

INTRODUCED: July 14, 2014

AN ORDINANCE No. 2014-157-159

As Amended

To conditionally rezone a portion of the property known as 6508 Jahnke Road (also known as the Bliley Property) from the R-2 Single-Family Residential District to the R-53 Multifamily Residential District (Conditional) and the remaining portion of such property from the R-2 Single-Family Residential District to the R-7 Single- and Two-Family Urban Residential District (Conditional), upon certain proffered conditions.

Patron – Mayor Jones (By Request)

Approved as to form and legality
by the City Attorney

PUBLIC HEARING: SEPT 8 2014 AT 6 P.M.

THE CITY OF RICHMOND HEREBY ORDAINS:

§ 1. That, as shown on the plat entitled “Compiled Rezoning Map of 54.679 Acres of Land along the North Side of Jahnke Road,” prepared by Timmons Group, and dated July 11, 2013, a copy of which is attached to, incorporated into, and made a part of this ordinance, a portion of the property known as 6508 Jahnke Road, with Tax Parcel No. C005-0500/006 as shown in the 2014 records of the City Assessor, is excluded from the R-2 Single-Family Residential District and shall no longer be subject to the provisions of sections 114-404.1 through 114-404.7 of the Code of the City of Richmond (2004), as amended, and that the same is

AYES: 8 NOES: 0 ABSTAIN: _____

ADOPTED: OCT 13 2014 REJECTED: _____ STRICKEN: _____

included in the R-53 Multifamily Residential District (Conditional) and shall be subject to the provisions of sections 114-418.1 through 114-418.8 and all other applicable provisions of Chapter 114 of the Code of the City of Richmond (2004), as amended.

§ 2. That, as shown on the plat entitled “Compiled Rezoning Map of 54.679 Acres of Land along the North Side of Jahnke Road,” prepared by Timmons Group, and dated July 11, 2013, a copy of which is attached to, incorporated into, and made a part of this ordinance, a portion of the property known as 6508 Jahnke Road, with Tax Parcel No. C005-0500/006 as shown in the 2014 records of the City Assessor, is excluded from the R-2 Single-Family Residential District and shall no longer be subject to the provisions of sections 114-404.1 through 114-404.7 of the Code of the City of Richmond (2004), as amended, and that the same is included in the R-7 Single- and Two-Family Urban Residential District (Conditional) and shall be subject to the provisions of sections 114-413.1 through 114.413.9 and all other applicable provisions of Chapter 114 of the Code of the City of Richmond (2004), as amended.

§ 3. That this rezoning shall be conditioned upon the compliance by the owner or owners with all of the proffered conditions applicable to each respective portion of the property contained in the agreement entitled [~~First~~] “Second Amended and Restated Proffered Conditions” and dated [~~April 7~~] September 5, 2014, a copy of which is attached to, incorporated into, and made a part of this ordinance. These conditions, having been proffered by the owner or owners and accepted by the City, shall continue in full force and effect until a subsequent amendment to the City’s zoning ordinance changes the zoning of the parcels rezoned by this ordinance and specifically repeals such conditions.

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

FIRSTSECOND AMENDED AND RESTATED PROFFERED CONDITIONS

The property owner and the contract purchaser, together the “applicants” in this rezoning case, pursuant to Section 15.2-2298 of the Code of Virginia (1950 as amended) and the Zoning Ordinance of the City of Richmond, for themselves and their successors or assigns, proffer that the property under consideration will be developed according to the following proffers if, and only if, the rezoning request submitted herewith is granted with only those conditions agreed to by the applicants, or their agent. In the event this request is denied or approved with conditions not agreed to by the applicants or their agent, the proffers shall immediately be null and void and of no further force or effect. As used herein, the term “R-53 Parcel” shall mean that portion of land designated and labeled as the “R-53 Parcel” on the rezoning map prepared by Timmons Group dated July 11, 2013 and revised August 8, 2013, attached hereto as Exhibit A (the “Zoning Map”). As used herein, the term “R-7 Parcel” shall mean that portion of land designated and labeled as the “R-7 Parcel” on the Zoning Map. As used herein, the term “Property” shall collectively mean the R-7 Parcel and the R-53 Parcel.

Applicable to the Property:

1. Conceptual Master Plan. Development of the Property shall be in general conformance with the conceptual master plan entitled “Bliley Property Conceptual Masterplan,” prepared by Cite Design attached hereto as Exhibit B (the “Master Plan”), which Master Plan is conceptual in nature and may vary in detail.
 - a. R-53 Parcel. Development of the R-53 Parcel may vary from the Master Plan if requested and specifically approved at the time of plan of development review and approval. For clarity, general conformance with the Master Plan requires development of the R-53 Parcel with the park as generally shown on the Master Plan, a clubhouse facing German School Road extended, and buildings located along the perimeter as generally shown with parking internal to the property in a grid-like fashion. For clarity, plan details that may be approved at the time of plan of development review include, without limitation, variations in the number of buildings, size of buildings, location of buildings, size and dimension of parking areas and islands, size of stormwater facilities and boundaries of tree save areas.
 - b. R-7 Parcel. Development of the R-7 Parcel may vary from the Master Plan if requested and specifically approved at the time of subdivision review and approval. For clarity, plan details that may be approved at the time of subdivision review include, without limitation, lot size, size of stormwater facilities and boundaries of tree save areas.
2. Tree Save. The areas generally shown by the dark green color and generally labeled as “Tree Save” on the Master Plan shall remain undisturbed, except (i) for construction of stormwater facilities as required for compliance with the Chesapeake Bay Preservation Act, the regulations thereunder and related state and local law, ordinances, regulations and rules, (ii) for the removal of fallen, diseased or dead plant growth to the extent permitted by federal, state and local law, ordinance, regulation and rules, (iii) for the installation of

utilities, including, without limitation, drainage, and the location of related easements, or (iv) any other purposes requested and specifically approved at the time of subdivision review. The exact boundaries of the tree save areas shall be established by the approved plan of development for the R-53 Parcel and the approved subdivision plan for the R-7 Parcel; provided, however, (a) the exact boundaries of the tree save areas shown on the approved plan of development for the R-53 Parcel shall contain collectively a minimum of two (2) acres (in the aggregate regardless of how the R-53 Parcel may be subdivided in the future for the dedication and acceptance of the public road) and (b) the exact boundaries of the tree save areas shown on the approved subdivision plan for the R-7 Parcel shall contain collectively a minimum of six (6) acres (in the aggregate regardless of how the R-7 Parcel may be subdivided in the future for the dedication and acceptance of the public road).

3. Treescape. Street trees shall be provided on both sides of all public streets, shall be a minimum of 2.5" caliper at planting, and planted a maximum of thirty-five (35') feet on center.
4. Access. The Property shall not have vehicular access to and from Marle Road, Glencove Lane, and Greenvale Drive.
5. Severance. The unenforceability, elimination, revision or amendment of any proffer set forth herein, in whole or in part, shall not affect the validity or enforceability of the other proffers or the unaffected part of any such proffer.

