



## CITY OF RICHMOND

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

**Ord. No. 2021-130:** To amend Ord. No. 2011-009-23, adopted Feb. 28, 2011, which authorized the special use of the property known as 405 Brook Road as a restaurant on a portion of the ground level of the building with a waiver of parking requirements, to allow a brewery, upon certain terms and conditions.

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**To:** City Planning Commission  
**From:** Land Use Administration  
**Date:** June 7, 2021

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#### **PETITIONER**

Michael Wilbert

#### **LOCATION**

405 Brook Road

#### **PURPOSE**

To amend Ord. No. 2011-009-23, adopted Feb. 28, 2011, which authorized the special use of the property known as 405 Brook Road as a restaurant on a portion of the ground level of the building with a waiver of parking requirements, to allow a brewery, upon certain terms and conditions.

#### **SUMMARY & RECOMMENDATION**

The subject property is located in the R-02 Residential Office where restaurants and breweries are not permitted uses. On February 28, 2011 City Council approved Ord. 2011-9-23 authorizing a restaurant use on the ground floor of the structure with residential use on the second floor. The proposal requests the additional authorization of a brewery on the ground floor. Therefore a special use permit amendment is required.

Staff finds that the proposed amendment is generally consistent with the Richmond 300 Master Plan, specifically the Neighborhood Mixed-Use land use designation and vision for the Downtown-Jackson Ward Node.

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 this special use permit amendment request.

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## **FINDINGS OF FACT**

### **Site Description**

The subject property is located on the northeast side of Brook Road near the intersection with West Marshall Street, in the Jackson Ward neighborhood. The improvements consist of a 4,610 square foot two-story structure build in 1910 that encompasses the entire parcel. Commercial uses are on the ground floor and the second floor is residential.

### **Proposed Use of Property**

The proposed amendment of the special use permit will authorize the operation of a hard seltzer brewery in the rear portion of the ground floor. The ground floor will also contain a tasting room and food service.

### **Master Plan**

The Richmond 300 Master Plan designates the subject property for Neighborhood Mixed-Use land use. Primary uses are single-family houses, accessory dwelling units, duplexes, small multi-family buildings and open space. Secondary uses include retail, office, and personal services. The Master Plan also notes that the property is located in the Downtown-Jackson Ward Priority Growth Node which includes a goal to provide for business growth.

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.

Intensity: Building heights are generally two to four stories.

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.

The property is also located within the Downtown-Jackson Ward Priority Growth Node. The vision for this area states *Jackson Ward has retained historic buildings and plays a leading role in supporting Black cultural and economic vitality. Jackson Ward continues to be a residential neighborhood with non-residential uses scattered throughout at corners and along major roads—such as 1st Street, 2nd Street, and Marshall Street. New infill developments incorporate high quality architecture and complement the character of historic buildings.*

### **Zoning and Ordinance Conditions**

The property situated in the RO-2 Residential Office zoning district. The existing ground floor restaurant was authorized by a special use permit that also waived parking requirements for the property. The proposed amendment to this SUP will allow a brewery on the ground floor premises as well.

Zoning Administration had no comments regarding the proposed amendment.

The special use permit amendment adds the following required conditions on the property:

- (f) The ground level as substantially indicated on the plans shall be permitted for use as a restaurant and brewery.
- (h) Signs for the special use shall meet the requirements for signs identifying other permitted uses, pursuant to section 30-509(2) of the Code of the City of Richmond (2020), as amended.

### **Surrounding Area**

The adjacent properties to the east, south, and west are also located in the RO-2 District, to the north of the subject property is an R-6 Single Family Attached Residential district, and to the south across West Marshall Street is a B-4 Central Business district. A mix of mixed-use, commercial, office, and single-, two-, and multi-family residential land uses predominate the area.

### **Neighborhood Participation**

Staff notified the Historic Jackson Ward Civic Association and area property owners and residents. The Historic Jackson Ward Civic Association and individuals provided letters of support for the proposed Special Use Amendment. No objections or concerns have been received.

### **Staff Contact**

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