



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  
<http://www.richmondgov.com/>

**Project Name/Location**

Property Address: 1001 German School Road Date: September 3, 2020  
Tax Map #: C0050603040 Fee: \$1,500  
Total area of affected site in acres: 1.0

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

**Zoning**

Current Zoning: R-3  
Existing Use: Vacant

**Proposed Zoning/Conditional Zoning**

(Please include a detailed description of the proposed use and proffers in the required applicant's report)  
R-43 (see report)  
Existing Use: \_\_\_\_\_

Is this property subject to any previous land use cases?

Yes  No  If Yes, please list the Ordinance Number: \_\_\_\_\_

**Applicant/Contact Person:** William J. Pantele

Company: Law Office of William J. Pantele, PC  
Mailing Address: 15 E Franklin St.  
City: Richmond State: VA Zip Code: 23219  
Telephone: (804) 677-4900 Fax: ( )  
Email: bill@pantelelaw.com

**Property Owner:** German School Road Partners, LLC

If Business Entity, name and title of authorized signee: Floyd Patterson, Manager

(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: 31 Sagamore Ridge Place  
City: Spring State: Texas Zip Code: 77389  
Telephone: (804) 283-1344 Fax: ( )  
Email: ckp2511@gmail.com

**Property Owner Signature:** F.P. Patterson, Manager

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.

**Special Limited Power of Attorney**

I hereby acknowledge:

I am the Manager of German School Road Partners, LLC, a Virginia limited liability company (the "Company"), owner of a parcel of land situated in the City of Richmond, Virginia and known and designated at 1001 German School Road (the "Property"), Tax Map # C0050603040.

On behalf of the Company, and having full power and authority to do so, the Company hereby makes, constitutes and appoints WILLIAM J. PANTELE of the City of Richmond, to act as the Company's true and lawful attorney-in-fact for and in the Company's name, place and stead with full power and authority the Company would have if acting personally to seek rezoning, conditional rezoning, conditional use, special exception, variance and related matters, and to complete such zoning applications and to set forth and offer such legally acceptable voluntarily proffered conditions including any additions, amendments, modifications or deletions there that in his discretion are deemed reasonable, appropriate and necessary.

This Special Limited Power of Attorney shall expire up the final action or withdrawal of the application to which this form applies.



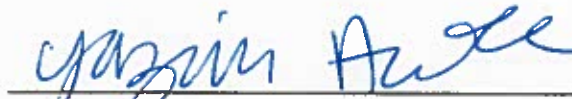
Floyd Patterson, Manager of  
German School Road Partners, LLC

STATE OF TEXAS

CITY/COUNTY OF

Montgomery

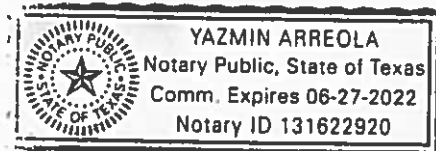
The foregoing instrument was acknowledge before me, the undersigned Notary Public, in an for the jurisdiction aforesaid, by Floyd Patterson, Manager of German School Road Partners, LLC, a Virginia limited liability company, on behalf of such company, this 04 day of September, 2020.



Notary Public

Registration No.:

131622920



AFFIX SEAL

September 3, 2020

**Applicant's Report  
1001 German School Road  
Conditional Rezoning Request from R-3 to R-43**

**Nature of Rezoning Request**

1001 German School Road is a one (1) acre vacant parcel situated at the northeast corner of German School Road and Glenway Drive. The current zoning is R-3 though as discussed below the current master plan indicates multifamily use and the upcoming Richmond 300 draft plan indicates Neighborhood Mixed Use.

The object of this application is to conform the zoning of the subject property to align with surrounding uses and to be suitable with land use planning for the area. The property is currently being marketed, and appropriate zoning will facilitate the same.

**Surrounding Area**

The overwhelming uses surrounding the subject property are multifamily. To the south of the subject property and across German School Road there are older single family residences, with additional older single family residences fronting German School Road to the southeast and a number of single family homes on the same side of German School Road across Glenway Drive.

