



February 4, 2019

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

RE: Applicant's Report for a Special Use Permit for 1809 and 1815 E Franklin Street

Dear Mr. Olinger,

Please accept this letter as the Applicant's Report for the Special Use Permit application for 1809 and 1815 E Franklin Street. With this application, the owners of the subject properties are petitioning the City Council to remove the street-oriented commercial designation for the property. This request is made in conjunction with a request to rezone the properties and adjacent properties to facilitate development in accordance with the B-5 Central Business District. The prohibition of dwelling uses on the ground floor has previously been removed for one of the subject properties along with the other properties on both sides of Franklin by either City Council or the Board of Zoning Appeals and commercial uses in this block are no longer viable. The proposed rezoning coupled with the requested special use permit is a unique opportunity to allow for development on the properties that is consistent with the character of the neighborhood, compatible with Master Plan recommendations, and essential to the continued revitalization of the Shockoe Bottom neighborhood.

Proposal

The proposed special use permit would apply to 1809 and 1815 E Franklin Street. The property at 1809 E Franklin is 0.126 acres and is improved with a currently vacant two-story warehouse building constructed in 1920. The existing historic building on the property would remain. 1815 E Franklin is improved with a two-story building constructed in 1920. In 2013, City Council adopted a Special Use Permit Ord. No. 2013-4-19 to authorize the conversion of the existing building at 1815 E Franklin for multifamily residential use with up to 13 units with no commercial requirement along E Franklin Street. The owner would like to rehabilitate the property at 1809 E Franklin for a residential building, which is not currently permitted under the M-1 district but would be under the proposed B-5 district. The owner at 1815 E Franklin Street would like to comply with the B-5 zoning without the street-oriented requirement and relinquish the existing special use permit on the property.

Zoning Regulations & Background

The properties are currently located in the M-1 Heavy Industrial District which permits a wide variety of commercial and industrial land uses but prohibits any residential uses. This zoning has been in place for many decades and is no long compatible with the development pattern in the area. Development in this area of Shockoe Bottom has gradually shifted from industrial uses to a mix of commercial and residential uses. Besides the visible changes in the land uses, this shift is best indicated by the number of rezonings and Special Use Permits that have been approved by City Council in the past 20 years to allow for mixed land uses.

A rezoning of the properties to the B-5 Central Business District would authorize uses and features of the properties that are more appropriate to the character of the current neighborhood. Like many other properties in former industrial areas of Shockoe Bottom that have been rezoned to allow residential and mixed-uses, this application requests a rezoning to the B-5 District to allow for the flexibility to develop a variety of uses that will positively contribute to the urban character of this neighborhood.

The B-5 district contains requirements for buildings with dwelling units along certain streets designated as street-oriented commercial. This requirement prohibits dwelling units on the ground floor along the street frontage. This street-oriented commercial designation originated in the City's 1997 Downtown Plan and has not been updated since. This particular block of E Franklin is the end of the designation and all of the properties that have been redeveloped on this block have received waivers to this requirement either from the City Council through special use permits or from the Board of Zoning Appeals through special exceptions. As part of the redevelopment of 1809 E Franklin, the owner would like to have dwelling units on the ground floor. The layout and configuration of the existing building does not lend itself to commercial uses and there are no other commercial uses to draw from on the block. The commercial uses are better suited on E Main and should be focused there. As part of the rezoning request, the street-oriented designation should be removed from these properties fronting on E Franklin through the adoption of a special use permit as recommended by the City Attorney's Office.

Master Plan

The properties are recommended by the Master Plan for Corridor Mixed-Use. According to the Pulse Corridor Plan, this category is designed to provide for medium-density pedestrian- and transit-oriented infill development to fill "missing teeth" of the corridor fabric. The building size, density, and zoning districts for these areas will vary depending on historic densities and neighborhood characteristics. New development should be in scale with existing context or respond to unique site characteristics and opportunities for redevelopment. Active commercial uses required on principal street frontages. Ground floor residential uses should have street-oriented facades with setbacks, front yards, porches, and balconies where appropriate. Driveway entrances required to be off alleys whenever possible; new driveways prohibited on street-oriented commercial and priority street frontages. Parking lots and areas are located on the rear of buildings and require screening; shared parking requirements are encouraged to allow for commercial development while ensuring adequate residential parking. Potential future zoning districts: UB-2, B-5, B-6, RF-1, or a new district.

This rezoning request to the B-5 District is fully compatible with the Master Plan recommendation for the land uses of the properties, as is the removal of the street-oriented commercial designation. B-5 regulations would facilitate the future development of these property in a manner that

is consistent with surrounding uses and historic character of the area. The rezoning would also help realize the vision of the Pulse Corridor by permitting medium-density and pedestrian and transit-oriented infill development of this portion of East Franklin and North 19th Streets.

City Charter Conditions

This request represents an excellent opportunity to facilitate development on the property as envisioned by both the Master Plan and the Pulse Corridor Plan. This special use permit would also replace an outdated zoning for one that is more appropriate with the current character of the area and allow for developments that will bring a vibrant mix of land uses to an important neighborhood in downtown Richmond. We trust that you will agree with us that this proposed SUP 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 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 application. 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

Enclosures

cc: The Honorable Cynthia I. Newbille
Matthew Ebinger, Secretary to the City Planning Commission