



CITY OF RICHMOND

Department of Planning & Development Review *Staff Report*

Ord. No. 2021-299: To authorize the special use of the property known as 111 B North Lombardy Street for the purpose of restaurant and retail uses and other uses permitted in the B-1 Neighborhood Business District, upon certain terms and conditions.

To: City Planning Commission
From: Land Use Administration
Date: November 1, 2021

PETITIONER

Megan Hopkins, It's Alive LLC

LOCATION

111 B North Lombardy Street

PURPOSE

To authorize the special use of the property known as 111 B North Lombardy Street for the purpose of restaurant and retail uses and other uses permitted in the B-1 Neighborhood Business District, upon certain terms and conditions.

SUMMARY & RECOMMENDATION

The applicant is requesting to authorize the special use of the property known as 111 B Lombardy Street for the purpose of restaurant and retail uses, and other uses permitted in the B-1 Neighborhood Business District, upon certain terms and conditions. The property is located in an R-6 Single-Family Attached Residential District. The proposed commercial uses are not permitted in the R-6 District, and the nonconforming rights of the property only allow for a personal service use or less intensive use. Parking is nonconforming ("grandfathered") at a rate of one space per 300 square feet of floor area. A restaurant use would require one space per 100 square feet of floor area. There is no on-site parking. A special use permit is therefore required to a) authorize the proposed commercial use and b) waive the parking requirement that would be associated with a restaurant use.

Staff finds that the proposed uses are consistent with the recommendations of Richmond 300. The property has a land use designation of Neighborhood Mixed-Use. The proposed commercial use is a secondary use for Neighborhood Mixed-Use and the portion of North Lombardy Street that abuts the property is designated as a "Major Mixed-Use Street" on the Street Typologies Map. The land use description calls for a "small, but critical, percentage of parcels providing retail, office, personal service, and institutional uses." Objective 1.1, Action Strategy D calls for reducing the SUP cost for small commercial uses to allow small businesses to open in small spaces. The building has historically been used for commercial purposes, having most recently been used as a hair salon. The applicant proposes to open a small wine shop with wine tastings and food sold for consumption on premises. The ordinance allows for other neighborhood-serving commercial uses to occupy the space, and conditions that any restaurant use close by 10PM daily and does not allow live music associated with a restaurant use. This portion of the Fan neighborhood is

highly walkable, has a dense population and is proximate to multiple high-frequency bus lines including GRTC Route 5 and Pulse.

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.

FINDINGS OF FACT

Site Description

The subject property consists of a first floor commercial condominium unit with approximately 700 square feet of floor area. The building occupies the entirety of the lot and is located in the Fan neighborhood on North Lombardy Street, midblock between Floyd Avenue and Grove Avenue.

Proposed Use of the Property

The proposed Special Use Permit would allow for restaurant and retail uses in addition to other uses permitted in the B-1 Neighborhood Business District.

Master Plan

The City's Richmond 300 Master Plan designates the property as Neighborhood Mixed-Use. This land use category is described as existing or new highly-walkable urban neighborhoods that are predominantly residential with a small, but critical, percentage of parcels providing retail, office, personal service, and institutional uses.

Development Style: A variety of building types that are close to one another and create a unified street wall. The building size, density, and zoning districts for these areas vary depending on historical densities and neighborhood characteristics. Future development should generally complement existing context. Setbacks, plazas, and parks create a sense of place and community gathering areas. New developments on larger parcels continue or introduce a gridded street pattern to increase connectivity within the neighborhood and to adjacent neighborhoods. In historic neighborhoods, small-scale commercial uses exist today or should be allowed to reestablish. In new neighborhoods, small scale commercial buildings should be introduced.

Mobility: Bicycle, pedestrian, and transit access are prioritized and accommodated. Bike parking is provided. New driveways are prohibited on Priority and Principal Street frontages. Vehicular access to parcels should use alleys wherever possible. Parking areas should be located to the rear of street-facing buildings.

Intensity: Buildings heights are generally two to four stories. Buildings taller than four stories may be found along major streets.

Primary Uses: Single-family houses, accessory dwelling units, duplexes, small multi-family buildings (typically 3-10 units), and open space.

Secondary Uses: Large multi-family buildings (10+ units), retail/office/personal service, institutional, cultural, and government.

Zoning and Ordinance Conditions

The property is located in an R-6 Single-Family Attached Residential District. The proposed commercial uses are not permitted in the R-6 District, and the nonconforming rights of the property only allow for a personal service use or less intensive use. The parking requirement for the previous personal service use is nonconforming (“grandfathered”). Uses, including restaurants, which require more than 1 space per 300 square feet of floor area would require that parking be provided, which is not available on-site. If adopted, the Special Use Permit would impose the following conditions on the properties:

- (a) The Special Use of the Property shall be as restaurant and retail uses or as any other use permitted in the B-1 Neighborhood Business District pursuant to section 30-434.1 of the Code of the City of Richmond (2020), as amended, substantially as shown on the Plans.
- (b) No parking shall be required for the Special Use.
- (c) Any restaurant use shall close nightly by 10:00 p.m.
- (d) Live music shall not be permitted in conjunction with any restaurant use of the Property.
- (e) All mechanical equipment serving the Property shall be located or screened so as not to be visible from any public right-of-way.
- (f) Signs pertaining to the Special Use 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, and (ii) signs permitted in the UB Urban Business District and the UB-2 Urban Business District pursuant to section 30-512 of the Code of the City of Richmond (2020), as amended.

Surrounding Area

Surrounding properties are predominantly single family and two family residential uses, however commercial uses occupy two of the buildings at the corner of North Lombardy Street and Floyd Avenue. All surrounding properties are also located within the R-6 Single Family Attached Residential District.

Neighborhood Participation

Staff notified area residents and property owners, as well as the Fan District Association and the Fan Area Business Alliance. Staff has received a letter of support from the Fan Area Business Alliance and letters of both support and opposition from residents in the area. The applicant has provided a petition of support for the SUP application with many signatures from residents in the area.

Staff Contact: Richard Saunders Senior Planner, Land Use Administration, 804-646-5648