

AN ORDINANCE No. 87-107-78

ADOPTED MAY 11 1987

To authorize the use of the real estate containing in aggregate 1.88 acres, more or less; Parcel 1 containing 1.34 acres, located west of Broad Rock Boulevard, north of Walmsley Boulevard, being more completely described as follows: beginning at a point that is distant 178.97 feet along a line running N 5° 04' 10" E from the north right of way line of Walmsley Boulevard, which is distant 89.16 feet west of a curve marking the intersection of the north right of way line of Walmsley Boulevard and the west right of way line of Broad Rock Boulevard; thence extending 449.43 feet in a westerly direction along a line of bearing N 82° 19' 20" W to a point; thence extending 121.78 feet in a northerly direction along a line of bearing N 1° 08' 30" W to a point; thence extending 465.84 feet in an easterly direction along a line of bearing S 83° 24' 15" E to a point; thence extending 132.17 feet in a southerly direction along a line of bearing S 6° 35' 45" W to the point of beginning; Parcel 2, containing 0.54 acres, more or less, being more particularly described as follows: beginning at a point on the west right of way line of Broad Rock Boulevard, said point being 117.85 feet north of the beginning of a curve marking the intersection of the west right of way line of Broad Rock Boulevard and the north right of way line of Walmsley Boulevard; thence extending N 83° 24' 15" W 148.56 feet along a property line to a point; thence extending N 5° 04' 10" E 156.04 feet along a property line to a point; thence extending S 83° 24' 15" E 145.62 feet along a property line to the west right of way line of Broad Rock Boulevard; thence extending S 0° 48' 37" W 21.94 feet along the west right of way line of Broad Rock Boulevard to a point; thence extending along a curve, with a radius of 759.51 feet, in the west right of way line of Broad Rock Boulevard 134.44 feet to the point of beginning, for the purpose of construction of mini-storage warehouses on the above-described property, substantially as shown on the site plans and isometric drawings, entitled: "Proposed Mini-Warehouses, North-West Corner of Broad Rock Blvd. and Walmsley Blvd.", as supplemented by survey of 1.88 acres, made by Kenneth L. Barton, C.L.S., and sign elevation drawing by Holiday Signs, Inc., upon certain terms and conditions.

Patron - City Manager (By Request)

Approved as to form and legality
by City Attorney

1. THE CITY OF RICHMOND HEREBY ORDAINS:

2. § 1. That the real estate containing in aggregate
3. 1.88 acres, more or less; Parcel 1 containing 1.34 acres,
4. located west of Broad Rock Boulevard, north of Walmsley
5. Boulevard, being more completely described as follows:
6. beginning at a point that is distant 178.97 feet along a
7. line running N 5° 04' 10" E from the north right of way
8. line of Walmsley Boulevard, which is distant 89.16 feet west
9. of a curve marking the intersection of the north right of
10. way line of Walmsley Boulevard and the west right of way
11. line of Broad Rock Boulevard; thence extending 449.43 feet
12. in a westerly direction along a line of bearing N 82° 19'
13. 20" W to a point; thence extending 124.78 feet in a
14. northerly direction along a line of bearing N 1° 08' 30" W
15. to a point; thence extending 465.84 feet in an easterly
16. direction along a line of bearing S 83° 24' 15" E to a
17. point; thence extending 132.17 feet in a southerly direction
18. along a line of bearing S 6° 35' 45" W to the point of
19. beginning, and Parcel 2, containing 0.54 acres, more or
20. less, being more particularly described as follows: begin-
21. ning at a point on the west right of way line of Broad Rock
22. Boulevard, said point being 117.85 feet north of the begin-
23. ning of a curve marking the intersection of the west right
24. of way line of Broad Rock Boulevard and the north right of
25. way line of Walmsley Boulevard; thence extending N 83° 24'

