

INTRODUCED: January 12, 2026

AN ORDINANCE No. 2026-021

To authorize the special use of the property known as 4400 West Broad Street for the purpose of a multifamily dwelling, upon certain terms and conditions.

Patron – Mayor Avula (By Request)

Approved as to form and legality
by the City Attorney

PUBLIC HEARING: FEB 9 2025 AT 6 P.M.

WHEREAS, the owner of the property known as 4400 West Broad Street, which is situated in a TOD-1 Transit-Oriented Nodal District, desires to use such property for the purpose of a multifamily dwelling, which use, among other things, is not currently allowed by section 30-457.11, concerning orientation to the street, exterior entrances, and façades, of the Code of the City of Richmond (2020), as amended; and

WHEREAS, in accordance with section 17.11 of the Charter of the City of Richmond (2020), as amended, it has been made to appear that, if granted subject to the terms and conditions set forth in this ordinance, the special use granted by this ordinance will not be detrimental to the safety, health, morals and general welfare of the community involved, will not tend to create

AYES: _____ NOES: _____ ABSTAIN: _____

ADOPTED: _____ REJECTED: _____ STRICKEN: _____

congestion in streets, roads, alleys and other public ways and places in the area involved, will not create hazards from fire, panic or other dangers, will not tend to overcrowding of land and cause an undue concentration of population, will not adversely affect or interfere with public or private schools, parks, playgrounds, water supplies, sewage disposal, transportation or other public requirements, conveniences and improvements, and will not interfere with adequate light and air; and

WHEREAS, (i) the City Planning Commission has conducted a public hearing to investigate the circumstances and conditions upon which the Council is empowered to authorize such use, (ii) the City Planning Commission has reported to the Council the results of such public hearing and investigation and its recommendations with respect thereto, and (iii) the Council has conducted a public hearing on this ordinance at which the person in interest and all other persons have had an opportunity to be heard;

NOW, THEREFORE,

THE CITY OF RICHMOND HEREBY ORDAINS:

§ 1. **Finding.** Pursuant to section 30-1050.1 of the Code of the City of Richmond (2020), as amended, the Council hereby finds that the special use set forth in and subject to the terms and conditions of this ordinance will not (i) be detrimental to the safety, health, morals and general welfare of the community involved, (ii) tend to create congestion in streets, roads, alleys and other public ways and places in the area involved, (iii) create hazards from fire, panic or other dangers, (iv) tend to overcrowding of land and cause an undue concentration of population, (v) adversely affect or interfere with public or private schools, parks, playgrounds, water supplies, sewage disposal, transportation or other public requirements, conveniences and improvements, or (vi) interfere with adequate light and air.

§ 2. Grant of Special Use Permit.

(a) Subject to the terms and conditions set forth in this ordinance, the property known as 4400 West Broad Street and identified as Tax Parcel No. N000-2002/005 in the 2026 records of the City Assessor, being more particularly shown on a survey entitled “ALTA/NSPS, Land Title Survey of Two Parcels of Land Lying North of West Broad Street,” prepared by Timmons Group, dated December 10, 2021, and last revised February 28, 2022, a copy of which is attached to and made a part of this ordinance, hereinafter referred to as “the Property,” is hereby permitted to be used for the purpose of a multifamily dwelling, hereinafter referred to as “the Special Use,” substantially as shown on the plans entitled “4400 West Broad Street Multi-Family, Brookland District – Henrico County – Virginia,” prepared by Timmons Group, dated February 28, 2025, and last revised August 26, 2025, and “4400 W Broad Street Apartments, Broad Street Frontage Exhibit A,” prepared by 2PA, and dated August 27, 2025, hereinafter referred to, collectively, as “the Plans,” copies of which are attached to and made a part of this ordinance.

(b) The adoption of this ordinance shall constitute the issuance of a special use permit for the Property. The special use permit shall inure to the benefit of the owner or owners of the fee simple title to the Property as of the date on which this ordinance is adopted and their successors in fee simple title, all of which are hereinafter referred to as “the Owner.” The conditions contained in this ordinance shall be binding on the Owner.

§ 3. Special Terms and Conditions. This special use permit is conditioned on the following special terms and conditions:

(a) The Special Use of the Property shall be as a multifamily dwelling, substantially as shown on the Plans.

(b) The height of the Special Use shall not exceed four stories.

(c) All site improvements, including landscaping, shall be substantially as shown on the Plans.

(d) All mechanical equipment serving the Property shall be located or screened so as not to be visible from any public right-of-way.

§ 4. **Supplemental Terms and Conditions.** This special use permit is conditioned on the following supplemental terms and conditions:

(a) All required final grading and drainage plans, together with all easements made necessary by such plans, must be approved by the Director of Public Utilities prior to the issuance of the building permit.

(b) Storm or surface water shall not be allowed to accumulate on the land. The Owner, at its sole cost and expense, shall provide and maintain at all times adequate facilities for the drainage of storm or surface water from the Property so as not to adversely affect or damage any other property or public streets and the use thereof.

(c) Facilities for the collection of refuse shall be provided in accordance with the requirements of the Director of Public Works. Such facilities shall be located or screened so as not to be visible from adjacent properties and public streets.

(d) Any encroachments existing, proposed on the Plans or contemplated in the future shall require separate authorization and shall be subject to the applicable provisions of the Code of the City of Richmond (2020), as amended, and all future amendments to such laws.

(e) The Owner shall make improvements within the right-of-way, including the installation of new sidewalks along West Broad Street, and the installation of eight street trees along West Broad Street, substantially as shown on the Plans, which improvements may be completed in one or more phases as approved by the Director of Public Works. All improvements

and work within the public right-of-way shall be (i) completed in accordance with the requirements of the Director of Public Works, (ii) considered completed only upon written confirmation by the Director of Public Works or the designee thereof that such improvements and work are in accordance with such requirements, and (iii) transferred to the City following such written confirmation by the Director of Public Works or the designee thereof pursuant to a transfer of interest document approved as to form by the City Attorney and accepted by the Chief Administrative Officer or the designee thereof on behalf of the City. The Chief Administrative Officer or the designee thereof, for and on behalf of the City, is hereby authorized to accept, in the manner for which this subsection provides, all improvements and work required by and meeting the requirements of this subsection. The final certificate of occupancy shall not be issued for the Property until all requirements of this subsection are fully satisfied.

(f) In all other respects, the use of the Property shall be in accordance with the applicable underlying zoning regulations.

§ 5. **General Terms and Conditions.** This special use permit is conditioned on the following general terms and conditions:

(a) No permit implementing this special use permit shall be approved until satisfactory evidence has been presented to the Zoning Administrator that any delinquent real estate taxes applicable to the Property have been paid.

(b) The Owner shall be bound by, shall observe and shall comply with all other laws, ordinances, rules and regulations applicable to the Property, except as otherwise expressly provided in this ordinance.

(c) Words and phrases used in this ordinance shall be interpreted to have the meanings ascribed to them by section 30-1220 of the Code of the City of Richmond (2020), as amended, unless the context clearly indicates that a different meaning is intended.

(d) Notwithstanding any other provision of law, this special use permit is being approved due, in part, to the mitigating effects of each and every condition attached hereto; consequently, if any portion of this ordinance is determined to be invalid for any reason by a final, non-appealable order of any Virginia or federal court of competent jurisdiction, the invalidity shall cause the entire ordinance to be void and of no further effect from the effective date of such order.

