

INTRODUCED: February 26, 2018

AN ORDINANCE No. 2018-047

To rezone the properties known as 200, 214, 220, 320 and 400 Hull Street, 15 East 2nd Street, 13 and 39 East 3rd Street, and 409 Decatur Street from the B-5(C) Central Business District (Conditional) to the B-4 Central Business District, and to rezone 501, 509 and 511 Decatur Street from the B-7 Mixed-Use Business District to the B-4 Central Business District.

Patron – Mayor Stoney (By Request)

Approved as to form and legality
by the City Attorney

PUBLIC HEARING: MAR 26 2018 AT 6:00 P.M.

THE CITY OF RICHMOND HEREBY ORDAINS:

§ 1. That, as shown on the survey entitled “ALTA / ACSM Survey of Several Parcels Lying between 2nd St. & 3rd St. and Hull St. & Decatur St., City of Richmond, Virginia,” prepared by Long Surveying LLC, and dated December 5, 2006, a copy of which is attached to, incorporated into, and made a part of this ordinance, the following properties, with tax parcel numbers as shown in the 2018 records of the City Assessor, (i) are excluded from the B-5(C) Central Business District (Conditional), (ii) shall no longer be subject to the provisions of sections 30-442.1 through 30-442.7 of the Code of the City of Richmond (2015), as amended, (iii) shall no longer be subject to

AYES: 9 NOES: 0 ABSTAIN: _____

ADOPTED: MAR 26 2018 REJECTED: _____ STRICKEN: _____

the conditions proffered by the owners of the properties pursuant to Ordinance No. 2005-110-116, adopted June 13, 2005, which ordinance is hereby repealed, and (iv) that the same are included in the B-4 Central Business District and shall be subject to the provisions of sections 30-440.1 through 30-440.7 and all other applicable provisions of Chapter 30 of the Code of the City of Richmond (2015), as amended:

200 Hull Street	S000-0073/005
214 Hull Street	S000-0073/004
220 Hull Street	S000-0073/001
15 East 2 nd Street	S000-0073/010

§ 2. That, as shown on the survey entitled “Plat of Parcel 3 on the West Line of Decatur Street, City of Richmond, Virginia,” prepared by Hulcher & Associates, Inc., dated November 11, 2004, and referenced in the document entitled “Exhibit A, Legal Description,” copies of which are attached to, incorporated into, and made a part of this ordinance, the following properties, with tax parcel numbers as shown in the 2018 records of the City Assessor, (i) are excluded from the B-5(C) Central Business District (Conditional), (ii) shall no longer be subject to the provisions of sections 30-442.1 through 30-442.7 of the Code of the City of Richmond (2015), as amended, (iii) shall no longer be subject to the conditions proffered by the owners of the properties pursuant to Ordinance No. 2004-328-306, adopted November 22, 2004, which ordinance is hereby repealed, and (iv) that the same are included in the B-4 Central Business District and shall be subject to the provisions of sections 30-440.1 through 30-440.7 and all other applicable provisions of Chapter 30 of the Code of the City of Richmond (2015), as amended:

320 Hull Street	S000-0074/004
13 East 3 rd Street	S000-0074/001
39 East 3 rd Street	S000-0074/006
400 Hull Street	S000-0075/017
409 Decatur Street	S000-0075/022

§ 3. That, as shown on the survey entitled “ALTA / ACSM Survey of 400, 420 & 403 Stockton Street, 501, 509 & 511 Decatur Street, City of Richmond, Virginia,” prepared by Long Surveying LLC, and dated April 20, 2006, a copy of which is attached to, incorporated into, and made a part of this ordinance, the following properties, with tax parcel numbers as shown in the 2018 records of the City Assessor, are excluded from the B-7 Mixed-Use Business District and shall no longer be subject to the provisions of sections 30-446.1 through 30-446.8 of the Code of the City of Richmond (2015), as amended, and that the same are included in the B-4 Central Business District and shall be subject to the provisions of sections 30-440.1 through 30-440.7 and all other applicable provisions of Chapter 30 of the Code of the City of Richmond (2015), as amended:

