



CITY OF RICHMOND

Department of Planning & Development Review *Staff Report*

Ord. No. 2018-184: To authorize the conditional use of the property known as 939 Myers Street for the purpose of authorizing a nightclub, upon certain terms and conditions.

To: City Planning Commission
From: Land Use Administration
Date: July 2, 2018

PETITIONER

Rob Long – River City Roll

LOCATION

939 Myers Street

PURPOSE

To authorize the conditional use of the property known as 939 Myers Street for the purpose of authorizing a nightclub, upon certain terms and conditions.

SUMMARY & RECOMMENDATION

The entertainment activities, hours of operation, and alcohol sales at certain times of day within the bowling alley are considered, by the Zoning Ordinance, to be nightclub activities. A conditional use permit is therefore required.

The property is zoned in the TOD-1 - Transit-Oriented Nodal District. The proposed nightclub use would be operated in conjunction with the existing bowling alley (known as River City Roll) 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 for nightclub use have been met. Therefore, staff recommends approval of the conditional use permit request.

FINDINGS OF FACT

Site Description

The subject property consists of a 1.76 acre parcel of land recently improved with a commercial building containing a bowling alley with 20 bowling lanes and a restaurant constructed, per tax assessment records, in 2017. The property is a part of the Scott's Addition area in the Near West Planning District.

Proposed Use of the Property

Nightclub use within an existing bowling alley on Fridays and Saturdays, from Midnight to 1:30 AM.

Pulse Corridor Plan

The subject property is designated by the City's Pulse Corridor Plan for Nodal Mixed-Use land uses. This designation provides the following description, characteristics, and land use implications:

-Transit oriented district located immediately adjacent to the Pulse BRT or other frequent transit service at key gateways and prominent places in the city in order to provide for significant, urban form development in appropriate locations.

-Higher density pedestrian and transit oriented development encouraged on vacant and underutilized sites; new development should be urban in form and may be of larger scale than existing context. It should directly engage with the prominence of Nodal Mixed Use places and the public realm

-Highly active street frontages and urban design features that encourage pedestrian activity required

Zoning and Ordinance Conditions

The zoning ordinance was amended in 2013 to establish a definition for nightclub use 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 TOD-1 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

The current zoning designation for this property and surrounding properties is TOD-1 - Transit-Oriented Nodal District. A mix of commercial, industrial, office, and multi-family residential land uses are present in the vicinity of the subject property.

Neighborhood Participation

A letter of support has been received from the Scott's Addition Boulevard Association.

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