

INTRODUCED: July 28, 2025

AN ORDINANCE No. 2025-166

To amend and reordain Ord. No. 2014-226-207, adopted Nov. 10, 2014, as previously amended by Ord. No. 2017-187, adopted Oct. 9, 2017, which authorized the special use of the property known as 707 East Main Street for the purpose of the installation of one new roof sign, to authorize residential uses, upon certain terms and conditions. (6th District)

Patron – Mayor Avula (By Request)

Approved as to form and legality
by the City Attorney

PUBLIC HEARING: SEP 8 2025 AT 6 P.M.

THE CITY OF RICHMOND HEREBY ORDAINS:

I. That Ordinance No. 2014-226-207, adopted November 10, 2014, as previously amended by Ordinance No. 2017-187, adopted October 9, 2017, be and is hereby amended and reordained as follows:

WHEREAS, the owner of the property known as 707 East Main Street, which is situated in a B-4 Central Business District, desires to use such property for the ~~[purpose]~~ purposes of installing one new roof sign and residential use, which ~~[sign]~~ uses, among other things, ~~[is]~~ are not currently allowed by ~~[section]~~ sections 30-440.1, concerning permitted principal and accessory

AYES: 9 NOES: 0 ABSTAIN: _____

ADOPTED: SEP 8 2025 REJECTED: _____ STRICKEN: _____

uses, 30-440.7, concerning building façade fenestration, and 30-516, concerning signs permitted in the B-4 district, of the Code of the City of Richmond [(2015)] (2020), as amended; and

WHEREAS, in accordance with section 17.11 of the Charter of the City of Richmond [(2010)] (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 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 [(2015)] (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 amendatory ordinance, the property known as 707 East Main Street and identified as Tax Parcel No. W000-0011/014 in the [2017] 2025 records of the City Assessor, being more particularly shown on a survey entitled [~~“ALTA/ACSM Land Title Survey of Three Parcels of Land Containing 0.726 Acres and Located at the Corner of Main Street, 8th Street & Cary Street, City of Richmond, Virginia,” prepared by Youngblood, Tyler & Associates, P.C., and dated October 17, 2007]~~ “Eighth & Main Mixed-Use, Existing Conditions,” prepared by Balzer & Associates, and dated February 26, 2025, a copy of which is attached to and made a part of [~~Ordinance No. 2014-226-207, adopted November 10, 2014]~~ this amendatory ordinance, hereinafter referred to as “the Property,” is hereby permitted to be used for the [~~purpose~~] purposes of installing one new roof sign and residential uses, hereinafter referred to as “the Special Use,” substantially as shown on the plans entitled “Dominion Energy, Signage Recommendations, 8th & Main – Richmond, 707 East Main Street, Richmond, VA,” prepared by ssg., dated February 23, 2017, and last revised April 3, 2017, copies of which are attached to and made a part of Ordinance No. 2017-187, adopted October 9, 2017, and “Eighth & Main Mixed-Use, 707 E Main St., Richmond, VA 23219,” prepared by Fillat+ Architecture, and dated February 28, 2025, hereinafter referred to, collectively, as “the Plans,” copies of which are attached to and made a part of this amendatory ordinance.

(b) The adoption of this amendatory 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 amendatory 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 amendatory 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) One roof sign shall be installed on the Property and shall be mounted on the roof above the west face of the building, substantially as shown on the Plans.

(b) The roof signage shall not exceed an area of 335 square feet. The height of the sign shall not exceed 13 feet and the width of the sign shall not exceed 36 feet. All roof signage shall be substantially configured and arranged as shown on the Plans.

(c) Materials and colors for the roof signs shall be substantially as shown on the Plans.

(d) The roof signs shall be internally illuminated substantially as shown on the Plans.

(e) Residential uses shall be a permitted principal use on the ground floor. No principal use other than residential uses shall be required on the ground floor of the building along the Main Street frontage, substantially as shown on the Plans.