Applicable to R-53 Parcel:

6. Elevations. Development of the R-53 Parcel shall be in general conformance with the architectural elevations shown on Exhibit C attached hereto ("MF Elevations"), unless otherwise requested and specifically approved at the time of plan of development review. The exterior materials shown on the MF Elevations shall be controlled by Proffer 7 below.
7. Exterior Materials. Any building developed on the R-53 Parcel shall have exposed exterior walls (above finished grade but exclusive of trim) of brick, cultured stone, vinyl (a minimum of 0.044 millimeters nominal thickness as evidenced by manufacturer's printed literature), or a combination of the foregoing, unless different materials are otherwise requested and specifically approved with respect to the exposed portion of any such walls at the time of plan of development review. Roof materials may be dimensional or architectural asphalt shingle, unless otherwise requested and specifically approved at the time of plan of development review. Standing seam metal, or an equivalent material, may also be used on some roofing areas for aesthetic or focal purposes.
8. Density. There shall be no more than two hundred fifty-two (252) multi-family dwelling units developed on the R-53 Parcel.

Applicable to R-7 Parcel:

9. Elevations. Development of single-family detached dwellings on the R-7 Parcel shall be in general conformance with the architectural elevations shown on Exhibit D attached hereto (“Home Elevations”), unless otherwise requested and specifically approved at the time of subdivision review. The exterior materials shown on the Home Elevations shall be controlled by Proffer 10 below.
10. Exterior Materials. Any building shall have exposed exterior walls (above finished grade but exclusive of trim) of brick, cultured stone, vinyl (a minimum of 0.044 millimeters nominal thickness as evidenced by manufacturer’s printed literature), cementitious or composite-type siding, or a combination of the foregoing, unless different materials are otherwise requested and specifically approved with respect to the exposed portion of any such walls at the time of subdivision review. Roof materials may be dimensional or architectural asphalt shingle, unless otherwise requested and specifically approved at the time of plan of development review. Standing seam metal, or an equivalent material, may also be used on some roofing areas for aesthetic or focal purposes.
11. Lot Width. Lots for single-family detached homes shall have a minimum width of thirty-five (35’) feet.
12. Buffer. A buffer a minimum of twenty-five feet (25’) in width shall be provided along the northern property line of the R-7 Parcel as generally shown on the Master Plan (“Buffer”). The Buffer shall be natural and remain undisturbed subject to: (i) the removal of fallen, diseased or dead plant growth; (ii) the extent necessary or allowed for utility easements and related improvements, including sewer, drainage and outfall from stormwater detention facilities, that may pass through the buffer in a generally perpendicular manner (unless currently existing) and initial grading; and (iii) any other purposes requested and specifically approved at the time of subdivision review.
13. Restrictive Covenants. Prior to or concurrent with the recordation of a subdivision plat approved by the City of Richmond, Virginia and before the conveyance of any portion of the R-7 Parcel covered by said subdivision plat (other than for the dedication of easements, roads or utilities), a document shall be recorded in the Clerk’s Office of the Circuit Court of the City of Richmond, Virginia, setting forth controls on the development and maintenance of such portions of the R-7 Parcel. Said covenants shall include provisions for maintenance and operation of any storm water management system, and address aesthetic design principles of homes, specific architectural design guidelines, landscaping and maintenance of the Buffer.
14. Density. There shall be no more than one hundred twenty-five (125) single-family detached dwelling units developed on the R-7 Parcel.
15. Garages. Lot owners shall have the option to construct a garage, and, if constructed, the garage shall be constructed in the rear of the lot no closer to the public street than the intersection of the side and rear walls of the home constructed on the lot that is closest to the public street.

16. Road Construction. The property owner shall commence construction of the road for the initial phase of the R-7 Parcel (minimum 40 lots) pursuant to a land disturbance permit prior to acceptance of the extension of German School Road located on the R-53 Parcel.

[REMAINDER OF PAGE INTENTIONALLY LEFT BLANK.]
[SIGNATURE PAGE TO FOLLOW.]

[CONTRACT PURCHASER SIGNATURE PAGE TO BLILEY PROPERTY PROFFRS]

JAHNKE ROAD PROPERTIES, LLC,
a Virginia limited liability company

By: _____

Jeffrey P. Geiger, Attorney-in-Fact

Date: ~~April 7,~~ **Dated: September 5,** 2014

[PROPERTY OWNER SIGNATURE PAGE TO BLILEY PROPERTY PROFFRS]

CATHERINE B. WRIGHT,
THE ESTATE OF NICHOLAS M. BLILEY,
MARGARET B. WILKINS,
NORBERT M. BLILEY,
CECILIA B. DUKE,
JOSEPH W. BLILEY, IV,
JONATHAN H. BLILEY,
DANIEL J. BLILEY AND
ERIC A. BLILEY

By: See Attached

SECOND AMENDED AND RESTATED PROFFERED CONDITIONS

The property owner and the contract purchaser, together the "applicants" in this rezoning case, pursuant to Section 15.2-2298 of the Code of Virginia (1950 as amended) and the Zoning Ordinance of the City of Richmond, for themselves and their successors or assigns, proffer that the property under consideration will be developed according to the following proffers if, and only if, the rezoning request submitted herewith is granted with only those conditions agreed to by the applicants, or their agent. In the event this request is denied or approved with conditions not agreed to by the applicants or their agent, the proffers shall immediately be null and void and of no further force or effect. As used herein, the term "R-53 Parcel" shall mean that portion of land designated and labeled as the "R-53 Parcel" on the rezoning map prepared by Timmons Group dated July 11, 2013 and revised August 8, 2013, attached hereto as Exhibit A (the "Zoning Map"). As used herein, the term "R-7 Parcel" shall mean that portion of land designated and labeled as the "R-7 Parcel" on the Zoning Map. As used herein, the term "Property" shall collectively mean the R-7 Parcel and the R-53 Parcel.

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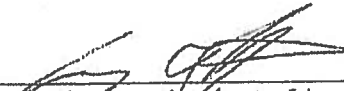
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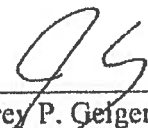
JAHNKE ROAD PROPERTIES, LLC,
a Virginia limited liability company

By: 
Name: Edgar B. Jahnke
Title: Mgr
Date: 9-5-14

[CONTRACT PURCHASER SIGNATURE PAGE TO BLILEY PROPERTY PROFFRS]

JAHNKE ROAD PROPERTIES, LLC,
a Virginia limited liability company

By: _____


Jeffrey P. Geiger, Attorney-in-Fact

Dated: September 5, 2014

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CATHERINE B. WRIGHT,
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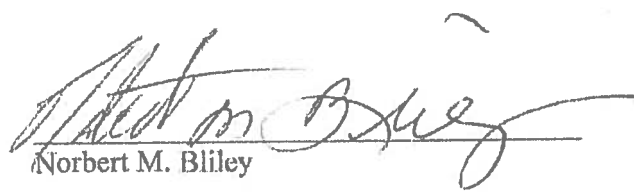
Catherine B. Wright

Catherine B. Wright

THE ESTATE OF NICHOLAS M. BLILEY

By: Patricia S. Bliley
Name: Patricia S. Bliley

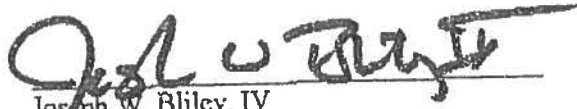
Margaret B. Wilkins
Margaret B. Wilkins

A handwritten signature in cursive script, appearing to read "Norbert M. Bliley". The signature is written in dark ink and is positioned above a horizontal line.

