



## Legislation Details (With Text)

**File #:** ORD. 2014-191-2015-24    **Version:** 1    **Name:**

**Type:** Ordinance    **Status:** Adopted

**File created:** 9/8/2014    **In control:** City Council

**On agenda:** 2/9/2015    **Final action:** 2/9/2015

**Title:** To amend Ord. No. 96-17-34, adopted Mar. 11, 1996, which authorized the special use of the properties known as 510-520 West Broad Street, 517-519 West Marshall Street and 304 North Henry Street as a building for retail purposes with an accessory drive-up window and parking, to permit the sale of alcoholic beverages for off-premises consumption, in accordance with a Virginia Department of Alcoholic Beverage Control Wine and Beer Off-Premises license, at the existing retail drugstore, upon certain terms and conditions. (As Amended)

**Sponsors:** Mayor Jones (By Request)

**Indexes:** Special Use Permit

**Code sections:**

**Attachments:** 1. Ord. No. 2014-191-2015-24, 2. Staff Report, 3. Location Map, 4. Application & Applicant's Report

Date	Ver.	Action By	Action	Result
2/9/2015	1	City Council	adopted	
1/12/2015	1	City Council	amended and continued	
1/5/2015	1	Planning Commission	Recommended for Approval with amendments	Pass
11/10/2014	1	City Council	continued and referred back	
11/3/2014	1	Planning Commission	recommended for continuance	Pass
10/13/2014	1	City Council	continued and referred back	
10/6/2014	1	Planning Commission	recommended for continuance	Pass
9/8/2014	1	City Council	introduced and referred	

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### O & R Request

**DATE:**

**EDITION:** 1

**TO:** The Honorable Members of City Council

**THROUGH:** Dwight C. Jones, Mayor

**THROUGH:** Byron C. Marshall, Chief Administrative Officer

**THROUGH:** Peter H. Chapman, Deputy Chief Administrative Officer for Economic Development and Planning

**FROM:** Mark A. Olinger, Director, Department of Planning and Development Review

**RE:** Special use permit amendment to authorize sale of beer and wine to take off-premises at 520 West Broad Street, upon certain terms and conditions.

**ORD. OR RES. No.**

**PURPOSE:** To amend Ordinance No. 96-17-34, adopted March 11, 1996, which authorized the special use of the properties known as 510-520 West Broad Street, 517-519 West Marshall Street and 304 North Henry Street, to permit the sale of alcoholic beverages for off-premises consumption, in accordance with a Virginia Department of Alcoholic Beverage Control Wine and Beer Off-Premises license, at the existing retail drugstore, upon certain terms and conditions.

**REASON:** The applicant is proposing to allow for sale of beer and wine to take off premises. The enabling ordinance, approved by City Council March 11, 1996, authorized the drive through facilities for the existing retail drugstore and specifically prohibits sale of beer and wine. Therefore, the applicant has applied for a special use permit amendment.

**RECOMMENDATION:** In accordance with the requirements of the City Charter and the Zoning Ordinance, the City Planning Commission will review this request and make a recommendation to City Council. This item will be scheduled for consideration by the Commission at its October 6, 2014 meeting. A letter outlining the Commission's recommendation will be forwarded to City Council following that meeting.

**BACKGROUND:** The subject property is located at the northeast corner of West Broad Street and Belvidere Street and is located in the Broad Street Old and Historic Overlay District. The property is currently improved with a Rite Aid Retail store, 10,299 square feet in size, a drive up window, and accessory parking.

The petitioner proposes to amend the existing ordinance for the purposes of selling beer and wine to take off-premises.

The properties to the west, south and east are also zoned B-4 Central Business. Properties to the north along West Marshall Street are zoned R-6 Single-Family Attached Residential. To the west, across Belvidere Street are the Broad and Belvidere Student Apartments. To the south and to the east are a mix of commercial uses. Across the alley to the north are single and two-family dwellings.

The Richmond Downtown Master Plan designates this property as an Urban Center Area. The Urban Center Areas are characterized by higher density mixed-use development. These areas can have a dense mix of office space, apartments and retail located in four to six-story brick buildings that front the street.

**FISCAL IMPACT:** The Department Planning and Development Review does not anticipate any impact to the City's budget for this or future fiscal years.

**COST TO CITY:** Staff time for processing the request; preparation of draft ordinance; and publishing,

mailing and posting of public notices.

**REVENUE TO CITY:** \$1,200 application fee

**DESIRED EFFECTIVE DATE:** Upon adoption.

**REQUESTED INTRODUCTION DATE:** September 8, 2014

**CITY COUNCIL PUBLIC HEARING DATE:** October 13, 2014

**REQUESTED AGENDA:** Consent

**RECOMMENDED COUNCIL COMMITTEE:** None

**CONSIDERATION BY OTHER GOVERNMENTAL AGENCIES:** City Planning Commission, October 6, 2014

**AFFECTED AGENCIES:** Office of Chief Administrative Officer  
Law Department (for review of draft ordinance)  
City Assessor (for preparation of mailing labels for public notice)

**RELATIONSHIP TO EXISTING ORDINANCES:** None.

**ATTACHMENTS:** Application Form, Applicant's Letter, Draft Ordinance

**STAFF:** Willy Thompson, Senior Planner  
Land Use Administration (Room 511)  
646-5734

*DCD O&R No.14-25*