

AN ORDINANCE No. 87-69-67

ADOPTED APR 27 1987

To amend and reordain Ordinance No. 86-46-52, adopted March 10, 1986, entitled: "To authorize the use of the real estate, known, numbered and designated as 1031 and 1101 (formerly 925 and 927) Fourqurean Lane, containing 2.29 acres, more or less, located east of Harold Avenue on the south right of way line of Fourqurean Lane, being more completely described as follows: beginning at a point on the south right of way line of Fourqurean Lane, said point being 165 feet east of Harold Avenue; thence extending S 76° 02' E 432.26 feet along Fourqurean Lane to a point; thence generally southeasterly along a curved line a distance of 423.61 feet to a point; thence N 57° 20' 34" W 214.91 feet to a point; thence N 13° 58' E 273 feet to the point of beginning, for an elderly residential facility and to authorize the conversion of an existing building, former Saint Elizabeth School property, together with accessory parking, for the purpose of housing no more than 68 adult persons, age 55 years and older, substantially as shown on site plan, floor plans, basement and first and second floor, entitled: "Home for the Elderly", prepared by The Dickerson Group, Architects and Planners, dated August 4, 1983, revised December 3, 1983, and last revised January 24, 1986, upon certain terms and conditions.", to extend the time in which application may be made for a building permit through April 20, 1988.

Patron - City Manager (By Request)

Approved as to form and legality
by City Attorney

THE CITY OF RICHMOND HEREBY ORDAINS:

§ 1. That the real estate known, numbered and designated as 1031 and 1101 (formerly 925 and 927) Fourqurean Lane, containing 2.29 acres, more or less, located east of Harold Avenue on the south right of way line of Fourqurean Lane, being more completely described as

follows: beginning at a point on the south right of way line of Fourqurean Lane, said point being 165 feet east of Harold Avenue; thence extending S 76° 02' E 432.26 feet along Fourqurean Lane to a point; thence generally southeasterly along a curved line a distance of 423.61 feet to a point; thence N 57° 20' 34" W 214.91 feet to a point; thence N 13° 58' E 273 feet to the point of beginning, substantially as shown on site plan, floor plans, basement and first and second floor, entitled: "Home for the Elderly", sheets 1 through 3, prepared by The Dickerson Group, Architects and Planners, dated August 4, 1983, revised December 3, 1983, and last revised January 24, 1986, is hereby permitted to be used for an elderly (persons aged 55 years and older) residential facility and the conversion of an existing two-story building with basement on the described property, former Saint Elizabeth School property, is hereby permitted, for the purpose of housing no more than 68 adult persons (a maximum of 68 beds), together with accessory off-street parking.

§ 2. That the Commissioner of Buildings is hereby authorized to issue to the owner of the real estate, or successors in fee simple title, a building permit for such purposes, i.e., renovation and conversion of an existing building, and to permit the use of the property for purposes

of an elderly residential facility, substantially in accordance with the plans attached hereto and made a part of this ordinance. The special use permit herein authorized shall be transferable to the successors in title of the owner, whether acquired by operation of law, deed or otherwise, and shall run with the land, subject to the following terms and conditions:

(a) That the acceptance of the permit and the exercise of the privileges granted by this ordinance by the owner and its successors in title shall constitute a warranty on the part of the owner and its successors that title to the land and the building shall be vested in the same person or persons or corporation;

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

(c) The facility shall have a maximum of sixty-eight residents, age fifty-five years or older. Twenty-four hour supervision shall be provided by the staff;

(d) At the time the new entrance to the parking area is constructed as shown on the attached plans, the old entrance shall be properly closed at the owner's expense;

(e) That eighteen (18) parking spaces shall be provided as shown on the attached plans. The parking area shall be screened as shown on the attached plans. The parking area, access aisles and driveway shall be paved with a dust-free, all-weather surface and parking spaces shall be delineated on the pavement surface;

