

INTRODUCED: March 27, 2023

AN ORDINANCE No. 2023-104

To authorize the special use of the property known as 710 Lafayette Street for the purpose of purpose of (i) a café with accessory retail and (ii) the production, wholesale, and distribution of roasted coffee beans, upon certain terms and conditions.

Patron – Mayor Stoney (By Request)

Approved as to form and legality
by the City Attorney

PUBLIC HEARING: APR 24 2023 AT 6 P.M.

WHEREAS, the owner of the property known as 710 Lafayette Street, which is situated in a R-5 Single-Family Residential District, desires to use such property for the purpose of (i) a café with accessory retail and (ii) the production, wholesale, and distribution of roasted coffee beans, which use, among other things, is not currently allowed by section 30-410.1 of the Code of the City of Richmond (2020), as amended; and

WHEREAS, in accordance with section 17.11 of the Charter of the City of Richmond (2020), as amended, it has been made to appear that, if granted subject to the terms and conditions set forth in this ordinance, the special use granted by this ordinance will not be detrimental to the safety, health, morals and general welfare of the community involved, will not tend to create

AYES: 7 NOES: 0 ABSTAIN: _____

ADOPTED: APRIL 24 2023 REJECTED: _____ STRICKEN: _____

congestion in streets, roads, alleys and other public ways and places in the area involved, will not create hazards from fire, panic or other dangers, will not tend to overcrowding of land and cause an undue concentration of population, will not adversely affect or interfere with public or private schools, parks, playgrounds, water supplies, sewage disposal, transportation or other public requirements, conveniences and improvements, and will not interfere with adequate light and air; and

WHEREAS, (i) the City Planning Commission has conducted a public hearing to investigate the circumstances and conditions upon which the Council is empowered to authorize such use, (ii) the City Planning Commission has reported to the Council the results of such public hearing and investigation and its recommendations with respect thereto, and (iii) the Council has conducted a public hearing on this ordinance at which the person in interest and all other persons have had an opportunity to be heard;

NOW, THEREFORE,

THE CITY OF RICHMOND HEREBY ORDAINS:

§ 1. **Finding.** Pursuant to section 30-1050.1 of the Code of the City of Richmond (2020), as amended, the Council hereby finds that the special use set forth in and subject to the terms and conditions of this ordinance will not (i) be detrimental to the safety, health, morals and general welfare of the community involved, (ii) tend to create congestion in streets, roads, alleys and other public ways and places in the area involved, (iii) create hazards from fire, panic or other dangers, (iv) tend to overcrowding of land and cause an undue concentration of population, (v) adversely affect or interfere with public or private schools, parks, playgrounds, water supplies, sewage disposal, transportation or other public requirements, conveniences and improvements, or (vi) interfere with adequate light and air.

§ 2. **Grant of Special Use Permit.**

(a) Subject to the terms and conditions set forth in this ordinance, the property known as 710 Lafayette Street and identified as Tax Parcel No. W000-1873/007 in the 2023 records of the City Assessor, being more particularly shown on a survey entitled “Improvements on **Parcel ‘B,’ Also Known as #710 Lafayette Street, City of Richmond, Virginia,” prepared by Balzer & Associates, and dated June 16, 2021, and last revised December 16, 2022, a copy of which is attached to and made a part of this ordinance, hereinafter referred to as “the Property,” is hereby permitted to be used for the purpose of (i) a café with accessory retail and (ii) the production, wholesale, and distribution of roasted coffee beans, hereinafter referred to as “the Special Use,” substantially as shown on the plans entitled “710 Lafayette Street, Richmond, VA,” prepared by Cortez Architecture + Design, PLLC, and undated, and “Improvements on **Parcel ‘B,’ Also Known as #710 Lafayette Street City of Richmond, Virginia,” prepared by Balzer & Associates, and dated June 16, 2021, and last revised December 16, 2022, hereinafter referred to, collectively, as “the Plans,” copies of which are attached to and made a part of this ordinance.

(b) The adoption of this ordinance shall constitute the issuance of a special use permit for the Property. The special use permit shall inure to the benefit of the owner or owners of the fee simple title to the Property as of the date on which this ordinance is adopted and their successors in fee simple title, all of which are hereinafter referred to as “the Owner.” The conditions contained in this ordinance shall be binding on the Owner.

