



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)

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

**Project Name/Location**

Property Address: 3135 West Franklin Street Date: 8/17/2020  
 Tax Map #: W0001414001 Fee: \$300  
 Total area of affected site in acres: 0.1666

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

**Zoning**

Current Zoning: R-6

Existing Use: Two-Family Residential

**Proposed Use**

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

Retain the current two-family dwelling and create a new, single-family detached dwelling.  
 Existing Use: Two-family residential

Is this property subject to any previous land use cases?

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

**Applicant/Contact Person:** Mark Baker

Company: Baker Development Resources  
 Mailing Address: 1519 Summit Ave., Suite 102  
 City: Richmond State: VA Zip Code: 23230  
 Telephone: ( 804 ) 874-6275 Fax: ( )  
 Email: markbaker@bakerdevelopmentresources.com


**Property Owner:** Jess Bradford Cadwallender

If Business Entity, name and title of authorized signee: \_\_\_\_\_

(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: 3135 W Franklin Street  
 City: Richmond State: VA Zip Code: 23221  
 Telephone: ( ) Fax: ( )  
 Email: \_\_\_\_\_

**Property Owner Signature:**

 08/25/2020  
8/25/2020 3:49:53 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)

# APPLICANT'S REPORT

*August 31, 2020*

*Special Use Permit Request  
3135 W Franklin Street, Richmond, Virginia  
Map Reference Number: W000-1414/001*

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|---------------|---|
| Submitted to: | <b>City of Richmond</b><br>Department of Planning and Development Review<br>Land Use Administration<br>900 East Broad Street, Suite 511<br>Richmond, Virginia 23219 |
| Submitted by: | <b>Baker Development Resources</b><br>1519 Summit Ave., Suite 102<br>Richmond, Virginia 23230   |

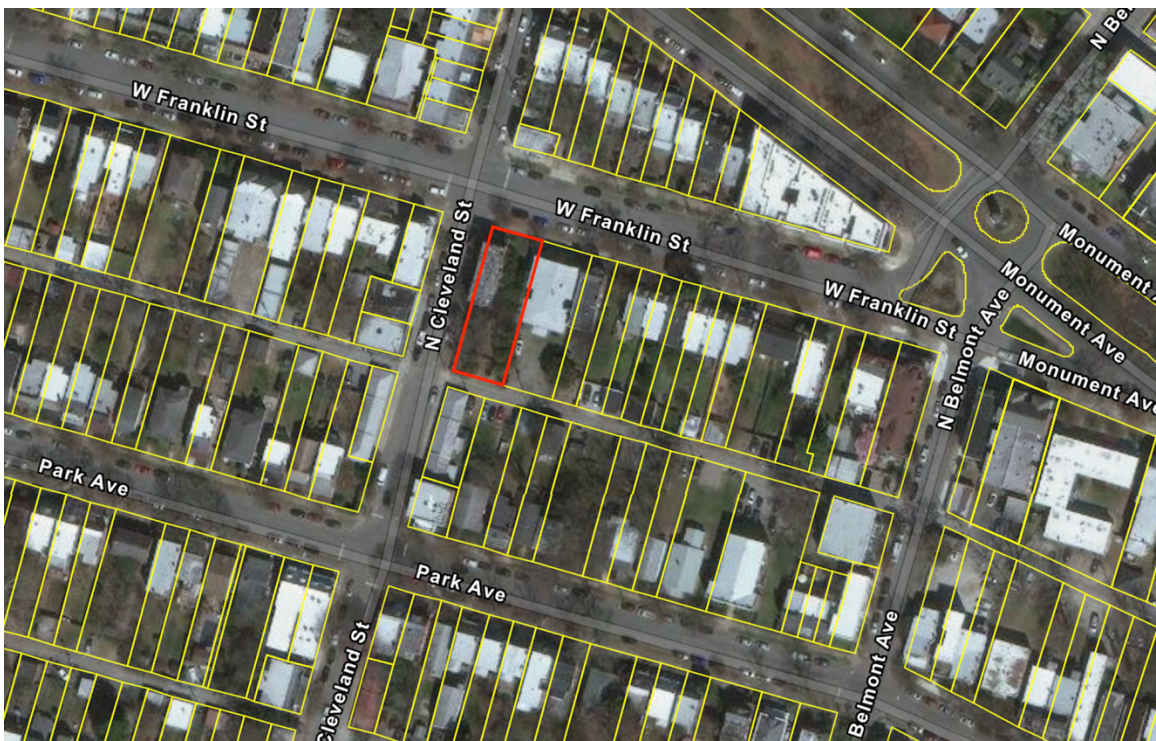
## Introduction

The property owner is requesting a special use permit (“the SUP”) for 3135 W Franklin Street (“the Property”). The SUP would authorize a lot split and the construction of one single-family detached dwelling on the undeveloped portion of the Property. As proposed, some of the features do not conform to the underlying zoning feature requirements applicable to the Property.

## Existing Conditions

### SITE DESCRIPTION AND EXISTING LAND USE

The Property is located on the south side of W Franklin Street between Cleveland Street and N Belmont Avenue. The Property is referenced by the City Assessor as tax parcel W000-1414/001. The Property is roughly 50 feet wide by 145.1 feet in depth and contains approximately 7,255 square feet of lot area. The lot is improved by a two-story building that was constructed circa 1906 and subsequently converted into a two-family dwelling. The lot is exceptionally large for the vicinity. The existing building generally occupies the western half of the Property. The eastern portion of the lot is unimproved, giving the appearance of a “missing tooth” in the block. Access is provided by an east-west alley at the rear of the Property. Please see the attached survey.



