



CITY OF RICHMOND

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

Ord. No. 2025-174 To authorize the conditional use of the property known as 16 East Marshall Street for the purpose of a nightclub, upon certain terms and conditions. (2nd District)

To: City Planning Commission
From: Land Use Administration
Date: August 19, 2025

PETITIONER

Milton Pouncy II

LOCATION

16 East Marshall Street

PURPOSE

The applicant is requesting a Conditional Use Permit to authorize a nightclub use within a B-4 Business District. This use is only permitted by a Conditional Use Permit.

RECOMMENDATION

Staff finds that the proposal is permitted in the B-4 District by a conditional use permit.

Staff finds that the City's Richmond 300 Master Plan designates a future land use for the subject property as Downtown Mixed-Use. Staff has reviewed the application and finds the proposal is generally consistent with the designation, which "features high-density development with office buildings, residential buildings, and a mix of complementary uses, including regional destinations in a highly-walkable urban environment." Staff find the master plan supports the proposed nightclub use, which is considered complementary to a dense urban environment.

Staff finds that the operator of this use would be required to adhere to all applicable city ordinances, including the city's noise ordinance, helping to limit the impact that the Conditional Use would have on the neighborhood.

Staff finds that the proposed use helps to populate an otherwise vacant building. The subject property is located in the Jackson Ward Regional/National Node, which promotes the importance of repurposing historic structures.

Staff concludes that the proposed ordinance conditions substantially satisfy the safeguards established in the City Charter concerning the granting of Conditional Use Permits. 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 Conditional Use Permit request.

FINDINGS OF FACT

Site Description

The property is located in the Jackson Ward neighborhood on East Marshall Street between North First Street and North Adams Street. The property is a 4,584 square foot (.10 acre) parcel of land improved with a two-story building.

Proposed Use of the Property

Nightclub.

Master Plan

The City's Richmond 300 Master Plan designates the subject area as Downtown Mixed-Use which is defined as the central business district of the Richmond region. It features high-density development with office buildings, residential buildings, and a mix of complementary uses, including regional destinations in a highly walkable urban environment.

Development Style: Higher density pedestrian- and transit-oriented development encouraged on vacant or underutilized sites. Historic buildings are adapted for new uses. Future development should be urban in form and may be of larger scale than existing context. Plazas and setbacks create an engaging street life. Many buildings are vertically mixed-use. New 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. Active commercial ground floor uses required on street-oriented commercial frontages.

Mobility: Pedestrian, bicycle, and transit access are prioritized and accommodated. Bike parking is provided. Driveway entrances are required to be off alleys whenever possible; new driveways are prohibited on priority and principal street frontages. Surface parking is prohibited as a principal use. Parking requirements are substantially less in these areas than other areas of the City and are largely eliminated.

Intensity: Buildings typically a minimum height of five stories.

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

Zoning and Ordinance Conditions

The current zoning for this property is B-4 Business District.

Sec. 30-440.2.

-Nightclubs are only permitted by a Conditional Use Permit.

This conditional use permit would impose development conditions, including:

- Pursuant to section 30-440.2 of the Code of the City of Richmond (2020), as amended, the Conditional Use of the Property shall be as a nightclub use, substantially as shown on the Plans.
- Operation of the Conditional Use shall be conducted strictly in accordance with the document entitled "Secret Cocktail Garden – Operations Plan," prepared by Milton Pouncy

II, and dated January 28, 2025, a copy of which is attached to and made a part of this ordinance.

- The hours of operation for the Conditional Use shall be from 12:00 midnight until 2:00 a.m., Monday through Saturday, and 12:00 midnight until 1:00 a.m. on Sunday.
- Patron queuing on the exterior of the building shall only be permitted directly adjacent to the building wall and without any improvements, temporary or otherwise, unless said improvements are approved according to the applicable provisions of the Code of the City of Richmond (2020), as amended, and all future amendments to such laws.
- Operation of the Conditional Use does not constitute an exemption to providing sound control; the nightclub use shall be conducted strictly in accordance with Chapter 11, Article II of the Code of the City of Richmond (2020), as amended.

Surrounding Area

The surrounding land uses are a mix of residential and commercial.

Neighborhood Participation

Staff notified the Historic Jackson Ward Association, area residents and property owners. Staff has received no letters to date regarding the proposal.

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