(f) That storm or surface water shall not be allowed to accumulate on the property, and adequate facilities for drainage of storm and surface water from the land or building shall be provided at the owner's cost and expense so as not to adversely affect or damage adjacent properties or public streets and the use thereof;

(g) That facilities for the collection of refuse shall be provided in accordance with the requirements of the Bureau of Solid Waste Management and the Department of Public Works and such facilities shall be so located or screened as not to be visible from adjacent properties or public streets;

(h) Identification of the premises shall be limited to one sign not exceeding six square feet in area mounted flat on a vertical surface of the building;

(i) Existing trees and landscaping on the site shall be retained;

(j) That should the owner use the premises for any

purpose which is not permitted by this ordinance, or fails, refuses or neglects to comply with the provisions of foregoing paragraphs (a) through (i) and does not terminate such use or comply with such provisions within ninety days after written notice so to do has been given to the owner by the Zoning Administrator, the privileges granted by this ordinance shall terminate and the special use permit shall become null and void;

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

(l) That application for a building permit to renovate and convert the building shall be made within twelve months from the effective date of this amendatory ordinance, which building permit shall expire by limitation and become null and void if renovation and conversion of the building is not commenced within one hundred eighty days from the date of the building permit, or if such work of renovating and converting the building is suspended or abandoned for a period of one hundred eighty days at any

time after the work is commenced, as provided in Section 109.1 of the Uniform Statewide Building Code, and if application for the building permit is not made within twelve months from the effective date of this ordinance or should the building permit expire and become null and void, the privileges granted by this ordinance shall terminate and the special use permit shall become null and void.

§ 3. Ordinance No. 86-46-52, adopted March 10, 1986, shall remain in force except as herein modified, and this amendatory ordinance shall be in force and effect upon adoption.

SPECIAL USE PERMIT APPLICATION
CITY OF RICHMOND, VIRGINIA

DATE: 3/10/87

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)

Home For The Elderly

at the premises designated or described as follows: 1031-1101

425 Fourqurean Lane, City 23222

in accordance with attached plans designated (title, sheet numbers, preparer, date)

The current zoning of the property is: Home For Elderly

Attached is a check for \$ 250.00, payable to "City of Richmond."

Signature of owner of property: James C. Bevell

Mailing Address: 2524 St. Main Street
Richmond, VA. 23220

ZIP CODE: _____

PHONE: 355-2126

Applicant or owner's representative: Bruce Robinson

Mailing Address: 1308 Hull Street
City 2

ZIP CODE: 23224

PHONE: 231-0407

STAFF NOTE:

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

AFFECTS MASTER PLAN YES _____ NO _____

APPLICANT'S REPORT

SPECIAL USE PERMIT
1031-1101 Fourquaren Lane
Richmond, Virginia
March 9, 1987

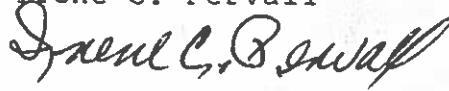
- I. SUBMITTED BY: Irene C. Pervall
- II. PREVIOUS LAST USE: School
- III. PRESENT ZONING: Residential
- IV. PROPOSED USE: Residential Home For The Elderly
- A. Number of Employees: Twelve(12)
- B. Hours of Operation: 24 hours continuous
- C. Vehicular Traffic: None
- D. Surrounding Area: Compatable with residential area
- E. Features of Homefor Elderly:
1. Professional residential facility specializing in care for senior citizens.
 2. Occupancy: Sixty-eight (68)
 3. Twenty-four hour supervision by staff.
 4. Revitalization of a community landmark by the renovation of the former St. Elizabeth School without any change in the configuration of the building.
 5. Community service by providing a pleasant, secure residence for senior citizens over the age of 55 years.
- F. Conditions:
1. The Home will enhance the safety, health, morale and general welfare of the community, by:
 - a. Occupancy of a currently unoccupied building.
 - b. Eliminate use of the property as a play area.
 - c. Beautification of the area by renovation of the building.
 - d. Continuous supervision of the area by staff.
 - e. Employment of local residents.
 2. Vehicular traffic will be negligible and less than that of the school. No congestion in streets, roads, alleys and other public places in the area.
 3. The Home will not present hazards from fire, panic, or other dangers.
 4. The Home will have a maximum occupancy of 68 residents, plus staff, which is substantially less than the previous school population.
 5. No adverse affect or interference with public or private schools, parks, playgrounds, water supplies,

sewage disposal, transportation or other public requirements, convenience and improvements.

