



CITY OF RICHMOND

Department of Planning & Development Review *Staff Report*

Ord. No. 2016-102:

To: City Planning Commission
From: Land Use Administration
Date: May 16, 2016

PETITIONER

Andrew Condlin
Roth Doner Jackson Gibbons Condlin, PLC
919 East Main Street, Suite 2110
Richmond, VA 23219

LOCATION

100 South 14th Street

PURPOSE

To authorize the conditional use of the property known as 100 South 14th Street for the purpose of authorizing a nightclub, upon certain terms and conditions.

SUMMARY & RECOMMENDATION

The subject property is located on a parcel .91 acre in size and is occupied by a restaurant with outdoor dining in one building and offices in a second building. The subject of this request regards the restaurant known as Southern Railway Taphouse.

The zoning ordinance was amended in 2013 to establish a definition for nightclub 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

According to this definition, the Southern Railway Taphouse is considered a nightclub use after midnights on Friday and Saturday nights. Their general operating hours show that they are open past midnight only on Friday and Saturday nights. A management plan is required as part of the conditional use permit, which the applicant has provided. The use would be controlled by this plan.

The Richmond Downtown Master Plan designates this property as an Urban Center Area. “Shockoe Slip is also an example of a classic urban center condition, with a dense mix of office space, apartments, and retail located in four to six-story brick buildings that front the street. Pedestrians have an active presence in these neighborhoods (p. 3.26).”

The applicant has added three new conditions to their Management Plan. No public address or speaker systems outside of the enclosed building shall be operated after 12:00 AM (Midnight). During the time the restaurant is operated as a nightclub, the two doors opening to the patio area facing the canal shall be limited to emergency use only. And during the time the restaurant is operated as a nightclub, the total occupant load outside will be limited to 150 people.

Staff finds that the zoning conditions relative to the granting of a conditional use permit have been met. Therefore, staff recommends approval of the conditional use permit request.

FINDINGS OF FACT

Site Description

The subject property is located on a parcel .91 acre in size and is occupied by a restaurant with outdoor dining in one building and offices in a second building. It is located on the block bounded by East Canal Street to the north, South 14th Street to the east, Kanawha Canal to the south, and Virginia Street to the west.

Proposed Use of the Property

The property is zoned B-5 Central Business, which permits restaurants and similar food and beverage service establishments, including entertainment. However, City Council adopted Ord. No. 2012-234-2013-2, which defines establishments with certain features operating after midnight as nightclubs. The proposed use meets the definition of nightclub and therefore a Conditional Use Permit is required.

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Master Plan

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Zoning & Ordinance Conditions

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Surrounding Area

The surrounding properties are zoned B-5 are occupied by mix of commercial, office, and multi-family residential uses.

Neighborhood Participation

Staff has contacted 6th District Council Representative, Ellen Robertson and the Shockoe Partnership. Staff has received a letter of conditional support from the Shockoe Partnership and a letter of support from Fulton Hill Properties.

Staff Contact: Willy Thompson, Senior Planner, (804) 646-5734