



CITY OF RICHMOND

Department of Planning & Development Review *Staff Report*

Ord. No. 2025-083 To authorize the special use of the property known as 2930 North Avenue for the purpose of a restaurant with outdoor dining, upon certain terms and conditions. (3rd District)

To: City Planning Commission
From: Land Use Administration
Date: May 6, 2025

PETITIONER

Cory Weiner

LOCATION

2930 North Avenue

PURPOSE

The applicant is requesting a Special Use Permit to authorize outdoor dining within a UB – Urban Business District. While outdoor dining is permitted within the district, the proposed dining is within 100 feet of a dwelling in a residential district. As a result, a Special Use Permit is necessary to proceed with this request.

RECOMMENDATION

Staff finds that the requested use is consistent with the City's Master Plan future land use designation of Community Mixed-Use. This land use designation emphasizes that ground floor uses should, "engage with, and enliven, the street" (Richmond 300, p. 84). Outdoor dining adds visual interest, encouraging pedestrians to shop/dine at the establishment.

Staff finds that the subject property is located at the corner of North Avenue and East Brookland Park Boulevard, which are both identified as Major Mixed-Use Streets in the City's Master Plan. Major mixed-use streets carry high volumes of bike/ped traffic, making the subject property a key location for outdoor dining.

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

FINDINGS OF FACT

Site Description

The property is located in the Northern Barton Heights neighborhood at the corner of North Avenue and West Brookland Park Boulevard. The property is currently a 10,159 square foot (0.23 acre) parcel improved with a two-story building. The existing building is currently being renovated. The outdoor dining will replace currently existing parking spaces.

Proposed Use of the Property

Outdoor dining.

Master Plan

The City's Richmond 300 Master Plan designates the subject area as Community Mixed-Use which is defined as a "cluster of medium-density, walkable commercial and residential uses that provide neighborhood services to nearby residential communities and sometimes feature regional attractions" (Richmond 300, p. 84).

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. Driveway entrances are required to be off alleys whenever possible; new driveways are prohibited on priority and principal streets. Parking areas are located within the structure and to the rear of buildings and require screening; shared parking requirements are encouraged.

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. New buildings that are taller than historical buildings should step back from the build to line after matching the height of the predominant cornice line of the block.

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 current zoning for this property is UB – Urban Business District. The following features of the proposed development do not comply with the current zoning regulations:

Sec. 30-433.2 – Permitted principal and accessory uses

-No deck, patio, terrace or other area outside a completely enclosed building and used for the service or accommodation of patrons shall be situated within 100 feet of any property in any R district

The proposed use is within 100 feet of a property in a residential district.

This special use permit would impose development conditions, including:

- The Special Use of the Property shall be as a restaurant with outdoor dining, substantially as shown on the Plans.
- Outdoor dining on the Property shall only be in operation between the hours of 7:00 a.m. and 10:00 p.m. on Sunday through Thursday and 7:00 a.m. and 12:00 a.m. on Friday and Saturday.

- No off-street parking shall be required for the Special Use.
- No less than two covered trash containers shall be provided for the outdoor dining area. 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. Chain link or chain link with slats shall not be permitted.
- 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 surrounding land uses are a mix of residential and commercial.

Neighborhood Participation

Staff notified the Battery Park Civic Association, area residents and property owners. All public comment that has been received for this request is included in the agenda packet.

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