(e) The privileges granted by this ordinance may be revoked pursuant to the provisions of sections 30-1050.7 through 30-1050.11 of the Code of the City of Richmond (2020), as amended, and all future amendments to such laws. Failure to comply with the terms and conditions of this ordinance shall constitute a violation of section 30-1080 of the Code of the City of Richmond (2020), as amended, and all future amendments to such law, or any other applicable laws or regulations.

(f) When the privileges granted by this ordinance terminate and the special use permit granted hereby becomes null and void, whether as a result of the Owner relinquishing this special use permit in a writing addressed to the Director of Planning and Development Review or otherwise, use of the Property shall be governed thereafter by the zoning regulations prescribed for the district in which the Property is then situated.

§ 6. **Implementation.** The Commissioner of Buildings is authorized to issue a building permit substantially in accordance with the Plans for the Special Use subject to the terms and conditions set forth in this ordinance. An application for the building permit shall be made within 1,096 calendar days following the date on which this ordinance becomes effective. If either the

application for the building permit is not made within the time period stated in the previous sentence or the building permit terminates under any provision of the Virginia Statewide Building Code, this ordinance and the special use permit granted hereby shall terminate and become null and void.

§ 7. **Effective Date.** This ordinance shall be in force and effect upon adoption.



City of Richmond

Intracity Correspondence

O&R Transmittal

DATE: November 13, 2025

TO: The Honorable Members of City Council

THROUGH: The Honorable Dr. Danny Avula, Mayor (by request)
(This is no way reflects a recommendation on behalf of the Mayor)

THROUGH: Odie Donald II, Chief Administrative Officer

THROUGH: Sharon L. Ebert, DCAO for Economic Development and Planning

FROM: Kevin J. Vonck, Director of Planning & Development Review

RE: To authorize the special use of the property known as 4400 West Broad Street for the purpose of a multi-family building, upon certain terms and conditions.

ORD. OR RES. No. _____

PURPOSE: The applicant is requesting a Special Use Permit to authorize a multi-family building within a TOD-1 (Transit Oriented Nodal District) zoning district. While mixed-uses buildings are permitted uses, the proposed does not meet the requirements for building frontage within section 30-433.15 of the Code of the City of Richmond. A Special Use Permit is therefore required.

BACKGROUND: The property is located at 4400 West Broad Street in the Sauer's Gardens neighborhood. The property is currently a 33,375 sq. ft., (.76 acre), vacant parcel of land. The City's Richmond 300 Master Plan designates a future land use for the subject property as Corridor Mixed Use, which is defined as a development that is found "...along major commercial corridors and envisioned to provide for medium- to medium-high-density pedestrian- and transit-oriented development."

Intensity: Buildings generally ranging from two to ten stories, based on street widths and depending on the historic context and stepping down in height adjacent to residential areas. New buildings that are taller than historical buildings should step back from the build-to line after matching the height of the predominant cornice line of the block. Primary Uses: Retail/office/personal service, multi-family residential, cultural, and open space. Secondary Uses: Single-family houses, institutional, and government.

The current zoning for this property is TOD-1 (Transit Oriented Nodal District) zoning district. Adjacent and nearby properties are located within the same TOD-1 zones. The area is primarily commercial with some residential beyond the southern side of West Broad Street.

COMMUNITY ENGAGEMENT: The Sauer's Garden Civic Association was notified of the application; additional community notification will take place after introduction.

STRATEGIC INITIATIVES AND OTHER GOVERNMENTAL: Richmond 300 Master Plan

FISCAL IMPACT: \$3,600 application fee.

DESIRED EFFECTIVE DATE: Upon adoption

REQUESTED INTRODUCTION DATE: January 12, 2026

CITY COUNCIL PUBLIC HEARING DATE: February 9, 2026

REQUESTED AGENDA: Consent

RECOMMENDED COUNCIL COMMITTEE: Planning Commission, February 3, 2026

AFFECTED AGENCIES: Office of Chief Administrative Officer

Law Department (for review of draft ordinance)

RELATIONSHIP TO EXISTING ORD. OR RES.: None

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

STAFF: Jonathan Brown, Senior Planner, Land Use Administration (Room 511) 646-5734

June 13, 2025

Planning and Development Review
900 East Broad Street, Room 511
Richmond, VA 23219

Jennifer D. Mullen
Richmond Office
(804)977-3374
jmullen@rothjackson.com

Re: Special Use Permit Application 4400 W. Broad Street

To Whom It May Concern:

This letter shall serve as the applicant's report accompanying a request for a special use permit for the property located at 4400 W. Broad Street, identified as Tax Map Number N0002002005 (the "Property"). This firm represents the contract purchaser of the Property. The Property only partially located in the City of Richmond with the majority of the parcel located in the County of Henrico.

The applicant proposes redeveloping a surface parking lot on West Broad Street with a 4-story building with uses permitted in the underlying zoning district. The applicant requests a special use permit to waive the feature requirement for the building façade along Broad Street to extend 80% of the lot frontage. The unique nature of the parcel being within two jurisdictions necessitates the waiver for code compliance with both jurisdictions, as well as meeting market requirements for a successful project.

Richmond 300 Plan Designation

The Richmond 300 Plan recommends Corridor Mixed-Use for the Property. The proposed use is consistent with the goals for the Richmond 300 Plan with ground floor commercial to engage the street and multi-family residential units on the upper floors. While there are no alleys currently serving the property, the applicant will be providing an east-west connector road through the portion of the property located in Henrico County to help create secondary points of access off Broad Street for future development.

Findings of Fact

The following are factors included in Section 17.11 of the Charter and Section 30-1050.1 of the Zoning Ordinance relative to the approval of special use permits by City Council. The proposed amendment to the SUP will not:

- **Be detrimental to the safety, health, morals and general welfare of the community involved.**
The proposed SUP will not impact the safety, health, morals and general welfare of the community involved. The proposed SUP provides for a waiver of the building façade length only, the uses are permitted and is in line with the goals and priorities of the Richmond 300.
- **Tend to create congestion in streets, roads, alleys and other public ways and places in the area involved.**
The Property is situated on Broad Street, which can carry high volumes of traffic and the uses are all permitted by right. The SUP is requested for a feature waiver only, therefore the SUP will not create congestion on streets, roads, alleys or any other public right of way.

{01728213;v1}

RICHMOND

1519 Summit Avenue, Suite 102, Richmond, VA 23230

P: 804-441-8440 F: 804-441-8438

TYSONS CORNER

8200 Greensboro Drive, Suite 820, McLean, VA 22102

P: 703-485-3535 F: 703-485-3525

- **Create hazards from fire, panic or other dangers.**

The property will be developed in a manner consistent with the requirements of the building code and in accordance with the requirements of Fire and Emergency Services. The City's codes applicable to this development are designed to eliminate such hazards.

- **Tend to overcrowding of land and cause an undue concentration of population.**

The proposed SUP only authorizes a waiver of a feature requirement for building façade length, the underlying uses are permitted by right.

- **Adversely affect or interfere with public or private schools, parks, playgrounds, water supplies, sewage disposal, transportation or other public requirements, conveniences and improvements.**

The proposed SUP would not adversely affect the above referenced City services. To the contrary, the proposal would provide positive fiscal (tax) benefits that would enhance the City's ability to provide these services to the proposed development.