1. 15" W 148.56 feet along a property line to a point; thence
2. extending N 5° 04' 10" E 156.04 feet along a property line
3. to a point; thence extending S 83° 24' 15" E 145.62 feet
4. along a property line to the west right of way line of Broad
5. Rock Boulevard; thence extending S 0° 48' 37" W 21.94 feet
6. along the west right of way line of Broad Rock Boulevard to
7. a point; thence extending along a curve, with a radius of
8. 759.51 feet, in the west right of way line of Broad Rock
9. Boulevard 134.44 feet to the point of beginning, is hereby
10. permitted to be used for the purpose of construction of
11. mini-storage warehouses on the above-described property,
12. said property being shown on the copy of plans, supplemental
13. survey and sign elevation drawing attached to the draft of
14. this ordinance, which plans, survey and drawing are hereby
15. incorporated into and to be read as a part of this
16. ordinance.

17. § 2. That the Commissioner of Buildings is hereby
18. authorized to issue to the owner of the real estate, or
19. successor or successors in fee simple title, a building
20. permit (if requisite) for the purpose of constructing the
21. mini-storage warehouses and to permit the occupancy of the
22. property for warehouse purposes, substantially in accordance
23. with the attached site plans and isometric drawings,
24. entitled: "Proposed Mini-Warehouses, North-West Corner of
25. Broad Rock Blvd. and Walmsley Blvd.", prepared by Elliott
26. Associates, consisting of Sheet P-1 dated June 1, 1983,

1. revised June 10, 1983, and Sheet C-1 dated June 25, 1983,
2. revised July 12, 1983, and August 24, 1983, as supplemented
3. by the survey of 1.88 acres, made by Kenneth L. Barton,
4. C.L.S., last revised July 3, 1986, and sign elevation
5. drawing, entitled: "Branch's Self Storage", prepared by
6. Holiday Signs, Inc. The special use permit shall be trans-
7. ferable to the successor or successors in title of the
8. owner, whether acquired by operation of law, deed or
9. otherwise, and shall run with the land, subject to the
10. following terms and conditions:

11. (a) That the acceptance of the permit and the
12. exercise of the privileges granted by this ordinance by the
13. owner and successor or successors in title shall constitute
14. a warranty on the part of the owner and successor or succes-
15. sors that title to the land and the buildings shall be
16. vested in the same person or persons or corporation or both;

17. (b) That the owner shall be bound by, observe and
18. shall comply with all other laws, ordinances and rules and
19. regulations adopted pursuant thereto, applicable to the
20. land and buildings, except as otherwise provided in this
21. ordinance;

22. (c) That Parcel 2 shall be subject to B-2 Community
23. Business District zoning regulations, with the exception
24. that the only freestanding sign that shall be permitted is a
25. forty square foot sign identifying the mini-warehouses as
26. shown on the attached plans;

1. (d) That all driveways and access aisles shall be
2. paved with a dust-free, all-weather surface;
3. (e) That final grading and drainage plans shall be
4. approved by the Director of Public Works prior to the
5. issuance of building permits;
6. (f) That facilities for the collection of refuse
7. shall be approved by the Director of Public Works, and such
8. facilities shall be screened from adjacent residential or
9. residential-office zoned properties;
10. (g) That storm or surface water shall not be
11. allowed to accumulate on the land, and adequate facilities
12. for drainage of storm and surface water from the land or
13. buildings shall be provided by the owner at his cost and
14. expense so as not to adversely affect or damage adjacent
15. properties or public streets and the use thereof;
16. (h) The entire site shall be enclosed by a seven-
17. foot high chain fence, and the western, southern, and
18. eastern setback areas shall be planted with six-foot high
19. white or Austrian pine trees nine feet on center;
20. (i) That should the owner use the premises for any
21. purpose which is not permitted by this ordinance, or fails,
22. refuses or neglects to comply with the provisions of fore-
23. going paragraphs (a) through (h) and does not terminate such
24. use or comply with such provisions within ninety days after

1. written notice so to do has been given to the owner by the
2. Zoning Administrator, the privileges granted by this
3. ordinance shall terminate and the special use permit shall
4. become null and void;