501 Decatur Street	S000-0076/017
509 Decatur Street	S000-0076/022
511 Decatur Street	S000-0076/024

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

City of Richmond

900 East Broad Street
2nd Floor of City Hall
Richmond, VA 23219
www.richmondgov.com

Item Request

File Number: PRE.2018.039

O & R REQUEST

4-7457

JAN 25 2018

RECEIVED

FEB 07 2018

Office of the
Chief Administrative Officer

OFFICE OF CITY ATTORNEY

O & R Request

DATE: January 25, 2018

EDITION:1

TO: The Honorable Members of City Council

THROUGH: The Honorable Levar M. Stoney, Mayor
(This is no way reflects a recommendation on behalf of the Mayor.)

JS 2/7/18

THROUGH: Selena Cuffee-Glenn, Chief Administrative Officer

SLG

THROUGH: Peter L. Downey, Deputy Chief Administrative Officer for Economic Development and Planning

PLD

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

MO

RE: To rezone the properties known as 200, 214, 220, 320 and 400 Hull Street, 15 East 2nd Street, 13 and 39 East 3rd Street, and 409 Decatur Street from the B-5(C) Central Business District (Conditional) to the B-4 Central Business District and to rezone 501, 509 and 511 Decatur Street from the B-7 Mixed-Use Business District to the B-4 Central Business District.

ORD. OR RES. No. _____

PURPOSE: To rezone the properties known as 200, 214, 220, 320 and 400 Hull Street, 15 East 2nd Street, 13 and 39 East 3rd Street, and 409 Decatur Street from the B-5(C) Central Business District (Conditional) to the B-4 Central Business District and to rezone 501, 509 and 511 Decatur Street from the B-7 Mixed-Use Business District to the B-4 Central Business District.

REASON: With this application, the owners of the subject properties are petitioning the City Council to rezone twelve properties from the existing zoning regulations with certain proffered conditions, which restrict the development of the existing surface parking in the area. This ordinance would remove those proffered conditions and zone the properties into the B-4 Central Business District. This will allow for the development of the existing surface parking to a mix of uses under the urban mixed-use form-based regulations found in the B-4 district.

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 March 5, 2018, meeting. A letter outlining the Commission's recommendation will be forwarded to City Council following that meeting.

BACKGROUND: The proposed rezoning would cover twelve properties in four blocks along Hull and Decatur Streets between East 2nd Street and East 6th Street. The properties together are comprised of 6.4079 acres and are contiguous with the exception of intervening rights-of-way. The properties are improved with historic warehouse buildings totaling approximately 226,000 square feet. A majority of these existing historic buildings have been redeveloped with a mix of uses, including; 55 residential units, artist galleries and studios, restaurant, and office uses. Six of the properties are currently primarily used as surface parking areas.

These properties were included in the 2009 Downtown Plan, which recommends that they be developed consistent with the Urban Center Character Area. The Urban Center Character Area calls for higher density, mixed-use development, typically arranged on a fine-grained street network, with wide sidewalks, regular tree planting, and minimal setbacks. Specifically addressing Manchester, the Downtown Plan states, "Manchester will benefit greatly from new construction and the infill of its many vacant properties. Such infill will introduce new energy to the district by increasing the residential population, repairing the streetscape, and enhancing safety by providing 'eyes on the street'." (page 4.33)

The properties are currently located in the B-5(C) Central Business District (Conditional) and the B-7 Mixed Use Business District. The properties along the 300 and 400 blocks of Hull Street were zoned B-5 (C) in 2004 and are subject to proffered conditions found in Ordinance 2004-328-306. These conditions require 90 parking spaces to be provided for the uses of the properties within the two blocks. The properties along the 200 block of Hull Street were zoned B-5(C) in 2005 and are subject to proffered conditions found in Ordinance 2005-110-116. These proffers require a minimum size for each dwelling unit, parking to be provided at a rate much higher than the surrounding properties and within a smaller radius from the property, landscaping, and natural air and light for the dwelling units. The properties in the 500 block of Decatur were zoned B-7 through a City-initiated rezoning in 2010 and are not subject to any conditions.