A variety of uses and residential densities are present in the vicinity. The properties in the block, including those across West Franklin to the north, are developed with a mix of single-family, two-family and multi-family dwellings. Directly across N Cleveland Street to the west are properties developed with commercial, single-family, two-family and multi-family dwelling uses. Properties to the south, across the alley are also occupied with a mix of single-family, two-family and multi-family dwellings.

## **EXISTING ZONING**

The Property is zoned R-6 Single-Family Attached Residential, which permits the proposed single-family and two-family detached dwelling uses. The surrounding properties to the north, south, east, and west are also zoned R-6. The R-6 district requires (1) a lot area of not less than 5,000 square feet and width of not less than 50 feet for single-family dwellings and (2) a lot area of not less than 6,000 square feet and width of not less than 50 feet for two-family dwellings.

Due to the historic lot pattern in the area, existing single-family and two-family dwellings are typically nonconforming with regard to some combination of lot area, lot width and yard requirements. Splitting the lot as proposed would be consistent with this development pattern. However, as the proposed development does not meet R-6 lot area and lot width requirements, a special use permit is required.

The Property is also located in the Monument Avenue City Old and Historic District. A request for a Certificate of Appropriateness from the Commission of Architectural Review has been filed in addition to this request.

## **MASTER PLAN DESIGNATION**

The Master Plan recommends "Single-Family (Medium-density)" for the Property. The Master Plan describes this land use category as follows: "Primary uses are single-family and two-family dwellings, both detached and attached, at densities of 8 to 20 units per acre. Includes residential support uses such as schools, places of worship, neighborhood parks and recreation facilities, and limited public and semi-public uses. Typical zoning classifications that may accommodate this land use category: R-5A, R-6 and R-7." There are also a variety of general housing goals contained in the Master Plan Neighborhoods and Housing chapter that are applicable to the request. These goals include, among other things, recognition of the need for the continued creation of market rate housing and a desire for neighborhoods to provide a variety of housing choices while remaining culturally and economically diverse.

# **Proposal**

## **PROJECT SUMMARY**

The request would permit the division of the Property, which is large for the area, in order to permit the construction of one single-family detached dwelling on the unimproved eastern half of the Property

## **PURPOSE OF REQUEST**

The Property consists of a single lot of record that is uncharacteristically large for the vicinity. The Property has a lot width of 50 feet compared to the 25 foot or less lot width of seven of the eight lots occupied with single-family dwellings along the block. The western portion of the lot is developed with a two-family dwelling adjacent to Cleveland Street. The applicant would like to construct a single-family detached dwelling on the unimproved eastern side of the Property. The R-6 district does permit two-family and single-family dwellings; however, the required lot width and lot area for the existing and proposed dwellings cannot be met. Therefore, a SUP is required in order to permit the proposed development.

The proposed single-family detached dwelling would be two stories in height with a full-width front porch. It would be consistent with other residential buildings in the vicinity in terms of both scale and character. The dwelling would contain 2,292 square feet of floor area and consist of three bedrooms and 2 ½ baths in a spacious and modern floor plan with open living areas and a master suite with en suite bath. To ensure quality, the building would be clad in cementitious siding. Two parking spaces are proposed for the dwelling. Parking spaces would be located to the rear of the dwellings and accessed by the rear alley.

The project's exterior was designed with careful consideration of the historic district guidelines and application has been made for a certificate of appropriateness from the Commission of Architecture Review (CAR). CAR review and the quality assurances conditioned through the SUP would guarantee a higher quality development than would otherwise be afforded for the Property by normal zoning.

In exchange for the SUP, the intent of this request is to ensure a high-quality, market rate infill development. The proposed design is intended to be compatible with the historic fabric of the block by maintaining the siting, scale, form and massing of the contributing structures on the block. The dwelling design is intended to convey a modernized version of the typical traditional urban single-family residential form.

## **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 SUP for high-quality infill construction will not impact the safety, health, morals and general welfare of the nearby neighborhoods.

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

The proposed SUP will not result in significant traffic impacts to nearby residential neighborhoods. The negligible traffic generation and the provision of off street parking spaces will prevent 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 SUP will not tend to over crowd the land or create an undue concentration of population. The proposed development is consistent with the historic lot pattern and existing densities 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 proposed SUP would not adversely affect the above referenced City services.

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

The light and air available to the subject and adjacent properties will not be affected. The proposed building is of compatible massing and spacing to the existing in the vicinity. As a result, this request will not interfere with the provision of adequate light and air to the adjacent buildings.

## Summary

The applicant is enthusiastically seeking approval for the construction of a high quality, single-family dwelling on the Property. This proposal represents an ideal, small-scale urban infill development for this location. In exchange for the approval, the quality assurances conditioned through the SUP would guarantee the construction of a higher quality dwelling than might otherwise be developed by right in the vicinity. This would contribute to the overall vibrancy of the block through the provision of an appropriate urban form and use that is consistent with the historic development pattern of surrounding neighborhood.