§ 3. **Special Terms and Conditions.** This special use permit is conditioned on the following special terms and conditions:

(a) The Special Use of the Property shall be as (i) a café with accessory retail and (ii) the production, wholesale, and distribution of roasted coffee beans, substantially as shown on the Plans..

(b) The hours of operation of the Special Use shall be between 6:00 a.m. and 8:00 p.m., Monday through Saturday.

(c) No off-street parking shall be required for the Special Use.

(d) The height of the Special Use shall not exceed one story, substantially as shown on the Plans.

(e) All building materials, elevations, and site improvements, including landscaping, shall be substantially as shown on the Plans.

(f) All mechanical equipment, including heating, ventilation, and air conditioning units, serving the Property shall be located or screened so as not to be visible from any public right-of-way.

(g) In addition to signs permitted in all districts pursuant section 30-505 of the Code of the City of Richmond (2020), as amended, signs shall be permitted on the Property pursuant to subsections (2) and (3) of section 30-507.1 of the Code of the City of Richmond (2020), as amended.

§ 4. **Supplemental Terms and Conditions.** This special use permit is conditioned on the following supplemental terms and conditions:

(a) All required final grading and drainage plans, together with all easements made necessary by such plans, must be approved by the Director of Public Utilities prior to the issuance of the building permit.

(b) Storm or surface water shall not be allowed to accumulate on the land. The Owner, at its sole cost and expense, shall provide and maintain at all times adequate facilities for the drainage of storm or surface water from the Property so as not to adversely affect or damage any other property or public streets and the use thereof.

(c) Facilities for the collection of refuse shall be provided in accordance with the requirements of the Director of Public Works. Such facilities shall be located or screened so as not to be visible from adjacent properties and public streets.

(d) Any encroachments existing, proposed on the Plans or contemplated in the future shall require separate authorization and shall be subject to the applicable provisions of the Code of the City of Richmond (2020), as amended, and all future amendments to such laws.

(e) In all other respects, the use of the Property shall be in accordance with the applicable underlying zoning regulations.

§ 5. **General Terms and Conditions.** This special use permit is conditioned on the following general terms and conditions:

(a) No permit implementing this special use permit shall be approved until satisfactory evidence has been presented to the Zoning Administrator that any delinquent real estate taxes applicable to the Property have been paid.

(b) The Owner shall be bound by, shall observe and shall comply with all other laws, ordinances, rules and regulations applicable to the Property, except as otherwise expressly provided in this ordinance.

(c) Words and phrases used in this ordinance shall be interpreted to have the meanings ascribed to them by section 30-1220 of the Code of the City of Richmond (2020), as amended, unless the context clearly indicates that a different meaning is intended.

(d) Notwithstanding any other provision of law, this special use permit is being approved due, in part, to the mitigating effects of each and every condition attached hereto; consequently, if any portion of this ordinance is determined to be invalid for any reason by a final, non-appealable order of any Virginia or federal court of competent jurisdiction, the invalidity shall cause the entire ordinance to be void and of no further effect from the effective date of such order.

(e) The privileges granted by this ordinance may be revoked pursuant to the provisions of sections 30-1050.7 through 30-1050.11 of the Code of the City of Richmond (2020), as amended, and all future amendments to such laws. Failure to comply with the terms and conditions of this ordinance shall constitute a violation of section 30-1080 of the Code of the City of Richmond (2020), as amended, and all future amendments to such law, or any other applicable laws or regulations.

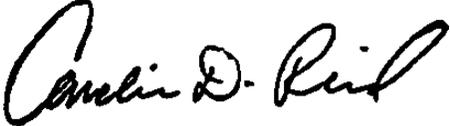
(f) When the privileges granted by this ordinance terminate and the special use permit granted hereby becomes null and void, whether as a result of the Owner relinquishing this special use permit in a writing addressed to the Director of Planning and Development Review or otherwise, use of the Property shall be governed thereafter by the zoning regulations prescribed for the district in which the Property is then situated.

§ 6. **Implementation.** The Commissioner of Buildings is authorized to issue a building permit substantially in accordance with the Plans for the Special Use subject to the terms and conditions set forth in this ordinance. An application for the building permit shall be made within 730 calendar days following the date on which this ordinance becomes effective. If either the application for the building permit is not made within the time period stated in the previous sentence or the building permit terminates under any provision of the Virginia Statewide Building

Code, this ordinance and the special use permit granted hereby shall terminate and become null and void.

