

May 10, 2018 (Revised October 17, 2018)

APPLICANT'S REPORT

Community Unit Plan

Address: 9230 Forest Hill Avenue

Map Reference Number: C0011016001

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| Submitted to: | City of Richmond Department of Community Development Land Use Administration 900 East Broad Street, Suite 511 Richmond, Virginia 23219 |
| Submitted by: | Dominion Diversified Real Estate Group, LLC c/o Mr. Spilman Short c/o DDREG, LLC 10001 Patterson Avenue, Suite 207 Richmond, Virginia 23238 |
| Prepared by: | Hirschler Fleischer , Attorneys at Law 2100 East Cary Street Richmond, Virginia 23223 |

Introduction

The applicant, Dominion Diversified Real Estate Group, LLC (“Applicant”), owns the parcel located at 9230 Forest Hill Avenue, which extends to the southern right-of-way line of Evansway Lane (the “Property”). The Property is part of the Southern Portion of the Stony Point Community Unit Plan and as such, is governed by the Stony Point CUP Ordinance (Ord. No. 2017-227 (the “CUP”). The Property is “Map Section K” of the CUP and its use is currently designated as a church.

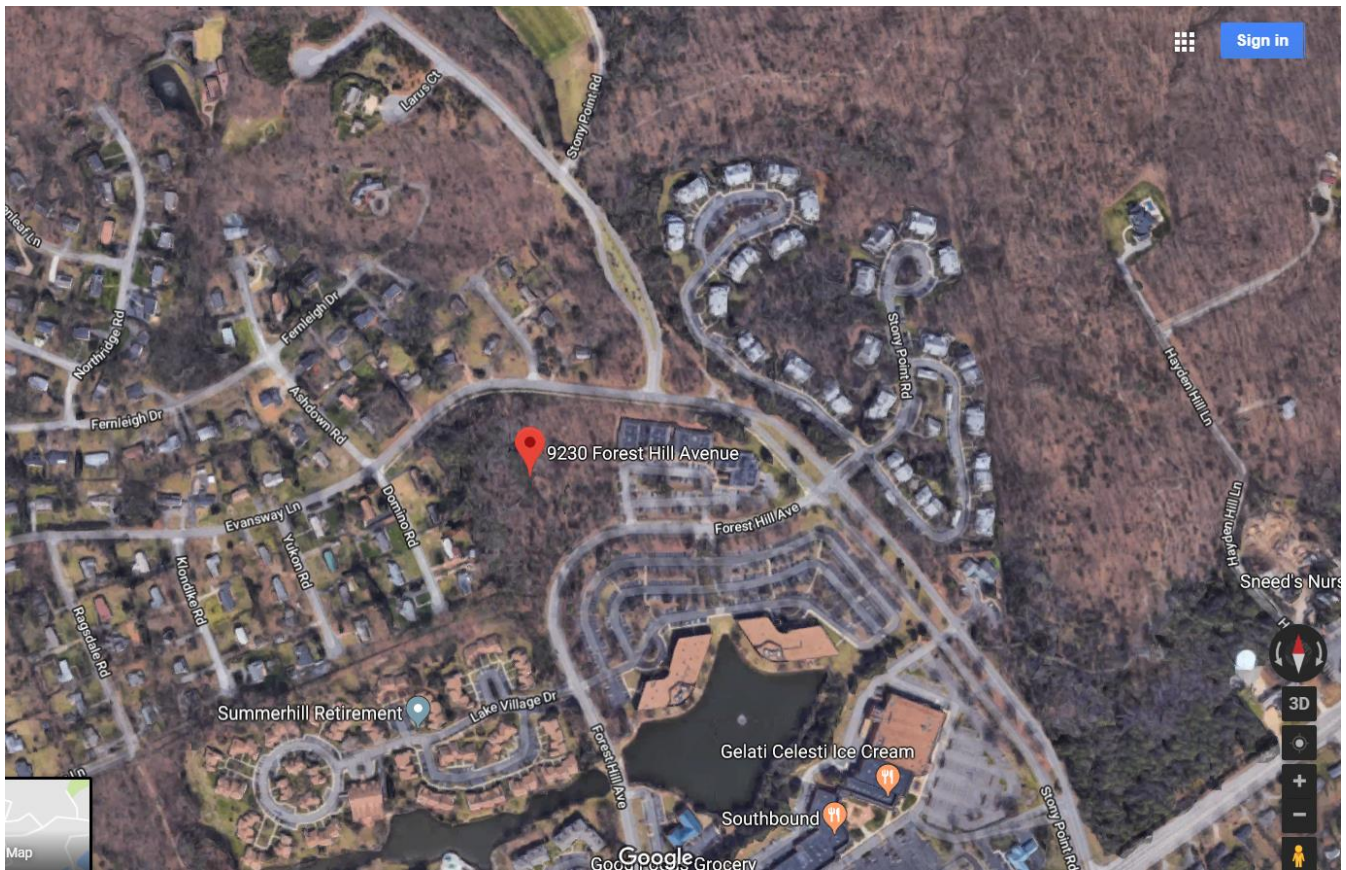
The proposed development is for an owner-occupied, high quality, townhome, in-fill residential community. The community will be attractive to first-time home buyers, young professionals, teachers, emergency responders, empty nesters, and many others. The community will be a pedestrian oriented one. Its residents will be able to use the forthcoming sidewalk along Forest Hill Avenue to walk to and patron the Stony Park Shopping Center. These additional residents will also support the Center’s efforts to fill vacant space. The owner of the Center provided a letter of support. Residents will also be able to walk to and enjoy nearby Lewis G. Larus Park. Residents may work in the nearby offices as well. Thus, the neighborhood will provide its residents with the opportunity to live, work and play in the overall Stony Point community. The proposed development will

also serve as a transitional use from the retail and offices uses to the south and east to the single family homes to the west and north. Therefore, the Applicant is requesting to amend the first paragraph of §2 to include a new plan for Map Section K, to amend §2.A.(5) to delete Map Section K, and to add a new §2.A.(8) to provide development standards for new Map Section K.

