necessary to achieve proper horizontal alignment of the main entry boulevard into the site while addressing the need to align the intersection of the main entry boulevard with the existing median break on Forest Hill Avenue. The final extent of any such reduction shall be subject to the approval of the Planning Commission as part of Final Plan review, provided that the buffer may not be reduced to less than twenty-five (25) feet in width at any point south of a distance of four hundred fifty (450) feet from the existing right of way line of Forest Hill Avenue. Supplementary measures such as fencing, landscaping, walls or berms may be required by the Commission to provide screening of the encroachment areas from view from adjacent residential properties.

2. A setback of sixty-five (65) feet shall be required for buildings, parking areas and access aisles. Facilities for the collection of refuse, loading and similar service areas shall observe a setback of forty (40) feet, except within the area designated as Parcel B, Lot 1 on the drawing entitled "Forest Hill Storage," prepared by The Bay Companies, Inc., dated August 27, 2018, and last revised October 15, 2018, of copy of which is attached to and made a part of this amendatory ordinance, where a setback of 25 feet shall be required for buildings, parking areas and access aisles, and a setback of 40 feet shall be

required for facilities for the collection of refuse, loading and similar service areas;

3. A setback of one hundred (100) feet shall be required for mechanical equipment.

C. BUFFERS AND SETBACKS FROM CHIPPENHAM PARKWAY - Buffers and setbacks from the Chippenham Parkway right-of-way line shall be provided as follows:

1. A buffer area of a minimum width of fifty (50) feet shall be required along the Chippenham Parkway right of way, from the ultimate point of intersection of the southbound on-ramp with the through Parkway lanes, as determined by the Director of Public Works as necessary to accommodate the Phase One and Phase Two Street Improvements Plans, to the southern boundary of the site, within which the existing trees shall be retained and additional landscaping may be provided. Underbrush and tree saplings of less than six-inch caliper may be removed within the buffer area. Exceptions to the buffer requirement shall be limited to the following circumstances:

(a) The buffer may be cleared as necessary to be traversed by utility extensions;

(b) The removal of the trees within the buffer of up to forty percent of the linear distance of the buffer shall be permitted, provided that a Final Plan submitted to the Commission demonstrates that there will be a maximum buffer clearance of forty percent through proper tree protection measures and appropriate limits on cut and fill activities.

2. A setback of sixty-five (65) feet from that portion of the Chippenham Parkway right-of-way located south of the first point of intersection of the southbound on-ramp and the through Parkway lanes, or from the approximate ultimate right of way line as determined by the Director of Public Works as necessary to accommodate the Phase One and Phase Two Street Improvement Plans that is located south of the first point of intersection of the southbound on-ramp and the through Parkway lanes, shall be required for buildings, parking areas and access aisles, except that for up to thirty percent of the length of the linear distance from the point of intersection of the southbound on-ramp to the southern boundary of the site, the setback for buildings and parking areas may be adjusted downward to fifty feet

by the Planning Commission based on a detailed site and landscaping plan, provided that such reduced setbacks do not result in encroachments for grading and clearing of tree preservation areas required by the buffer provision set forth above.

D. SETBACKS FROM PUBLIC AND PRIVATE STREETS AND DRIVEWAY CORRIDORS - There shall be a minimum setback of fifteen (15) feet for buildings and structures, except for signs, provided from the main entry boulevard, any other public street which may be constructed within the property, and interior private streets or travelways used by the public to reach the access aisles internal to parking areas. No setback from internal parking areas and access aisles shall be required, unless necessary to accommodate pedestrian circulation.