5. (j) That when the privileges granted by this
6. ordinance terminate and the special use permit becomes null
7. and void or when use of the premises is abandoned for a
8. period of twenty-four consecutive months, use of the real
9. estate shall be governed thereafter by the zoning regula-
10. tions prescribed for the district in which the real estate
11. is then situated; and

12. (k) That application for a building permit (if
13. requisite) to construct the buildings shall be made within
14. twelve months from the effective date of this ordinance,
15. which building permit shall expire by limitation and become
16. null and void if the construction of the buildings is not
17. commenced within one hundred eighty days from the date of
18. the building permit, or if work of construction of the
19. buildings is suspended or abandoned for a period of one
20. hundred eighty days at any time after the work is commenced,
21. as provided in Section 109.1 of the Uniform Statewide
22. Building Code. Should application for the building permit
23. not be made within twelve months from the effective date of
24. the ordinance granting the special use permit, or should the

1. building permit expire and become null and void, the
2. privileges granted by this ordinance shall terminate and the
3. special use permit shall become null and void.

4. § 3. Construction activity undertaken and completed
5. under authority granted in Ordinance No. 83-186-169, adopted
6. September 12, 1983, and Ordinance No. 85-119-103, adopted
7. May 13, 1985 (which ordinances have pursuant to the terms
8. thereof expired), which conforms to the requirements and
9. provisions of this ordinance, may remain in place if the
10. terms and conditions imposed in this ordinance are
11. satisfied.

12. § 4. This ordinance shall be in force and effect
13. upon adoption.

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SPECIAL USE PERMIT APPLICATION
CITY OF RICHMOND, VIRGINIA

DATE: February 26, 1987

TO: The Honorable Council of the City of Richmond
C/O The Department of Planning & Community Development
900 East Broad Street, Room 511
Richmond, Virginia 23219

Application is hereby made for a SPECIAL USE PERMIT for (proposed use):
signage approval

at the premises designated or described as follows: 3330 Broad Rock
Boulevard

in accordance with attached plans designated (title, sheet numbers,
preparer, date)
"Map of survey of 1.88 acres of land with improvements thereon, situated
on the western side of Broad Rock Boulevard, North of Walmsley Blvd. in
the City of Richmond, Virginia" prepared by Kenneth L. Barton, C.L.S.,
July 3, 1986. (With annotations as discussed in the Applicant's Report).

The current zoning of the property is: B-2

Attached is a check for \$ 500.00, payable to "City of Richmond."

Signature of owner of property: W.M. Saunders
W. M. Saunders, Partner

Mailing Address: 11900 Old Stage Road

P. O. Box 34480

Richmond, Virginia ZIP CODE: 23234

PHONE: 796-1128

Applicant or owner's representative: Charles W. Hundley, Esquire

Mailing Address: P. O. Box 35651

Richmond, VA

ZIP CODE: 23235

PHONE: 745-3350

STAFF NOTE:

Application, plans, report, fee and other required information received:

AFFECTS MASTER PLAN

YES _____

NO _____

Applicant's Report

The proposed use is identical to that in previous applications, being for "Parcel 1" the operation of a mini-warehouse business located behind "Parcel 2". Parcel 2 fronts 134.44 feet on Broad Rock Boulevard. The use of Parcel 2 is normal B-2 use, which has previously been approved.