(f) Operable windows shall not be required for the Special Use.

§ 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, shall be approved by the Director of Public Utilities prior to the issuance of building permits.

(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 [~~(2015)~~] (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 [~~(2015)~~] (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 [~~(2015)~~] (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 [~~(2015)~~] (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 or when the Special Use of the Property as authorized by this ordinance is abandoned for a period of 730 consecutive calendar days, 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.

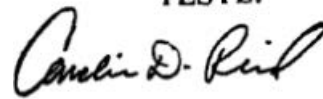
§ 6. **Implementation.** The [~~Commissioner of Buildings~~] Zoning Administrator is authorized to issue a [~~building permit substantially in accordance with the Plans~~] certificate of zoning compliance for the Special Use subject to the terms and conditions set forth in this amendatory ordinance. An application for the [~~building permit~~] certificate of zoning compliance shall be made within [~~730~~] 1,096 calendar days following the date on which this amendatory ordinance becomes effective. If [~~either~~] the application for the [~~building permit~~] certificate of zoning compliance 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~~
amendatory 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.

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

A TRUE COPY:
TESTE:

A handwritten signature in cursive script, appearing to read "Camille D. Rind".

City Clerk

City of Richmond

Intracity Correspondence

O&R Transmittal

DATE: May 20, 2025

TO: The Honorable Members of City Council

THROUGH: The Honorable Dr. Danny Avula, Mayor (by request)
(This in no way reflects a recommendation on behalf of the Mayor)

THROUGH: Odie Donald II, Chief Administrative Officer

THROUGH: Sharon L. Ebert, DCAO for Economic Development and Planning

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

RE: To amend and reordain Ord. No. 2014-226-207, adopted Nov. 10, 2014, as previously amended by Ord. No. 2017-187, adopted Oct. 9, 2017, which authorized the special use of the property known as 707 East Main Street for the purpose of the installation of one new roof sign, to authorize residential uses, upon certain terms and conditions.

ORD. OR RES. No. _____

PURPOSE: The applicant is requesting to amend Ord. 2017-187 authorizing the special use of the property known as 707 E. Main Street in order to facilitate the redevelopment of the existing office building into hotel and multi-family residential uses. The B-4 Central Business District, where the property is located, allows hotel and multi-family residential as permitted uses. The proposed redevelopment requests relief from the zoning requirement for operable windows for residential uses as well from the restrictions regarding residential uses on the ground floor.

BACKGROUND: The property is located on the southwest corner of East Main Street and South 8th Street. The property is 131 feet wide and contains 30,362 square feet. The City's Richmond 300 Master Plan designates a future land use for the subject property as Downtown Mixed-Use. This designation is described as featuring high-density development with office buildings, residential buildings, and a mix of complementary uses including regional destinations in a highly walkable urban environment.

Intensity: Buildings heights are typically a minimum height of five stories. (p. 92)

All of the properties in the vicinity are located in the B-4 Central Business District.

COMMUNITY ENGAGEMENT: The Downtown Neighborhood Association was notified of the application; additional community notification will take place after introduction.

STRATEGIC INITIATIVES AND OTHER GOVERNMENTAL: Richmond 300 Master Plan

FISCAL IMPACT: \$800 application fee.

DESIRED EFFECTIVE DATE: Upon adoption

REQUESTED INTRODUCTION DATE: July 28, 2025

CITY COUNCIL PUBLIC HEARING DATE: September 8, 2025

REQUESTED AGENDA: Consent

RECOMMENDED COUNCIL COMMITTEE: Planning Commission August 19, 2025

AFFECTED AGENCIES: Office of Chief Administrative Officer

Law Department (for review of draft ordinance)

RELATIONSHIP TO EXISTING ORD. OR RES.: None

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

STAFF:

David Watson, Senior Planner, Land Use Administration (Room 511) 646-1036

**SPECIAL LIMITED POWER OF ATTORNEY
LAND USE APPLICATIONS**

KNOW ALL MEN BY THESE PRESENTS, that the undersigned is authorized on behalf of Jemal's Dominion, LLC, has made, constituted and appointed, and by these presents do hereby make, constitute and appoint **JENNIFER D. MULLEN** or **JARED ANDERSON**, either of whom may act, our true and lawful attorney-in-fact ("Attorney"), to act as our true and lawful attorney-in-fact in our name, place and stead with such full power and authority we would have, if acting personally, to file all such applications required by the City of Richmond, Virginia (the "City"), with respect to that certain real property currently under contract the undersigned, such real estate being located in the City of Richmond, commonly known as situated along 707 E. Main Street (the "Property"), including, but not limited to, an application for a special use permit for the Property. Our said Attorney is also authorized and directed to sign, seal, acknowledge and deliver all such documentation and consents as required for the special use permit and related land use applications, and to do, execute and perform all and every other act or acts, thing or things in law needful and necessary to be done as required for such applications and related to the Property, as fully as we might or could do if acting personally.

The undersigned hereby confirm all lawful acts done by our Attorney pursuant to this Special Limited Power of Attorney. We further declare that as against ourselves or persons claiming under us, everything which our Attorney shall do pursuant to this Special Limited Power of Attorney shall be valid and binding in favor of any person or entity claiming the benefit hereof who has not received actual written notice that this Special Limited Power of Attorney has been revoked.

This Special Limited Power of Attorney has been executed pursuant to due authorization as of the date first above written.

Jemal's Dominion, LLC

By: _____

Name: _____

Title: _____

District of Columbia

STATE OF _____,

CITY/COUNTY OF _____, To-wit:

This instrument was acknowledged before me in the above-stated jurisdiction this 15 day of April, 2025 by Norman Judd, the Managing Member of Jemal's Dominion, LLC, a Virginia limited liability company, on behalf of the company.

Notary Public

My commission expires: 8-31-27

~~Notary registration no.:~~ _____



April 16, 2025

Planning and Development Review
900 East Broad Street, Room 511
Richmond, VA 23219

Jennifer D. Mullen
Richmond Office
(804)977-3374
jmullen@rothjackson.com

Re: Special Use Permit Application 707 E. Main Street

To Whom It May Concern:

This letter shall serve as the applicant's report accompanying a request for a special use permit for the property located at 707 E. Main Street, identified as Tax Map Number W0000011014 (the "Property"). This firm represents the owner of the Property. The Property is currently zoned B-4 as are the surrounding properties. The Property is currently improved with a 20-story building originally designed as office space.

The applicant proposes to repurpose the existing building with uses permitted in the underlying zoning district and requests a special use permit to (1) waive the feature requirement for operable windows to be included within a fixed window system for the portion of the building used for residential purposes and (2) waive the requirement for principal uses other than residential on the ground floor of the building along the entire Main Street frontage a minimum of 20' depth.

The building is being repurposed for hotel and multifamily use, both of which are permitted in the B-4 District. The building qualifies for historic tax credits and a key piece of the historic nature of the building is the fixed window system which does not have operable windows as required for the portion of the building used for multifamily purposes. The other portion of the building will be used for hotel purposes, with a restaurant and lounge on the ground floor through the main building entrance. The grade drops significantly heading east along the Main Street frontage, which has a retaining wall adjacent to the sidewalk. This elevated portion of the building will be the residential lobby and lounge area on the ground floor maintaining visual consistency along the Main Street frontage and active uses, however the residential side of the building does not have a separate commercial use on the ground floor.

