

AN ORDINANCE NO. 85-260-245

ADOPTED OCT 28 1985

To amend and reordain Ordinance No. 74-191-183, adopted August 12, 1974, which authorized the use of an irregular shaped parcel of land containing twenty-four acres and located on the north line of Jahnke Road, beginning at a point 1322.84 feet west of the west line of Blakemore Road, said point being the intersection of the west line of proposed German School Road extended with Jahnke Road; thence extending in a westwardly direction along Jahnke Road 971.67 feet to a property line; thence extending in a northwardly direction along said line 720.32 feet to a property line; thence extending in a westwardly direction along said line 243.00 feet to a property line; thence extending in a northwardly direction along said line 342.14 feet to a property line; thence extending in an eastwardly direction along said line 1382.94 feet to the west line of proposed German School Road extended; thence in a southwardly direction along said line 968.51 feet to the point of beginning, for multiple-family dwelling purposes and authorized the construction of three hundred forty apartment units thereon, upon certain terms and conditions; to amend the description to include 3.11 acres, more or less, of additional land (supplementing the existing site plan), the additional land to be devoted to open space usage.

Patron - City Manager (By Request)

Approved as to form and legality
by City Attorney

1. THE CITY OF RICHMOND HERBY ORDAINS:
2. § 1. That the real estate, an irregular shaped
3. parcel of land containing [~~twenty-four~~] twenty-seven acres,
4. more or less, and located on the north line of Jahnke Road
5. [~~beginning at a point 1322.84 feet west of the west line of~~

1. Blakemore Road, - said point being the intersection of the -
2. west line of proposed German School Road extended with
3. Jahnke Road, - thence extending in a westwardly direction
4. along Jahnke Road 971.67 feet, more or less, to a property
5. line, - thence extending in a northwardly direction along said
6. line 720.32 feet to a property line, - thence extending in a
7. westwardly direction along said line 243.00 feet to a
8. property line, - thence extending in a northwardly direction
9. along said line 342.14 feet to a property line, - thence
10. extending in an eastwardly direction along said line 1382.94
11. feet to the west line of proposed German School Road
12. extended, - thence in a southwardly direction along said line
13. 968.51 feet to the point of beginning] west of Blakemore
14. Road and being more completely described as follows:
15. beginning at a point on the north right of way line of
16. Jahnke Road, said point being 1322.84 feet west of Blakemore
17. Road; thence extending in a westerly direction 971.67 feet,
18. more or less, along the north right of way line of Jahnke
19. Road to a property line; thence extending in a northerly
20. direction 200 feet, more or less, along a property line to a
21. property line; thence extending in a westerly direction
22. 253.06 feet, more or less, along a property line to a
23. property line; thence extending in a northerly direction
24. 812.35 feet, more or less, along a property line to a

1. property line; thence extending in an easterly direction
2. 1382.94 feet, more or less, along a property line to a
3. property line; thence extending in a southerly direction
4. 968.51 feet, more or less, along a property line to the
5. point of beginning, as shown on site plans of the plans
6. attached hereto, and also as shown on the plans attached to
7. the draft of Ordinance No. 74-191-183, adopted August 12,
8. 1974, is hereby permitted to be used for multiple-family
9. dwelling purposes, the construction of three hundred forty
10. apartment units thereon.

11. § 2. That the Commissioner of Buildings is hereby
12. authorized to issue to the owner of the real estate, or its
13. successor in fee simple title, a special use permit for such
14. purposes, and to permit the erection of three hundred forty
15. apartment units on the real estate for use for such purposes
16. substantially in accordance with the plans attached to the
17. draft of this ordinance, consisting of a cover sheet, Site
18. Plan, Character Sketch and Typical Building Plan, and
19. Elevation, Section and Typical Units, prepared by Samuel
20. Paul, Architect, entitled: "Bramblewood Estates", revised as
21. of July 12, 1974, attached to the draft of this ordinance
22. and made a part hereof. The permits shall be transferable
23. to the successor in title of the owner, whether acquired by
24. operation of law, deed or otherwise, and shall run with the
25. land, subject to the following terms and conditions:

1. (a) That the acceptance of the permits and the
2. exercise of the privileges granted by this ordinance by the
3. owner and its successor in title shall constitute a warranty
4. on the part of the owner and its successor that title to the
5. land and all of the buildings will be vested in the same
6. person or corporation;