§ 7. **Effective Date.** This ordinance shall be in force and effect upon adoption.

**A TRUE COPY:
TESTE:**

A handwritten signature in black ink that reads "Carlin D. Reed". The signature is written in a cursive style with a large initial 'C'.

City Clerk



City of Richmond

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

Item Request File Number: PRE.2022.0574

O & R Request

DATE: March 1, 2023

EDITION:1

TO: The Honorable Members of City Council

THROUGH: The Honorable Levar M. Stoney, Mayor (Mayor, by Request)
(This is no way reflects a recommendation on behalf of the Mayor.)

THROUGH: J.E. Lincoln Saunders, Chief Administrative Officer

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

FROM: Kevin J. Vonck, Director, Department of Planning and Development Review

RE: To authorize the special use of the property known as 710 Lafayette Street for the purpose of a café with accessory retail, production, wholesale, and certain distribution uses, upon certain terms and conditions.

ORD. OR RES. No. ____

PURPOSE: To authorize the special use of the property known as 710 Lafayette Street for the purpose of a café with accessory retail, production, wholesale, and certain distribution uses, upon certain terms and conditions.

REASON: The applicant is requesting a Special Use Permit which would allow for a café with accessory retail, production, wholesale, and certain distribution uses, within an R 5 Single Family Residential District. The proposed is not permitted within the R-5 zone. A Special Use Permit is therefore required.

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.

BACKGROUND: The property is located in the Colonial Place neighborhood on Lafayette Street, between Kensington and Patterson Avenues. The property is currently a one-story, vacant, 1,200 sq. ft. building upon a (.05 acre) parcel of land. The building has a long history of commercial uses as do many of the properties along this portion of Lafayette Street.

The City's Richmond 300 Master Plan designates a future land use for the subject property as Residential. This designation is defined as a neighborhoods "...consisting primarily of single-family houses on large- or medium-sized lots more homogeneous in nature."

Intensity: Buildings are generally one to three stories. Lot sizes generally range up to 5,000 to 20,000+ sq. ft. Residential density of 2 to 10 housing units per acre.

Primary Uses: Single-family houses, accessory dwelling units, and open space.

Secondary Uses: Duplexes and small multi-family buildings (typically 3-10 units), institutional, and cultural. Secondary uses may be found along major streets. (54)

The current zoning for this property is R-5 Single Family Residential District. The surrounding land uses include primarily residential with some commercial uses specifically on Lafayette Street.

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: \$1,800 application fee

DESIRED EFFECTIVE DATE: Upon adoption

REQUESTED INTRODUCTION DATE: March 27, 2023

CITY COUNCIL PUBLIC HEARING DATE: April 24, 2023

REQUESTED AGENDA: Consent

RECOMMENDED COUNCIL COMMITTEE: None

CONSIDERATION BY OTHER GOVERNMENTAL ENTITIES: City Planning Commission
April 17, 2023

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: Draft Ordinance, Application Form, Applicant's Report, Plans, Survey, Map

STAFF: Jonathan Brown, Senior Planner, Land Use Administration (Room 511) 646-5734



Application for **SPECIAL USE PERMIT**

Department of Planning and Development Review
Land Use Administration Division
900 E. Broad Street, Room 511
Richmond, Virginia 23219
(804) 646-6304
<http://www.richmondgov.com/>

Application is hereby submitted for: (check one)

- special use permit, new**
- special use permit, plan amendment**
- special use permit, text only amendment**

Project Name/Location

Property Address: 710 Lafayette Street, Richmond, VA 23221 Date: September 21, 2022
Tax Map #: W0001873007 Fee: \$1800
Total area of affected site in acres: 0.05

(See **page 6** for fee schedule, please make check payable to the "City of Richmond")

Zoning

Current Zoning: 410: B General Retail/Service

Existing Use: Vacant. Previous use as beauty salon and office

Proposed Use

(Please include a detailed description of the proposed use in the required applicant's report)
The applicant would like to open and operate a coffee shop (food establishment), retail shop, and micro-coffee roastery.