Richmond 300 Plan Designation

The Richmond 300 Plan recommends Downtown Mixed-Use for the Property. The Property is also located within the Downtown Core, a priority growth node. The proposed use is consistent with the goals for the Richmond 300 in the Downtown Core to transition from a primarily office district to an 18-hour district with a mix of uses, including residential. The request for the waiver of feature requirements would permit a historic building to be adapted for residential purposes, while maintaining active ground floor uses to enliven Main Street. The building will continue to have a mix of uses with ground floor retail, hotel and residential uses on the upper floors, all supporting a diverse economy downtown and more activity after traditional office hours.

{01710590;v1}

RICHMOND

1519 Summit Avenue, Suite 102, Richmond, VA 23230

P: 804-441-8440 F: 804-441-8438

TYSONS CORNER

8200 Greensboro Drive, Suite 820, McLean, VA 22102

P: 703-485-3535 F: 703-485-3525

Findings of Fact

The following are factors included in Section 17.11 of the Charter and Section 30-1050.1 of the Zoning Ordinance relative to the approval of special use permits by City Council. The proposed amendment to the SUP will not:

- **Be detrimental to the safety, health, morals and general welfare of the community involved.**
The proposed SUP will not impact the safety, health, morals and general welfare of the community involved. The proposed SUP is in line with the goals and priorities of the Richmond 300.
- **Tend to create congestion in streets, roads, alleys and other public ways and places in the area involved.**
The Property is situated within the Downtown Core, which is a highly walkable neighborhood and in close proximity to the Pulse and regular bus routes, in addition to bicycle infrastructure. The SUP is requested for feature waivers only, the uses are permitted within the B-4 District, therefore the SUP will not create congestion on streets, roads, alleys or any other public right of way.
- **Create hazards from fire, panic or other dangers.**
The property will be developed in a manner consistent with the requirements of the building code and in accordance with the requirements of Fire and Emergency Services. The City's codes applicable to this development are designed to eliminate such hazards.
- **Tend to overcrowding of land and cause an undue concentration of population.**
The proposed SUP only authorizes a waiver of feature requirements, the residential and hotel uses are permitted within the B-4 District.
- **Adversely affect or interfere with public or private schools, parks, playgrounds, water supplies, sewage disposal, transportation or other public requirements, conveniences and improvements.**
The proposed SUP would not adversely affect the above referenced City services. To the contrary, the proposal would provide positive fiscal (tax) benefits that would enhance the City's ability to provide these services to the proposed development.
- **Interfere with adequate light and air.**
The light and air available to the subject and adjacent properties will not be adversely affected as the building currently exists and is being rehabilitated for internal use.

Thank you for your time and consideration of this request. Should you have any further questions about this request, please do not hesitate to contact me.

Sincerely,



Jennifer D. Mullen

Enclosure

{01710590;v1}

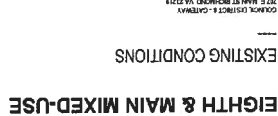


RICHMOND

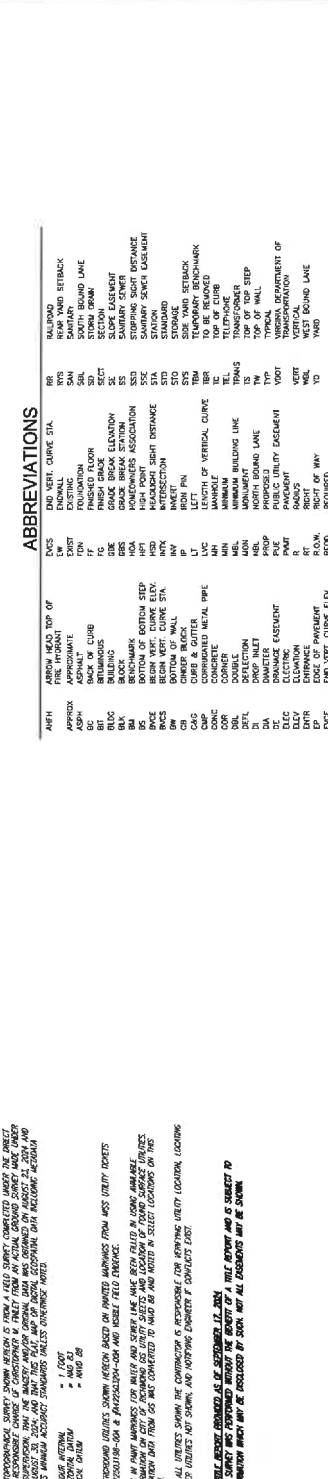
1519 Summit Avenue, Suite 102, Richmond, VA 23230
P: 804-441-8440 F: 804-441-8438