7. (b) That the owner will be bound by, observe and will
8. comply with all other laws, ordinances and rules and regula-
9. tions adopted pursuant thereto, applicable to the land and
10. buildings, except as otherwise provided in this ordinance;

11. (c) That no less than 540 parking spaces shall be
12. provided on the site and at substantially the locations
13. shown on the attached plan; parking areas and access drives
14. shall be paved with a dust-free, all-weather surface and
15. parking spaces shall be delineated on the pavement surface.
16. All such parking areas shall be screened from view from
17. adjacent public streets or adjacent residentially zoned
18. properties by opaque vegetative or structural material not
19. less than four and one-half feet in height;

20. (d) That access to the property from German School
21. Road extended shall be provided as shown on the attached
22. plan at such time as said road is constructed. Future
23. access to the north of the property shall be provided into
24. the parking area near the northwest corner of the site as
required by the Director of Public Safety of the City;

1. (e) That right of way for the widening of Jahnke Road
2. shall be dedicated to the City to a width of 45 feet from
3. the existing center line for the extent to which such road
4. abuts the property;

5. (f) That in addition to the deceleration lane shown on
6. the attached site plan, an additional traffic lane shall be
7. constructed at the developer's expense along the north side
8. of Jahnke Road between the access drive to the site and the
9. western property line. Such improvements shall meet the
10. requirements of the Department of Public Works of the City
11. and shall be constructed so as to be available for use by
12. construction traffic;

13. (g) That facilities for the collection of refuse shall
14. be provided in accordance with the requirements of the
15. Director of Public Works, and such facilities shall be so
16. located or screened as not to be visible from adjacent
17. public streets or residentially zoned property;

18. (h) That fire lane access at locations shown on the
19. attached plan shall be provided and maintained at all times
20. by the owner of the property and shall be of sufficient
21. width, grade, and hardness to accommodate fire vehicles.
22. Such fire lanes shall be appropriately identified;

23. (i) That final plans for location of water lines and
24. fire hydrants shall be approved by the Chief of the Bureau

1. of Fire of the City and the Director of Public Utilities
2. prior to the issuance of building permits;

3. (j) That final grading and drainage plans shall be
4. approved by the Director of Public Works of the City prior
5. to issuance of building permits and storm drainage
6. facilities shall be designed so as to prevent damage to
7. adjoining properties or streets as a result of storm-water
8. runoff;

9. (k) That driveways shall be constructed in accordance
10. with the City Driveway Policy standards;

11. (l) That areas designated on the attached plan as
12. "undisturbed" shall be retained in a wooded state, and there
13. shall be no substantial clearing of mature trees within such
14. areas;

15. (1)(1) The 3.11 acre parcel added by the amendment
16. made to the description set out in Ordinance No. 74-191-183,
17. adopted August 12, 1974, shall be left in its natural state
18. except that an existing frame shed as shown on the plans
19. shall be removed within sixty days of the effective date of
20. this ordinance.

21. (m) That should the owner use the premises for any
22. purpose which is not permitted by this ordinance, or fails,
23. refuses or neglects to comply with the provisions of fore-
24. going paragraphs (a) through (l)(1) and does not terminate

1. such use or comply with such provisions within ninety days
2. after written notice so to do has been given to the owner by
3. the [~~Commissioner-of-Buildings~~] Zoning Administrator, the
4. privileges granted by this ordinance shall terminate and the
5. special use permit shall become null and void;

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

13. (o) That application for a building permit to erect
14. the buildings will be made within twelve months from the
15. effective date of this ordinance, which building permit
16. shall expire by limitation and become null and void if the
17. buildings are not commenced within one hundred eighty days
18. from the date of the building permit, or if work of con-
19. structing the buildings is suspended or abandoned for a
20. period of one hundred eighty days at any time after the work
21. is commenced, as provided in section 8.1-114.2 of the
22. Building Code (Ordinance No. 73-211-209, adopted September
23. 24, 1973), and if application for the building permit is not
24. made within twelve months from the effective date of this

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

5. § 3. Ordinance No. 74-191-183, adopted August 12,
6. 1974, shall remain in force and effect except as herein
7. modified, and this ordinance shall be in force and effect
8. upon adoption.

