



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)

SUP-009048-2016

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

**Project Name/Location**

Property Address: 3000 - 3006 E Franklin St. Date: 11/9/14  
 Tax Map #: E0000037011 E000005798 Fee: \$1800  
 Total area of affected site in acres: 80000037009

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

**Zoning**

Current Zoning: R-6  
 Existing Use: vacant lots



**Proposed Use**

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

To build 3 attached houses  
 Existing Use: \_\_\_\_\_

Is this property subject to any previous land use cases?

Yes  No  If Yes, please list the Ordinance Number: \_\_\_\_\_

**Applicant/Contact Person:**

Matt Jarreau  
 Company: RVC Sayer LLC  
 Mailing Address: 409 E Main St Suite 204  
 City: Richmond State: VA Zip Code: 23219  
 Telephone: (804) 306-9019 Fax: \_\_\_\_\_  
 Email: mattj@htrsi.com

**Property Owner:**

RVC Sayer LLC  
 If Business Entity, name and title of authorized signer: Matthew P. Jarreau  
Casey White; John Humphries

(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: \_\_\_\_\_  
 City: \_\_\_\_\_ State: \_\_\_\_\_ Zip Code: \_\_\_\_\_  
 Telephone: \_\_\_\_\_ Fax: \_\_\_\_\_  
 Email: \_\_\_\_\_

**Property Owner 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)

# APPLICANT'S REPORT

*August 11, 2016*

*Special Use Permit Request*

*3000, 3004 and 3006 East Franklin Street, Richmond, Virginia*

*Map Reference Numbers: E000-0637-009, 010 and 011*

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Submitted to:

**City of Richmond**

Department of Planning and Development Review

Land Use Administration

900 East Broad Street, Suite 511

Richmond, Virginia 23219

Submitted by:

**RVA Sugar, LLC**

1704 Avondale Avenue

Richmond, Virginia 23227

## Introduction

RVA Sugar, LLC requests a special use permit (SUP) for 3000, 3004 and 3006 East Franklin Street, collectively “the Property”. The special use permit would authorize the construction of three single-family attached dwellings, some of the features of which do not conform to the underlying R-6 zoning requirements applicable to the Property.

## Existing Conditions

### SITE DESCRIPTION AND EXISTING LAND USE

The Property is located on the north side of East Franklin Street between North 29<sup>th</sup> and North 31<sup>st</sup> Streets. North 30<sup>th</sup> Street intersects East Franklin Street adjacent to the Property but is an unimproved paper street. The Property is referenced by the City Assessor as three tax parcels (E000-0637-009, 010 and 011). The Property consists of three vacant lots. 3000 East Franklin is 34' wide by 80' deep and contains approximately 2,720 square feet of lot area. 3004 East Franklin is 21.83' wide by 80' deep and contains approximately 1,746 square feet of lot area. 3006 East Franklin is 22' wide by 80' deep and contains approximately 1,760 square feet of lot area. See the attached survey for greater detail.



The Property lies south of and downhill from the Libbie Terrace Park. Properties to the west, east, and north are generally vacant. This includes a number of parcels along East Franklin Street and on the uphill side of the property toward the park. Immediately to the east, 3008, 3010, and

3012 East Franklin Street have been authorized for the construction of single-family dwellings pursuant to recent approvals from the Board of Zoning Appeals.

The significant vacant land in the vicinity includes the unimproved right-of-ways of North 30<sup>th</sup> Street abutting the Property to the west and an east-west alley to the rear. These right-of-ways were likely not improved for topographical reasons. The properties to the south and fronting on East Franklin Street include eight-unit and four-unit multi-family dwellings and several vacant parcels. South of East Franklin Street, where North 30<sup>th</sup> Street is improved, it is fronted by single-family and single-family attached dwellings.

## **EXISTING ZONING**

The Property and all the surrounding properties in the vicinity are zoned R-6 Single-Family Attached Residential, which generally permits single-family detached, single-family attached, two-family detached, and two family attached dwellings subject to certain feature requirements.

## **MASTER PLAN DESIGNATION**

The Master Plan recommends “Public and Open Space” for the subject properties.

# **Proposal**

## **PROJECT SUMMARY**

The proposed development includes the construction of three single-family attached dwellings.

## **BACKGROUND**

The Property lies along a stretch of East Franklin Street known as ‘Sugar Bottom’ to local residents. The Property represents three of the seven existing vacant parcels in this block frontage of East Franklin Street. Three of those vacant properties immediately to the east have been authorized for the development of single-family dwellings and construction is underway. This project has been designed with consideration for those dwellings. It has also been conceptualized in conjunction with an additional new single-family dwelling on the vacant parcel to the west across the right-of-way of north 30<sup>th</sup> Street, which is under the same ownership. In addition, the owners of the Property have purchased and plan to refurbish the existing 8-unit apartment building directly across East Franklin Street. Development of the Property with single-family dwellings would help round out the block with compatible traditional urban residential development. As such, it is intended to contribute to the combined intent of all these various projects – the preservation and/or restoration of the traditional urban residential fabric in the Sugar Bottom area.

## **PURPOSE OF REQUEST**

As stated above, the purpose of the request is to authorize the construction of three single-family attached dwellings on the Property. The Property consists of three legal lots of record. It is important to note that the R-6 district and applicable nonconforming feature regulations would permit the development of three single-family or single-family attached dwellings on the Property by-right. However, the current lot configuration is not ideal. The lots are inconsistent in width with 3000 East Franklin Street being 34’ wide while 3004 and 3006 East Franklin are

approximately 22' wide. In order to address this, this proposal seeks to adjust the lot configuration in order to make those lots widths more uniform. In doing so, the proposed development can be accommodated on lots that are consistent in width with other lots in the block. Simply put, it allows for a more desirable layout on the lots than could be accomplished by-right. The applicable zoning regulations would not permit the reconfiguration. Specifically, nonconforming feature requirements and a requirement for a 15' front yard along the unimproved right-of-way of North 30<sup>th</sup> Street would not be met. Therefore an SUP is required.

In exchange for the SUP, the intent of this request is to authorize an infill project that is (1) sensitive to proposed development in the block and the existing fabric of neighborhood at large; (2) consistent with the use and density permitted by-right on the Property; and (3) of greater quality than might otherwise be permitted by the underlying zoning. It is our opinion that the request provides for these criteria. The project design was developed with sensitivity to the varied architecture in the vicinity and to other proposed development in the area. It was also designed with careful consideration of the historic district guidelines – a Certificate of Appropriateness for the design has been approved by the Commission of Architectural Review. The three dwelling units are equal to the density permitted by the underlying zoning and but for the lot reconfiguration would be permitted by-right. Finally, the quality assurances conditioned through the SUP would guarantee a higher quality development than might otherwise be developed by right.

## **PROJECT DETAILS/DESIGN**

The proposed buildings would be three stories in height. Each dwelling would contain approximately 2,350 square feet of floor area. The end units, at 3000 and 3006 East Franklin Street, would include 3 bedrooms and 2 1/2 baths while the center unit, at 3004 East Franklin Street, would include 3 bedrooms and 3 1/2 baths.

The primary building material would be cementitious horizontal lap siding. Fields of siding would be framed by vertical corner boards, projecting sill base, and decorative projecting cornice and fascia as well as window trim. Windows would be 1-over-1 double hung in configuration and would feature projecting wood sills, 4" jamb trim, 8" head block with additional painted inset panels above. These panels may include additive profile trim and edge beading at intersection with siding ends. Main entry doors are proposed to be 5-panel solid wood with paint finish. Door surrounds are intended to be 6" wood frame on jambs and 8" block trim on heads. Each dwelling also features 8'x4' French doors in framed surrounds, which are shown as single lite in consideration of simple 1-over-1 double hung windows.

Porches would be a prominent feature. The primary design concept is to maximize usable open space for the dwellings. Included in the design are multiple exterior living areas, configured as ground level terraces/porches and second floor porches, for each dwelling. These features are intended to provide a human scale to the front and prominent building facades as well as a unique amenity in the form of outdoor living areas and sleeping porches. A covered primary entry to each unit would be provided at the front of each unit. Additional entries are provided to the side units from the substantial porches flanking them on either side as well as the center unit via a porch at the rear.

Porch design would be characterized by simple 8 x 8 wood box columns with 1x base, wood-trimmed edge beams running over the top of columns, painted wood ceilings, decorative but simple projecting box cornice and fascia panel and hand-tooled standing seam roofing with

matching OG profile gutters and round downspouts. Ground level terraces would have stamped concrete floors and second floor porches would have tongue and groove stained wood flooring. Rails would be simple wood 'Richmond Rail' style vertical pickets and cap set between columns and with recessed plinth blocks as required for mid-span support.

The dwelling unit floor plans are modern and open. Interior walls are minimized within the living and dining areas in order to accentuate the space in these areas. The living and dining areas are multi-functional areas, which allow for uninterrupted flow through the space. The kitchen design responds to today's trend of incorporating the kitchen into the living and dining space through the use of island counter arrangements and bar seating. Ample counter space is proposed in addition to a sensible working layout, thereby maximizing kitchen functionality. Each unit would include a nearly full-floor master bedroom on the second floor, complete with en suite master bath, walk-in closet, and access to sizable porch area. Second and third bedrooms would be decidedly large and share each dwellings third floor.

Entries from the sidewalk are proposed to be brick set in grade to brick formed steps and stoops to terrace entry doors or, in the case of the center residence, to the entry terrace. Depending on engineered grade around the structures, first level terraces and entry steps may or may not require painted rails. If rails are a requirement, they are proposed to match porch rails as described above. Open site areas visible from the public right-of-way are proposed to be seeded as lawn and landscape area.

The use of on street parking is proposed for the development. The combined lot width of the Property at over 77' is more than adequate to accommodate three parking spaces. In addition, the abutting unimproved right-of-way of North 30<sup>th</sup> Street is of sufficient width at 66' to accommodate three additional on-street spaces. Site conditions will not permit the provision of off street parking on the Property.

While off street parking is not proposed, no waiver is contemplated as a part of this SUP request. The right-of-way of North 30<sup>th</sup> Street and the east-west alley to the rear cannot be improved to permit access to the Property for parking due to engineering concerns (topography). In addition, the applicant has been told that access to the Property via three driveways from East Franklin Street would not be permitted by Public Works as a matter of policy related to safety, etc. According to Sec. 30-710.2:2 of the Zoning Ordinance, parking is not required when, based on engineering or safety concerns, vehicular access to the right-of-way is not permitted from any part of the lot. As such, off street parking would not be required for the by-right development of these legal lots of record and is not included in this proposal.

## Findings of Fact

The following are factors indicted in Section 17.11 of the Charter and Section 30-1050.1 of the Zoning Ordinance relative to the approval of special use permits by City Council. The proposed special use permit will not:

- *Be detrimental to the safety, health, morals and general welfare of the community involved.*

The proposed special use permit amendment will not impact the safety, health, morals and general welfare of the nearby neighborhoods. The proposed site improvements and density are consistent with those found in the vicinity. The request would only permit the reconfiguration of the three existing lots. Otherwise it would allow the same number of dwellings that would be permitted by-right. The redevelopment of this vacant land in conjunction with the quality/benefits provided by the SUP will provide positive impacts in terms of health, welfare, etc.

- ***Tend to create congestion in streets, roads, alleys and other public ways and places in the area involved.***

The proposed special use permit amendment will not result in significant traffic impacts to nearby residential neighborhoods. The negligible traffic generation for three dwelling units will not create congestion on streets, roads, alleys or any other public right of way.

- ***Create hazards from fire, panic or other dangers.***

The property will be developed in a manner consistent with the requirements of the building code and in accordance with the requirements of Fire and Emergency Services. The City's codes applicable to this development are designed to eliminate such hazards.

- ***Tend to overcrowding of land and cause an undue concentration of population.***

The proposed special use permit amendment will not tend to over crowd the land or create an undue concentration of land. The request would only permit the reconfiguration of the lots and would not allow any additional dwellings/density over what would otherwise be permitted by-right on these legal lots of record. This density is consistent with the traditional urban development pattern in the vicinity.

- ***Adversely affect or interfere with public or private schools, parks, playgrounds, water supplies, sewage disposal, transportation or other public requirements, conveniences and improvements.***

The special use permit amendment would not adversely affect the above referenced City services. To the contrary, the proposal would provide positive fiscal (tax) benefits that would enhance the City's ability to provide these services to the proposed development.

- ***Interfere with adequate light and air.***

The light and air available to the subject and adjacent properties will not be affected. The property is abutted by unimproved right-of-way to the west, which will not be developed. The proposed yard/setback from the property to the east, where single-family development is proposed, meets normal zoning requirements. These uses are compatible with one another and the applicable zoning regulations concerning yards/setbacks were designed with the provision of adequate light and air in mind.

## Summary

In summary RVA Sugar, LLC is enthusiastically seeking approval for the construction of three single-family attached dwellings on the Property. This proposal represents an ideal, small-scale urban development for this location. The special use permit represents an excellent trade-off. It would only authorize the reconfiguration of the lot – it would not authorize any additional lots or density. In exchange, the quality assurances conditioned through the SUP would guarantee a higher quality development than might otherwise be developed by right.

In exchange for the ability to reconfigure the lot this SUP request offers a thoughtfully designed development which provides appropriate, high quality infill design that is compatible and “of the day”. The project was designed with sensitivity to the varied architecture in the vicinity and to other proposed development in the area. The design also carefully considered the historic district guidelines – a Certificate of Appropriateness for the design has been approved by the Commission of Architectural Review.

This high quality proposal offers assurances in terms of the dwellings sizes, design and the quality of their construction that exceed what would be guaranteed by the underlying zoning. It also would contribute to the vibrancy of the block through the provision of a uniform street frontage and street life in the form of additional pedestrian traffic and street-oriented front porches and side porches. In short, the proposal guarantees the much desired traditional neighborhood design to a greater extent than the underlying zoning might afford.