V. DEVELOPMENT STANDARDS APPLICABLE TO THE OVERALL COMMUNITY UNIT PLAN: The following standards shall apply to all development within the community unit plan:

A. MINIMUM LIVABILITY SPACE - The minimum livability space, defined as that portion of the land area on the site which is not covered by buildings, devoted to accessory outdoor dining, sales or display areas, or devoted to motor vehicle parking or circulation, but which contains existing natural vegetation or is improved with landscaping [~~and/or~~] or noncommercial outdoor living areas, shall be no less than twenty (20) percent of the total land area of the Community Unit Plan, and of the land area of any lot within the Community Unit Plan, except that for individual lots, the Planning Commission may approve through final plan review development which results in livability space of no less than five (5) percent of the lot, provided that appropriate covenants are established to indicate that the development potential on other lots within the community unit plan may be limited to the extent necessary to ensure that the total livability space is not less than twenty (20) percent of the land within the development, and provided that the minimum livability space within the area designated as Parcel B, Lot 1 as shown on the drawing entitled “Forest Hill Storage,” prepared by The Bay Companies, Inc., dated August 27, 2018, and last revised October 15, 2018, a copy of which is attached to and made a part of this amendatory ordinance, shall be no less than 20 percent and further provided

that this calculation for Parcel B, Lot 1 shall be excluded from the calculation for the community unit plan.

B. SCREENING OF LOADING, SERVICE AND TRASH COLLECTION AREAS, AND MECHANICAL EQUIPMENT - All loading, service, and trash collection areas on any lot shall be screened from adjoining properties and public streets through the positioning of the buildings on the property, vegetative material, berming, opaque structural screens, or a combination of such techniques. Mechanical equipment, including satellite dishes, shall similarly be screened, or may be hidden from view by roof placement combined with parapet walls [~~and/or~~] or equipment screens. The adequacy and appropriateness of any specific technique shall be demonstrated as part of Final Plan review.

C. PARKING REQUIREMENTS - Requirements and standards applicable to parking areas shall be as follows:

1. Number of Spaces Required - Parking shall be provided in accordance with the requirements of Chapter 30 of the Code of the City of Richmond [~~Zoning Ordinance, 1993~~] (2015), as amended, except that for any food store use within Parcel "B", off-street parking shall be provided at a rate of one (1) space per two-hundred (200) square feet of floor area;

2. Parking Area Layout and Landscaping - There shall be a minimum of ten square feet of landscaping per parking space within each area defined by primary circulation routes or streets within the development. At least one large canopy tree or ornamental tree (no more than 25 percent of required trees may be ornamental) for each eight parking spaces shall be provided within these landscaped areas. The required landscaped areas and trees may be arranged at the borders of parking areas [~~and/or~~] or on both sides of primary circulation areas to define and clarify vehicular and pedestrian circulation or may be arranged in internal islands, planting strips, [~~and/or~~] or other configurations which serve to visually break up large parking areas. In no case, however, shall there be a row of more than thirty-five parking spaces without an intervening minimum five-foot wide landscaped island planted with a canopy tree.

3. Parking Area Screening - Parking areas shall be screened from properties outside the

bounds of the community unit plan and from adjoining public streets through the positioning of the buildings on the property, groupings of 18 to 24 inch tall vegetative material, berming, opaque structural screens, or a combination of such techniques to soften the appearance of the edges of the parking area. The adequacy and appropriateness of any specific technique shall be demonstrated as part of Final Plan review.

D. PERMITTED SIGNS - The following signs shall be permitted, with final location subject to the approval of the City Planning Commission as part of Final Plan review:

1. Project Identity Sign - One sign, of up to one hundred fifty (150) square feet in sign area and eighteen (18) feet in height, provided that if the sign is located within a raised landscaped planter or berm of two (2) feet or more above normal grade level the overall height above normal grade level may be up to twenty (20) feet, shall be permitted at the main entrance to the site from Forest Hill Avenue, with such sign having a minimum setback of fifteen (15) feet from the approximate ultimate public right of way per the Phase One Traffic Improvement Plan, and being located substantially as depicted on the Concept Plan attached to Ordinance No. 99-90-169, adopted June 14, 1999. A project identity sign may include the name of up to two (2) tenants of the CUP site, in addition to the name of the overall project.

2. Parcel Identification Sign - One sign, of up to seventy-five (75) square feet of sign area and eighteen (18) feet in height shall be permitted along the main entry boulevard for the purpose of identifying Parcel A as a distinct commercial area when that area has been developed with multiple freestanding buildings, provided that such sign is not located within seventy-five (75) feet of Forest Hill Avenue right of way, and provided further that a freestanding shopping center sign is not otherwise permitted.

