



CITY OF RICHMOND

Department of Planning & Development Review *Staff Report*

Ord. No. 2024-086: To authorize the special use of the property known as 2727 West Broad Street for the purpose of a restaurant use with a nightclub that is open until 2:00 a.m., upon certain terms and conditions.

To: City Planning Commission
From: Land Use Administration
Date: April 2, 2024

PETITIONER

Brandon Peterson, Sabai, LLC
Representative of the property owner

LOCATION

2727 West Broad Street

PURPOSE

The applicant requests a Special Use Permit to authorize a nightclub use in addition to a restaurant establishment. The proposed entertainment activities, hours of operation, and alcohol sales past 12:00 a.m. (midnight) are considered, by the Zoning Ordinance, to be nightclub activities. The property is zoned B-5 Central Business District. The proposed nightclub use would be operated in addition to the existing restaurant (known as Sabai), operations detailed by the Applicant's Report.

The report indicates that live music and dancing will be provided until 2am. The applicant proposes operating the nightclub use between 12:00AM to 2:00AM Friday and Saturday. Additional shows may be provided during the week or Sundays, but not on a regular basis. The Applicant indicates primary entrance for the night club use will take place to the rear of the building and will not interfere with parking or public sidewalk. The Applicant describes staff that will monitor patrons including 3 security guards and 2 managers at all times. City Building Code and Fire Marshal Staff have reviewed the plans and inspected the space and provided the Applicant with any needed improvements to meet such requirements.

SUMMARY & RECOMMENDATION

The City's Richmond 300 Master Plan designates a future land use for the subject property as Destination Mixed-Use. Staff has reviewed the application and finds the proposal is generally consistent with the designation, which supports retail as a primary use, and a mix of complementary uses in this district. Staff find the master plan supports the proposed nightclub use, which is considered complementary to a dense urban environment.

Staff finds that, with the ordinance conditions, the safeguards contained within the City Charter, relative to the granting of Special Use Permits, are met by the proposal. Staff finds that the proposed use would not be detrimental to the general welfare of the community involved, would not create congestion in the streets in the area involved, and would not create hazards, overcrowding of land, or interfere with public requirements and adequate light and air.

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

FINDINGS OF FACT

Site Description & Surrounding Area

The property is in the Fan neighborhood situated on a block bounded by West Broad Street, North Mulberry Street, and North Arthur Ashe Boulevard. The property is currently an existing restaurant and night club on a 12,190 sq. ft. (0.28 acre) parcel.

The City's Richmond 300 Master Plan designates a future land use for the subject property as Destination Mixed-Use, which is defined as "Key gateways featuring prominent destinations, such as retail, sports venues, and large employers, as well as housing and open space. Located at the convergence of several modes of transportation, including Pulse BRT or other planned transit improvements."

Proposed Use of the Property

The existing restaurant and recreational/entertainment (music venue) proposes nightclub use within the existing establishment, from 12:00AM to 2:00AM

Master Plan

The Richmond 300 Master Plan designates the future land use of the subject property as Destination Mixed-Use, which is defined as, "key gateways featuring prominent destinations, such as retail, sports venues, and large employers, as well as housing and open space, located at the convergence of several modes of transportation, including Pulse BRT or other planned transit improvements."

Development Style: Higher density, transit-oriented development encouraged on vacant or underutilized sites. New development should be urban in form, may be of larger scale than existing context, and, where relevant, should pay special attention to the historic character of the existing context. Development should enhance the public realm and create a sense of place. Many buildings are vertically mixed-use. Developments continue or introduce a gridded street pattern to increase connectivity.

Ground Floor: Ground floor uses engage with, and enliven, the street. Monolithic walls are discouraged, while windows, doors, storefronts, and other features that allow transparency and interaction between building and street are encouraged. Active commercial ground floor uses are required on street-oriented commercial frontages.

Mobility: Pedestrian, bicycle, and transit access are prioritized and accommodated. Bike parking is provided. Driveway entrances are required to be off alleys whenever possible; new driveways are prohibited on priority and principal street frontages. Surface parking is prohibited as a principal use; when surface parking is provided as an accessory use, it should be located to the rear of buildings and screened. Parking requirements are reduced to allow more market-based parking strategies, including shared parking.

Intensity: Buildings typically a minimum height of five stories.

Primary Uses: Retail/office/ personal service, multi-family residential, cultural, and open space.

Secondary Uses: Institutional and government

Zoning

A special use permit is required to extend music, dancing, entertainment activities until 2 am.

Ordinance Conditions

If adopted, the Special Use Permit would impose special conditions on the property, including:

- The Special Use of the Property shall be as a restaurant use with a nightclub that is open until 2:00 a.m., substantially as shown on the Plans.
- No fewer than 12 off-street parking spaces shall be provided for the Special Use, substantially as shown on the Plans.
- All site improvements shall be substantially as shown on the Plans.
- All mechanical equipment serving the Property shall be located or screened so as not to be visible from any public right-of-way.
- Outdoor dining on the Property shall be for the purpose of dinner service related to the restaurant use and shall only be in operation between the hours of 7:00 a.m. and 12:00 a.m. The outdoor dining area shall be limited to the extent shown on the Plans.
- Signs on the Property shall be limited to (i) signs permitted in all districts pursuant to section 30-505 of the Code of the City of Richmond (2020), as amended, (ii) signs permitted in the underlying zoning district, and (iii) one roof-mounted sign with an area no greater than 12 square feet.
- Hours of operation of the nightclub use shall be from 12:00 a.m. until 2:00 a.m. and the nightclub use shall not operate between the hours of 2:00 a.m. to 6:00 a.m.
- Operation of the nightclub use permitted by this Special Use permit does not constitute an exemption to providing sound control; the nightclub use shall be conducted strictly in accordance with Chapter 11, Article II of the Code of the City of Richmond (2020), as amended.
- A management plan detailing operation of the nightclub use, pursuant to section 30-1045.6(5) of the Code of the City of Richmond (2020), as amended, shall be submitted to the Zoning Administrator prior to establishing the nightclub use on the Property

Neighborhood Participation

Staff notified area residents and property owners, as well as the Fan District Association, Historic West Grace Street Association, and Fan Area Business Alliance. Staff has received no written comments regarding the application.

Staff Contact:

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