



CITY OF RICHMOND

Department of Planning & Development Review *Staff Report*

Ord. No. 2025-270 To authorize the special use of the property known as 217 West Clay Street for the purpose of a restaurant with outdoor dining, upon certain terms and conditions. (2nd District)

To: City Planning Commission
From: Land Use Administration
Date: February 3, 2026

PETITIONER

Michael Derks / GWARbar

LOCATION

217 West Clay Street

PURPOSE

The applicant is requesting a Special Use Permit (SUP) to authorize a restaurant with outdoor dining, which use, among other things, is not currently allowed by section 30-30-434.1, concerning permitted principal and accessory uses, of the Code of the City of Richmond (2020), as amended. 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 Neighborhood Mixed-Use. Outdoor dining adds visual interest, encouraging pedestrians to shop/dine at the establishment.

Staff finds that the outdoor dining use is compatible with the Jackson Ward neighborhood, where other small-scale outdoor dining can be found.

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 Jackson Ward neighborhood at the southwest corner of West Clay Street and Brook Road. The property is currently a vacant 3,658.3 square foot (0.1467 acre) parcel of land.

Proposed Use of the Property

Outdoor dining

Master Plan

The City's Richmond 300 Master Plan designates a future land use for the subject property as Neighborhood Mixed-Use, which is defined 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: These areas feature 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.

Ground Floor: Regardless of use, buildings should engage the street with features such as street-oriented façades with windows and door openings along street frontages. Appropriate setbacks, open space, front porches, elevated ground floors, and other features that provide a sense of privacy should be provided for residential uses.

Mobility: Pedestrian, bicycle, 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: Building heights are generally two to four stories. Buildings taller than four stories may be found along major streets. Parcels are generally between 1,500 and 5,000 sq. ft.

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

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

Zoning and Ordinance Conditions

The current zoning for this property is B-1 Neighborhood Business District. The following features of the proposed development do not comply with the current zoning regulations:

Sec. 30-434.1 – Permitted principal and accessory uses

Food or beverage service is not permitted outside of a completely enclosed building.

The proposed use is outdoor dining.

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.
- Off-Street parking shall not be required for the Special Use.
- The Property shall not be used for outdoor dining before 6:00 a.m. and after 11:00 p.m.
- The outdoor dining area shall not exceed the maximum occupancy capacity allowed by the Virginia Uniform Statewide Building Code.

Surrounding Area

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

Neighborhood Participation

Staff notified the Historic Jackson Ward Association (HJWA), area residents and property owners. The applicant has stated that they met with the HJWA on January 20th to discuss this request. Staff has received no letters to date regarding the proposal.

Staff Contact:

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