



CITY OF RICHMOND

Department of Planning & Development Review *Staff Report*

Ord. No. 2018-279: To authorize the special use of the property known as 3406 West Moore Street for the purpose of authorizing a nightclub and signage, upon certain terms and conditions.

To: City Planning Commission
From: Land Use Administration
Date: November 5, 2018

PETITIONER

Andrew M. Conclin

LOCATION

3406 Moore Street

PURPOSE

To authorize the special use of the property known as 3406 West Moore Street for the purpose of authorizing a nightclub and signage, upon certain terms and conditions.

SUMMARY & RECOMMENDATION

The entertainment activities, hours of operation, and alcohol sales at certain times of day within the shuffle board entertainment establishment are considered by the Zoning Ordinance to be nightclub activities. A proposed mural on the exterior of the building is considered by the Zoning Ordinance to be signage, which would exceed the maximum signage area for the property. For these reasons, a special use permit request has been made by the applicant.

Staff finds that the special use would contribute to the mix of uses recommended by the Pulse Corridor Plan and is aligned with the vision of future land uses within the Plan including "...maximizing the potential of under-utilized parcels and supporting new forms of development that are walkable, dense, and mixed-use." (City of Richmond, 2017 Pulse Corridor Plan, p. 50)

Staff finds that the proposed mural signage is appropriately incorporated into the development and is not in conflict with the intent of the City's zoning signage regulations.

Staff finds that the proposed nightclub use would be operated in conjunction with the shuffleboard club (known as Tang & Biscuit) and would be regulated by the conditions of the management plan, as mandated by the Zoning Ordinance.

Staff finds that with the ordinance conditions the safeguards contained within the City Charter, relative to the granting of Special Use Permits, are met. 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 subject property consists of a .62 acre parcel of land improved with a 17,000 SF building constructed, per tax assessment records, in 1940, and is a part of the Scott's Addition Neighborhood in the Near West Planning District. The property fronts Moore Street and Norfolk Street, between Belleville Street and Roseneath Road.

Proposed Use of the Property

The applicant is proposing to use 3406 West Moore Street as a shuffleboard club and accessory nightclub. A mural is proposed on the exterior side wall of the building, which is designated as signage by underlying zoning regulations.

Pulse Corridor Plan

The City of Richmond's adopted Pulse Corridor Plan designates the subject property as Industrial Mixed Use. "Industrial Mixed use areas are traditionally industrial areas that are transitioning to mixed use due to their proximity to growing neighborhoods, but still retain industrial uses. Non industrial use buildings should have street oriented facades with windows and door openings along street frontages. New light industrial uses are compatible with residential and office uses. Streetscape accommodates truck access but allows for multi modal uses. Potential future zoning districts: B-7, or a new district." (City of Richmond, 2017)

Zoning and Ordinance Conditions

The current zoning for this property is B-7, (Mixed Use Business District). The B-7 district is intended "...to encourage a broad range of mixed land uses, including residential, commercial and compatible industrial and service uses. The district is intended to promote enhancement of the character of mixed use areas that are undergoing revitalization and adaptive reuse by providing for alternative economic use of existing structures, while enabling continuation of existing industrial and service uses.

The district regulations are intended to encourage appropriate infill development on undeveloped land, promote adaptive reuse of vacant or underutilized buildings and enable redevelopment of properties where continuation of current uses or adaptive reuse is not feasible.

The district regulations are also intended to safeguard the character of adjoining properties, to maintain the predominant existing streetscape character by providing continuity of building scale and setbacks, to enhance public safety and encourage an active pedestrian environment appropriate to the mixed use character of the district by providing for windows in building facades along street frontages.

Finally, the district regulations are intended to assure adequate accessible parking and safe vehicular and pedestrian circulation, to facilitate a streetscape with minimum setbacks along principal street frontages and to provide for limited interruption by driveways and vehicular traffic across public sidewalk areas along principal street frontages." (City of Richmond, zoning ordinance, Section 30-446.1)

Nightclubs are permitted in the B-7 District as conditional uses. A special use permit, rather than a conditional use permit, has been proposed for the property to authorize both the proposed night club use and mural signage.

Per the Zoning Ordinance, “Signs obstruct views, distract motorists, displace alternative uses for land, and pose other problems that legitimately call for regulation. The purpose of [zoning signage regulations] is to regulate the size, color, illumination, movement, materials, location, height and condition of all signs placed on private property for exterior observation, thus ensuring the protection of property values, the character of the various neighborhoods, the creation of a convenient, attractive and harmonious community, protection against destruction of or encroachment upon historic areas, and the safety and welfare of pedestrians and wheeled traffic, while providing convenience to citizens and encouraging economic development. [Zoning signage regulations] allow adequate communication through signage while encouraging aesthetic quality in the design, location, size and purpose of all signs.

[Zoning signage regulations] are intended to promote signs that are compatible with the use of the property to which they are appurtenant, landscape and architecture of surrounding buildings, are legible and appropriate to the activity to which they pertain, are not distracting to motorists, and are constructed and maintained in a structurally sound and attractive condition.” (Sec 30-500)

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Conditions of the proposed special use permit ordinance include:

3(a) The Special Use of the Property shall include a nightclub, substantially as shown on the Plans. The nightclub use shall be accessory to the shuffleboard entertainment use of the Property and shall only be operated within the building on the Property.

(b) Operation of the nightclub use permitted by this Special Use permit shall be under the ultimate direction and oversight of the management plan entitled “Tang & Biscuit Management Plan,” prepared by T & B Partners, LLC, and dated April 26, 2018, a copy of which is attached to and made a part of this ordinance.

(c) Signage on the Property shall be limited to (i) signage permitted in all districts pursuant to section 30-505 of the Code of the City of Richmond (2015), as amended, (ii) signage permitted in the B-7 district pursuant to section 30-518.1 of the Code of the City of Richmond (2015), as amended, and (iii) the painted mural sign substantially as shown on sheet ASI-05 of the Plans and identified as the “Side/Southeast Elevation.”

4(c) Facilities for the collection of refuse shall be provided in accordance with the requirements of the Director of Public Works. Such facilities shall be located or screened so as not to be visible from adjacent properties and public streets.

Surrounding Area

All surrounding properties are located in the same B-7 district as the subject property with TOD-1 zones nearby. A mix of industrial, office, commercial, and multi-family land uses are present in the vicinity.

Neighborhood Participation

Staff has received a letter of no opposition to this application from the Scott's Addition Boulevard Association.

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