



Jeffrey P. Geiger
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May 17, 2019

BY HAND AND BY EMAIL

Mr. Matthew Ebinger
City of Richmond
Department of Community Development
Land Use Administration
900 East Broad Street, Suite 511
Richmond, Virginia 23219

Re: Rezoning 5.999 Acres along Jahnke Road

Dear Matthew:

Please find enclosed the following regarding the above-captioned matter:

- Application;
- Proffered Conditions with Exhibits;
- Applicant's Report;
- ALTA/NSPS Land Title Survey of 5.999 Acres of Land Lying Along Jahnke road (a pdf will be attached to the email of this letter); and
- Check from Hirschler payable to the City of Richmond in the amount of \$2,000.00 in payment of the application fee.

We look forward to working with you on this matter. Should you have any questions, please do not hesitate to contact me.

Sincerely yours,

Jeffrey P. Geiger

/ss

Enclosures

cc: Mr. Brian Revere (via email)
Mr. Kenneth Owen (via email)

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Application for **REZONING/CONDITIONAL REZONING**

Department of Planning and Development Review
Land Use Administration Division
900 E Broad Street, Room 511
Richmond, Virginia 23219
(804) 646-6304

Project Name/Location

Property Address 6400 Jahnke Road Date 05/17/19
Tax Map #: C0050500007 Fee \$2000.00
Total area of affected site in acres 5.999

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

Zoning

Current Zoning R-2

Existing Use Vacant

Proposed Zoning/Conditional Zoning

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

5.999 acres to R-53(C)

Existing Use Vacant

Is this property subject to any previous land use cases?

Yes No If Yes, please list the Ordinance Number: _____

Applicant/Contact Person: Representative - Jeffrey P. Geiger

Company: Hirschler
Mailing Address: P.O. Box 500
City: Richmond State: VA Zip Code: 23218-0500
Telephone: (804) 771-9557 Fax: (804) 644-0957
Email: jgeiger@hirschlerlaw.com

Property Owner: Daniel J. Bliley and other relatives (see additional page)

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

(The person or persons executing or attesting the execution of this Application on behalf of the Company certifies that he or she has or have been duly authorized and empowered to so execute or attest.)

Mailing Address: 614 S. 2nd Street
City: Smithfield State: NC Zip Code: 27577
Telephone: (919) 934-8610 Fax: ()
Email: _____

Property Owner Signature: By: [Signature]
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.

1

Additional Property Owners for 6400 Jahnke Road – C0050500007

Daniel J. Bliley

Margaret B. Wilkins

Norbert M. Bliley

Cecilia B. Duke

Joseph W. Bliley, Jr.

Jonathan H. Bliley

Eric A Bliley

Patricia S. Bliley, Tr.

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BREEDEN INVESTMENT PROPERTIES APPLICANT'S REPORT

1. INTRODUCTION.

Breeden Investment Properties, Inc., (the "Applicant") desires to construct a multi-family residential community (the "Project") on an approximate six (6) acre (\pm) parcel of land located at the intersection of Jahnke Road and German School Road (the "Property") in the City of Richmond, Virginia (the "City"). The Project will abut the current multi-family residential community recently developed by the Applicant and commonly known as the Village at Westlake. The subject parcel is shown on the City's tax map as C0050500007 and has been underutilized for many years.

As with the current multi-family residential community, this Project will also 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, as well as 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 ability to attract such residents has been proven with the success of the abutting Village at Westlake community. The success of the Village at Westlake has also demonstrated a continuing need for this type of housing option in this area of the City.

2. PROPERTY.

The Property is shown on the enclosed ALTA/ACSM survey prepared by Timmons Group dated February 28, 2019. The Property is currently zoned R-2. The Property is currently vacant.

Neighboring properties include a mixture of uses. The Property shares a border with the existing Village at Westlake community, as well as with Lucille Brown Middle School. Across German School Road is an existing multi-family development. Across Jahnke Road are retail centers anchored with a Food Lion grocery store and a Rite Aid drug store.

The Property has no existing improvements..

3. DEVELOPMENT OVERVIEW.

The Applicant proposes to construct a high-quality, multi-family residential development on the Property, very similar to the Applicant's recently developed Village at Westlake, in an area that the City has targeted as a Housing Opportunity Area. The Applicant's prior investment in the area has been a catalyst for the corridor and allowed the City to realize a return on its prior investment in improvements for German School Road and prior and future investments in Jahnke Road. Expanding the multi-family use will allow the City and the community to continue realizing the impact of the Applicant's investment. These multi-family buildings will be three-stories in height with the buildings on the perimeter screening the internal parking.

The Project will include a clubhouse in the interior courtyard to provide a sense of place and gathering spot for the community. 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. Sidewalks will also be provided as generally shown on the Master Plan to connect the residents within the Project to the overall community. The objective is to create a connected, walkable, multi-family neighborhood that will contribute to the existing a vibrant, interactive community.