- **Interfere with adequate light and air.**

The light and air available to the subject and adjacent properties will not be adversely affected as the building height is well within the height permitted by the zoning ordinance.

Thank you for your time and consideration of this request. Should you have any further questions about this request, please do not hesitate to contact me.

Sincerely,



Jennifer D. Mullen

Enclosure

{01728213;v1}



RICHMOND

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CITY OF RICHMOND, VA
Department of Planning and Development Review
Land Use Administration Division
900 East Broad Street, City Hall - Room 511, Richmond, Virginia 23219

AUTHORIZATION FROM PROPERTY OWNER

TO BE COMPLETED BY THE APPLICANT

Applicant must complete ALL items

HOME/SITE ADDRESS: 4400 West Broad Street APARTMENT NO/SUITE _____

APPLICANT'S NAME: Middleburg Real Estate Partners, LLC EMAIL ADDRESS: jmuen@rothjackson.com

BUSINESS NAME (IF APPLICABLE): _____

SUBJECT PROPERTY OR PROPERTIES: _____

APPLICATION REQUESTED

- ☐ Plan of Development (New or Amendment)
- ☐ Wireless Plan of Development (New or Amendment)
- ☒ Special Use Permit (New or Amendment)
- ☐ Rezoning or Conditional Rezoning
- ☐ Certificate of Appropriateness (Conceptual, Administrative Approval, Final)
- ☐ Community Unit Plan (Final, Preliminary, and/or Amendment)
- ☐ Subdivision (Preliminary or Final Plat Correction or Extension)

TO BE COMPLETED BY THE AUTHORIZED OWNER

Owner must complete ALL items

Signing this affidavit acknowledges that you, as the owner or lessee of the property, authorize the above applicant to submit the above selected application/s on your behalf.

PROPERTY OWNER: 4400 West Broad LLC

PROPERTY OWNER ADDRESS: 3600 Deepwater Terminal Road

PROPERTY OWNER EMAIL ADDRESS: c/o jmullen@rothjackson.com

PROPERTY OWNER PHONE NUMBER: 804-97-3374

Property Owner Signature:  by power of attorney

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.

Y:\90149786-4400_W_Broad\DWG\49786V-AL TA(02-28-22).dwg | Plotted on 2/28/2022 9:02 AM | by David Pugh

Legal Description Per Commitment:

ALL OF THOSE LOTS OR PARCELS OF LAND LOCATED IN THE COUNTY OF HENRICO, VIRGINIA, AND THE CITY OF RICHMOND, VIRGINIA, AND MORE PARTICULARLY DESCRIBED AS FOLLOWS:

PARCEL 1:

ALL THAT CERTAIN LOT OF LAND LYING PARTLY IN THE CITY OF RICHMOND, VIRGINIA, AND PARTLY IN THE COUNTY OF HENRICO, VIRGINIA, FRONTING ON THE NORTH LINE OF WEST BROAD STREET, BETWEEN WESTMORELAND STREET AND DABNEY ROAD, MORE FULLY DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT ON THE NORTH LINE OF WEST BROAD STREET 720.50' EAST OF THE EAST LINE OF WESTMORELAND STREET; THENCE N. 50 DEGREES 52' 30" E 959.47' TO A ROD, THENCE S. 14 DEGREES 45' 00" W 452.89' TO A ROD, THENCE S 50 DEGREES 52' 30" W 592.25' TO A ROD IN THE NORTH LINE OF WEST BROAD STREET, THENCE N. 39 DEGREES 38' 30" W 267' ALONG THE NORTH LINE OF WEST BROAD STREET TO THE SAID POINT OF BEGINNING, ALL AS SHOWN ON A CERTAIN PLAT OF SURVEY MADE BY AUSTIN BROCKENBROUGH & ASSOCIATES, CIVIL ENGINEERS, DATED JANUARY 16, 1959, A COPY OF WHICH IS ATTACHED TO AND MADE A PART OF DEED RECORDED IN THE CITY OF RICHMOND, VIRGINIA, IN DEED BOOK 600B, PAGE 353, AND IN THE COUNTY OF HENRICO VIRGINIA IN DEED BOOK 988, PAGE 327.

PARCEL 2:

ALL THAT CERTAIN TRACT, PIECE OF PARCEL OF LAND, BEING AND LYING IN THE COUNTY OF HENRICO, VIRGINIA, KNOWN AND DESIGNATED AS PARCEL "B" AND MORE PARTICULARLY SHOWN ON PLAT OF SURVEY MADE BY ROBERT K. THOMAS AND ASSOCIATES, DATED FEBRUARY 3, 1995, ENTITLED "SURVEY & MAP OF 4 PARCELS OF LAND LOCATED ON THE NORTH SIDE OF WEST BROAD STREET IN THE BROOKLAND DISTRICT OF HENRICO CO., VA., & RICHMOND, VA.", A COPY OF WHICH IS ATTACHED TO THE DEED RECORDED IN DEED BOOK 2569, PAGE 1471 IN THE CLERK'S OFFICE, CIRCUIT COURT, COUNTY OF HENRICO, VIRGINIA FOR A MORE PARTICULAR DESCRIPTION THEREOF.

NOTE: PARCEL C AND PARCEL D SHOWN ON PLAT OF SURVEY MADE BY ROBERT K. THOMAS AND ASSOCIATES, DATED FEBRUARY 3, 1995, ENTITLED "SURVEY & MAP OF 4 PARCELS OF LAND LOCATED ON THE NORTH SIDE OF WEST BROAD STREET IN THE BROOKLAND DISTRICT OF HENRICO CO., VA., & RICHMOND, VA.", A COPY OF WHICH IS RECORDED IN THE CLERK'S OFFICE, CIRCUIT COURT, HENRICO COUNTY, VIRGINIA, IN DEED BOOK 2569, AT PAGE 1469, AND ALSO RECORDED IN THE CLERK'S OFFICE, CIRCUIT COURT, CITY OF RICHMOND, VIRGINIA, IN DEED BOOK 430, AT PAGE 311, BECAUSE THEY WERE QUITCLAIMED BY DEEDS IN THE CHAINS OF TITLE BY DEEDS RECORDED IN THE CLERK'S OFFICE, CIRCUIT COURT, COUNTY OF HENRICO, VIRGINIA, IN DEED BOOK 2569, PAGE 1465, AND DEED BOOK 2569, PAGE 1471. PARCEL C WAS CONVEYED BY SUBSEQUENT DEEDS, BUT PARCEL D WAS NOT. THE TITLE UNDERLYING PARCELS B AND C HAS NOT BEEN SEARCHED, AND IF IT WAS SEARCHED, WE STILL MAY NOT BE ABLE TO INSURE.

Metes and Bounds Description:

BEGINNING AT A POINT BEING SOUTH 44°43'24" EAST A DISTANCE OF 720.60 FEET FROM THE INTERSECTION OF THE EAST LINE OF WESTMORELAND STREET AND THE NORTH LINE OF WEST BROAD STREET; THENCE LEAVING THE NORTH LINE OF WEST BROAD STREET NORTH 45°47'36" EAST A DISTANCE OF 959.47 FEET TO A SET ROD; THENCE SOUTH 09°40'06" WEST A DISTANCE OF 452.89 FEET TO A FOUND SPIKE; THENCE SOUTH 45°47'36" WEST A DISTANCE OF 591.25 FEET TO A SET NAIL ON THE NORTH LINE OF WEST BROAD STREET; THENCE CONTINUING ALONG THE NORTH LINE OF WEST BROAD STREET NORTH 44°43'24" WEST A DISTANCE OF 267.01 FEET TO A FOUND LEAD HUB AND TACK BEING THE POINT OF BEGINNING AND CONTAINING 207,021 SQUARE FEET OR 4.753 ACRES OF LAND, MORE OR LESS.

