



## CITY OF RICHMOND

### Department of Planning & Development Review *Staff Report*

**Ord. No. 2019-039** To authorize the special use of the property known as 6807 Midlothian Turnpike for the purpose of permitting certain signs, upon certain terms and conditions.

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**To:** City Planning Commission  
**From:** Land Use Administration  
**Date:** March 18, 2019

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#### **PETITIONER**

CK Bosworth representing Colonial Downs, LLC

#### **LOCATION**

6807 Midlothian Turnpike

#### **PURPOSE**

To authorize the special use of the property known as 6807 Midlothian Turnpike for the purpose of permitting certain signs, upon certain terms and conditions.

#### **SUMMARY & RECOMMENDATION**

The subject property is located in the B-3 General Business District, as are all surrounding properties. A number of commercial uses and vacant properties are present in the vicinity. The applicant has proposed to install freestanding and wall signs for the new Colonial Downs off-track betting parlor, restaurant and bar. The proposed signage would exceed the maximum aggregate area permitted in the B-3 General Business District. A special use permit is therefore required.

Staff finds that the significant setback of the building from the Midlothian Turnpike right-of-way would serve to mitigate potential adverse effects of the proposed signage, which is a component of the renovation of a vacant structure in need of redevelopment.

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 request.

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## **FINDINGS OF FACT**

### **Site Description**

The subject property, known as 6807 Midlothian Turnpike, is 13.81 acres in size and is the former location of a Super K-Mart. The subject property is near the city line with Chesterfield County and is located in the Midlothian neighborhood of the Midlothian planning district.

The structure on the property is an 117,901 square foot single-story retail oriented structure set back approximately 680 feet from Midlothian Turnpike. The building was constructed in 1971 and has been vacant since the K-Mart store closed in 2012. The City of Richmond Assessor notes that the building is in poor condition for its age.

### **Proposed Use of the Property**

The applicant proposes extensive renovations to the building and parking area in order to accommodate a new use in the form of an off-track betting parlor and restaurant. The proposed signage is a component of the renovations.

### **Master Plan**

The Master Plan designates the area in which the subject property is located as an Economic Opportunity Area. The Master Plan states these areas are “site-specific areas identified in a District Plan as appropriate for a range of general office, corporate office, retail, general commercial, service, or light industrial uses...This category identifies areas or large sites appropriate for new development or redevelopment that will generate significant private investment and employment opportunities. (p. 135).

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### **Zoning and Ordinance Conditions**

The subject property is located in the B-3 General Business District. The Zoning Ordinance defines permitted sign area as the aggregate area of all signs on the property directed to, or intended to be viewed from the public right-of-way. The proposed signage as defined by the Zoning Ordinance and as shown on the plans would have an aggregate area of 1,092 square feet.

While the proposed betting parlor and restaurant are allowed uses in the B-3 General Business District, signage in this zoning district is limited to a maximum of 300 square feet.

The special use permit ordinance will impose conditions on the property, including:

- (a) The Special Use of the Property shall be to allow signs, substantially as shown on the Plans, in addition to other uses permitted in the underlying zoning district in which the Property is situated. Signs permitted in all districts pursuant to section 30-505 of the Code of the City of Richmond (2015), as amended, shall also be permitted on the Property.
- (b) No part of any sign shall exceed 35 feet in height above ground level.

- (c) All mechanical equipment serving the Property shall be located or screened so as not to be visible from any public right-of-way.

**Surrounding Area**

The subject property is located in the B-3 General Business District, as are all surrounding properties. A number of commercial uses and vacant properties are present in the vicinity.

**Neighborhood Participation**

No letters of support or opposition have been received from the community or neighboring property owners for this application.

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