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

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

BUDGET AMENDMENT NECESSARY: No

REVENUE TO CITY: \$2,100 application fee

DESIRED EFFECTIVE DATE: Upon Adoption

REQUESTED INTRODUCTION DATE: February 12, 2018

CITY COUNCIL PUBLIC HEARING DATE: March 12, 2018

REQUESTED AGENDA: Consent

RECOMMENDED COUNCIL COMMITTEE: None

CONSIDERATION BY OTHER GOVERNMENTAL ENTITIES: City Planning Commission, March 5, 2018

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 ORD. OR RES.: None

REQUIRED CHANGES TO WORK PROGRAM(S): None

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

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



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: 200, 214, 220, 320, 400 Hull; 15 E 2nd; 13 E 3rd; 409, 501, 509, 511 Decatur Date: October 31, 2017
Tax Map #: See attached Fee: \$2,100.00
Total area of affected site in acres 6.2272

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

Zoning

Current Zoning: B-5 Conditional and B-7

Existing Use: Mixed-uses

Proposed Zoning/Conditional Zoning

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

B-4
Existing Use: Mixed uses

Is this property subject to any previous land use cases?

Yes No If Yes, please list the Ordinance Number: 2005-110-116 and 2004-328-306

Applicant/Contact Person: Lory Markham

Company: Markham Planning
Mailing Address: 2314 West Main Street
City: Richmond State: VA Zip Code: 23220
Telephone: (804) 248-2561 Fax: ()
Email: lory@markhamplanning.com

Property Owner: Partners In Art LLC

If Business Entity, name and title of authorized signee: Glenda Kotchish

(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: 320 Hull Street
City: Richmond State: VA Zip Code: 23224
Telephone: (804) 873-9643 Fax: ()
Email: glenda@artworksrichmond.com

Property Owner Signature: 

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.



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.richmon.gov/>

Project Name/Location

Property Address: 200, 214, 220, 320, 400 Hull, 15 E 2nd, 13 E 3rd, 409, 501, 509, 511 Decatur Date: October 31, 2017
Tax Map #: See attached Fee: \$2,100.00
Total area of affected site in acres: 6.2272

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

Zoning

Current Zoning: B-5 Conditional and B-7
Existing Use: Mixed-uses

Proposed Zoning/Conditional Zoning

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

B-4
Existing Use: Mixed uses

Is this property subject to any previous land use cases?


Yes No If Yes, please list the Ordinance Number: 2005-110-116 and 2004-328-306

Applicant/Contact Person: Lory Markham
Company: Markham Planning
Mailing Address: 2314 West Main Street
City: Richmond State: VA Zip Code: 23220
Telephone: (804) 248-2561 Fax: ()
Email: lory@markhamplanning.com

Property Owner: Fountainhead Assets LLC
If Business Entity, name and title of authorized signee: Tom Papa

(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: 7 East 2nd Street
City: Richmond State: VA Zip Code: 23224
Telephone: (804) 402-0175 Fax: ()
Email: thomaswpapa@gmail.com

Property Owner Signature: 

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.



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: 200, 214, 220, 320, 400 Hull; 15 E 2nd; 13 E 3rd; 409, 501, 509, 511 Decatur Date: October 31, 2017
Tax Map #: See attached Fee: \$2,100.00
Total area of affected site in acres: 6.2272

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

Zoning

Current Zoning: B-5 Conditional and B-7
Existing Use: Mixed-uses

Proposed Zoning/Conditional Zoning

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

B-4
Existing Use: Mixed uses

Is this property subject to any previous land use cases?