Existing Use: Vacant. Most recent authorized use as a beauty salon and office

Is this property subject to any previous land use cases?

Yes

No

If Yes, please list the Ordinance Number:
Previous BZA: 1962-54, 1965-75, 1965-95, 1970-09, 1994-06, 1999-24, 2001-08

Applicant/Contact Person: Steven P. Dalton

Company: Reviresco Coffee LLC dba Reviresco Coffee Co.
Mailing Address: 2219 Ginter Street
City: Henrico State: VA Zip Code: 23228
Telephone: (804) 840-5727 Fax: ()
Email: steven.dalton@revirescocooffee.com

Property Owner: Spotts & Brown Inc.

If Business Entity, name and title of authorized signee: _____

(The person or persons executing or attesting the execution of this Application on behalf of the Company certifies that he or she has or have been duly authorized and empowered to so execute or attest.)

Mailing Address: P.O. Box 14529
City: Richmond State: VA Zip Code: 23221
Telephone: (804) 358-4273 Fax: (804) 355-0472
Email: _____

Property Owner Signature: [Signature]

The names, addresses, telephone numbers and signatures of all owners of the property are required. Please attach additional sheets as needed. If a legal representative signs for a property owner, please attach an executed power of attorney. **Faxed or photocopied signatures will not be accepted.**

NOTE: Please attach the required plans, checklist, and a check for the application fee (see Filing Procedures for special use permits)

**REVIRESCO COFFEE
SUP APPLICATION**

710 Lafayette Street, Richmond, VA

Applicant's Report

Page 02

Project Summary:

As a local coffee roasting company desiring to have an established presence within the Richmond community, Reviresco Coffee is seeking to transform the existing building located at 710 Lafayette Street into an establishment for a small café, retail sales of coffee and baked goods, and the company's coffee roasting operations. The extents of the existing building are to remain, with no expansions or additions planned to be made. Additionally, no modifications are proposed to be made to the exterior of the building.

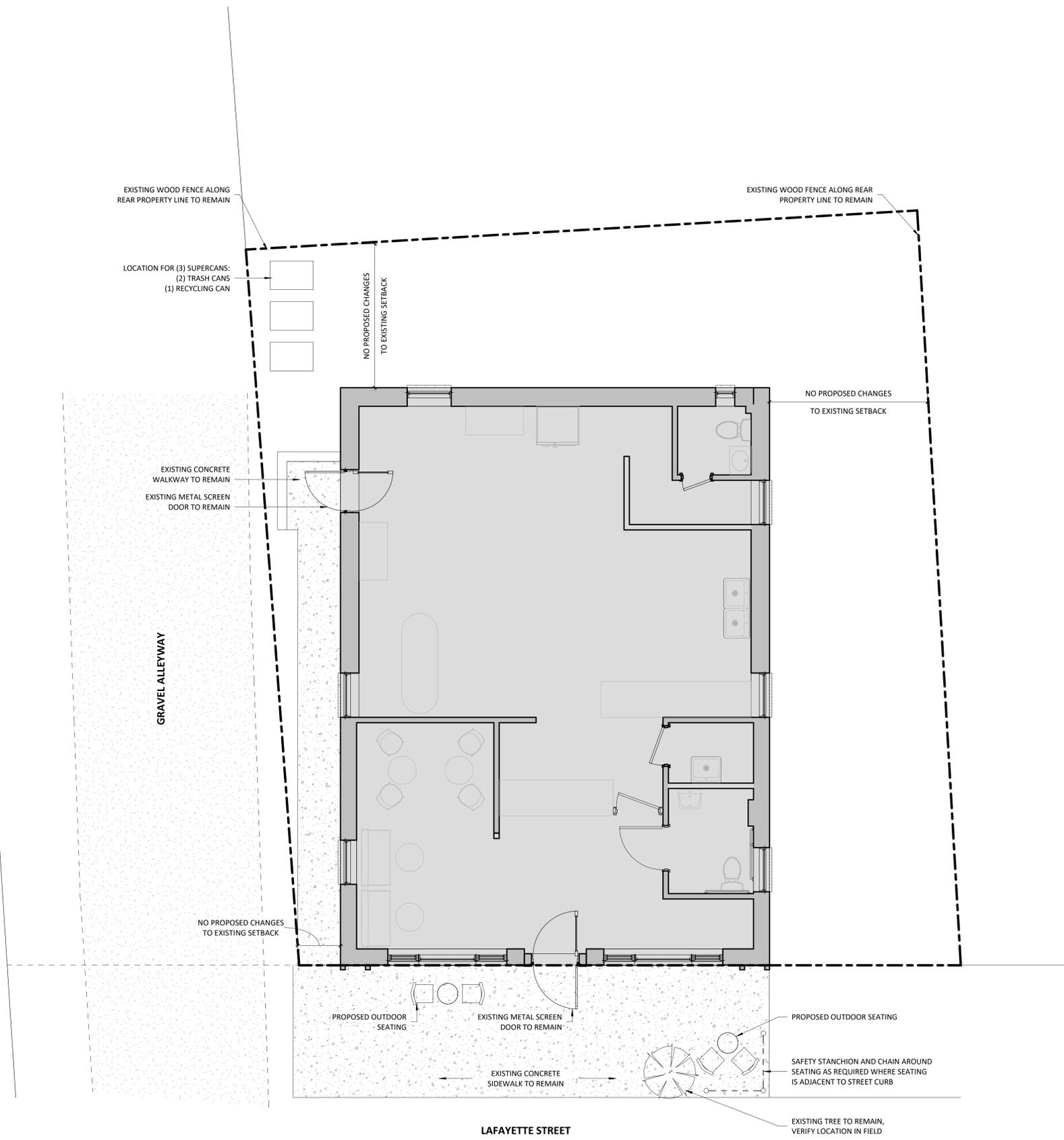
The front portion of the interior of the building will contain a small seating area for customers, including a sales counter for the sale of Reviresco coffee and baked goods. A public restroom will also be provided within the café and retail sales area. The rear of the building will contain the coffee roaster and associated equipment for the roasting operation and ancillary supply storage. An existing toilet room at the rear of the building is to remain for staff.