The specific features of the special use pertaining to the mini-warehouse facility remains unchanged from that previously submitted and previously approved in that the use of the area denoted "Parcel 1" is not detrimental to the safety, health, morals, and general welfare of the community involved; does not tend to create congestion in streets, roads, alleys and other public ways and places in the area involved; does not create hazards from fire, panic, or other dangers; does not adversely affect or interfere with public or private schools, parks, playgrounds, water supplies, sewage disposal, transportation or other public requirements, conveniences and improvements; and does not interfere with adequate light and air. These conditions are met because of the features of the overall plan to provide appropriate and adequate entranceways from Broad Rock Boulevard, the configuration of Parcel 1 does not lend itself to normal commercial use because street entrance is only available through parcel 2 to Broad Rock Boulevard, and the parcel is long and narrow. The parcel is directly adjacent to Branch's Shopping Center, and between the shopping center and a row of five single-family residential lots fronting on Walmsley Boulevard. The intersection of Broad Rock Boulevard and Walmsley Boulevard is a developing commercial area, with several convenience stores, a large grocery store, and a large church complex in addition to Parcels 1 and 2 and the Branch's Shopping Center.

Construction on Parcels 1 and 2 is complete, has been inspected and approved by appropriate city officials, and the only matters remaining prior to granting of the Occupancy Permit deal with approval of a free-standing sign. Construction on the site is attractive and blends well with surrounding development.

A plan for the single free-standing sign is enclosed. The free-standing "Branch's Self-Storage" sign has been installed, totalling 16 feet in height with a sign surface of 10 feet by 4 feet. The sign's superstructure is steel monopole with two faces located in the northeast corner of Parcel 2 fronting on Broad Rock Boulevard. This is the only free-standing sign for which approval is requested, and the only one which is contemplated to be placed on either Parcel 1 or Parcel 2. Remaining signage on the property would be fixed to the front of the one-story brick and block building located on Parcel 2.

It is our understanding that individual signage affixed to the building need not be separately approved by the city, so long as the signage conforms to the city sign ordinance for B-2 development, being, in this case, one square foot of signage for each linear foot fronting

on Broad Rock Boulevard or 134.44 square feet. For informational purposes only, an example of the type of advertising signage to be affixed to the one story building is enclosed (the "Stage 1" outdoor electrical sign). Informational signage, such as that indicating handicapped parking and the location of "office", so long it is only of an informational rather than an advertising nature, likewise does not appear to require separate approval by the city. At this time it appears that the only advertising signage requiring specific approval is the single free-standing "Branch's Self Storage" sign.

Construction of the single free-standing sign is 100% complete.

City of Richmond
City Planning Commission



900 East Broad Street, Richmond, Virginia 23219
804 • 780-4347

May 5, 1987

To the Honorable Council of the
City of Richmond, Virginia

At its meeting of May 4, 1987, the City Planning Commission voted (9-0) to recommend APPROVAL of:

Ordinance No. 87 107

To authorize the use of the real estate containing in aggregate 1.88 acres, *** Parcel 1 containing 1.34 acres, located west of Broad Rock Boulevard, north of Walmsley Boulevard *** Parcel 2, containing 0.54 acres, *** beginning at a point on the west right of way line of Broad Rock Boulevard, *** purpose of construction of mini-storage warehouses on the above-described property, *** upon certain terms and conditions.

This paper would reenact special use Ordinance No. 85-119-103, adopted May 13, 1985, which authorized the construction of mini-warehouses at 3330 Broad Rock Boulevard. That ordinance authorized the construction of 13 one-story buildings on a 1.34-acre site on the west side of Broad Rock Boulevard north of Walmsley Boulevard. The mini-warehouses have been constructed. However, the special use has become null and void because of noncompliance with certain terms of the ordinance. Specifically, screening was not installed as per the ordinance condition and unauthorized signage was installed on one of the buildings. These problems are in the process of being resolved, and this reenactment is necessary to legitimize the use of the property.

This paper would also add a .54-acre parcel to the original site. That parcel lies between the mini-warehouses and Broad Rock Boulevard. It is under the same ownership and is developed with a small shopping center. Access to the mini-warehouse parcel is across this parcel, and its inclusion would ensure continued access to the complex. The parcel is being added to the special use so as to legitimize an existing freestanding sign which is located on it and which identifies the mini-warehouse complex.