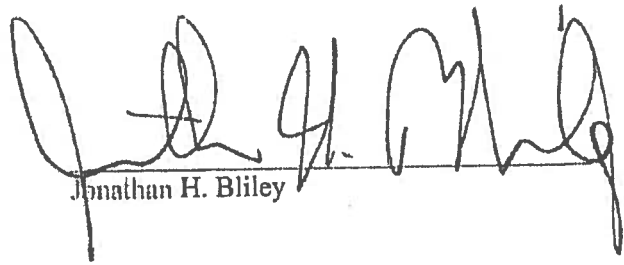
Norbert M. Bliley

Cecilia B. Duke

Cecilia B. Duke



Joseph W. Bily, IV



Jonathan H. Bliley

Daniel J. Bliley
Daniel J. Bliley

Daniel J. Bliley
and Daniel J. Bliley, as attorney-in-fact for the
property owners of the subject property (a copy of
the power of attorney is attached as Exhibit A to the
Memorandum recorded as Instrument Number
140003996 in the Clerk's Office for the Circuit
Court of the City of Richmond, VA)

Eric A. Bliley

Eric A. Bliley



City of Richmond

900 East Broad Street
Richmond, VA 23219
www.Richmondgov.com

Intracity Correspondence

Ordinance: TMP-252

File Number: TMP-252

To conditionally rezone the property known as 6508 Jahnke Road (also known as the Bliley Property) from the R-2 Single-Family Residential District to the R-53 Multifamily Residential District (Conditional) and R-7 Single and Two-Family Urban Residential District (Conditional), upon certain proffered conditions.

O & R Request

DATE: May 15, 2014

EDITION: 1

RECEIVED
JUN 04 2014

TO: The Honorable Members of City Council

THROUGH: Dwight C. Jones, Mayor (Patron: Mayor, by Request)
(This in no way reflects a recommendation on behalf of the Mayor.)

OFFICE OF CITY ATTORNEY

THROUGH: Byron C. Marshall, Chief Administrative Officer

THROUGH: Peter H. Chapman, Deputy Chief Administrative Officer for Economic Development and Planning

FROM: Mark A. Olinger, Director, Department of Planning and Development Review

RE: To conditionally rezone the property known as 6508 Jahnke Road (also known as the Bliley Property) from the R-2 Single-Family Residential District to the R-53 Multifamily Residential District (Conditional) and R-7 Single and Two-Family Urban Residential District (Conditional), upon certain proffered conditions.

ORD. OR RES. No.

PURPOSE: To conditionally rezone the property known as 6508 Jahnke Road (also known as the Bliley Property) from the R-2 Single-Family Residential District to the R-53 Multifamily Residential District (Conditional) and R-7 Single and Two-Family Urban Residential District (Conditional), upon certain proffered conditions.

REASON: The R-2 district does not permit either multi-family uses or single-family detached dwellings on lots less than 15,000 square feet in area with a width less than ninety feet (90').

RECOMMENDATION: In accordance with the requirements of the City Charter and the Zoning Ordinance, the City Planning Commission will review this request and make a recommendation to City Council. This item will be scheduled for consideration by the Commission at its July 7, 2014 meeting. A letter outlining the Commission's recommendation will be forwarded to City Council following that meeting.

BACKGROUND: The subject 54.659-acre parcel located at 6508 Jahnke Road and is zoned R-2 Single-Family Residential District. It is mostly wooded and is occupied by one single-family detached dwelling.

The applicant proposes to develop the property for up to 252 multifamily dwelling units and 125 single-family detached dwelling units. The applicant has submitted proffers which limit the number of dwelling types and units. In addition the proffers require a minimum acreage for tree save area, specific exterior materials and elevations, a minimum natural buffer, and single-family detached garages to be constructed to the rear of the lots no closer to the public street than the intersection of the rear and side walls of the homes.

The Richmond Master Plan designates this property as a Single-Family (Low Density) Housing Opportunity Area (HOA). "This designation indicates that the site is appropriate for residential development consistent with the underlying land use plan designation of single-family residential. However, the HOA designation indicates that these specific sites are also appropriate for higher density residential development, provided that specific objectives and conditions described for each location can be met" (p.212). General objectives required under the HOA are access with minimal impact, objective design review, and adequate buffering to lower density residential neighborhoods. More specifically, this particular HOA allows for higher densities if, "additional open space or protection of some of the natural environment can be provided" (p.212).

FISCAL IMPACT: The Department Planning and Development Review does not anticipate any impact to the City's budget for this or future fiscal years.

COST TO CITY: Staff time for processing the request; preparation of draft ordinance; and publishing, mailing and posting of public notices.

REVENUE TO CITY: \$6,700 application fee

DESIRED EFFECTIVE DATE: Upon adoption.

REQUESTED INTRODUCTION DATE: June 9, 2014

CITY COUNCIL PUBLIC HEARING DATE: July 14, 2014

REQUESTED AGENDA: Consent

RECOMMENDED COUNCIL COMMITTEE: None

CONSIDERATION BY OTHER GOVERNMENTAL AGENCIES: City Planning Commission, July 7, 2014

AFFECTED AGENCIES: Office of Chief Administrative Officer
Law Department (for review of draft ordinance)
City Assessor (for preparation of mailing labels for public notice)

RELATIONSHIP TO EXISTING ORDINANCES: None.

ATTACHMENTS: Application Form, Applicant's Letter, Draft Ordinance, Survey, Plans

STAFF: Willy Thompson, Senior Planner

File Number: TMP-252

Land Use Administration (Room 511)
646-5734

DCD O&R No.14-18



Application for REZONING/CONDITIONAL REZONING

Department of Planning and Development Review
Land Use Administration Division
800 E. Broad Street, Room 511
Richmond, Virginia 23219
(804) 646-6304
<http://www.richmondgov.com/>

Project Name/Location

Project Name: Bliley Property Date: 10/25/2013

Property Address: 6508 Jahnke Road Tax Map #: C0050500006

Fee: \$6,700.00 Total area of affected site in acres: 54.679
(See page 3 for fee schedule, please make check payable to the "City of Richmond")

Zoning

Current Zoning: R-2

Existing Use: single family residence

Is this property subject to any previous land use cases?
 Yes No

If Yes, please list the Ordinance Number:

Proposed Zoning/Conditional Zoning

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

31.867 acres to R-7 and 22.812 acres

to R-53 with proffered conditions for an
urban in-fill residential community

Applicant/Contact Person: Representative - Jeffrey P. Geiger

Company: Hirschler Fleischer

Mailing Address: P. O. Box 500

City: Richmond State: VA Zip Code: 23218-0500

Telephone: (804) 771.9557 Fax: (804) 644.0957

Email: jgeiger@hf-law.com

Property Owner: Daniel J. Bliley and other relatives listed on attached list

If Business Entity, name and title of authorized signer: Daniel J. Bliley, Attorney-in-Fact for owners

Mailing Address: 614 S. 2nd Street

City: Smithfield State: NC Zip Code: 27577

Telephone: (919) 934-8610 Fax: ()

Email: _____

Property Owner Signature: _____ By: _____

Jeffrey P. Geiger, Attorney-in-Fact

(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.)