3. Tenant/Building Signs within Parcel A - Signage shall be in accordance with the B-2 Community Business regulations of Chapter 30 of the Code of the City of Richmond [~~Zoning Ordinance, 1993~~] (2015), as amended, in effect at the time of adoption of this ordinance, provided that

any freestanding signs shall not exceed twenty-five (25) feet in height and seventy-five (75) square feet in area. In addition, a ground-mounted freestanding sign, of a maximum sign area of thirty (30) square feet and a maximum height of eight (8) feet inclusive of any base, shall be permitted to identify a tenant which is the sole occupant of an independent building that might otherwise not be permitted a freestanding sign because of inadequate lot frontage on public streets or because of inadequate setback of the building from the street on which it fronts, provided that any such sign is not located within fifty (50) feet of the approximate ultimate right of way of Forest Hill Avenue or the Chippenham Parkway on -ramp.

4. Tenant/Building Signs within Parcel B - Within Parcel B, signage shall be in accordance with the B-2 Community Business regulations of Chapter 30 of the Code of the City of Richmond [~~Zoning Ordinance, 1993~~] (2015), as amended, in effect at the time of adoption of this ordinance, provided that no freestanding signs exceeding eight (8) feet in height above a maximum two (2) foot high base, and thirty (30) square feet in area shall be permitted within two-hundred fifty (250) feet of the Chippenham Parkway right of way. For any building containing over one hundred thousand (100,000) square feet of floor area, with such building containing a single occupant/tenant, such building may, as an alternative to the B-2 signage regulations have: a) building or parapet wall-mounted signage based on a rate of one (1) square foot of sign area per linear foot of building frontage based on the frontage containing the main building entry, provided such signs are not on the face(s) of the building oriented to Chippenham Parkway; b) no limit on the number of signs; c) an extra two-hundred (200) square feet of signage, in the form of no more than two (2) signs mounted on the building or parapet wall of the building face oriented to Chippenham Parkway; d) a freestanding sign of no more than thirty (30) square feet on an enclosed base with a maximum height of five (5) feet. The Planning Commission, as part of Final Plan approval, may authorize increases in the amount of sign area permitted by up to twenty (20) percent, where distance from public right of ways, building orientation,

topography, or internal orientation of signage make such increases appropriate.

5. Directory Signs - Ground mounted directory signs displaying the name of and direction to businesses located within the community unit plan shall be permitted, provided that any such sign does not exceed eight (8) feet in height inclusive of any base, and does not display trademarks or logos associated with any business. If more than one directory sign is located within the bounds of a particular development Parcel (i.e., within A, or within B), all such signs within that Parcel shall be of a coordinated design.

6. Prohibited Signs - Animated signs and portable signs, as defined in Chapter 30, Article XII of the [~~Zoning Ordinance~~] Code of the City of Richmond (2015), as amended, and temporary attention-getting devices shall not be permitted.

VI. STREET IMPROVEMENTS AND DEVELOPMENT PHASING:

A. STREET IMPROVEMENTS, GENERALLY - All costs related to the construction of street improvements necessary to serve the property shall be borne by the owner, except for the 35 percent maximum described below for the improvements to southbound Chippenham Parkway access, and to the extent to which the City or other parties may agree to participate in the cost of other improvements made necessary by the development.

B. PRIVATE STREETS PERMITTED - Lots within the development shall have frontage on an improved public street, or on a private street within a recorded permanent access easement, provided that the easement and the improvements therein are approved by the Director of Public Works as to its suitability for all -weather travel by public and emergency vehicles, and provided further that appropriate agreements or covenants approved by the City Attorney provide for the continued maintenance thereof and for public and emergency vehicle access.