To permit development of this Project, the Applicant requests the City's approval of a rezoning for the Property from the current R-2 classification to R-53. The requested rezoning would be conditional and proffers are included with this rezoning request. The proffers are summarized in Section 5 below.

4. MASTER PLAN.

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

The proposed Project is planned for a long vacant parcel 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 such as this Project. 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.

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

This Project 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. The tremendous success of the adjacent Village at Westlake is proof that there is a need for this Project in this location.

5. PROFFERED CONDITIONS.

The rezoning request provides proffered conditions which address the layout of this Project, the elevations of the buildings, and the exterior materials of the dwelling units, among others. The Master Plan has been proffered and the Project will be constructed in general conformance with this Master Plan. These proffered conditions will help assure the development of a high-quality, vibrant multi-family residential community that will allow the City to leverage this vacant parcel of land for economic development and to attract residents to, and retain residents in, the area. The proffered conditions include elevations for the multi-family buildings. 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 used on roofs as aesthetic elements or to provide a focal point.

6. CONCLUSION.

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

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

Approval of this Project will allow for an additional significant investment into the City by the Applicant. This new investment will continue the success of the Village at Westlake in attracting new residents to, and retaining residents within, this area of the City. These residents would support the existing businesses along Jahnke Road and attract new businesses to the area.

SPECIAL LIMITED POWER OF ATTORNEY

KNOW ALL MEN BY THESE PRESENTS:

- 1. That I Daniel J. Bliley, as Attorney-in-Fact for: Jonathan H. Bliley, Eric A. Bliley, Cecilia B. Duke, Joseph W. Bliley, IV, Margaret B. Wilkins, Norbert M. Bliley, Patricia S. Bliley, Trustee of the Nicholas M. Bliley Revocable Trust Agreement Dated May 29, 1996, and Catherine B. Wright

(Telephone) 919-612-3539, (Address) 614 South Second Street, Smithfield, North Carolina 27577 as owner of the property described as:

- 2. Parcel: C0050500007
and authorized to take such action, do hereby make, constitute and appoint:

- 3. Jeffrey P. Geiger, James W. Theobald and 771.9557, 771.9513,
(Name) Lauren E. Sutphin, any one of whom may act (Telephone) 771-9570
(Address) Hirschler Fleischer, P. O. Box 500, Richmond, VA 23218-0500
to act as the true and lawful attorney-in-fact for and in the name, place and stead of Jonathan H. Bliley, Eric A. Bliley, Cecilia B. Duke, Joseph W. Bliley, IV, Margaret B. Wilkins, Norbert M. Bliley, Patricia S. Bliley, Trustee of the Nicholas M. Bliley Revocable Trust Agreement Dated May 29, 1996, and Catherine B. Wright with full power and authority each would have if acting personally to seek site plan approval, subdivision approval, rezoning, conditional use, special use permit and/or special exception, and to set forth and offer such legally acceptable voluntarily proffered conditions including any additions, amendments, modifications or deletions thereto that in his discretion are deemed reasonable, appropriate and necessary.

- 4. In witness thereof, I have hereto set my hand and seal this 16 day of May, 2019.

By: Daniel J. Bliley
DANIEL J. BLILEY, Attorney-in-Fact

STATE OF South Carolina
CITY/COUNTY OF Horry, to-wit:

The foregoing Power of Attorney was acknowledged before me in my jurisdiction aforesaid by DANIEL J. BLILEY, this 16th day of May, 2019.

My commission expires:

My notary registration number:



Linda G. Meaders
Notary Public

Prepared By: Thomas F. Eubank, VSB #18517
SPINELLA, OWINGS & STALLA
8550 Mayland Drive
Richmond, VA 23294

**POWER OF ATTORNEY FOR
SALE OF REAL ESTATE**

KNOW ALL MEN BY THESE PRESENTS

That we, **CATHERINE B. WRIGHT, PATRICIA BLILEY, MARGARET B. WILKINS, NORBERT M. BLILEY, CECILIA B. DUKE, JOSEPH W. BLILEY, IV, JONATHAN H. BLILEY, DANIEL J. BLILEY and ERIC A. BLILEY**, have made, constituted and appointed and by these presents do make, constitute and appoint **DANIEL J. BLILEY and/or NORBERT M. BLILEY**, either or both of whom may act, our true and lawful attorney-in-fact, for us and in our names, places and stead to execute, receive, deliver, and acknowledge documents and any other forms required for the sale of the following described real estate:

**6.0 ± ACRES, JAHNKE ROAD AT INTERSECTION OF GERMAN SCHOOL
ROAD - CITY OF RICHMOND, VIRGINIA**

To prepare all necessary deeds, and/or contracts or any other documents, with all necessary covenants, warranties and assurances, and to sign, seal, acknowledge and deliver the same; to instruct the appropriate parties as to the application and disposition of the funds incidental to the sale of said property; and to do all other acts, matters and things in relation to said piece of property as we, ourselves, might or could do if acting personally. We hereby ratify and confirm all lawful acts done by our said attorney-in-fact by virtue hereof.

