



CITY OF RICHMOND

Department of Planning & Development Review *Staff Report*

Ord. No. 2021-190: To amend Ord. No. 2013-005-12, adopted Feb. 11, 2013, which authorized the special use of the property known as 3600 Forest Hill Avenue for the purposes of permitting live entertainment and an outdoor dining area, to authorize an expansion of the outdoor dining area, upon certain terms and conditions.

To: City Planning Commission
From: Land Use Administration
Date: July 19, 2021

PETITIONER

Crossroads Coffee & Ice Cream

LOCATION

3600 Forest Hill Avenue

PURPOSE

To amend Ord. No. 2013-005-12, adopted Feb. 11, 2013, which authorized the special use of the property known as 3600 Forest Hill Avenue for the purposes of permitting live entertainment and an outdoor dining area, to authorize an expansion of the outdoor dining area, upon certain terms and conditions.

SUMMARY & RECOMMENDATION

The subject property is located in the B-1 Neighborhood Business zoning district. Section 30-434.1(16) of the zoning ordinance states that restaurants are permitted uses in this zoning district. However, outdoor dining is not specifically permitted. On February 11, 2013, City Council approved Ord. No. 2013-5-12 which permitted live entertainment and an outdoor dining area. The proposed amendment will authorize an expansion of the outdoor dining area. Therefore a special use permit amendment is required.

Staff finds that the proposed amendment is generally consistent with the Richmond 300 Master Plan designation of Community Mixed-Use.

Staff finds that the proposal would not pose an undue burden on the availability of on-street parking in the area due to the provision of off-street parking and proximity to transit.

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 amendment 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 this special use permit amendment request.

FINDINGS OF FACT

Site Description

The subject property consists of a .249 acre parcel fronting Forest Hill Avenue and spanning the width of the block between Bland Street and Carson Street. The property is improved with a 1,187 square foot single-story building containing a restaurant and off-street parking. An outdoor dining area is located in the front of the building along Forest Hill Avenue.

Proposed Use of Property

The proposed amendment to the special use permit will authorize the expansion of outdoor seating in conjunction with an authorized restaurant use.

MASTER PLAN

The Richmond 300 Master Plan designates the subject property as Community Mixed-Use. Such areas are described as clusters of medium-density, walkable commercial and residential uses that provide neighborhood services to nearby residential communities and sometimes feature regional attractions.

Development Style: The building size, density, and zoning districts for these areas may vary significantly depending on historical densities and neighborhood characteristics. Future development should generally complement existing context. Uses may be mixed horizontally in several buildings on a block or vertically within the same building. 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.

Mobility: Pedestrian, bicycle, and transit access are prioritized and accommodated. Bike parking is provided.

Intensity: Buildings generally ranging from two to six stories, based on street widths and depending on the historic context and stepping down in height adjacent to residential areas, as necessary.

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

Secondary Uses: Single-family houses, institutional, and government.

Zoning and Ordinance Conditions

The subject property is located in the B-1 Neighborhood Business zoning district. Section 30-434.1(16) of the zoning ordinance states that restaurants are permitted uses in this zoning district. However, outdoor dining is not specifically permitted. On February 11, 2013 City Council approved Ord. No. 2013-5-12 which permitted live entertainment and an outdoor dining area. The proposed amendment will authorize an expansion of the outdoor dining area.

Zoning Administration provided no comments in regard to this request.

The special use permit amendment would modify Ord. No. 2013-005-12 as follows:

- (f) ~~[An outdoor]~~ Outdoor dining [area], accessory to the restaurant use of the property, shall be permitted. The outdoor dining ~~[area]~~ areas may be covered or uncovered and shall be located ~~[within the Fenced Seating Area depicted on the attached plan]~~ substantially as shown on the Plans.
- (g) Covered trash containers shall be provided in the outdoor dining area and fences, walls or vegetative screening shall be provided around the outdoor dining area, except at entrances and exits, to prevent refuse from blowing onto adjacent properties or streets. In no case shall chain link, chain link with slats or similar fencing be used.
- (h) The outdoor dining ~~[area]~~ areas shall be closed by 12:00 a.m. (midnight).
- (i) No live entertainment shall be permitted in the outdoor dining ~~[area]~~ areas. No music shall be played and no public address system shall be operated in the outdoor dining ~~[area]~~ areas after 10:00 p.m.
- (j) Live entertainment shall be permitted within the main restaurant building, provided the live entertainment ceases by 12:00 a.m. (midnight).
- (k) No music, live or otherwise, shall be played nor public address system operated in such a manner that sound produced therefrom is audible beyond the boundaries of the ~~[premises]~~ property.
- (l) Any outdoor lighting of the ~~[premises]~~ property shall be provided within the bounds of the property and directed or shielded so as not to shine directly on adjacent residential properties.
- (m) Any encroachments existing, proposed on the ~~[attached plans]~~ 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 ~~[(2004)]~~2020, as amended.
- (o) No fewer than 13 parking spaces shall be provided on the property.

Surrounding Area

The properties to the east, across Carson Street are in the B-1 Neighborhood Business District and contain a collection of small retail shops. Properties to the south and west are located in the R-5 Single-Family Residential District and contain single-family dwellings. To the north, across Forest Hill Avenue, is Forest Hill Park on land located in the R-5 Single-Family Residential District.

Neighborhood Participation

Staff notified the Forest Hill Neighborhood Association, as well as area property owners and residents. No letters of support or opposition have been received.

Staff Contact

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