Yes No If Yes, please list the Ordinance Number: 2005-110-116 and 2004-328-306

Applicant/Contact Person: Lory Markham

Company: Markham Planning
Mailing Address: 2314 West Main Street
City: Richmond State: VA Zip Code: 23220
Telephone: (804) 248-2561 Fax: ()
Email: lory@markhamplanning.com

Property Owner: 300 Block LLC

If Business Entity, name and title of authorized signee: Tom Papa

(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: 7 East 2nd Street
City: Richmond State: VA Zip Code: 23224
Telephone: (804) 402-0175 Fax: ()
Email: thomaswpapa@gmail.com

Property Owner Signature: 

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.



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: 200, 214, 220, 320, 400 Hull, 15 E 2nd; 13 E 3rd; 409, 501, 509, 511 Decatur Date: October 31, 2017
Tax Map #: See attached Fee: \$2,100.00
Total area of affected site in acres: 6.2272

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

Zoning

Current Zoning: B-5 Conditional and B-7

Existing Use: Mixed-uses

Proposed Zoning/Conditional Zoning

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

B-4

Existing Use: Mixed uses

Is this property subject to any previous land use cases?

Yes

No



If Yes, please list the Ordinance Number: 2005-110-116 and 2004-328-306

Applicant/Contact Person: Lory Markham

Company: Markham Planning

Mailing Address: 2314 West Main Street

City: Richmond State: VA Zip Code: 23220

Telephone: (804) 248-2561 Fax: ()

Email: lory@markhamplanning.com

Property Owner: Ink Building LLC

If Business Entity, name and title of authorized signee: John Gregory

(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: 7 East 2nd Street

City: Richmond State: VA Zip Code: 23224

Telephone: (804) 415-4477 Fax: ()

Email: jgregory@fountainheadrva.com

Property Owner Signature: 

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.



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: 200, 214, 220, 320, 400 Hull; 15 E 2nd; 13 E 3rd; 409, 501, 509, 511 Decatur Date: October 31, 2017
Tax Map #: See attached Fee: \$2,100.00
Total area of affected site in acres: 6.2272

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

Zoning

Current Zoning: B-5 Conditional and B-7

Existing Use: Mixed-uses

Proposed Zoning/Conditional Zoning

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

B-4

Existing Use: Mixed uses

Is this property subject to any previous land use cases?

Yes

No



If Yes, please list the Ordinance Number: 2005-110-116 and 2004-328-306

Applicant/Contact Person: Lory Markham

Company: Markham Planning

Mailing Address: 2314 West Main Street

City: Richmond

State: VA

Zip Code: 23220

Telephone: (804) 248-2561

Fax: ()

Email: lory@markhamplanning.com

Property Owner: Plant Zero Management LLC

If Business Entity, name and title of authorized signee: John Gregory

(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: 7 East 2nd Street

City: Richmond

State: VA

Zip Code: 23224

Telephone: (804) 415-4477

Fax: ()

Email: jgregory@fountainheadrva.com

Property Owner Signature: 

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.



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.richmondaov.com/>

Project Name/Location

Property Address: 200, 214, 220, 320, 400 Hull; 15 E 2nd; 13 E 3rd; 409, 501, 509, 511 Decatur Date: October 31, 2017
Tax Map #: See attached Fee: \$2,100.00
Total area of affected site in acres: 6.2272

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

Zoning

Current Zoning: B-5 Conditional and B-7

Existing Use: Mixed-uses

Proposed Zoning/Conditional Zoning

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

B-4

Existing Use: Mixed uses

Is this property subject to any previous land use cases?

Yes

No



If Yes, please list the Ordinance Number: 2005-110-116 and 2004-328-306

Applicant/Contact Person: Lory Markham

Company: Markham Planning

Mailing Address: 2314 West Main Street

City: Richmond State: VA Zip Code: 23220

Telephone: (804) 248-2561 Fax: ()

Email: lory@markhamplanning.com

Property Owner: The Commons at Plant Zero LLC

If Business Entity, name and title of authorized signee: John Gregory

(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: 7 East 2nd Street

City: Richmond State: VA Zip Code: 23224

Telephone: (804) 415-4477 Fax: ()

Email: jgregory@fountainheadrva.com

Property Owner Signature: 

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.