Outdoor seating along the building storefront, as indicated on the proposed site plan, is desired and proposed for additional seating for patrons.

Up to four (4) employees are anticipated. The proposed days of operation are Monday thru Saturday. Employee hours range from 6:00 AM – 8:00 PM. Initial hours open to the public are from 7:00 AM – 2:00 PM, which may be reconsidered and adjusted gradually pending customer demand.

- A. It is the hope of Reviresco Coffee to be a positive addition to the community, and seeks to be a helpful in serving the community through providing a desired service to this neighborhood. Discussions with local residents indicate enthusiasm and a desire for a local coffee roastery and café.
- B. Given the existing square footage of the space, the café and sales area are intended to serve a limited number of customers at a time. Within this block of Lafayette Street, this is the only building facing Lafayette Street. As such, the surrounding area has ample opportunities for street parking, and it is not anticipated to overburden available parking spaces along the street. The outdoor seating area is also intended to only serve a select number of customers at a time, and will not overcrowd the sidewalk from passersby.
- C. The roaster being used is a small, commercial roaster with a capacity of roasting about 13 pounds of coffee at a time. In operation, the roaster functions similar to a gas oven, and does not have any open flames. As such, the roasting operation and other intended uses of the building pose little risk of hazards to the public and customers to the space. The building contains adequate exits in the case of an emergency.

- D. No proposed additions or expansions to the existing building are proposed. Therefore, the existing lot coverage is to remain, and will not impact the existing lot or amount of open space provided. Additionally, no permanent residents will be located at this building, and the proposed use will not affect the concentration of the population.
- E. The proposed use and project do not include permanent residents. The increased load to public schools, transportation, parks, and other public amenities is therefore not applicable. The water usage and trash requirements proposed would be in-kind to previous uses of the building, and is in similar capacity to the residential neighborhood in which it is located, and would not cause increased or undue capacity on public utilities.
- F. No proposed additions or expansions to the existing building are proposed. The proposed use will therefore not result in any changes to the existing percent of open space and light emittance to the lot. The coffee roaster utilizes a self-contained exhaust system and possesses a stove pipe chimney. The chimney is intended to be installed on the alley-side of the building, extend upward past the building's roof and exhaust above the roof line and not toward neighboring properties.