**JAHNKE ROAD PROPERTIES, LLC
BLILEY FAMILY PROPERTY REZONING
FIRST AMENDED AND RESTATED APPLICANT'S REPORT**

1. INTRODUCTION.

Jahnke Road Properties, LLC (the "Applicant") desires to construct an in-fill, residential community on a nearly vacant fifty-five (55) acre (\pm) parcel of land located in the City of Richmond, Virginia (the "City"). The subject parcel is commonly known as the Bliley property and is located at the intersection of Jahnke Road and German School Road (near Jahnke Road's intersection with Chippenham Parkway) (the "Property"). The Property is shown on the City's tax map as C0050500006 and has been underutilized for many years. The Applicant's proposed community will inject high-quality residential development on a property that the City has targeted as a Housing Opportunity Area. The Applicant's investment in the Property will be a catalyst for the corridor and allow the City to realize a return on its prior investment in improvements for German School Road and prior and future investments in Jahnke Road.

This new residential community will attract young professionals employed at CJW Medical Center (Chippenham Campus), the Boulders, and other area business in the City as well as in Chesterfield County along Midlothian Turnpike. This new residential community will also attract empty nesters looking to down-size their homes and yards or empty nesters no longer desiring home-ownership. Attracting these residents to and keeping these residents in the City will support existing and new business in the Jahnke Road corridor and will stimulate future commercial development. The Bliley family will retain the six (6) acre (\pm) parcel of land that fronts Jahnke Road (the "Future Commercial Parcel") and they are marketing the Future Commercial Property for future commercial development. The Future Commercial Parcel is not included in this rezoning request.

2. PROPERTY.

The Property is shown on the enclosed ALTA/ACSM survey prepared by Timmons Group dated June 26, 2013. The Property is currently zoned R-2. The Property is currently improved with one (1) single-family dwelling.

Neighboring properties include a mixture of uses. Along the western property line of the Property is an existing, aged multi-family residential development and the City-owned Powhite Park. Along the eastern boundary of the Property is Lucille Murray Brown Middle School. Along the northern boundary line are single-family detached homes. The Future Commercial Parcel is located south of the Property and fronts Jahnke Road. Across Jahnke Road are retail centers anchored with a Food Lion grocery store and a Rite Aid drug store.

The Property is mostly wooded with portions cleared along Jahnke Road and with additional clearing around the existing single-family residence. No portion of the Property is located within a resource protection area. Portions of the Property are designated as resource management areas, as shown on the proffered rezoning map prepared by Timmons Group and

dated July 11, 2013, and revised August 8, 2013. The Property will be developed in conformance with the City's requirements for resource management areas.

3. **DEVELOPMENT OVERVIEW.**

a. *Proposed Development.*

The Applicant proposes a planned, in-fill, residential community centered around a pocket park for this community. This residential community will have two different residential components with a maximum density of under seven units per acre.

The first component, positioned on the southern half of the Property between the existing middle school and the existing multi-family residences, will consist of high-quality, multi-family dwellings. These multi-family dwellings will be three-stories in height and will be arranged in a urban layout that places the buildings on the perimeter with parking internal to and hidden by the buildings. The total number of units is capped at 252.

The second component, positioned on the northern half of the Property between the existing single family dwellings and Powhite Park, will consist of high-quality, single-family detached craftsman-style homes. The total number of units is capped at 125.

The layout for this new residential community is shown on the proffered concept plan entitled "Bliley Property Conceptual Masterplan" prepared by Cite Design (the "Master Plan"). Both residential components will retain existing trees as generally shown on the Master Plan. In addition, the minimum amount of acreage that will be devoted to retaining the existing trees has been proffered. Both residential components will include a network of sidewalks. The single-family component will also utilize public alleys as shown on the Master Plan in yellow to increase connectivity and neighbor interaction throughout the community. Sidewalks will also be provided along German School Road (extended) to allow the residents to walk to the grocery store and to other retail establishments across Jahnke Road. The inclusion of the neighborhood park, the green spaces and the connectivity will provide a vibrant, interactive community for its future residents.

b. *Multi-Family Use.*

The multi-family component will include a clubhouse facing German School Road (extended) to provide a sense of place and an entrance feature as you enter the community. Dwelling units will be laid out along the perimeter of the multi-family component as generally shown on the Master Plan. This will allow for internal location of the vehicular areas in a grid-like fashion. The elevations for the dwelling units will be in general conformance with the proffered elevations. Exterior materials have been proffered as described in more detail below. The clubhouse will be used by the residents of the multi-family dwelling units for recreational activities. Other recreation common areas will be provided. Sidewalks will also be provided as generally shown on the Master Plan to connect the residents with the park and the other sidewalks within the overall community. The objective is to create a connected, walkable, multi-

family neighborhood that will contribute to a vibrant, interactive community both for itself and for the single-family component.

c. *Single-Family Use.*

The single-family component will be comprised of detached craftsman-style homes, which will be in general conformance with the proffered elevations. These craftsman-style homes will be built on lots with a minimum width of thirty-five feet (35'). However some of the lots for the craftsman-style homes could be as wide as or wider than fifty feet (50'). Lots with a width between 35' and 40' will be served by a public alley. Lots with a width greater than 40' may be served by a public alley or a public street. Lots served by a public alley will have driveway access via the public alley. Lots not served by a public alley will access the public street via driveways running along the side of the home. Optional garages for the craftsman-style detached homes will only be located in the rear of the lot.

The single-family component will include a network of sidewalks as generally shown on the Master Plan. This connectivity will foster neighbor interaction, connectivity among the residents and their homes and trips on foot to the grocery store and other retail establishments. The centrally located park and placement of garages in the rear of the craftsman-style homes will also encourage a great sense of place and connectedness among the residents. The Applicant's goal is to create a connected, walkable single-family community that will contribute to a vibrant, interactive community both for itself and for the multi-family component.

d. *Appropriate Transitional Uses.*

Neighboring uses around the Property include retail along Jahnke Road, a middle school along the eastern property line and existing multi-family dwelling units along the western property line. Successful development of the Property will require transitional residential uses from these high intensity uses along the southern, eastern and western property lines of the Property. For this reason, a multi-family use is proposed to transition from these high intensity uses to the proposed single-family component of this new residential community.

e. *Access.*

The applicant held several meetings with the neighboring communities prior to filing this rezoning request. The most important issue to the existing residential community to the north of the Property is the prohibition of connections to the existing stub roads located along the northern property line of the Property. The applicant responded to the desires of the community by proffering no connections to the existing stub roads located along the northern property line of the Property.

f. *Signage.*

For the City to realize a high-quality investment in the Property, prominent signage must be available at the intersection of Jahnke Road and German School Road. This signage creates a sense of place, creates a high-quality identity and name for the entire area, and directs people to

the homes located on the property. This signage is also instrumental to high-quality developers as a means of placing a high-quality brand on the project by using brand signage they have developed.