The subject property is zoned B-2 Community Business. The mini-warehouse use would normally require M-1 Light Industrial zoning due to the size of the project. Properties to the north and east are also zoned B-2, while properties to the south and west are zoned RO-1 Residential-Office. Branch's Shopping Center backs up to the site on the north. Across Broad Rock to the east are a variety of retail and commercial uses. Single-family dwellings fronting on Walmsley Boulevard are located to the south. The property to the west is vacant. The Master Plan recommends "Community Commercial" use for the subject property.

May 5, 1987

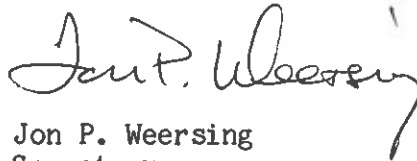
The adopted special use ordinance required the planting of six-foot-high pine trees along the western, southern and eastern property lines. Only half the required number of trees were initially installed, resulting in an unacceptable spacing of trees and ineffective screening. The additional trees have been installed and the screening requirement is now met. No signage was authorized under the adopted special use ordinance. However, a sign was installed on the end of one of the warehouse buildings to identify the project from Broad Rock Boulevard. The petitioner has committed to remove this sign prior to action on the paper.

A freestanding sign was also installed to identify the mini-warehouse complex. It is located on the front parcel occupied by the small shopping center. Since this sign is not located on the same parcel as the mini-warehouses, it is considered an off-premises or billboard sign. As such, it is not permitted in the B-2 District. With the addition of this parcel to the special use ordinance, the freestanding sign would be permitted. The forty-square-foot sign is sixteen feet in height. It is located adjacent to the driveway entrance which serves as access to both the shopping center and mini-warehouses. The B-2 District permits freestanding signs and this sign complies with size and height requirements. This is the only freestanding sign permitted by the ordinance. In all other respects the shopping center parcel would be subject to normal B-2 zoning, including approval of a plan of development. The Commission urged that appropriate additional landscaping be provided on the shopping center site and in front of the mini-warehouses. The staff was asked to include such in the plan of development requirements.

With the previous violations resolved, the Commission supports the special use reenactment. The Commission supported the original special use principally because the buildings would be screened and isolated from the street frontage and because the exceptional depth and narrowness of the property would make typical retail or office development impractical. The freestanding sign represents reasonable identification, particularly since no other freestanding signs would be permitted. The inclusion of the front parcel is desirable in that the mini-warehouse parcel would no longer be landlocked.

The conditions and circumstances which justified the original approval have not changed, and approval of the subject ordinance is recommended. No opposition has been expressed to the Commission.

Very truly yours,



Jon P. Weersing
Secretary

JPW:lk

cc: Charles W. Hundley - Attorney for Applicant

ORDINANCE OR RESOLUTION SUMMARY CITY OF RICHMOND, VIRGINIA

Resolution Ordinance No. 87-107	Subject Re-enactment of a Special Use Permit for Mini-Warehouse at 3330 Broad Rock Boulevard
Requested by City Manager, By Request	
Received City Manager's Office - -	
Summarized 5/4/87	

SUMMARY

This Ordinance would re-enact special use Ordinance No. 85-119-103, adopted May 13, 1985, which authorized the construction of mini-warehouses at 3330 Broad Rock Boulevard. Thirteen 1-story buildings have been constructed on this 1.34 acre site. However, the special use became null and void because of non-compliance with certain terms of the ordinance. The non-compliance occurred because screening was not installed as per the ordinance condition and unauthorized signage was installed on one of the buildings. These problems have been resolved, and this re-enactment is necessary to legitimize the use of the property.

This Ordinance would also add a .54 acre parcel to the original site. It is under the same ownership and is developed with a small shopping center. Access to the mini-warehouses is across this parcel, and its inclusion would ensure continued access to the complex. This special use permit would also legitimize an existing free-standing sign located on this site which identifies the mini-warehouse complex.

Planning Commission granted approval (9-0) May 4, 1987.

COUNCIL ACTION

On Docket 5/11/87
Amended
Adopted
Rejected