The remainder of the general area of the subject property is multifamily or business. Directly across German School Road are the Sts. Cosma and Damianos Senior Apartments, then the St. John's Woods apartments adjacent to the north. Continuing northward, a recently approved 90 unit LIHTC project is nearing completion, with Heritage Oaks Senior Housing and then a BHC Senior housing development extending to the south line of Janke Road. At Janke Road and German School Road to the east are a Food Lion and adjacent Parkway Shopping Center. Continuing south on the east line of German School Road are the large tract Renaissance Apartments, at the southwest corner of which is subject property. Directly across Glenway Drive from the subject property is a vacant commercial parcel zoned B-1. Behind the commercial parcel and in proximity to the subject property are the Adam Park Apartments.

**Rationale for Rezoning**

R-3 essentially limits this one acre site to three single family lots or an irregular configuration, complicated by access issues, which is inappropriate given the character of the area. As a corner lot, a tract-type zoning such as R-3 is inappropriate and lessens the appeal of the area, and is difficult to market.

The applicant proposes a conditional rezoning to R-43 upon certain conditions such that the development of the property could accommodate the expected development of up to approximately six

or more single family detached homes, or approximately nine attached townhomes, in either case with ingress and egress to and from the site from Glenway Drive and oriented to the rear of the subject property away from German School Road. The additional permitted principal uses contained in R-43 provide alternative development options that appear to be more consistent with land use planning and present conditions than R-3.

Considering the characteristics of the immediate area, R-3 zoning is no longer appropriate. With a rezoning to R-43, not inconsistent with the predominant uses in the area, the permitted additional density could promote approximately detached single family homes on smaller lots or as many as eight or nine attached townhomes. The additional density would in turn favor the development of more affordable residences for sale, which the applicant anticipates to be marketed in the \$240,000 +/- price range, and add housing diversity to the area. To the extent that attached townhomes are developed on the subject property facing German School Road, a plan of development would be required and architectural variations would be required to present an attractive presentation on this corner parcel.

### **Proffered Conditions**

The applicant proposes the following conditions voluntarily and acknowledges that they are reasonable, suitable to the zoning requested, and attributable solely to the anticipated development of the subject property:

1. Access to all residences and common areas shall be provided off of Glenway Drive pursuant to agreements and covenants approved by the City Attorney, and subject to approval of the Director of Public Works and further to the requirements of any required Plan of Development.
2. At the time that a building permit application is made, plans shall include sidewalk installation along the German School Road and Glenway Drive frontages of the subject property which shall be constructed at the owner's expense to the Department of Public Works' specifications and approval. Completion of the sidewalk installation may be deferred to the completion of development on the property, but no longer than two (2) years from the first issuance of a land disturbance permit, provided that a bond is posted for the cost of such construction.

### **Master Plan Consistency**

Under the current Master Plan (2017), the Midlothian District Land Use Plan indicates the subject property as Multi-Family (High Density). R-43 is consistent with that designation.

The Richmond 300 draft plan designates the subject property as Neighborhood Mixed-Use. The proposed rezoning request continues the principles and guidelines of the draft plan by providing walkways, residential buildings that are closer together, support for bikeways to connect with future City expansion of the same along German School Road, and a density of 10 or less units per acre. The vacant parcel across Glenway Drive that is zoned B-1 provides an opportunity to facilitate a commercial element though that is not part of the current request. The requested R-43 is not inconsistent with the draft plan, with greater options for permitted principal uses than in R-3.

### **No Adverse Impacts**

The requested rezoning, if granted, will not adversely impact:

- Traffic conditions;
- Congestion in streets, roads, alley and other public ways and places in the area;
- create hazards from fire, panic or other dangers;
- cause overcrowding of land nor an undue concentration of population;
- adversely affect or interfere with public or private schools, parks, playgrounds, water supplies, sewage disposal, transportation or other public requirements, conveniences and improvements; nor
- interfere with adequate light and air.