Unfortunately, the Property's existing road frontage across from German School Road is not wide enough for the extension of German School Road and a project sign constructed in accordance with the City's zoning ordinance. Options for locating a project sign at this intersection were discussed with the City's Planning staff. Due to space constraints, the project sign would have to be located on a small portion of the Future Commercial Parcel. As a result, the best option for obtaining the necessary signage was to apply for a special use permit to permit the construction of an off-site project sign. Accompanying this rezoning request, is an Special Use Permit application requesting approval of an off-site project sign on a small portion of the Future Commercial Parcel. The elevation and site plan for this project sign is included with the Special Use Permit application. This elevation included with the Special Use Permit request replaces the sign elevation that was previously included with this request.

g. *School-Age Children.*

Staff has requested from the Applicant projections for school-aged children living in this new community. The Applicant requested this information from the potential builders of the multi-family units and the single-family detached homes based on their experience with other similar projects. Fifty-five school-aged children are projected to live in the 252 multi-family units, and thirty school-aged children are projected to live in the 125 single-family homes.

h. *Rezoning Request.*

To permit development of this in-fill, residential community, the Applicant requests the City's approval of a rezoning for the Property from the current R-2 classification. The Applicant requests that the Property be rezoned to two zoning districts – one to accommodate the single-family component and one to accommodate the multi-family component. The requested rezoning for the single-family component is R-7, and the requested rezoning for the multi-family component is R-53. The division of the Property into the R-7 and R-53 districts would be as shown on the proffered rezoning map prepared by Timmons Group and dated July 11, 2013, and revised August 8, 2013 ("Rezoning Plat"). The requested rezoning would be conditional and proffers are included with this rezoning request. The proffers are summarized in Section 6 below.

4. ECONOMIC DEVELOPMENT.

The Applicant's proposed investment in this Property is on a scale that has not been seen in the City for many years. This in-fill, residential community would allow the City to leverage this underutilized tract of land for new economic development growth along the Jahnke Road corridor and the surrounding business corridors. All of this benefit would come without any new investment in infrastructure by the City.

The overall investment in the City proposed by the Applicant is a minimum \$43,000,000.00 expansion in the City real estate tax base (based on anticipated construction costs for the multi-family and an average base sales price of \$200,000 for the single-family). Using today's real estate tax rate, this would generate \$516,000 per year in real estate taxes. In addition, the new dwellings would generate new tap fees for water and sewer service. Construction of the new residential community would result in new jobs in the City with these workers bringing new consumer dollars to the retail businesses in this area.

This investment would come without the need for new infrastructure spending by the City. This proposed community will make use of existing water, sewer and stormwater connections and lines. The Applicant will be responsible for providing any necessary extension of water and sewer lines throughout this new residential community and will provide the required stormwater detention control measures within the Property necessary for its connection to the existing stormwater system. The Applicant will also be responsible for extending German School Road and dedicating the new public roads.

This new residential community will bring new residents to the area who will support the existing retail and other businesses along Jahnke Road. These new residents will also attract new businesses and new investments along Jahnke Road, including the Future Commercial Parcel. The spending by these new residents will not be contained to the Jahnke Road corridor. They will also utilize the quick access to the downtown area, Carytown and Stony Point for shopping, entertainment and restaurants.

5. MASTER PLAN.

a. *Follows the City's Master Plan.*

The proposed, in-fill, residential community is planned for an underutilized, large tract of land. The City's Master Plan recognizes the potential for this Property by designating it as a Housing Opportunity Area.

As a Housing Opportunity Area, this Property has been identified by the City as appropriate for higher density residential development between eight and ten units per acre. This new community will be developed at less than seven units per acre.

Even though the additional density afforded by the Housing Opportunity Area will not be used, this new community will satisfy the Master Plan's conditions for higher density residential development on this Property. The design of this new residential community meets these conditions by not adding new trips to the existing residential streets along the northern property line, by providing proffers (e.g. Master Plan, elevations, and materials) to provide objective methods of design review during the site development process, by positioning the lower density, larger lot single family homes as a buffer between the existing single-family dwellings and the multi-family component of this new community, and by providing a natural buffer between the existing single-family dwellings and the new single-family homes. In addition, the community's Master Plan meets the open space objective by including a park, tree save areas and other open space areas.

The additional density provided by the Housing Opportunity Area is targeted toward single-family residential development, but the quality residential development desired by the City's Master Plan cannot be achieved in the marketplace without the density provided by multi-family dwellings. Without the multi-family dwellings, the only way to achieve the City's desired eight to ten units an acre on a single-family basis would be to sacrifice quality and use tiny lots. In addition, as noted above, the multi-family dwelling units provide the appropriate residential transitional use necessary for transition from the neighboring high intensity uses to the proposed single-family component of this new residential community.

Further, the Master Plan also seeks to provide a variety of housing choices and homeownership opportunities. The addition of the proposed multi-family dwellings is consistent with the neighboring multi-family use and other multi-family uses within the Jahnke Road corridor. The addition of the proposed multi-family dwellings will also further the City's homeownership goals expressed in the Master Plan.

b. *Meets the Goals of the City's Master Plan.*

In addition to adding to the variety of housing choices within the City, this new in-fill community will also address other goals the City has espoused in its Master Plan. Approval of this new residential community will provide a unique opportunity in this area for new, high-quality housing that will be of interest to teachers, nurses, emergency responders, young professionals, empty nesters and other homeowners. This community will also provide the new homes that are essential to ensuring a more diverse mix of homeowners and incomes in City neighborhoods, as sought by the City's Master Plan. Furthermore, this new infill community will provide an adequate, but not maximized, density on land that is underutilized currently.

Lastly, infill development like the proposed residential community is promoted within the Midlothian Planning District Plan and the preservation of a significant portion of this community as open space and tree save areas furthers the environmental goals within the Midlothian Planning District Plan.

6. PROFFERED CONDITIONS.

The rezoning request provides proffered conditions which address the layout of this in-fill, residential community, the elevations of the dwelling units, the exterior materials of the dwelling units, and vehicular access, among others. These proffered conditions will help assure the development of a high-quality, vibrant residential community that will allow the City to leverage this underutilized, large tract of land for economic development and to attract residents to, and retain residents in, the area.

a. *Site Design.*

The Master Plan has been proffered and the residential community will be constructed in general conformance with this Master Plan. As noted above, the Master Plan shows a residential community that is centered around a neighborhood park and includes tree save areas, a new public road network, a network of sidewalks and other open space areas. The multi-family

component will be arranged in an urban layout with dwelling units on the perimeter and internal, grid-like vehicular areas. The location and limits of the multi-family component are identified on the Master Plan and the proffered rezoning map. For the single-family component the Master Plan identifies the location and limits of the single-family component and shows the general layout for the public roads and the lots.

b. *Density.*

The density for the multi-family component has been limited to no more than 252 dwelling units. The density for the single-family component has been limited to no more than 125 dwelling units.

c. *Residential Design.*

The proffered conditions applicable to the multi-family component include elevations for the multi-family dwelling units. In addition, materials for exterior walls are proffered and include brick, cultured stone or vinyl. Where vinyl products are used, the minimum thickness shall be 0.044 millimeters. Roof materials may be dimensional or architectural asphalt shingle. Standing seam metal, or an equivalent material, may be uses on roofs as aesthetic elements or to provide a focal point.