6. No interference with light and air.

Respectfully submitted,

Irene C. Pervall



Enclosures:

1. Application
2. Survey
3. Plans

City of Richmond
City Planning Commission



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

April 22, 1987

To the Honorable Council of the
City of Richmond, Virginia

At its meeting of April 21, 1987, the City Planning Commission voted (7-1)
to recommend APPROVAL of:

Ordinance No. 87-69

To amend and reordain Ordinance No. 86-46-52, adopted March 10, 1986, entitled: "To authorize the use of the real estate, ***, numbered, *** 1031 and 1101 (formerly 925 and 927) Fourqorean Lane, *** to extend the time in which application may be made for a building permit through April 20, 1988.

This paper would amend special use Ordinance No. 86-46-52 so as to extend for one year the period within which building permits must be requested to implement the special use. That special use authorized the conversion of the former St. Elizabeth School building at 1031-1101 Fourqorean Lane into a home for the elderly. The Commission unanimously recommended approval of that paper. The property is located on the south side of Fourqorean Lane between Second and Harold Avenues, and contains 2.29 acres of land area. The original special use ordinance was adopted in 1984. It expired, and was reenacted in 1986. The petitioner has had problems financing the project, and the property is now for sale. Any subsequent owner would be bound by the terms of the special use permit. A potential purchaser has indicated a desire to take over the project and develop it within the framework of the adopted special use ordinance.

The subject property and the surrounding area are zoned R-5 Single-Family, which does not permit the proposed use. The predominant land use in the area is single-family, owner-occupied dwellings, although there are a few scattered duplexes. St. Elizabeth Catholic Church is located to the east across an unimproved City-owned right of way known as East Fork Cannon's Branch. The applicant acquired the subject property from the Church after approval of the original special use. The Master Plan recommends "institutional" use for the property, reflecting its former use as a church-owned private school.

The brick, two-story plus basement building was constructed in 1950 as a school. It contains 16,700 square feet of floor area. It has been vacant since mid-1982 and has become a maintenance and vandalism problem. The plan proposes conversion of the upper two floors into 17 rooms, housing a maximum of 68 occupants. Kitchen, dining, lounge and other support facilities would be provided in the basement. The special use ordinance limits occupancy to persons 55 years of age or older and requires 24-hour staff supervision. Identification of the property would be limited to a six square-foot sign attached to the building.

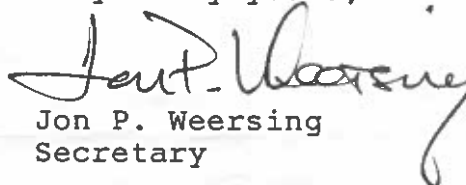
April 22, 1987

Eighteen parking spaces would be provided on a portion of a large paved area to the east of the building with access from a new driveway from Fourquarean Lane. The excess paved area would be removed and the area seeded to provide more landscaped area on the site. The parking area would be screened and the eighteen spaces would meet normal zoning requirements.

The Commission supported the original special use ordinance and its reenactment, feeling that the conversion of the building to a home for the elderly was appropriate given its exceptionally large size and the fact that the building has limited potential use. It was also indicated that any other use of the property would likely have greater neighborhood impact. The Commission feels that the conditions and circumstances which justified the original approval have not changed, and approval of the time extension is recommended.

No opposition has been expressed to the Commission.

Very truly yours,



Jon P. Weersing
Secretary

JPW:lk

cc: Ms. Irene C. Pervall - Applicant