Metes and Bounds Description:

COMMENCING AT A POINT BEING SOUTH 44°43'24" EAST A DISTANCE OF 720.60 FEET FROM THE INTERSECTION OF THE EAST LINE OF WESTMORELAND STREET AND THE NORTH LINE OF WEST BROAD STREET; THENCE LEAVING THE NORTH LINE OF WEST BROAD STREET NORTH 45°47'36" EAST A DISTANCE OF 592.70 FEET TO A FOUND ROD BEING THE POINT OF BEGINNING; THENCE NORTH 44°43'24" WEST A DISTANCE OF 99.72 FEET TO A FOUND ROD; THENCE NORTH 45°49'16" EAST A DISTANCE OF 507.83 FEET TO A FOUND ROD BEING 0.61 FEET SOUTHEAST OF SAID CORNER; THENCE SOUTH 10°25'51" WEST A DISTANCE OF 171.87 FEET TO A SET ROD; THENCE SOUTH 45°47'36" WEST A DISTANCE OF 366.77 FEET TO A FOUND ROD BEING THE POINT OF BEGINNING AND CONTAINING 43,561 SQUARE FEET OR 1.000 ACRES OF LAND, MORE OR LESS.

Metes and Bounds Description Parcel C:

COMMENCING AT A POINT BEING SOUTH 44°43'24" EAST A DISTANCE OF 720.60 FEET FROM THE INTERSECTION OF THE EAST LINE OF WESTMORELAND STREET AND THE NORTH LINE OF WEST BROAD STREET; THENCE LEAVING THE NORTH LINE OF WEST BROAD STREET NORTH 45°47'36" EAST A DISTANCE OF 959.47 FEET TO A SET ROD BEING THE POINT OF BEGINNING; THENCE NORTH 45°47'36" EAST A DISTANCE OF 4.93 FEET TO A SET ROD; THENCE SOUTH 09°25'28" WEST A DISTANCE OF 424.43 FEET TO A SET ROD; THENCE SOUTH 10°02'53" WEST A DISTANCE OF 26.23 FEET TO A SET ROD; THENCE SOUTH 45°47'36" WEST A DISTANCE OF 7.70 FEET TO A FOUND SPIKE; THENCE NORTH 09°40'06" EAST A DISTANCE OF 452.89 FEET TO A SET ROD BEING THE POINT OF BEGINNING AND CONTAINING 1,747 SQUARE FEET OR 0.040 ACRES OF LAND, MORE OR LESS.

Exceptions per Schedule B Part II:

EXCEPTION 1, (A) COUNTY OF HENRICO TAXES SUBSEQUENT TO THE FIRST HALF OF 2021 AND ANY AND ALL SUPPLEMENTAL TAXES, A LIEN NOT YET DUE AND PAYABLE. NOT OF A SURVEY NATURE.

(B) CITY OF RICHMOND TAXES SUBSEQUENT TO THE SECOND HALF OF 2021 AND ANY AND ALL SUPPLEMENTAL TAXES, A LIEN NOT YET DUE AND PAYABLE. NOT OF A SURVEY NATURE.

EXCEPTION 2, RIGHTS OF TENANTS IN POSSESSION UNDER UNRECORDED LEASES. NOT OF A SURVEY NATURE.

EXCEPTION 3, SUCH STATE OF FACTS AS ARE DISCLOSED ON PLAT OF SURVEY MADE BY ROBERT K. THOMAS AND ASSOCIATES, DATED FEBRUARY 3, 1995, ENTITLED "SURVEY & MAP OF 4 PARCELS OF LAND LOCATED ON THE NORTH SIDE OF WEST BROAD STREET IN THE BROOKLAND DISTRICT OF HENRICO CO., VA., & RICHMOND, VA.", A COPY OF WHICH IS RECORDED IN THE CLERK'S OFFICE, CIRCUIT COURT, HENRICO COUNTY, VIRGINIA, IN DEED BOOK 2569, AT PAGE 1469, AND ALSO RECORDED IN THE CLERK'S OFFICE, CIRCUIT COURT, CITY OF RICHMOND, VIRGINIA, IN DEED BOOK 430, AT PAGE 311. BUILDINGS HAVE BEEN REMOVED FROM SITE AND SOME FENCES HAVE CHANGED. FRONT PARKING AREA SHOWN HEREON.

EXCEPTION 4, TERMS, DUTIES, CONDITIONS, OBLIGATIONS AND/OR PROVISIONS AS SET FORTH IN LEASE, DATED FEBRUARY 14, 1995, FROM MARK T. MOTLEY AND LEE ANN S. MOTLEY (LANDLORD) TO MOTLEY'S AUCTIONS, INC., A VIRGINIA CORPORATION (TENANT), AS EVIDENCED BY MEMORANDUM OF LEASE, RECORDED DECEMBER 20, 1995, IN THE CLERK'S OFFICE, CIRCUIT COURT, HENRICO COUNTY, VIRGINIA, IN DEED BOOK 2624, PAGE 1185, AND ALSO RECORDED IN THE CLERK'S OFFICE, CIRCUIT COURT, CITY OF RICHMOND, VIRGINIA, AS INSTRUMENT NO. 95-24459. MEMORANDUM OF LEASE IS STILL IN AFFECT UNTIL FEBRUARY 28, 2025.

EXCEPTION 5, TERMS, DUTIES, CONDITIONS, AGREEMENTS, OBLIGATIONS AND/OR PROVISIONS AS SET FORTH IN EASEMENT AGREEMENT, BY AND BETWEEN DABNEY CONDOMINIUM ASSOCIATION, FOR DABNEY CORPORATE CENTER, AND MARK T. MOTLEY, DATED MAY 29, 2015, RECORDED JUNE 29, 2015, IN THE CLERK'S OFFICE, CIRCUIT COURT, HENRICO COUNTY, VIRGINIA, IN DEED BOOK 5377, PAGE 669. FALLS OFFSITE OF SUBJECT PROPERTY, BUT IS SHOWN HEREON.

EXCEPTION 6, DECLARATION OF EASEMENT, BY AND FOR MARK T. MOTLEY, FOR THE BENEFIT OF THE LEASEHOLD TENANTS OF 4402 WEST BROAD STREET, DATED OCTOBER 19, 2020, RECORDED OCTOBER 27, 2020, IN THE CLERK'S OFFICE, CIRCUIT COURT, HENRICO COUNTY, VIRGINIA, IN DEED BOOK 6081, PAGE 25, AND ALSO RECORDED IN THE CLERK'S OFFICE, CIRCUIT COURT, CITY OF RICHMOND, VIRGINIA, AS INSTRUMENT NO. 20-25322. APPLIES, THEREFORE IS SHOWN HEREON.

EXCEPTION 7, THE EXACT ACREAGE OR SQUARE FOOTAGE OF THE LAND DESCRIBED HEREIN IS NOT INSURED. NOT OF A SURVEY NATURE.

