



Application for **SPECIAL USE PERMIT**

Department of Planning and Development Review

Land Use Administration Division

900 E. Broad Street, Room 511

Richmond, Virginia 23219

(804) 646-6304

<http://www.richmondgov.com/>

Application is hereby submitted for: (check one)

- special use permit, new
- special use permit, plan amendment
- special use permit, text only amendment

**Project Name/Location**

Property Address: 1601 Park Ave Date: 4.20.20

Tax Map #: W0000665011 Fee: \$1200

Total area of affected site in acres: .053 acres

(See **page 6** for fee schedule, please make check payable to the "City of Richmond")

**Zoning**

Current Zoning: R6

Existing Use: Mixed use restaurant and apartments

**Proposed Use**

(Please include a detailed description of the proposed use in the required applicant's report)

Applicant seeks to increase restaurant occupancy and add a patio outside. No interior construction.

Existing Use: No change of use

Is this property subject to any previous land use cases?

Yes

No

If Yes, please list the Ordinance Number: 99-324-304

**Applicant/Contact Person:** David Johannas

Company: Johannas Design Group

Mailing Address: 1901 West Cary St

City: Richmond State: VA Zip Code: 23220

Telephone: (804) 358-4993 Fax: ( )

Email: dave@johannasdesign.com

**Property Owner:** Diradour LLC

If Business Entity, name and title of authorized signee: \_\_\_\_\_

(The person or persons executing or attesting the execution of this Application on behalf of the Company certifies that he or she has or have been duly authorized and empowered to so execute or attest.)

Mailing Address: 2206 Monument Ave

City: Richmond State: VA Zip Code: 23220

Telephone: (804) 239-8100 Fax: ( )

Email: CHARLIE@LIONSPANDEVELOPMENT.COM

Property Owner Signature: [Signature]

The names, addresses, telephone numbers and signatures of all owners of the property are required. Please attach additional sheets as needed. If a legal representative signs for a property owner, please attach an executed power of attorney. **Faxed or photocopied signatures will not be accepted.**

**NOTE:** Please attach the required plans, checklist, and a check for the application fee (see Filing Procedures for special use permits)



October 02, 2020

RE: 1601 Park Avenue Proposed Outdoor Use

### Existing Property

The property at 1601 Park Avenue and 310 North Lombardy Street, at the southwest corner of the intersection with North Lombardy Street, is in the Fan Area Historic District. The approximately 2320 square foot (sf) lot contains a 4206sf three-story building plus a partial basement. Constructed in 1900, there is an apartment at the Lombardy address and a restaurant at 1601 Park. The restaurant portion of the building consists of approximately 1700sf of building on the first floor. There is a 400sf basement with a restroom, mechanical equipment, and storage, which is shared with the entire building.

The building was constructed prior to the City's first Zoning Ordinance and has been subject to multiple variances. An approved zoning appeal on September 1, 1954, No. 77-54, allowed a 34'11" x 10' addition to expand the non-conforming business use, "conforming to the general practice throughout the immediate vicinity and in the entire West End section of the City...(to) alleviate a hardship and...improve conditions at this corner." Another approved zoning appeal, on April 3, 1996, No. 26-96, allowed conversion of the drug-store business to a restaurant, conditioned with 11 counter and 10 table seats, hours from 8AM to 8PM daily, no off-premises sale of cold alcoholic beverages and no wait service for seated customers. There were additional signage limitations. On April 2, 1997, per Case No. 31-97, a variance extended the hours of operation from 7AM to 8PM.

A special use ordinance No. 99-324-304 was adopted on October 11, 1999, allowing the restaurant with accessory retail at the ground-floor business location. The special use permitted 35 seats inside the restaurant. The hours of operation were daily between 9AM and 11PM. Additionally, limitations maintained no off-premises sale of cold alcoholic beverages, and stipulated signage, refuse storage and collection requirements. The restaurant has been operating with 46 seats inside for more than a decade.

The property is owned by Diradour LLC, successor of the prior owner.

### Proposed Alterations to Existing Use

The applicant would like to create an exterior patio for dining, increase the occupancy, and limit the use of the basement for restaurant use only. These changes will enhance the local appeal of the well-regarded neighborhood restaurant, while increasing the ability of the tenant to maintain the space.

Restaurants throughout the area currently offer outdoor dining. Indeed, for urban locations, the city has instituted a permit process to encourage and accommodate more sidewalk dining. Given the odd-shaped lot, the restaurant can easily oblige a few tables and chairs on the northeast edge of the property with the adjacent residential stairway serving as a pleasant backdrop. The applicant intends to have a metalsmith design and install decorative planters and railings, while providing a new tree well and landscape features. ***This SUP requests exterior table seating for eight (8) diners.***

Exterior and interior seating are currently served by two restrooms, a predominantly accessible one on the main level, and another in the basement. With no alterations, the interior layout accommodates counter service and table seating for **46 diners**. The restaurant requires **7 staff people**. ***This SUP requests increasing the occupancy inside the restaurant to 53 diners and staff, plus the eight (8) diners outside on the patio.***

Currently, the tenant shares a small partial basement with residential tenants in the building. With control of the basement, the unrenovated space can be updated with an appropriate level of finish. Additionally, the basement restroom can then be renovated as well. ***This SUP requests restaurant use for the entirety of the small basement.***

The applicant has had two meetings with the neighbors, shared several emails and met with the FDA. Per those discussions the applicant agreed to the following conditions.

**SUP Conditions for Kuba-Kuba**

- **The restaurant will stop seating patrons outside at 9 PM.**
- **There will be no amplified sound outside.**
- **There will be no live music outside.**
- **There will be no alcoholic beverages served on the patio after 10 PM.**
- **Hours of operation will remain consistent with the existing SUP - 9 AM to 11PM.**

City Charter Conditions for SUP

- A. The proposed special use will not be detrimental to the safety, health, morals, and general welfare of the community involved.
- B. The proposed special use will not tend to create congestion in streets, roads, alleys and other public ways and places in the area involved.
- C. The proposed special use will not create hazards from fire, panic or other dangers.
- D. The proposed special use will not tend to cause overcrowding of land and an undue concentration of population.
- E. The proposed special use will not adversely affect or interfere with public or private schools, parks, playgrounds, water supplies, sewage disposal, transportation or other public requirements, conveniences and improvements.
- F. The proposed special use will not interfere with adequate light or air.