Existing Conditions

SITE DESCRIPTION AND EXISTING LAND USE

The Property is referenced by the City Assessor as tax map C0011016001, 9230 Forest Hill Avenue, located on the north side of Forest Hill Avenue and the south side of Evansway Lane, and contains a total of approximately 5.652 acres of land area. The surrounding uses are a mixture of retail, business, and residential uses.



EXISTING ZONING

The Property's underlying zoning classification is R-2 Single-Family Residential and is part of the Southern Portion of the Stony Point Community Unit Plan and as such, is governed by the Stony Point CUP Ordinance (Ord. No. 2017-227).

The homes to the west and north are zoned R-2. The properties to the east and south are in the Southern Portion of the CUP and include office and commercial uses. Larus Park is to the east.

MASTER PLAN DESIGNATION

The Master Plan recommends MF-MD "Multi-Family – Medium Density" for the Property, with a suggested density of eight to 20 units per acre. The community will be limited to 59 homes for a density of approximately ten units per acre, which is well within the Master Plan recommendation.

Proposal

PROJECT SUMMARY

The proposed development is for an owner-occupied, high quality, townhome, in-fill residential community. The community will be attractive to first-time home buyers, young professionals, teachers, emergency responders, empty nesters, and many others. The community will be a pedestrian oriented one. Its residents will be able to use the forthcoming sidewalk along Forest Hill Avenue to walk to and patron the Stony Park Shopping Center. These additional residents will also support the Center's efforts to fill vacant space. The owner of the Center provided a letter of support. Residents will also be able to walk to and enjoy nearby Lewis G. Larus Park. Residents may work in the nearby offices as well. Thus, the neighborhood will provide its residents with the opportunity to live, work and play in the overall Stony Point community. The proposed development will also serve as a transitional use from the retail and offices uses to the south and east to the single family homes to the west and north.

To ensure a quality development, changes to the existing CUP will be made. A layout for the community will replace Map Section K of the CUP. New development standards for the neighborhood to be developed within Map Section K are being provided including:

- No more than 59 dwelling units to be developed and each lot will be a minimum of 1,450 square feet.
- Buildings shall not exceed 38 feet in height.
- A buffer areas of not less than twenty five feet (25') in width shall be provided along Evansway Lane. The western buffer area, also called the Northern Buffer Area, as illustrated on the 1988 Development Plan, is reduced to a minimum of fifty feet (50'). Such buffer areas shall be left in a natural state and a minimum planting standard is provided at the request of the Zoning Administrator. There shall be no vehicular access through such buffer areas adjacent to the Property.
- An additional row of evergreen shrubs is provided between the buffer areas and the lots to provide additional screening.
- Street trees and common area landscaping will be provided as shown on the layout for the community.
- The layout of the community also shows the general location of the minimum amenities for the common area.

- Landscaping will be provided along the Forest Hill Avenue frontage as shown on the layout for the new community.
- Sidewalks and pedestrian paths shall be provided within the community as shown on the layout.
- A decorative lamp post will be provided in each front yard.
- Foundation plantings are also specified.
- Two bike racks shall be placed within the Property.
- Signage for the Property shall be limited to one freestanding sign not exceeding 10 feet in height and 25 square feet in area to be located as shown on the Map Section K Plan. Such sign may be illuminated, provided that the source of illumination is ground-mounted and not visible from adjacent streets.
- Each dwelling unit shall have a minimum of a one-car garage and off-street parking shall be provided is shown on the Map Section K Plan. Front loaded garages shall use an upgraded garage door.

The proposal is in keeping with the Master Plan recommendation of “MF-MD” “Multi-Family – Medium Density” with a suggested density of eight to 20 units per acre. The community’s 59 homes will yield a density of approximately ten units per acre which is well within the Master Plan recommendation.

The Applicant originally proposed to the neighbors a residential community with 108 units using two-over-two condominium units. Due to neighbor concerns, the Applicant reduced the number of units and changed to traditional townhomes to address these concerns.

Findings of Fact

The following are factors indicated in Section 17.11 of the Charter and Section 114-1050.1 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 amendment to the CUP will not negatively impact the safety, health, morals and general welfare of the nearby neighborhoods. In fact, the proposed development will provide a transitional use from the retail and offices uses to the south and east to the single family homes to the west and north.

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

Given its location near Stony Point Shopping Center, the community will be a pedestrian oriented one, and provides additional residents to support the center. Residents will also be able to walk to and enjoy nearby Lewis G. Larus Park. Residents may work in the nearby offices as well. In addition, the limited number of dwelling units will have minimal impact on the roads.

- ***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 request will not tend to overcrowd the land or create an undue concentration of land. The proposed density is approximately ten units per acre which is well within the Master Plan's designation of eight to 20 units per acre.

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

The request would not adversely affect the above-referenced City services. The development is an in-fill one and will bring new residents to the area which will support the area businesses. The land has been underutilized. The construction of the new community will bring revenue to the City, the new residents will work and shop in the area, and the new improvements will enhance the City's tax base.

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

It will not interfere with adequate light and air because it will comply with all provisions of the fire, building, and life safety codes.

Very truly yours,



Jeffrey P. Geiger

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