EXCEPTION 8, ANY CLAIM TO (A) OWNERSHIP OF OR RIGHTS TO MINERALS AND SIMILAR SUBSTANCES, INCLUDING BUT NOT LIMITED TO ORES, METALS, COAL, LIGNITE, OIL, GAS, URANIUM, CLAY, ROCK, SAND, AND GRAVEL LOCATED IN, ON, OR UNDER THE LAND OR PRODUCED FROM THE LAND, WHETHER SUCH OWNERSHIP OR RIGHTS ARISE BY LEASE, GRANT, EXCEPTION, CONVEYANCE, RESERVATION, OR OTHERWISE; AND (B) ANY RIGHTS, PRIVILEGES, IMMUNITIES, RIGHTS OF WAY, AND EASEMENTS ASSOCIATED THERewith OR APPURTENANT THERETO, WHETHER OR NOT THE INTERESTS OR RIGHTS EXCEPTED IN (A) OR (B) APPEAR IN THE PUBLIC RECORDS OR ARE SHOWN IN SCHEDULE B. NOT OF A SURVEY NATURE.

Notes:

1.) OWNER OF RECORD: (RICHMOND) 4400 WEST BROAD LLC. 4400 WEST BROAD STREET INST. #2021-9934 PARCEL ID: N0002002005 ZONE: B-3 (GENERAL BUSINESS)

(HENRICO) 4400 WEST BROAD LLC. 4400 & 4402 WEST BROAD STREET DEED BOOK 6177, PAGE 1209 GPIN: 776-735-8125-00000 ZONE: M-1

4400 WEST BROAD LLC. WEST BROAD STREET DEED BOOK 6177, PAGE 1209 GPIN: 777-735-0170-00000 ZONE: M-1

2.) THIS SURVEY IS BASED ON A CURRENT TIMMONS GROUP FIELD SURVEY. FIELDWORK WAS PERFORMED IN DECEMBER OF 2021.

3.) HORIZONTAL DATUM IS REFERENCED TO NAD83, VIRGINIA SOUTH ZONE. VERTICAL DATUM IS REFERENCE TO NAVD88.

4.) THE PROPERTY IS LOCATED WITHIN AN AREA HAVING A ZONE DESIGNATION "X" BY THE FEDERAL EMERGENCY MANAGEMENT AGENCY (FEMA) ON FLOOD INSURANCE RATE MAP NO. 51087C0130C DATED DECEMBER 18, 2007 (HENRICO) AND FLOOD INSURANCE RATE MAP NO. 5101290028D DATED APRIL 02, 2009 (RICHMOND).

5.) THIS PLAT WAS PREPARED WITH THE BENEFIT OF A TITLE BINDER PREPARED FOR FIRST AMERICAN TITLE INSURANCE COMPANY BY COMMITMENT NUMBER: NCS-1092757-PHX1, EFFECTIVE DATE: 10-28-2021 AT 8:00 A.M.

6.) NO BUILDINGS. (NO PARTY WALLS)

7.) SOME PARKING SPACES ONSITE ARE VERY FADED. THEREFORE ALL PARKING SPACES MAY NOT BE SHOWN HEREON.

8.) NO OBSERVED EVIDENCE OF RECENT EARTH WORK OR CONSTRUCTION.

9.) NO CHANGES IN STREET RIGHT-OF-WAYS OR EVIDENCE OF SIDEWALK REPAIR OR CONSTRUCTION.

10.) UNDERGROUND UTILITY DESIGNATION PERFORMED BY TIMMONS GROUP AND COMPLETED IN DECEMBER OF 2021.

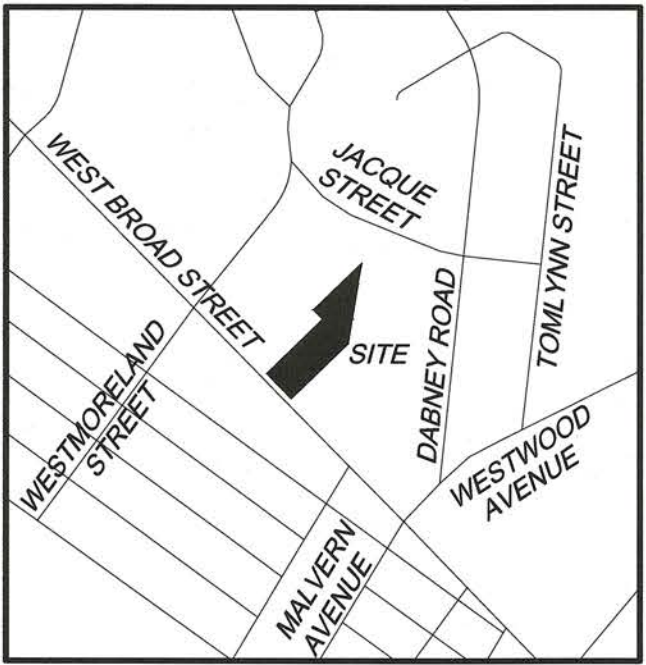
11.) EASEMENTS SHOWN HEREON ARE CONTIGUOUS TO THE SUBJECT PARCELS WITH NO GAPS AND GORES.

Surveyor's Certification

TO: 4400 WEST BROAD LLC, ALLIANCE REALTY PARTNERS, LLC, A DELAWARE LIMITED LIABILITY COMPANY AND FIRST AMERICAN TITLE INSURANCE COMPANY:

THIS IS TO CERTIFY THAT THIS MAP OR PLAT AND THE SURVEY ON WHICH IT IS BASED WERE MADE IN ACCORDANCE WITH THE 2021 MINIMUM STANDARD DETAIL REQUIREMENTS FOR ALTA/NSPS LAND TITLE SURVEYS, JOINTLY ESTABLISHED AND ADOPTED BY ALTA AND NSPS, AND INCLUDES ITEMS 1, 2, 3, 4, 5, 6A, 8, 9, 10, 11B, 13, 14, 16, 17, 18 AND 19 OF TABLE A THEREOF. THE FIELDWORK WAS COMPLETED ON DECEMBER 10, 2021.

