



CITY OF RICHMOND

Department of Planning & Development Review *Staff Report*

Ord. No. 2017-153: To authorize the conditional use of the property known as 700 East Main Street for the purpose of authorizing a nightclub, upon certain terms and conditions.

To: City Planning Commission
From: Land Use Administration
Date: September 5, 2017

PETITIONER

700 Main, LLC

LOCATION

700 East Main Street

PURPOSE

To authorize the conditional use of the property known as 700 East Main Street for the purpose of authorizing a nightclub, upon certain terms and conditions.

SUMMARY & RECOMMENDATION

The subject property consists of a 19,870 SF (0.46 acre) parcel of land improved with a commercial building constructed, per tax assessment records, in 1964 and containing hotel and ground floor and rooftop restaurant uses. The property is located in the city's central business district at the northeast corner of the intersection of East Main Street and North 7th Street.

The property is zoned in the B-4 Central Business District and is the subject of a 2013 special use permit amendment which enabled the current hotel use of the building. The proposed rooftop nightclub would be operated in conjunction with the existing rooftop restaurant (known as Kabana) and would be regulated by the conditions of the management plan mandated by the conditional use permit.

Staff finds that the zoning conditions relative to the granting of a conditional use permit have been met. Therefore, staff recommends approval of the conditional use permit request.

FINDINGS OF FACT

Site Description

The subject property consists of a 19,870 SF (0.46 acre) parcel of land improved with a commercial building constructed, per tax assessment records, in 1964 and containing hotel and ground floor and rooftop restaurant uses. The property is located in the city's central business district at the northeast corner of the intersection of East Main Street and North 7th Street. The current rooftop restaurant would contain the proposed nightclub use.

Proposed Use of the Property

A rooftop restaurant known as Kabana, with nightclub use from 12:00-2:00 AM, Thursdays through Saturdays.

Master Plan

The City of Richmond's Downtown Plan designates the property within an Urban Core Area of the City Center district. "This area is characterized by high density, an intense mix of uses, and civic buildings of regional significance, distributed along urban blocks with wide sidewalks, regular street tree plantings, and buildings that front the street. City Center is an example of the urban core condition in Downtown Richmond, with tall buildings that contain a range of office, residential and retail space.

Continued pedestrian-oriented development will support a vibrant street realm in City Center. Buildings are typically located on larger lots, and one building may cover a significant portion of the block. They are typically five or more stories in height. Buildings are located directly fronting the sidewalk. The ground floor of buildings is an active frontage with doors and windows fronting the street. Uses are minimally restricted, and commercial uses are permitted on the ground floor in all cases" (p. 3.27).

Zoning & Ordinance Conditions

The zoning ordinance was amended in 2013 to establish a definition for nightclub and distinguish a nightclub from a restaurant use. A nightclub is defined as any establishment in which all of the following features are made available at any time from 12:00 midnight until 6 a.m.:

1. Alcoholic beverage served or consumed on the premises;
2. Floor space provided for dancing or standing or both for patrons in conjunction with an entertainment activity;
3. Music or other sound that is amplified through speakers for the purpose of entertaining patrons, except for the following:
 - a. Sound associated with television or similar media being viewed by patrons;
and
 - b. Music provided exclusively as background entertainment for dining patrons

The subject property is located in the B-4 Central Business District, which allows nightclub use as a conditional use, if the conditions prescribed by the Zoning Ordinance for such a use are met. A management plan is required as part of the conditional use permit, which the applicant has provided. The management plan has been attached to and incorporated into the conditional use permit ordinance.

Surrounding Area

Adjacent and nearby properties are a part of the same B-4 Central Business District that encompasses much of the area. A mix of office, mixed-use, commercial, and multi-family residential land uses are present in the area.

Neighborhood Participation

Adjacent property owners were notified of the proposal. Staff has received letters of support from area businesses and organizations. No letters of opposition have been received.

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