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City of Richmond
City Planning Commission



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

October 22, 1985

To the Honorable Council of the
City of Richmond, Virginia

At its meeting of October 21, 1985, the City Planning Commission voted
(8-0) to recommend APPROVAL of:

Ordinance No. 85-260

To amend and reordain Ordinance No. 74-191-183, adopted August 12, 1974, which authorized the use of an irregular shaped parcel of land containing twenty-four acres and located on the north line of Jahnke Road,***for multiple-family dwelling purposes and***to amend the description to include 3.11 acres, more or less, of additional land (supplementing the existing site plan), the additional land to be devoted to open space usage.

The purpose of this paper is to amend special use Ordinance No. 74-191-183 which was recommended by the Commission and adopted by City Council in August, 1974. That ordinance authorized development of the 360-unit Bramblewood Estates apartment complex on a 24-acre site on the north side of Jahnke Road west of Blakemore Road. This amendment would modify the property description so as to add to the site an abutting 3.11-acre parcel. The parcel is vacant and would be devoted to open space in conjunction with the existing apartment complex. No development would be authorized on the parcel. The subject parcel is the rear portion of a four-acre tract fronting on Jahnke Road. The frontage is occupied by two single-family dwellings which were built prior to annexation. The petitioner intends to subdivide the frontage to create individual lots in order that the dwellings may be sold.

The Bramblewood Estates complex is currently zoned R-43 Multi-Family. The subject parcel and other abutting properties are zoned R-2 Single-Family. Across Jahnke Road to the south are several dwellings, a church, and the entrance drive to the St. Johns Wood apartment complex. The Westover Gardens subdivision lies to the west of the subject parcel. The Master Plan includes the present apartment complex as multi-family, and shows the subject parcel as single-family.

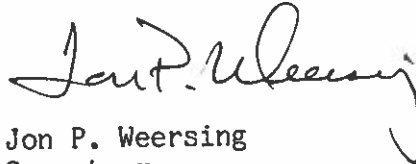
The ordinance amendment requires that the parcel be left in its natural state. The owners of Bramblewood Estates recently purchased the parcel to control its use and serve as a buffer for the existing complex. They have stated they have no intention of requesting additional apartment development on the parcel in the future, but may at some point request approval for limited recreational use and overflow parking. This would require another amendment to the special use ordinance.

October 22, 1985

The subject parcel is not well-suited for single-family development due to its location, access and topography. The Commission feels that including it as part of the Bramblewood Estates site and retaining its natural state is appropriate and not in conflict with Master Plan objectives. This special use amendment assures that any future use of the parcel will be subject to Planning Commission and City Council review and approval. The Commission would have no objection to future limited recreational and parking usage so long as adequate buffering is provided for nearby homes, but would object to additional apartment development.

The conditions and safeguards set forth in the Charter relative to the issuance of special use permits appear to be met. Approval is, therefore, recommended. No opposition has been expressed to the Commission.

Very truly yours,



Jon P. Weersing
Secretary

JPW:lk

cc: Mr. John G. Dicks, III - Attorney for Applicant

ORDINANCE OR RESOLUTION SUMMARY
CITY OF RICHMOND, VIRGINIA

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|---|-----------------------|
| Resolution Ordinance No. 85-260 | Subject |
| Requested by City Manager | To Amend Special Use. |
| Received City Manager's Office -- | |
| Summarized 10/17/85 | |

SUMMARY

This Ordinance would amend Ordinance No. 74-191-183, adopted August 12, 1974. The purpose of this amendment is to add an adjacent parcel of land containing 3.11 acres, to be used as open space, to the original special use parcel as shown on the site plan entitled, "Plat of 3.11 Acres of Land Situated On Jahnke Road Richmond, Virginia", prepared by Charles C. Townes & Associates, P.C., Civil Engineers - Planners - Land Surveyors dated April 9, 1985 and last revised June 26, 1985. The attached site plan shall be made a part of the ordinance and will supplement the existing site plan rather than replace it.

The additional parcel of land would be used as open space for the time being. The applicant may request to use the parcel for parking and/or recreational uses in the future.

COUNCIL ACTION

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| On Docket 10/28/85 |
| Amended |
| Adopted |
| Rejected |