



CITY OF RICHMOND

Department of Planning & Development Review *Staff Report*

Ord. No. 2019-113 To authorize the special use of the property known as 2915 West Leigh Street for the purpose of an outdoor dining area, upon certain terms and conditions.

To: City Planning Commission
From: Land Use Administration
Date: May 6, 2019

PETITIONER

Leigh Street, LLC

LOCATION

2915 West Leigh Street

PURPOSE

To authorize the special use of the property known as 2915 West Leigh Street for the purpose of an outdoor dining area, upon certain terms and conditions.

SUMMARY & RECOMMENDATION

The applicant is proposing outdoor dining at the front of the building on the subject property. Section 30-457.2 (25)a. of the Zoning Ordinance states that "No deck, patio, terrace or other area outside a completely enclosed building and used for the service or accommodation of patrons shall be situated within 100 feet of any R district." The proposed outdoor dining area is located within 100 feet of property located within the R-7 Single-and-Two Family Urban Residential District. Also, Section 30-457.5(2) states that where a side lot line abuts or is situated across an alley from property in an R district there shall be a side yard of not less than 20 feet in width. A special use permit is therefore required.

Staff finds that the proposed special use would contribute to the mix of uses supported by the Pulse Corridor Plan for the area.

Staff finds that with the ordinance conditions, the safeguards contained within the City Charter, relative to the granting of Special Use Permits, are met. Specifically, staff finds that the proposed use would not be detrimental to the general welfare of the community involved and would not create congestion in the streets in the area involved.

Therefore, staff recommends approval of the Special Use Permit request.

FINDINGS OF FACT

Site Description

The subject property, known as 2915 West Leigh Street, is comprised of approximately .198 acres and is located on between Arthur Ashe Boulevard and Altamont Avenue in the Scott's Addition neighborhood.

Proposed Use of the Property

The use will be a restaurant with outdoor dining at the front of the building.

Master Plan

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).

The subject property is also 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 underutilized 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)

Zoning and Ordinance Conditions

The subject property is located in the TOD-1 Transit Oriented Nodal District. The intent of the TOD-1 district is to encourage dense, walkable transit-oriented development consistent with the objectives of the master plan and to promote enhancement of the character of this development along principal corridors, at key gateways, and at nodes of high activity located near transit service, bicycle infrastructure, and pedestrian-friendly streetscapes. The district regulations are also intended to safeguard the character of adjoining properties by only being applied in areas that meet the criteria above, with buffering by setbacks and screening or transitional districts to lower intensity residential areas.

The district regulations are intended to encourage redevelopment and place-making, including adaptive reuse of underutilized buildings, to create a high-quality urban realm. They are intended to improve streetscape character by providing continuity of building setbacks, to enhance public safety by encouraging an active pedestrian environment consistent with the mixed-use character of the district by providing for windows in building facades along street frontages, and to promote an environment that is safe for walking and biking.

The special use permit would imposed conditions on the property, including:

3(a) The Special Use of the Property shall be as an outdoor dining area, substantially as shown on the Plans.

(b) The hours of operation of the Special Use shall be limited to 7:00 a.m. through 11:00 p.m., daily.

(c) A privacy screen shall be installed along the western perimeter of the outdoor dining area that shall screen the Special Use from view by adjacent residential uses, substantially as shown on the Plans. At the Owner's request, the Director of Planning and Development Review may approve a privacy screen that is not shown on the Plans but that is otherwise consistent with this ordinance and the Code of the City of Richmond (2015), as amended.

(d) No live entertainment, recorded audio or video, or amplified public address system shall be allowed with the Special Use.

(e) All mechanical equipment serving the Property shall be located or screened so as not to be visible from any public right-of-way.

(f) No more than 32 persons may occupy the outdoor dining area at a time, provided that such a limit does not exceed the maximum capacity allowed by the Virginia Uniform Statewide Building Code.

(g) No fewer than two covered trash containers shall be provided in the outdoor dining area.

Surrounding Area

Properties to the north, south and east of the subject property are also located in the TOD-1 District. Properties adjacent to the west are zoned R-7 Single and Two-Family Urban Residential. A mix of residential and commercial uses are located in the neighborhood.

Neighborhood Participation

The Scott's Addition Boulevard Association provided a letter of support for this proposal.

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