TYSONS CORNER

8200 Greensboro Drive, Suite 820, McLean, VA 22102
P: 703-485-3535 F: 703-485-3525



CO2

[illegible]CITY OF RICHMOND PROJECTS
CITY OF RICHMOND UTILITIES

THE TOPOGRAPHICAL SURVEY SHOWN HEREON IS FROM A FIELD SURVEY COMPLETED UNDER THE DIRECT AND RESPONSIBLE CHARGE OF CHRISTOPHER W. FINLEY FROM AN ACTUAL GROUND SURVEY MADE UNDER HIS SUPERVISION. THAT THE IMAGE AND/OR ORIGINAL DATA WAS OBTAINED ON AUGUST 21, 2024 AND ON AUGUST 30, 2024; AND THAT THIS PLAN, MAP OR DIGITAL GEOSPATIAL DATA INCLUDING METADATA IS AN ADEQUATE ACCURACY STANDARD THATS NOT OTHERWISE NOTED.

ADDITIONAL UTILITIES SHOWN HEREON BASED ON PRINTED MAPS FROM MISS UTILITY TICKETS
14627501198-00A & 14627501204-00A AND MISSILE FIELD ENTRANCE.

SLIPS IN PAINT MARKINGS FOR WATER AND SEWER LINE HAVE BEEN FILLED IN USING AVAILABLE INFORMATION ON CITY OF RICHMOND GAS UTILITY SHEETS AND LOCATION OF FOUND SURFACE UTILITIES. INFORMATION DATA FROM GAS WAS CONVERTED TO MAID BE AND NOTED IN SELECT LOCATIONS ON THIS PLAN.

NOT ALL UTILITIES SHOWING THE CONTRACTOR IS RESPONSIBLE FOR VERIFYING UTILITY LOCATION. LOCATING OTHER UTILITIES NOT SHOWN, AND NOTING ENGINEER IF CONFLICTS EXIST.

THE JOURNAL OF THE AMERICAN MEDICAL ASSOCIATION
PUBLISHED WEEKLY
535 N. Dearborn Ave., Chicago, Ill. 60610-5412
Subscription Service Department
Second-class postage paid at Chicago, Ill.
Postmaster: Send address changes in U.S.A. to JOURNAL OF THE AMERICAN MEDICAL ASSOCIATION, 535 N. Dearborn Ave., Chicago, Ill. 60610-5412. Outside U.S.A.: The British Medical Association, 11, St Andrews Place, Regents Park, London, N.W.1, England.
Acceptance for mailing at special rate of postage provided for in U.S. Mail Act of October 3, 1917, authorized on July 17, 1968.
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Subscription prices: U.S.A. and possessions, \$12.00 per year in advance; Canada, \$14.00; elsewhere, \$16.00. Single copies, 50¢. Payment in advance. Please allow 4-6 weeks for change of address. Second-class postage paid at Chicago, Ill.
Printed in the U.S.A.

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**City of Richmond
Department of Planning
& Development Review**

Special Use Permit

LOCATION: 707 E. Main Street

APPLICANT: Phillip Gardiner, Douglas Development

COUNCIL DISTRICT: 6

PROPOSAL: To authorize the special use of the properties known as 707 E. Main Street for the purpose of residential uses, upon certain terms and conditions.

*For questions, please contact David Watson
at 804-646-1036 or David.Watson@rva.gov*

