



## CITY OF RICHMOND

### Department of Planning & Development Review *Staff Report*

**Ord. No. 2021-084:** To authorize the special use of the property known as 520 North 25th Street for the purpose of a restaurant and beverage service establishment, upon certain terms and conditions.

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**To:** City Planning Commission  
**From:** Land Use Administration  
**Date:** April 19, 2021

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#### **PETITIONER**

Zoe York

#### **LOCATION**

520 N 25th Street

#### **PURPOSE**

To authorize the special use of the property known as 520 North 25th Street for the purpose of a restaurant and beverage service establishment, upon certain terms and conditions.

#### **SUMMARY & RECOMMENDATION**

The applicant is requesting a Special Use Permit for the purpose of restaurant and beverage service establishment use, with outdoor dining, within an R-63 Multi-Family Urban Residential Zoning District. The proposed use does not meet the requirements of section 30-419.3(b) regarding conditions pertaining to permitted principle uses on corner lots. A Special Use Permit is therefore required.

Staff finds that the proposal would be generally consistent with the historic pattern of development in the area and the recommendations of the City's Richmond 300 Master Plan pertaining to the characteristics of Community Mixed Use areas and Neighborhood Nodes.

Staff finds that the proposal would contribute to the mix of uses supported by the underlying R-63 Zoning District and would encourage the adaptive reuse of a significant, vacant historic building in the neighborhood. All applicable Commission of Architectural Review regulations for proposed alterations and improvements to the property shall apply.

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.

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## **FINDINGS OF FACT**

### **Site Description**

The property is located in the Church Hill neighborhood and city old & historic district, at the corner of North 25th and East Leigh Streets. The property is currently improved with a former institutional building (Masonic Lodge) and contains 10,126 sq. ft. (.23 acres) of land. Per tax assessment records, the building was constructed in 1927 and consists of 13,500 sq. ft. of floor area among two stories and a basement.

### **Proposed Use of the Property**

Restaurant and beverage service establishment with outdoor dining

### **Master Plan**

The City's Richmond 300 Master Plan designates a future land use for the subject property 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."

Building sizes, "...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 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. Pedestrian, bicycle, and transit access are prioritized and accommodated. Bike parking is provided. Driveway entrances are required to be of 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. 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. (p. 58)

Primary Uses: Retail/office/personal service, multi-family residential, cultural, and open space.

Secondary Uses: Single-family houses, institutional, and government.

The property is located within a designated Neighborhood Node which are defined in the Richmond 300 Plan as "...local crossroads typically within or next to larger residential areas that offers goods and services to nearby residents, employees, and visitors."(p. 24)

### **Zoning and Ordinance Conditions**

The current zoning for this property is R-63 Multi-Family Urban Residential Zoning District. The proposed use is permitted in the R-63 District, however, the Zoning Ordinance requires that the use be limited to 1,500 sq. ft. and be limited to the ground floor of buildings devoted to other permitted principal uses (e.g. dwelling units). This proposal would allow the proposed use on all floors of the building without other permitted principal uses, and would exceed the 1,500 sq. ft. limit.

The City's Zoning Administration reviewed the application and provided the following comments:

*The SUP is needed to waive the use requirements of Sec. 30-419.3 of the zoning ordinance. Parking is nonconforming ("grandfathered"). If nightclub use is contemplated, will need to be included with request. If distribution is to be proposed, also needs to be included in the ordinance.*

Sec. 30-419.1. Intent of district.

*Pursuant to the general purposes of this chapter, the intent of the R-63 district is to encourage development of medium density neighborhoods comprised of a mix of residential uses and to promote a pedestrian oriented urban environment that is primarily residential in character, but that includes limited nonresidential uses that serve many of the day-to-day convenience needs of neighborhood residents and provide opportunities for residents to live and work within the neighborhood. The district is intended to be applied within or in close proximity to areas of the city that reflect an urban scale of development and afford convenient access to major employment centers and community facilities, and to encompass undeveloped or underdeveloped properties comprising areas large enough and with sufficient residential density to enable establishment of a cohesive neighborhood. The district regulations permit corner commercial uses that are limited in location, type and scale and are intended to provide for the convenience of neighborhood residents within walking distance, to respect the primary residential character of the neighborhood and to avoid traffic, parking, noise and other impacts that typically result from uses that draw patrons from outside a neighborhood. The district regulations are also intended to promote a streetscape that is urban in character by requiring minimal building setbacks uninterrupted by parking areas along principal street frontages, and to enhance public safety and encourage an active pedestrian environment appropriate to the residential 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, safe vehicular and pedestrian circulation, and to provide for limited interruption by driveways and vehicular traffic across public sidewalk areas along principal street frontages. (Ord. No. 2006-197-217, § 1, 7-24-2006)*

The special use permit would impose conditions on the property, including:

- (a) The Special Use of the Property shall be as a restaurant and beverage service establishment, substantially as shown on the Plans.
- (b) The hours of operation for the Special Use, including the outdoor dining area, shall be 10:00 a.m. to 11:00 p.m., Monday through Sunday.
- (c) The outdoor dining area may accommodate a maximum of 48 patrons.
- (d) No more than ten employees shall be on the Property during the hours of operation.
- (e) All building materials, elevations, and site improvements, including landscaping and fencing, shall be substantially as shown on the Plans unless otherwise approved by the Commission of Architectural Review prior to the issuance of a building permit for the Property.
- (f) All mechanical equipment serving the Property shall be located or screened so as not to be visible from any public right-of-way.

- (g) No off-street parking shall be required for the Special Use.
- (h) No wholesale distribution of beer or alcohol shall occur on the Property.
- (i) Live music shall not be permitted on the Property outside of the building.

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**

The current zoning for this property is R-63 Multi-Family Urban Residential. All adjacent properties are located within the same R-63 Multi-Family Urban Residential District. A mix of uses are present in the vicinity, particularly along the 25<sup>th</sup> Street corridor, including single-, two-, and multi-family residential, commercial, office, mixed-use, and institutional land uses.

### **Neighborhood Participation**

Staff notified area residents, property owners, and the Church Hill Association of RVA of the proposed Special Use Permit. Letters of opposition and a letter of support have been received. A letter from the Church Hill Association of RVA has also been received, indicating that additional conditions are being discussed with the applicant.

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