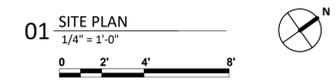


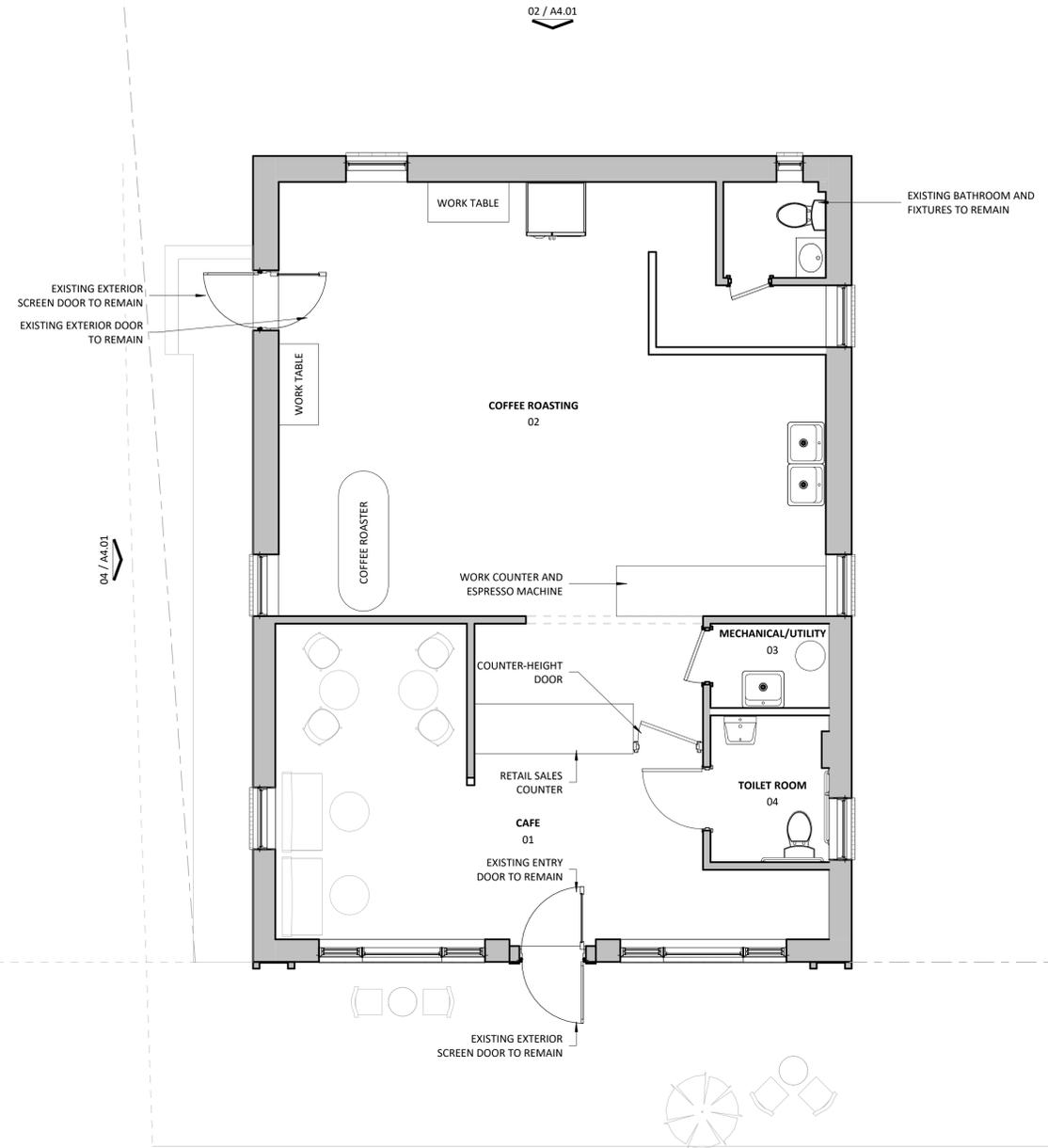
ZONING REVIEW

ZONING DISTRICT	R-5 RESIDENTIAL
PROPOSED USE	COFFEE ROASTERY PROVIDING RETAIL, INTERNET, AND BULK SALES OF FRESHLY ROASTED COFFEE. CAFE SPACE FOR IN-STORE CUSTOMER SEATING.
REQUIRED SETBACKS	ALL EXISTING SETBACKS ARE TO REMAIN. NO PROPOSED CHANGES TO EXISTING BUILDING FOOTPRINT.
LOT COVERAGE	EXISTING LOT COVERAGE TO REMAIN. NO PROPOSED CHANGES TO EXISTING BUILDING FOOTPRINT OR EXISTING LOT COVERAGE.