C. REQUIRED STREET IMPROVEMENTS - The concept plan depicts the site access via a boulevard-like street accessing Forest Hill Avenue approximately at the current intersection of Sheila Lane and

Forest Hill Avenue. To accommodate the traffic impact of the development of the property and the location of the site access at the proposed location, the procedure established below for providing the necessary street improvements shall be followed:

1. Phase One Improvements - Concurrent with the initial request for final plan approval for a site within the property, the owner shall prepare and submit a detailed Phase One Street Improvement Plan to the City. Such plan shall show existing street conditions, and shall depict the following Phase One Improvements:

(a) A right turn lane into the property from eastbound Forest Hill Avenue;

(b) A left turn lane on eastbound Forest Hill Avenue;

(c) The extension of the existing left turn lane on westbound Forest Hill Avenue, across from the site entrance;

(d) A traffic signal at the intersection of the main entry boulevard and Forest Hill Avenue, and the appropriate design information for such signal;

(e) The main entry boulevard, located substantially as depicted on the attached concept plan and consisting of a minimum four lane section, designed as necessary to reach the boundary between Parcel A and Parcel B, or to the access point for the site depicted in the initial Final Plan request, whichever is northernmost, with an appropriate temporary turnaround;

(f) Approximate right of way limits to accommodate a second left turn lane into the site from westbound Forest Hill Avenue;

(g) Conceptual design for a wider arc for the access from eastbound Forest Hill Avenue to the on-ramp to southbound Chippenham Parkway, including any transition area to allow for a safe merge of traffic from such wider arc with traffic that has entered the ramp from westbound Forest Hill Avenue (henceforth this improvement shall be identified as the “free-flowing right turn lane”). The approximate right of way required to straighten the lower part of the ramp and

extend southward its first intersection with the through travel lanes shall be identified for the purpose of determining setbacks, buffers, and Phase Two dedication area. Such design and right of way identification shall be substantially in accordance with the concept plan made a part of Ordinance No. 99-90- 169, adopted June 14, 1999;

The initial Final Plan request shall not be approved unless and until the Director of Public Works and the Director of Community Development approve the Phase One Street Improvement Plan. The construction and timing of the improvements depicted on such plan shall be guaranteed through a performance bond or a development agreement with the City, and any right of way necessary for the free flowing right turn lane to the on-ramp to southbound Chippenham Parkway shall be reserved, with such bonding and reservation occurring prior to the issuance of a building permit for the initial development on the property.

2. Phase Two Improvements - Concurrent with or prior to the request for Final Plan approval that would result in more than 200,000 square feet of floor area on the property, the owner shall prepare and submit a detailed Phase Two Street Improvement Plan to the City. Should the initial Final Plan within the community plan propose more than 200,000 square feet of floor area, or should the owner wish to construct all required improvements in one phase, then the Phase Two Street Improvement Plan shall be submitted together with or as part of the Phase One Street Improvement Plan.

The Phase Two Street Improvement Plan shall show existing street conditions, including an update of the concept plan to depict any existing internal streets. As part of the Phase Two Street Improvements Plan, the owner shall provide an updated traffic study to identify the traffic generation and off-site impacts of all existing development, and to provide a more refined identification of anticipated off-site impacts at full buildout, including peak hour turning movement traffic counts for all locations included in the May 2, 1995 traffic study, actual growth rates for traffic on Forest Hill Avenue

based on the most recently available counts, and a new traffic forecast and analysis for all locations in the May 2, 1995 traffic study. The traffic study shall be in a form acceptable to the Director of Public Works.

The Phase Two Street Improvement Plan shall depict the following improvements:

(a) A right turn lane into the property from eastbound Forest Hill Avenue, if such improvement has not been constructed at the time of submission of the Phase Two Street Improvement Plan;

(b) A second left turn lane on westbound Forest Hill Avenue at the main entry boulevard;

(c) A third approach lane on the northbound approach from property known as the Chippenham North Shopping Center to Forest Hill Avenue;

(d) The detailed plans for the free flowing right turn lane from eastbound Forest Hill Avenue to the on-ramp to southbound Chippenham Parkway and dedication areas for this improvement and for the straightening of the lower part of the on-ramp unless, prior to approval of the Plan, the Director of Public Works concludes that based on the traffic study described herein, other street improvements proposed by the owner would address the traffic impacts arising from the development of the remainder of the property to an equivalent or greater degree than those required above, and the Director of Public Works and the Director of [~~Community~~] Planning and Development Review authorize the substitution of such alternative improvements on the Phase Two Street Improvements Plan.