DAVID F. PUGH, L.S. (LIC. NO.002531) 02-28-2022 DATE



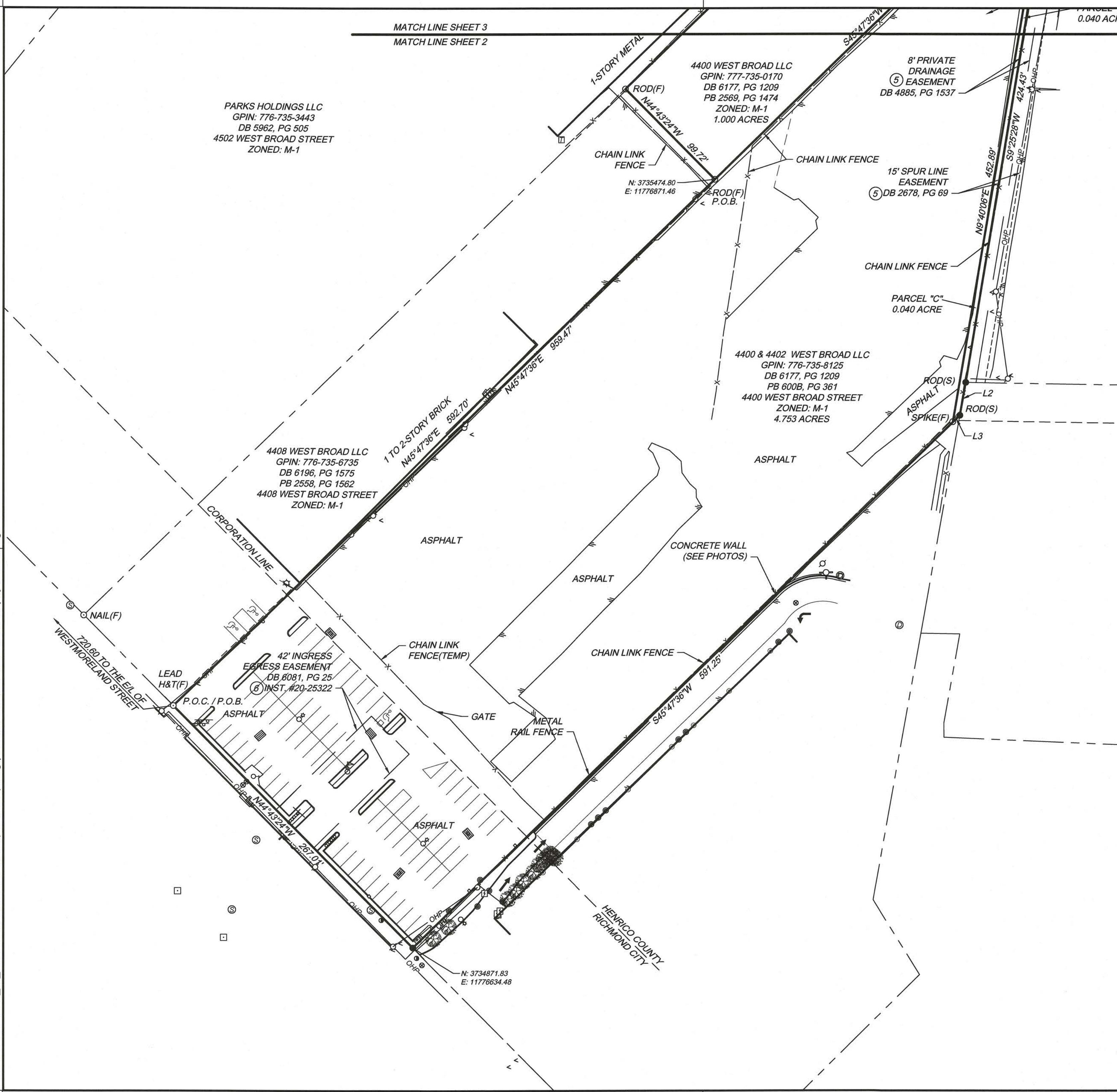
VICINITY MAP SCALE 1"=2000'



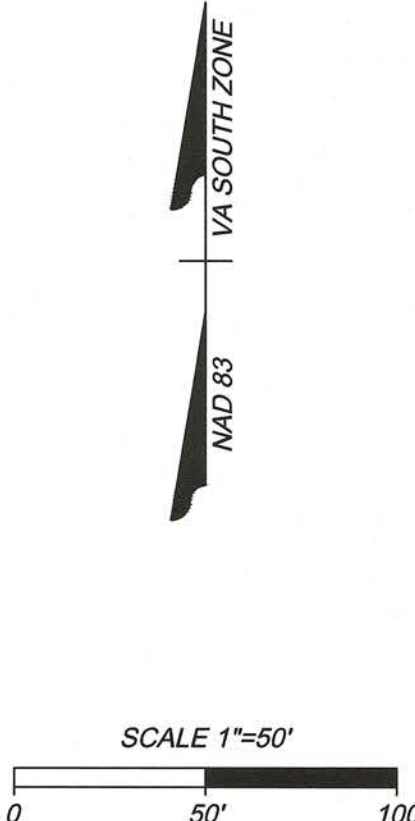
ALTA/NSPS LAND TITLE SURVEY OF TWO PARCELS OF LAND LYING NORTH OF WEST BROAD STREET

Brookland District	Henrico County, VA
Date: December 10, 2021	Scale: None
Sheet 1 of 3	J.N.: 49786
Drawn by: D. Pugh	Check by: G. Delano
Revised: February 28, 2022	

Y:\901149786-4400_W_Broad\DWG\49786V-ALTA(02-28-22).dwg | Plotted on 2/28/2022 9:02 AM | by David Pugh



- Legend**
- ☐ Telephone Pedestal
 - Gas Valve
 - ⊙ Light Pole
 - ☆ Yard Light
 - ⊙ Electric Meter
 - ⊙ Electric Pedestal
 - Sign
 - Sign
 - Bollard
 - ⊙ Sanitary Manhole
 - ⊙ Storm Manhole
 - ▨ Storm Grate
 - ⊙ Roof Drain
 - ⊙ Guy Anchor
 - ⊙ Fire Hydrant
 - ⊙ Water Valve
 - ⊙ Water Spigot
 - ☐ Concrete Monument Found



**ALTA/NSPS
LAND TITLE SURVEY
OF TWO PARCELS OF LAND
LYING NORTH OF
WEST BROAD STREET**

Brookland District	Henrico County, VA
Date: December 10, 2021	Scale: 1" = 50'
Sheet 2 of 3	J.N.: 49786
Drawn by: D. Pugh	Check by: G. Delano
Revised: February 28, 2022	

TIMMONS GROUP

YOUR VISION ACHIEVED THROUGH OURS.

Site Development Residential Infrastructure Technology

THIS DRAWING PREPARED AT THE
CORPORATE OFFICE
1001 Boulders Parkway, Suite 300 | Richmond, VA 23225
TEL 804.200.6500 FAX 804.560.1016 www.timmons.com

Y:\901149786-4400_W_Broad\DWG\49786V-ALTA(02-28-22).dwg | Plotted on 2/28/2022 9:02 AM | by David Pugh

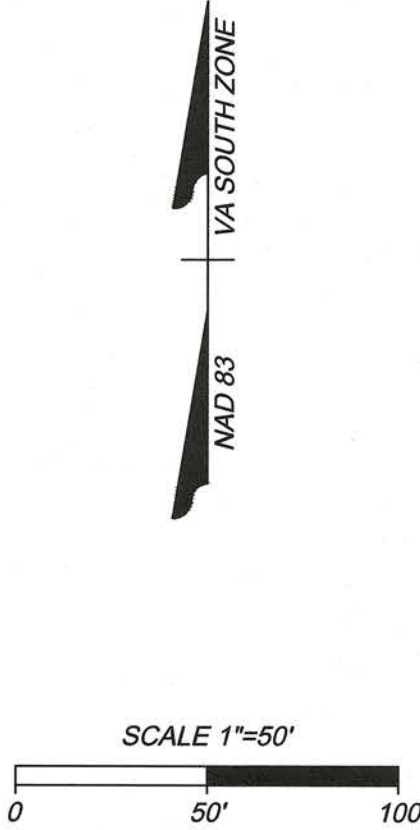
LINE TABLE		
LINE	BEARING	LENGTH
L1	N45°47'36"E	4.93'
L2	S10°02'53"W	26.23'
L3	S45°47'36"W	7.70'