PLAN LEGEND

	EXISTING TO BE DEMOLISHED
	EXISTING TO REMAIN





PLAN LEGEND
 [---] EXISTING TO BE DEMOLISHED
 [---] EXISTING TO REMAIN

01 FIRST FLOOR PLAN
 1/4" = 1'-0"
 0 2' 4' 8'





03 NORTH ELEVATION
1/4" = 1'-0"

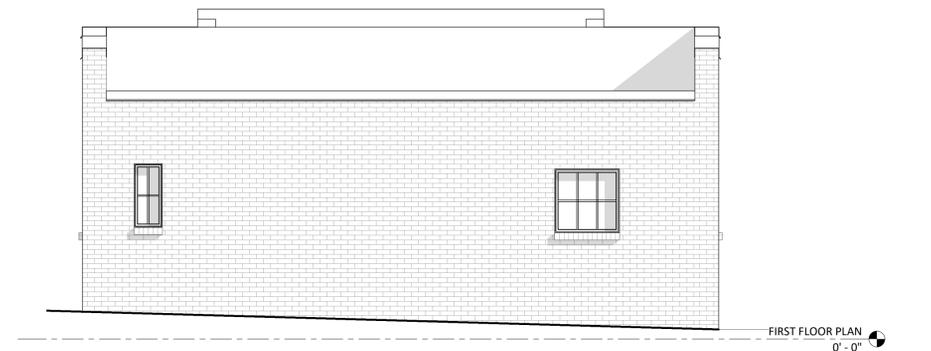


01 EAST ELEVATION
1/4" = 1'-0"

GENERAL NOTE:
NO CHANGES OR MODIFICATIONS ARE PROPOSED TO THE EXTERIOR. EXTERIOR ELEVATIONS OF EXISTING CONDITIONS TO REMAIN ARE INCLUDED FOR REFERENCE ONLY.