The Final Plan request that would result in more than 200,000 square feet of aggregate floor area within the bounds of the Community Unit Plan shall not be approved unless and until the Director of Public Works and the Director of [~~Community~~] Planning and Development Review approve the Phase Two Street Improvement Plan. The construction of the improvements depicted on such plan shall be guaranteed through a performance bond or a development agreement with the City, and all necessary

dedications of right of way shall be made at no public cost, prior to the issuance of a building permit for the development proposed on such Final Plan, provided that the owner's share of the cost of construction for the free flowing right turn lane from eastbound Forest Hill Avenue to the on-ramp to southbound Chippenham Parkway shall be determined by the Director of Public Works, up to a maximum of 35 percent.

D. ACCESS TO THE MAIN ENTRY BOULEVARD - Access to the main entry boulevard shall be limited to land within the bounds of this community unit plan, provided that properties within the City of Richmond currently served by Sheila Lane and having a right of way to continue such access may be served by a private driveway connection (or connections) to the main entry boulevard. There shall be no connection for vehicular access to and from the subject Community Unit Plan property to properties located to the south across the railroad right-of-way running along the south boundary line of the subject property;

E. PHASING - The construction of the main entry boulevard may be phased, provided it is extended as necessary to provide access to Final Plans requiring such access. Streetscape improvements shall be provided as part of the plans for construction of the main entry boulevard. The construction of two buildings to the west of the main entry boulevard may be phased provided that if phased then the northern building must be constructed prior to the southern building and that separate Final Plan approvals from the City Planning Commission must be obtained prior to the construction of each phase. This CUP does not require the construction of any buildings west of the main entrance boulevard, nor does it require both buildings to be constructed.

F. EMERGENCY ACCESS: Each Final Plan shall demonstrate conformance with the emergency access requirements of the City of Richmond Fire Marshal. An emergency access drive may be required through Parcel A out to Forest Hill Avenue between the main entry boulevard and the Chippenham Parkway southbound on-ramp, as determined by the Fire Marshal. Final Plans shall also demonstrate that private streets, driveways, and interior maneuvering aisles are located, designed, and constructed to meet the Fire Marshal's

emergency access requirements.

VII. UTILITIES: All costs related to the extension of utilities to serve the development shall be borne by the owners, except to the extent to which the City may agree to participate in the cost thereof. Electric power, telephone lines, and cable lines, excluding those lines within existing easements and rights of way along Forest Hill Avenue, shall be located underground.

VIII. STORMWATER MANAGEMENT: Prior to the initial Final Plan approval for the property, or prior to the initial subdivision of the property, whichever comes first, the owner will prepare and submit for City review and approval a comprehensive and coordinated approach to stormwater management within the property. The documents and agreements to be recorded under "Ownership and Maintenance of Common Areas", below, shall provide for the maintenance and operation of the stormwater management system on all privately owned property within the development. Such plan shall be updated as part of each subsequent Final Plan [~~and/or~~] or subdivision request, and the approval of the Final Plan or subdivision request shall not occur unless and until the corresponding initial and the subsequent updated stormwater management plan has been approved by the City.

IX. BUILDING DESIGN AND RELATIONSHIPS: That the materials used on the exteriors of the buildings shall generally be masonry, with building walls visible from public streets or internal private streets and parking areas finished with either, or a combination of, face brick, split-face block, natural stone, stucco, synthetic stucco, and glass. Pitched roofs or parapet walls shall be provided to create architectural interest and diversity, as well as provide screening of mechanical equipment when viewed from within and from outside the property. For development within Parcel "A", building walls on any building shall utilize materials common to those used on other buildings within Parcel "A", and each building should utilize similar roof coverings where the covering is visible from ground level, so that the development in Parcel "A" reflects a unified design scheme.