The proffered conditions applicable to the single-family component include elevations for the single-family detached dwelling units. The exterior walls of each single-family dwelling unit will be clad in cementitious siding, brick, cultured stone or vinyl. Where vinyl products are used, the minimum thickness shall be 0.044 millimeters. Roof materials may be dimensional or architectural asphalt shingle. Standing seam metal, or an equivalent material, may be uses on roofs as aesthetic elements or to provide a focal point.

d. *Access.*

This in-fill, residential community will have access via the extension of German School Road. In multiple meetings with neighboring communities, neighbors expressed opposition to connecting with the existing stub road located along the northern property line of the Property. The existing residential roads are narrow with no shoulders and adding more vehicles to them would present a safety risk to the community. In addition, the community is concerned about increasing cut-through traffic on Bliley Road. As a result, the applicant is proffering not to connect to the existing stub roads located along the northern property line of the Property.

7. **CONCLUSION.**

Currently, the Property is underutilized and ripe for development as a residential community. The City's Master Plan's designation recognizes this potential.

The proposed, in-fill, residential community provides appropriate transitional uses from the existing high intensity uses along the southern, eastern and western property lines of the Property to the existing single-family dwelling units located along the northern property

line. The incorporation of high-quality multi-family dwelling units in this residential community is in keeping with existing multi-family uses on the neighboring property to the west and other properties in the Jahnke Road corridor. In addition, the incorporation of high-quality multi-family dwelling units allows this residential community to achieve quality density as desired by the City's Master Plan.

Approval of this residential community will allow for a significant investment into the City. This new investment will attract new residents to, and retain residents within, this area of the City. These residents would support the existing businesses along Jahnke Road and attract new businesses to the area. These residents would also stimulate development on the Future Commercial Parcel.

In addition, the approval of this residential community will provide a unique housing opportunity in this area with new, high-quality multi-family and single-family dwelling units. Upon completion, this residential community will have contributed to the City's goal of providing the new homes that are essential to ensuring a more diverse mix of homeowners and incomes in City neighborhoods.

Substantial proffered conditions will ensure the high-quality of this in-fill, residential community and the provision of a park and tree save areas within the community. This new residential community will be an asset to the immediate area and to the City of Richmond as a whole.

5086596-6 039153.00004

CURVE	BEARING	LENGTH	TANGENT	DELTA	CHORD BEARING	CHORD
C1	S26.42°E	68.42'	31.14'	90°11'11"	N72°50'14"W	68.42'
C2	S154.02°E	204.12'	153.47'	12°59'19"	S81°50'16"W	204.12'
C3	S83.47°E	204.12'	153.47'	12°59'19"	N1°59'23"E	204.12'
C4	S83.47°E	62.72'	43.87'	82°09'11"	S48°11'42"E	62.72'

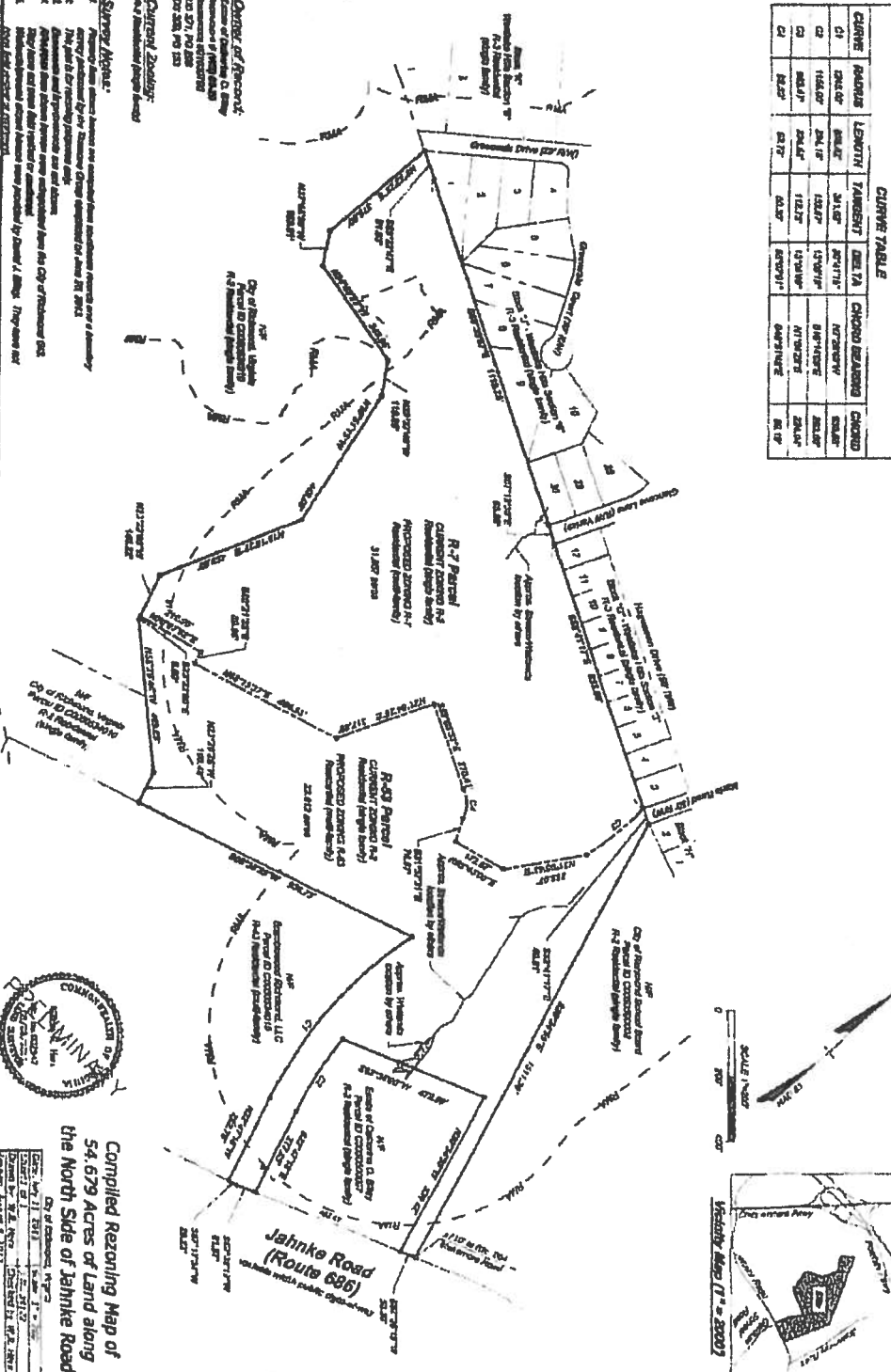
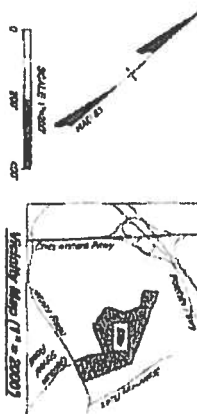


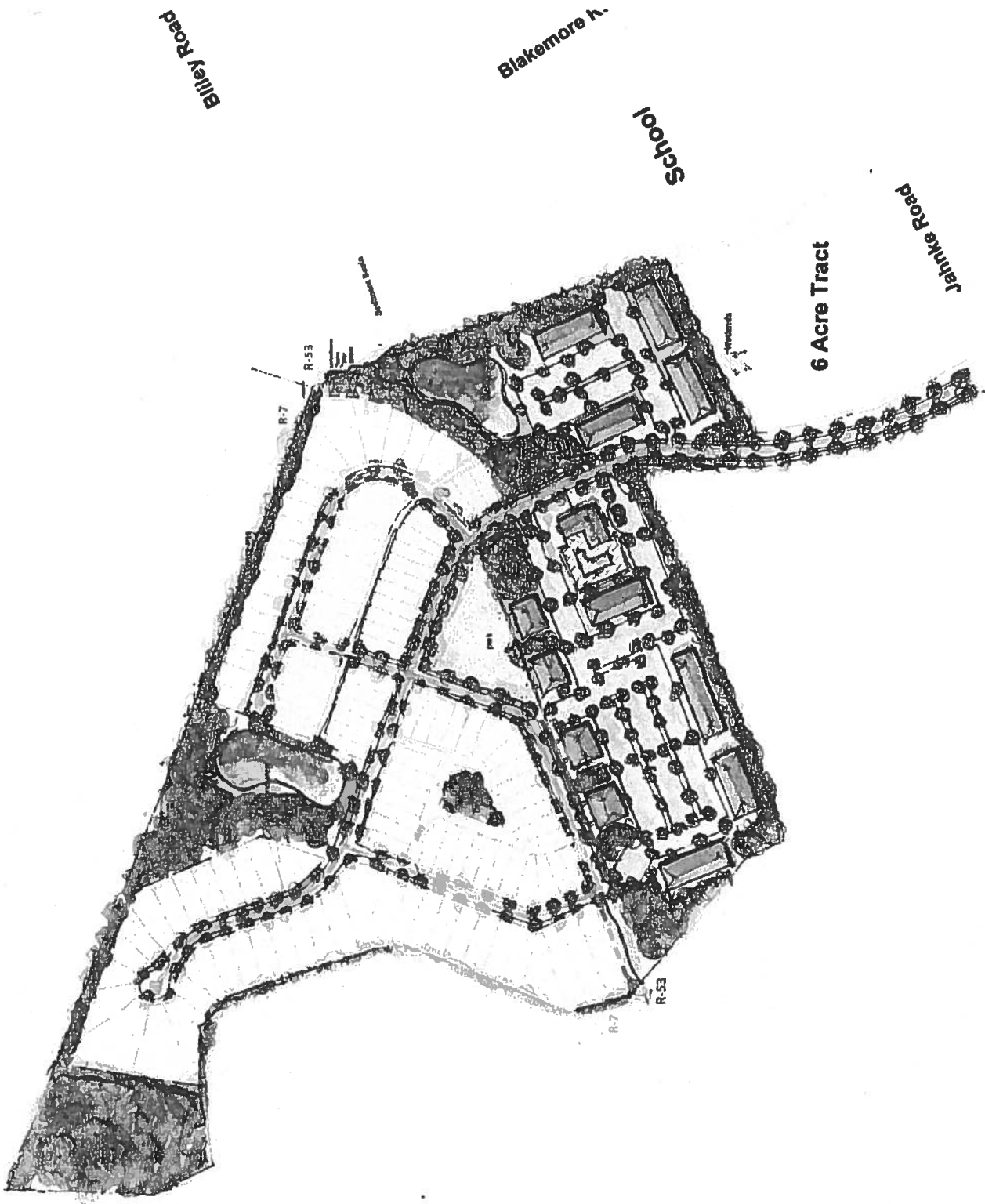
EXHIBIT A

Compiled Rezoning Map of
54.679 Acres of Land along
the North Side of Jahnke Road

TIMMONS GROUP



3/21/2015 11:43 AM
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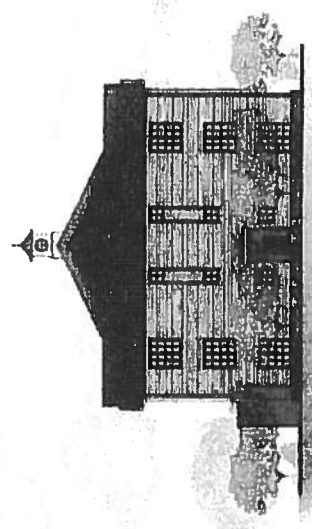


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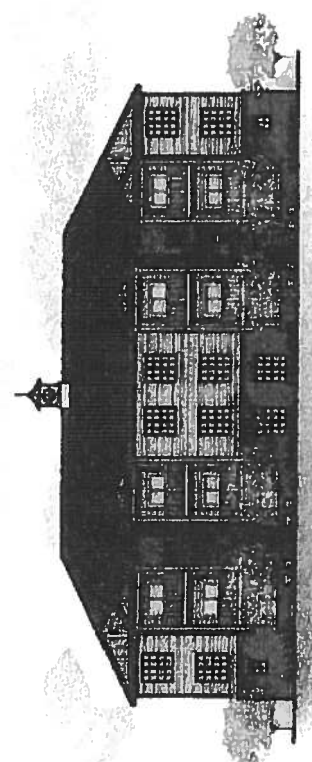
Billey Property
Conceptual Masterplan

EXHIBIT B

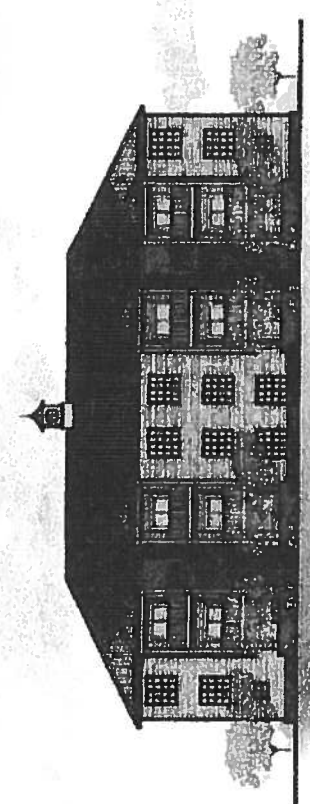
DRAFT



TYPE A - SIDE BUILDING ELEVATION
 SCALE 3/32" = 1'-0"

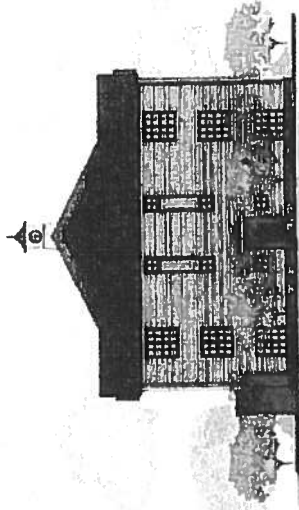


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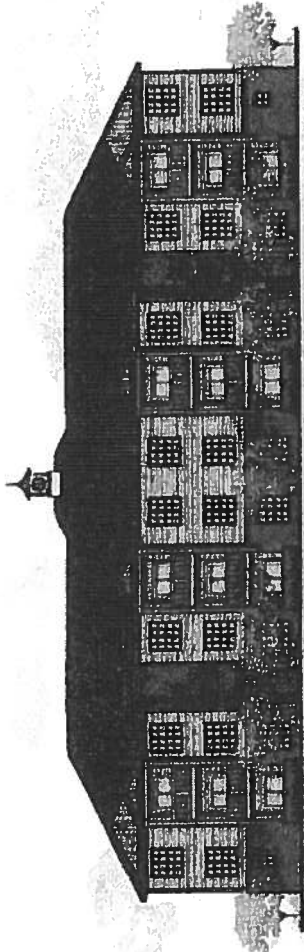


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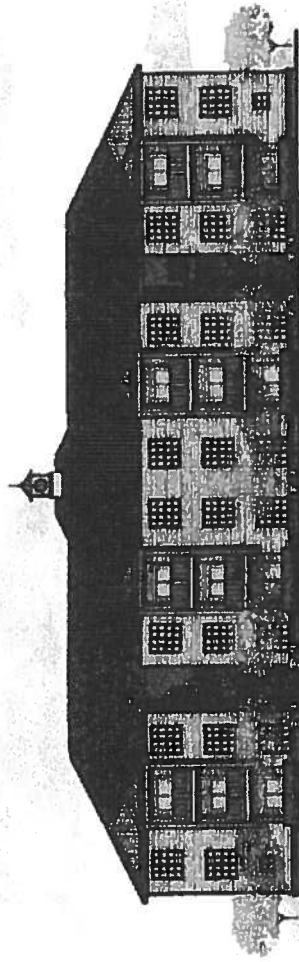
EXHIBIT C



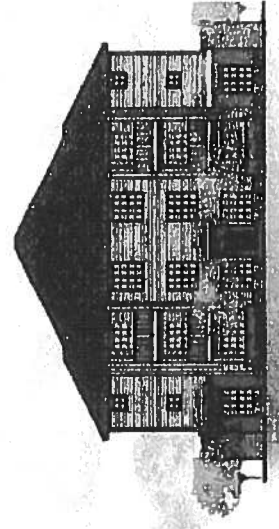
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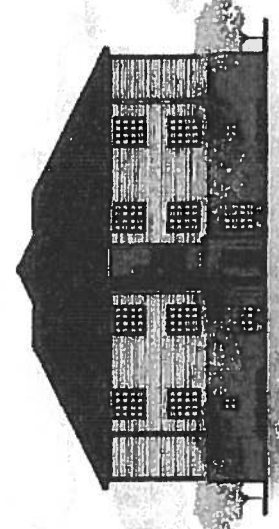
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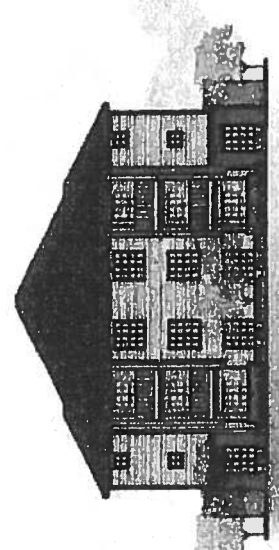
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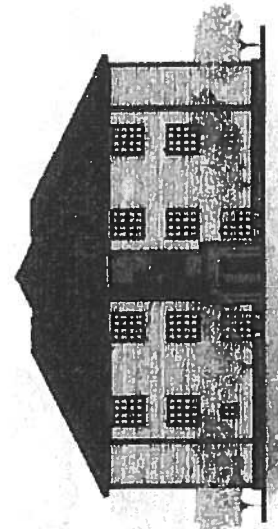
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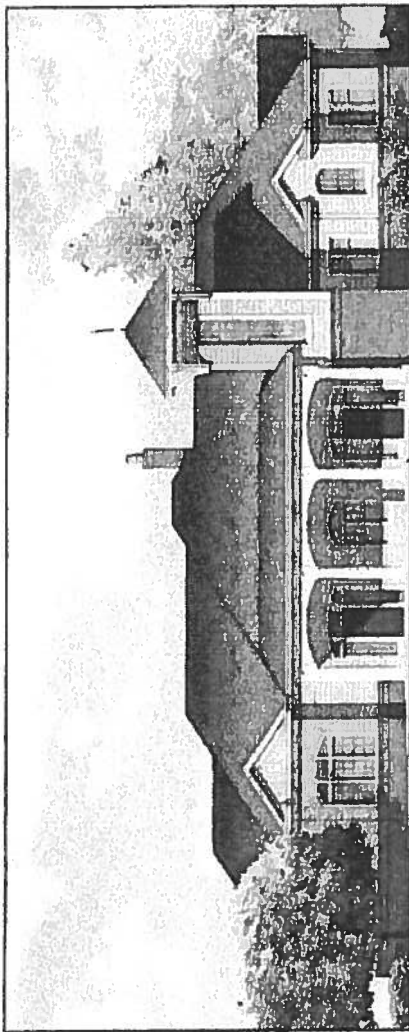
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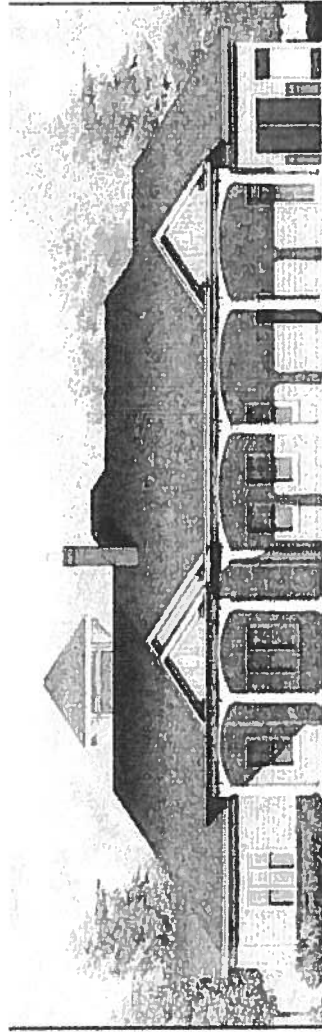
TYPE C - SIDE BUILDING ELEVATION
SCALE 3/32" = 1'-0"



TYPE C - REAR BUILDING ELEVATION
SCALE 3/32" = 1'-0"



CLUB HOUSE FRONT ELEVATION



CLUB HOUSE REAR ELEVATION

EXHIBIT D