This Power of Attorney shall not terminate in the event of my disability, as is provided by Section 64.2-1602 of the Code of Virginia of 1950, as amended.

WITNESS my hand and seal this 18 day of February, 2019.

Catherine B. Wright (SEAL)
CATHERINE B. WRIGHT

STATE OF Virginia
CITY/COUNTY OF Richmond to-wit.

The foregoing Power of Attorney was acknowledged before me in my jurisdiction
aforesaid by CATHERINE B. WRIGHT this 18 day of February, 2019.

My commission expires: 3/31/2020



Ann N. Jones
Notary Public

WITNESS my hand and seal this 11TH day of FEBRUARY, 2019.

Patricia S. Bliley (SEAL)
PATRICIA BLILEY

STATE OF VIRGINIA,
~~CITY/COUNTY OF CHESTERFIELD~~, to-wit:

The foregoing Power of Attorney was acknowledged before me in my jurisdiction
aforesaid by PATRICIA BLILEY this 11TH day of FEBRUARY, 2019.

My commission expires: 9-30-2019



[Signature]
Notary Public

WITNESS my hand and seal this 18 day of February 2019.

Margaret B. Wilkins (SEAL)
MARGARET B. WILKINS

STATE OF Virginia
CITY/COUNTY OF Richmond to-wit:

The foregoing Power of Attorney was acknowledged before me in my jurisdiction aforesaid by MARGARET B. WILKINS this 18 day of February 2019.

My commission expires: 3/31/2020



Ann N. Jones
Notary Public

WITNESS my hand and seal this 6th day of February, 2019.

Norbert M. Bliley (SEAL)
NORBERT M. BLILEY

STATE OF Virginia
CITY/COUNTY OF Richmond to-wit:

The foregoing Power of Attorney was acknowledged before me in my jurisdiction aforesaid by NORBERT M. BLILEY this 6th day of February, 2019.

My commission expires 09/30/20



Laura R. Nuttycombe
Notary Public

WITNESS my hand and seal this 6th day of February 2019

Cecilia B. Duke
CECILIA B. DUKE

STATE OF Georgia
CITY/COUNTY OF Cherokee Co-wit.

The foregoing Power of Attorney was acknowledged before me in my jurisdiction aforesaid by CECILIA B. DUKE this 6th day of February, 2019.

My commission expires:

ELIZABETH ANNE HOLLAND
Notary Public
DeKalb County, GEORGIA
My Commission Expires 06-19-2019

Elizabeth Anne Holland
Notary Public

WITNESS my hand and seal this 13 day of February, 2019.

Joseph W. Bliley, IV (SEAL)
JOSEPH W. BLILEY, IV

STATE OF New York
CITY/COUNTY OF New York, to-wit:

The foregoing Power of Attorney was acknowledged before me in my jurisdiction aforesaid by JOSEPH W. BLILEY, IV this 13 day of February, 2019.

My commission expires: 12/16/2021



Notary Public

NAYMA SIDDIQUA
Notary Public, State of New York
No. 01S16293511
My Commission Expires 12/16/2021

WITNESS my hand and seal this 6th day of February, 2019.

[Signature] (SEAL)
JONATHAN H. BLILEY

STATE OF Virginia
CITY/COUNTY OF Richmond to-wit:

The foregoing Power of Attorney was acknowledged before me in my jurisdiction aforesaid by JONATHAN H. BLILEY this 6th day of February, 2019.

My commission expires: 5-31-21



[Signature]
Notary Public

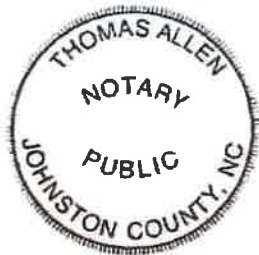
WITNESS my hand and seal this 13 day of February, 2019

Daniel J. Bliley (SEAL)
DANIEL J. BLILEY

STATE OF North Carolina
CITY/COUNTY OF Smithfield/Johnston -wit:

The foregoing Power of Attorney was acknowledged before me in my jurisdiction
aforesaid by DANIEL J. BLILEY this 13th day of February, 2019.

My commission expires: 1 September 2019



Thomas Allen
Notary Public
MCB: 9/1/19

WITNESS my hand and seal this 8th day of February, 2019.

Eric A. Bliley (SEAL)
ERIC A. BLILEY

STATE OF Virginia
CITY/COUNTY OF Dickinson, to-wit:

The foregoing Power of Attorney was acknowledged before me in my jurisdiction aforesaid by ERIC A. BLILEY this 8th day of February, 2019.

My commission expires: 09/30/20



Laura R. Nuttycombe
Notary Public