X. OWNERSHIP AND MAINTENANCE OF COMMON AREAS: The owner shall prepare and cause to be recorded among the land records of the City of Richmond all necessary documentation, consisting

of agreements, covenants, [~~and/or~~] or restrictions, to regulate the development and use of the property so as to be in accordance with the concept plan and the terms and conditions of this ordinance, as well as provide for standards for the construction, architecture, and use of all privately owned or leased land within the development. Such documentation shall set forth responsibility for the operation, maintenance, and funding for all privately owned common areas, buffers, pedestrian areas, storm drainage facilities, streets, parking areas, etc.

§ 2. This amendatory ordinance shall be in force as provided by Section 4.09 of the Charter of the City of Richmond (2018), as amended, and shall become effective when the owner files an acceptance of this ordinance in writing in the office of the City Clerk, in a form satisfactory to the City Attorney, wherein they shall for themselves, successors and assigns, agree to fully and completely comply with and be bound by all of the provisions, terms and conditions set out in this amendatory ordinance. Such acceptance must be filed within twelve (12) months of the date of adoption of this amendatory ordinance, or this amendatory ordinance shall be null and void and of no effect.

II. This amendatory ordinance shall be in force and effect upon adoption.

O & R Request

DATE: November 14, 2018 **EDITION:** 1

TO: The Honorable Members of City Council

THROUGH: The Honorable Levar M. Stoney, Mayor
(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 amend Ordinance No. 2002-0-101, adopted April 22, 2002, which authorized a Community Unit Plan (CUP) of the 62.9 acre property at the southwest corner of Chippenham Parkway and

Forest Hill Avenue to authorize warehouse/self-storage facilities in the area designated as Parcel B as a principal permitted use, upon certain terms and conditions.

ORD. OR RES. No.

PURPOSE: To amend Ordinance No. 2002-0-101, adopted April 22, 2002, which authorized a Community Unit Plan (CUP) of the 62.9 acre property at the southwest corner of Chippenham Parkway and Forest Hill Avenue to authorize warehouse/self-storage facilities in the area designated as Parcel B as a principal permitted use, upon certain terms and conditions

REASON: The applicant has proposed to develop a self-storage warehouse facility with an area dedicated to outdoor vehicle storage. This proposed use is not specifically listed in the permitted uses in the existing CUP ordinance.

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 December 3, 2018, meeting. A letter outlining the Commission's recommendation will be forwarded to City Council following that meeting.

BACKGROUND: The vacant 7.75 acre property, known as 2100 Sheila Land, is part of the 63 acre Chippenham Forest Square Community Unit Plan and is located in the Huguenot Planning District. The zoning for the property is R-2 Single Family Residential and commercial uses are prohibited in this district. However, the approved CUP does allow a wide variety of commercial uses for the property under conditions specific to the CUP, such as floor area, building height and screening.

The City of Richmond's current Master Plan designates a future land use category for the subject property as General Commercial (page 190). Primary uses include a broad range of office, retail, general commercial, wholesale, and service uses. The recommended zoning district for land with the General Commercial recommendation is B-3 General Business. Self-storage warehouses would be permitted by-right in this zoning district.

Since approval of the CUP by City Council in 1995, the land has been developed as a major shopping center and is home to a Walmart Super Center, a Lowe's Home Improvement Center as well as a myriad of smaller commercial enterprises.

The property bordered to the north and the east by the Chippenham Forest Square retail area. Abutting to the south is a Norfolk and Southern Railroad Corridor and beyond that is undeveloped property in Chesterfield County. Abutting to the west is a multi-family residential area.

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: December 10, 2018

CITY COUNCIL PUBLIC HEARING DATE: January 14, 2019

REQUESTED AGENDA: Consent

RECOMMENDED COUNCIL COMMITTEE: None

CONSIDERATION BY OTHER GOVERNMENTAL ENTITIES: City Planning Commission, December 3, 2018

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, Draft Ordinance, Plans, Survey, Map

STAFF: David F. Watson, Senior Planner
Land Use Administration (Room 511) 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: