



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

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: 501 Decatur Street Date: 7/27/2020
 Tax Map #: S0000076017, 022, 024 Fee: \$2,400
 Total area of affected site in acres: 0.519

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

Zoning

Current Zoning: B-4

Existing Use: Vacant

Proposed Use

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

Mixed-use
Existing Use: Vacant

Is this property subject to any previous land use cases?

Yes

No

If Yes, please list the Ordinance Number: _____

Applicant/Contact Person: Lory Markham

Company: Markham Planning LLC
 Mailing Address: 23 West Broad Street
 City: Richmond State: VA Zip Code: 23241
 Telephone: (804) 248-2561 Fax: ()
 Email: lory@markhamplanning.com

Property Owner: Fountainhead Assets LLC

If Business Entity, name and title of authorized signee: Thomas Papa

(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: PO Box 26469
 City: Richmond State: VA Zip Code: 23261
 Telephone: (804) 402-0175 Fax: ()
 Email: thomaswpapa@gmail.com

Property Owner Signature:

Authentisign

7/27/2020 5:40:51 PM EDT

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)



August 4, 2020

Mark Olinger, Director
Department of Planning & Development Review
900 East Broad Street, Suite 511
Richmond, VA 23219
mark.olinger@richmondgov.com

Re: 501 Decatur Street Special Use Permit

Dear Mr. Olinger,

Please accept this letter as the Applicant's Report with the Special Use Permit application for 501, 509 and 511 Decatur Street. With this application the property owner and developer, Fountainhead Assets, LLC, is petitioning City Council for a SUP to allow for East 6th Street to be considered the principal street instead of Decatur Street. This would allow for the development of a mixed-use apartment building with commercial frontage and other active uses along East 6th Street and a parking garage along a portion of Decatur Street.

Proposal

The site is currently an unsightly vacant surface parking lot with a small industrial building. The lot area for the three parcels combined is 0.519 acres and they have frontage on three streets: East 6th Street, Decatur Street and East 5th Street.

The proposed special use permit would enhance the streetscape on all three streets by authorizing a seven-story mixed-use project containing 118 apartments and amenities, approximately 4,400 square feet of commercial space and a two-story parking garage with 94 parking spaces. The commercial space would front on both Decatur Street and East 6th Street. New sidewalks with street trees and pedestrian also proposed along all three streets.

Existing Zoning

The properties are currently located in the B-4 Central Business zoning district, which permits the proposed mixed-use apartment building with an accessory parking garage. The reason the proposal requires a special use permit relates to the Zoning Administrator's determination that Decatur Street is the principal street for the site. The proposal has commercial frontage along East 6th Street and partially along Decatur Street. The remainder of the Decatur Street frontage contains a parking garage, which is not permitted along the principal street in the B-4 district. The special use permit requests City Council to consider West 6th Street as the principal street instead of Decatur Street.

The definition of principal street frontage from the zoning ordinance contains the following criteria:

1. *In the case of a corner lot, that frontage of the lot lying within any district and situated along the street which carries the greater volume of pedestrian and vehicle traffic, Decatur carries the most vehicular traffic, which is actually more of a reason to leave it for vehicular entrances and parking and save E 6th Street for future pedestrians. E 6th Street and Decatur arguably have an equal number of pedestrians with E 6th Street beginning to carry more from the commercial and residential uses that are fronting on the street half a block to the north. That development is really beginning to change the character of E 6th Street and this proposal would continue that momentum. Additionally, E 6th Street is the only NW/SE Street that has a pedestrian connection from the Manchester Bridge all the way to Dinwiddie Street. All of the other street grids are interrupted by existing development.*
2. *Generally functions as the primary orientation of dwellings, businesses or other uses within the block, E 5th Street has the parking garage entrance and trash for the development next door fronting on it, there are no other dwellings, business or uses within the block currently. The adjacent blocks along Decatur contain driveways and parking garage entrances that would be prohibited on the principal street.*
3. *Along which the principal entrance to the existing or proposed building on such corner lot is oriented. The proposed development will have the principal entrance and commercial uses fronting on E 6th Street.*
4. *In a case where more than one street frontage of a corner lot meets any of the aforementioned criteria, the principal street frontage of the lot shall be as determined by the zoning administrator after considering all of such criteria, together with any other unique physical conditions of the corner lot or the adjacent street and lot pattern. The zoning administrator has determined Decatur to be the principal street despite the above evidence that East 6th Street could be considered the principal street, which has necessitated the requested special use permit.*

City's Master Plan Recommendations

These properties were included in the 2009 Downtown Plan, which recommends that they be developed consistent with the Urban Center Character Area. The Urban Center Character Area calls for higher density, mixed-use development, typically arranged on a fine-grained street network, with wide sidewalks, regular tree planting, and minimal setbacks.

Specifically addressing Manchester, the Downtown Plan states, "Manchester will benefit greatly from new construction and the infill of its many vacant properties. Such infill will introduce new energy to the district by increasing the residential population, repairing the streetscape, and enhancing safety by providing 'eyes on the street'." (page 4.33)

The more recently developed Riverfront Plan designates the portion of the subject properties included in the plan for future development, stating, "The Plan anticipates incremental redevelopment of under-utilized parcels and languishing former industrial sites. Development strategies should favor mixed use, with an emphasis on street level retail, where appropriate. The fundamental emphasis of redevelopment along the Riverfront is to intensify pedestrian activity at street level through infill development with sufficient density to be an attractor and destination of activity. Greater density reinforces urban character, provides for an increase in pedestrian activity, resulting in a safer and more vibrant city." (p. 11).

Neighborhood Communication

We have communicated with the adjacent property owner about the project and are scheduled to present it to the Manchester Alliance at their next meeting.

City Charter Conditions

We trust that you will agree with us that this proposed Special Use Permits meets the City Charter criteria for the granting of SUPs as the project will not

- (i) be detrimental to the safety, health, morals and general welfare of the community involved;
- (ii) tend to create congestion in streets, roads, alleys and other public ways and places in the area involved;
- (iii) create hazards from fire, panic or other dangers;
- (iv) tend to be overcrowding of land and cause an undue concentration of population;
- (v) adversely affect or interfere with public or private schools, parks, playgrounds, water supplies, sewage disposal, transportation or other public requirements, conveniences and improvements; or
- (vi) interfere with adequate light and air.

Thank you for your consideration of this Special Use Permit. Please feel free to contact me at lory@markhamplanning.com or (804) 248-2561 if you have any questions or require additional materials to process the application.

Very Truly Yours,



Lory Markham

Enclosure: application form, fee payment, existing survey, conceptual plans

cc: Matthew Ebinger, Secretary to the City Planning Commission
The Honorable Ellen Robertson, 6th District Council Representative
Tom Papa, Fountainhead Development