MARSHALL LAND COMPANY LLC
GPIN: 777-735-3798
DB 6224, PG 995
4115 JACQUE STREET
ZONED: M-3

DS&H PROPERTIES LLC
GPIN: 777-735-5361.016
DB 5081, PG 663
2028 DABNEY ROAD
ZONED: M-3

S & W HOLDING COMPANY LLC
GPIN: 777-735-5043
DB 2588, PG 2231
2010 DABNEY ROAD
ZONED: M-3

- Legend**
- ☐ Telephone Pedestal
 - Gas Valve
 - ⊗ Light Pole
 - ☆ Yard Light
 - Ⓢ Electric Meter
 - Ⓢ Electric Pedestal
 - Sign
 - Sign
 - Bollard
 - Ⓢ Sanitary Manhole
 - Ⓢ Storm Manhole
 - ≡ Storm Grate
 - ⊗ Roof Drain
 - < Guy Anchor
 - ⊗ Fire Hydrant
 - ⊗ Water Valve
 - ⊗ Water Spigot
 - ☐ Concrete Monument Found



ALTA/NSPS
LAND TITLE SURVEY
OF TWO PARCELS OF LAND
LYING NORTH OF
WEST BROAD STREET

Brookland District	Henrico County, VA
Date: December 10, 2021	Scale: 1" = 50'
Sheet 3 of 3	J.N.: 49786
Drawn by: D. Pugh	Check by: G. Delano
Revised: February 28, 2022	

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SHEET L1.02
MATCHLINE



POD SUBMITTAL
NOT FOR CONSTRUCTION

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TEL 804.200.0300 FAX 804.580.0106 www.timmons.com

REVISION DESCRIPTION
REVISED PER COMMENTS
REVISED PER COMMENTS

YOUR VISION ACHIEVED THROUGH OURS.

DATE	DATE
04/17/25	02/28/2025
08/26/25	

DRAWN BY

B. KOCIAN

DESIGNED BY

C. LY

CHECKED BY

C. LY

SCALE

1" = 30'

4400 WEST BROAD STREET MULTI-FAMILY
BROOKLAND DISTRICT - HENRICO COUNTY - VIRGINIA

MINIMUM PLANTING PLAN

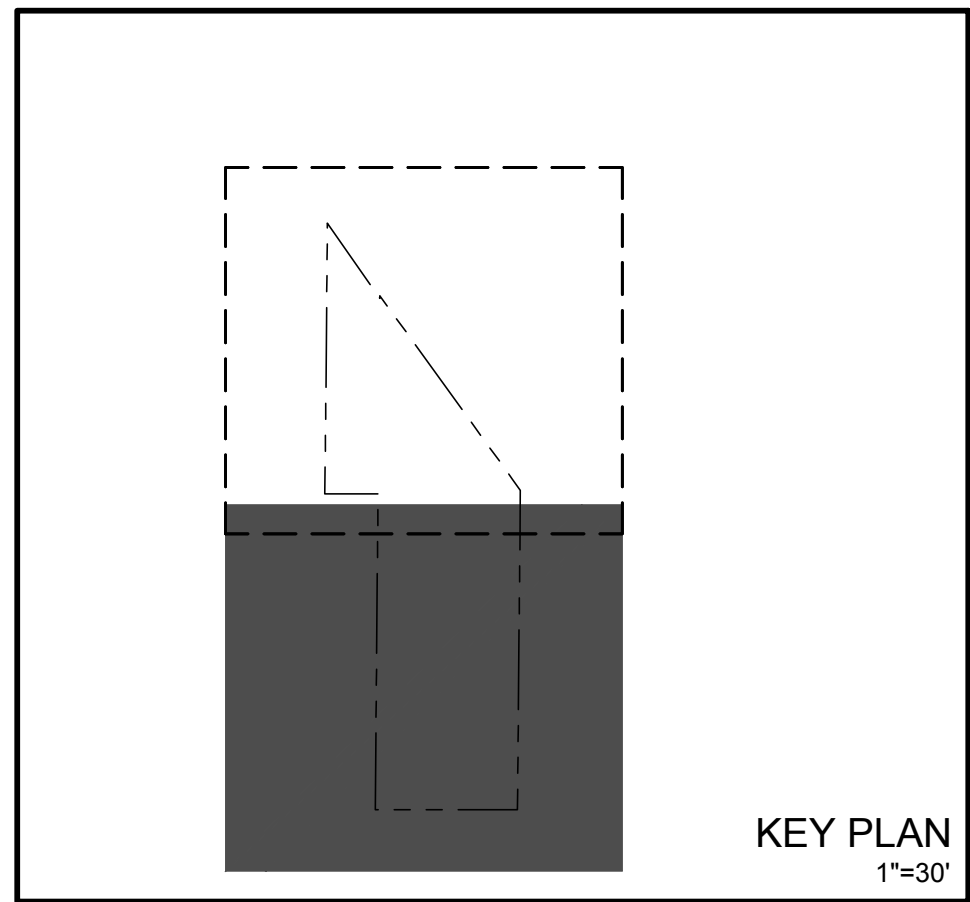
JOB NO.

70143

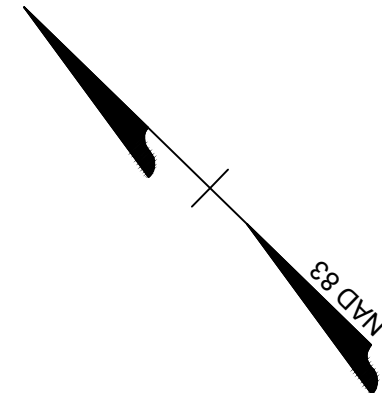
SHEET NO.

L1.01

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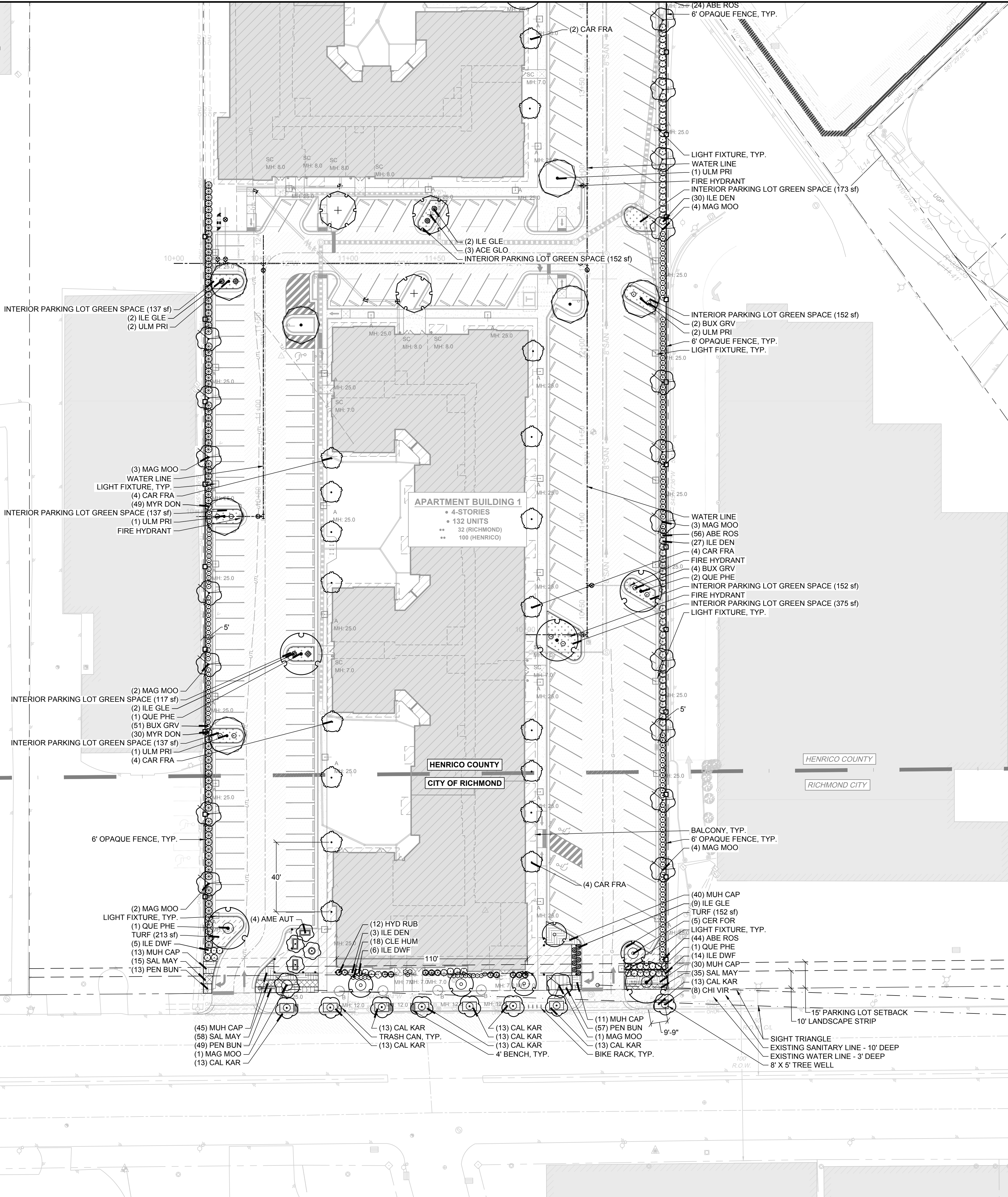