04 SOUTH ELEVATION
1/4" = 1'-0"

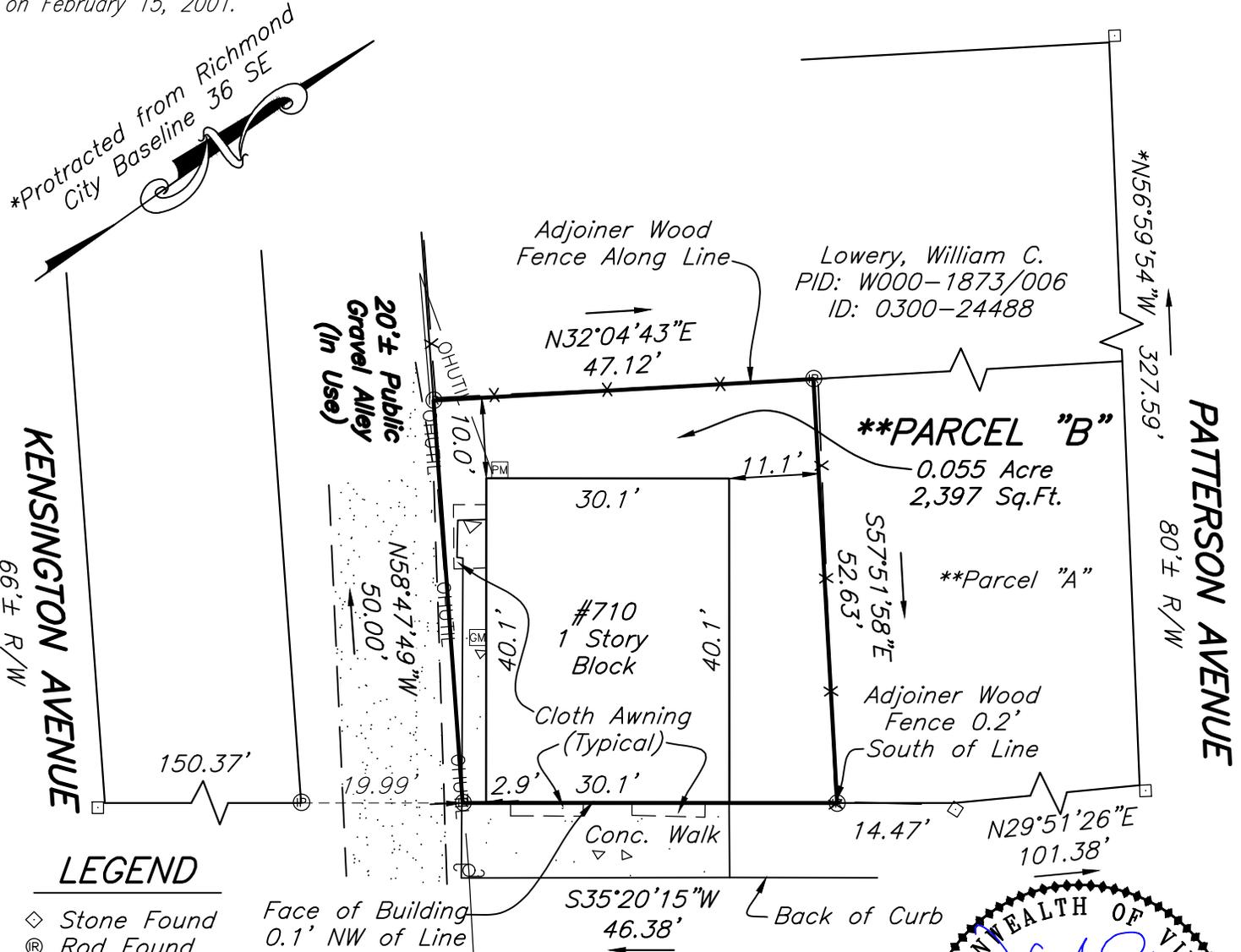


02 WEST ELEVATION
1/4" = 1'-0"

This is to certify that this plat or map was prepared under my direction from an actual field survey performed on 06/16/2021 without the benefit of a title report. Unless otherwise noted, to the best of my knowledge and belief all visible evidence of improvements, easements and apparent encroachments are shown hereon. Not all easements may be shown.

This property is in FEMA Defined Flood Zone 'X' per FIRM No.: 5101290028D effective date 04/02/2009.

**As shown on plat entitled "Plat Showing *2 Parcels of land located At the Southwest Corner of Patterson Avenue And Lafayette St. - Richmond, Va." by Balzer & Associates on January 19, 2001 and recorded in ID: 0100-03767 on February 15, 2001.



LEGEND

- ◇ Stone Found
- Ⓡ Rod Found
- Ⓟ Pipe Found
- PM Power Meter
- GM Gas Meter
- Ⓢ Utility Pole

Face of Building
0.1' NW of Line

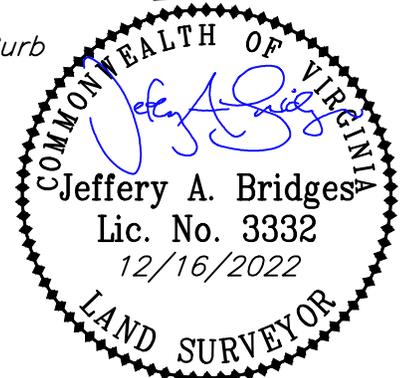
Current Owner:

Spotts and Brown, Inc.
PID: W000-1873/007
DB: 363, Pg: 1486

REV DATE: 12/16/20222
Title Correction
DATE: 06/16/2021
SCALE: 1"=20'
JOB NO.: 55210224.MS
DRAWN BY: NWD
CHECKED BY: JAB

LAFAYETTE STREET
VARIABLE WIDTH R/W

IMPROVEMENTS ON
****PARCEL "B"**
ALSO KNOWN AS
#710 LAFAYETTE STREET
CITY OF RICHMOND, VIRGINIA



PLANNERS / ARCHITECTS / ENGINEERS / SURVEYORS
ROANOKE / RICHMOND / NEW RIVER VALLEY / STAUNTON / HARRISONBURG / LYNCHBURG
15871 City View Drive, Suite 200 / Midlothian, Virginia 23113 / Phone (804) 794-0571 / www.balzer.cc

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