



CITY OF RICHMOND

Department of Planning & Development Review *Staff Report*

Ord. 2024-089: To authorize the special use of the property known as 3001 West Leigh Street for the purpose of a mixed-use building with outdoor dining, upon certain terms and conditions. (2nd District)

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

PETITIONER

Patrick Phelan

LOCATION

3001 West Leigh Street

PURPOSE

The applicant is requesting a Special Use Permit to authorize a mixed-use building with outdoor dining, which use, among other things, is not currently allowed by section 30-446.2, concerning permitted principal and accessory uses, of the Code of the City of Richmond. Therefore, a special use permit is requested.

SUMMARY & RECOMMENDATION

Staff finds that the requested use is consistent with the recommendations for the Industrial Mixed-Use designation in the Richmond 300 Master Plan, as well as the character of the surrounding 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 authorizing outdoor dining.

FINDINGS OF FACT

Site Description

The property is in the Scott's Addition neighborhood situated on a block bounded by Altamont Avenue, Summit Avenue, West Clay Street, and West Leigh Street. The property is currently a 21,693 square foot (0.498 acre) parcel of land that contains an existing 5-story mixed-use structure. The current zoning for the property is B-7 Mixed-Use Business District.

Proposed Use of the Property

The proposed outdoor patio will contain approximately 20 seats and will not encroach into the public right-of-way. The hours of operation will be from noon until 10:00PM. There shall be no

outdoor live music. The existing lighting on the site authorized under the building permit shall remain unchanged.

Master Plan

The Richmond 300 Master Plan designates the area where the proposed use is located as Industrial Mixed-Use. These uses are described as formerly traditional industrial areas that are transitioning to mixed-use because of their proximity to growing neighborhoods and changes in market conditions. These areas may still retain some light industrial use.

Development Style: A mix of building types with low-scale, post-industrial buildings that are adapted for a new use are adjacent to new taller residential and/or office buildings. These areas allow "maker uses" to continue while encouraging more individuals to live, work, and play in the area. Buildings should have street-oriented façades with windows and door openings along street frontages. New light industrial uses are compatible with residential and office uses and are attractively buffered. New 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. New driveway entrances are prohibited on priority and principal street frontages and minimal driveway entrances are allowed on secondary streets. Vehicular access to parcels should use alleys where possible. Loading for trucks must be provided off-street. Parking lots and parking areas should be located to the rear of street-facing buildings.

Intensity: Medium- to high-density, three to eight stories.

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

Secondary Uses: Institutional and government.

Zoning and Ordinance Conditions

The subject property is currently located in the B-7 Mixed-Use Business District. Outdoor dining is not permitted in this district if it is located within 100 feet of a residential district.

If approved, this special use permit will be subject to terms and conditions, including:

- The Special Use of the Property shall be as a mixed-use building with outdoor dining, substantially as shown on the Plans.
- No off-street parking shall be required for the Special Use.
- The Property shall not be used for outdoor dining before 11:00 a.m. or after 11:00 p.m. Occupancy of the outdoor dining area shall not exceed 20 persons or the maximum capacity allowed by the Virginia Uniform Statewide Building Code, whichever is less.
- No live music shall be permitted in the outdoor dining area.
- All materials and site improvements shall be substantially as shown on the Plans.

Surrounding Area

The adjacent properties located to the south, east and west are in the same R-7 Single-And-Two-Family Urban Residential district as the subject property. Properties to the north, across West Leigh Street, are in the R-6 Single-Family Attached Residential District.

Neighborhood Participation

Staff notified the Greater Scott's Addition Association and area residents and property owners. The city has received no letters regarding this request.

Staff Contact: David Watson, Planner, PDR, Land Use Administration, 804-646-1036