SCALE 1"=5'
0 5' 10'



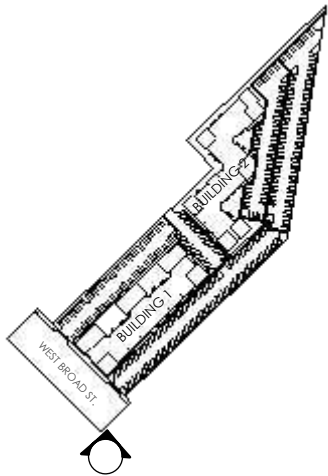
PLANT KEY	
CODE	BOTANICAL NAME
CANOPY TREES	
ACE GLO	ACER RUBRUM 'OCTOBER GLORY'™
QUE PHE	QUERCUS PHELLOS
ULM PRI	ULMUS AMERICANA 'PRINCETON'
UNDERSTORY TREES	
AME AUT	AMELANCHIER X GRANDIFLORA 'AUTUMN BRILLIANCE'
CAR FRA	CARPINUS BETULUS 'FRANS FONTAINE'
CAR ARU	CARPINUS CAROLINIANA
CER FOR	CERCIS CANADENSIS 'FOREST PANSY'
CHI VIR	CHIONANTHUS VIRGINICUS
MAG MOO	MAGNOLIA VIRGINIANA 'MOON GLOW'
DECIDUOUS SHRUBS	
CLE HUM	CLETHRA ALNIFOLIA 'HUMMINGBIRD'
HYD RUB	HYDRANGEA QUERCIFOLIA 'RUBY SLIPPERS'
EVERGREEN SHRUBS	
ABE ROS	ABELIA X GRANDIFLORA 'ROSE CREEK'
BUX GRV	BUXUS X 'GREEN VELVET'
ILE DEN	ILEX GLABRA 'DENSEA'
ILE GLE	ILEX GLABRA 'GEM BOX'
ILE DWF	ILEX VOMITORIA 'SCHILLINGS DWARF'
MYR DON	MYRICA CERIFERA 'DON'S DWARF'
ORNAMENTAL GRASSES	
CAL KAR	CALAMAGROSTIS X ACUTIFLORA 'KARL FOERSTER'
MUH CAP	MUHLENBERGIA CAPILLARIS
PERENNIALS	
PEN BUN	PENNISETUM ALOPECUROIDES 'LITTLE BUNNY'
SAL MAY	SALVIA X SYLVESTRIS 'MAY NIGHT'

LEGEND	
INTERIOR PARKING LOT GREEN SPACE	2,612 SF
TURF	365 SF
6' OPAQUE FENCING	995 LF



s:\04\70143-4400_west_broad\DWG\SheetCD\70143.L1.01.LAND.dwg [Plotted on 8/26/2025 1:16 PM] by Christine Ly

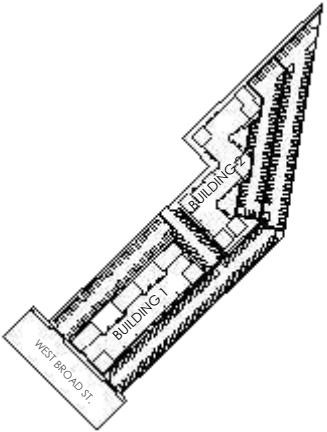
4400 W Broad Street Apartments
Broad Street Frontage Exhibit A
Page 1 of 5



1 Perspective View
Scale: NTS



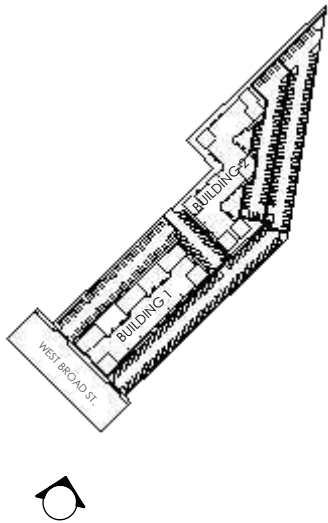
4400 W Broad Street Apartments
Broad Street Frontage Exhibit A
Page 2 of 5



1 Perspective View
Scale: NTS



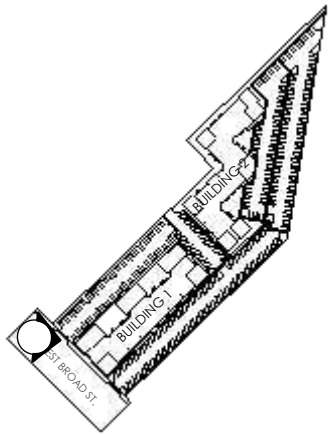
4400 W Broad Street Apartments
Broad Street Frontage Exhibit A
Page 3 of 5



1 Perspective View
Scale: NTS



4400 W Broad Street Apartments
Broad Street Frontage Exhibit A
Page 4 of 5



1 Perspective View
Scale: NTS



4400 W Broad Street Apartments
Broad Street Frontage Exhibit A
Page 5 of 5



1 Perspective View
Scale: NTS





**City of Richmond
Department of Planning
& Development Review**

Special Use Permit

LOCATION: 4400 W Broad Street

APPLICANT: Jennifer Mullen

COUNCIL DISTRICT: 1

PROPOSAL: To authorize the special use of the property known as 4400 West Broad Street for the purpose of a mixed-use building, upon certain terms and conditions.

*For questions, please contact Alyson Oliver
at 804-646-5789 or alyson.oliver@rva.gov*