November 20, 2017

Mr. Mark Olinger, Director
 Department of Planning & Development Review
 900 East Broad Street, Suite 511
 Richmond, VA 23219
Mark.Olinger@richmondgov.com

RE: Applicant’s Report for Rezoning of certain blocks along Hull Street

Dear Mr. Olinger,

Please accept this letter as the Applicant’s Report for the Rezoning application for the following properties, totaling 6.2272 acres, from various zoning districts to the B-4 Central Business zoning district:

Address	Tax Parcel ID	Acreage	Existing Zoning	Ownership
200 Hull Street	<u>S0000073005</u>	0.4349	B-5 Conditional	The Commons At Plant Zero LLC
214 Hull Street	<u>S0000073004</u>	0.0747	B-5 Conditional	The Commons At Plant Zero LLC
220 Hull Street	<u>S0000073001</u>	0.281	B-5 Conditional	The Commons At Plant Zero LLC
15 East 2nd Street	<u>S0000073010</u>	0.8456	B-5 Conditional	The Commons At Plant Zero LLC
320 Hull Street	<u>S0000074004</u>	0.44	B-5 Conditional	Partners In Art LLC
13 East 3rd Street	<u>S0000074001</u>	1.5	B-5 Conditional	300 Block LLC
400 Hull Street	<u>S0000075017</u>	1.623	B-5 Conditional	Plant Zero Management LLC
409 Decatur Street	<u>S0000075022</u>	0.522	B-5 Conditional	Ink Building LLC
501 Decatur Street	<u>S0000076017</u>	0.12	B-7	Fountainhead Assets LLC
509 Decatur Street	<u>S0000076022</u>	0.189	B-7	Fountainhead Assets LLC
511 Decatur Street	<u>S0000076024</u>	0.197	B-7	Fountainhead Assets LLC

With this application, the owners of the subject properties are petitioning the City Council to rezone the eleven properties from the existing zoning regulations with certain proffered conditions, which restrict the development of the existing surface parking in the area. This application proposes to remove those proffered conditions and zone the properties into the B-4 district. This will allow for the development of the existing surface parking to a mix of uses under the urban mixed-use form-based regulations found in the B-4 district.

Properties

The proposed rezoning would cover eleven properties in four blocks along Hull and Decatur Streets between East 2nd Street and East 6th Street. The properties together are comprised of 6.2272 acres and contiguous with the exception of intervening rights-of-way. The properties are improved with historic warehouse buildings totaling approximately 210,000 square feet. A majority of these existing

historic buildings have been redeveloped with a mix of uses, including; 52 residential units, artist galleries and studios, restaurant, and office uses. Six of the properties are currently primarily used as surface parking areas.

Zoning Regulations & Background

The properties are currently located in the B-5(C) Central Business District (Conditional) and the B-7 Mixed Use Business District. The properties along the 300 and 400 blocks of Hull Street were zoned B-5 (C) in 2004 and are subject to proffered conditions found in Ordinance [2004-328-306](#). These conditions require 90 parking spaces to be provided for the uses of the properties within the two blocks. The properties along the 200 block of Hull Street were zoned B-5(C) in 2005 and are subject to proffered conditions found in Ordinance [2005-110-116](#). These proffers require a minimum size for each dwelling unit, parking to be provided at a rate much higher than the surrounding properties and within a smaller radius from the property, landscaping, and natural air and light for the dwelling units. The properties in the 500 block of Decatur were zoned B-7 through a City-initiated rezoning in 2010 and are not subject to any conditions.

The properties located in the B-5(C) districts were the first properties in Manchester to be rezoned from the historically industrial zoning in the area. This occurred before the adoption of the 2009 Downtown Plan and many of the form-based changes to the City's Zoning Ordinance. As part of this initial rezoning of the area, the property owners were asked to proffer certain conditions related to parking. Much has changed in the area and the philosophy regarding the provision of parking in the urban core in the decade since the those initial rezonings occurred.

In 2009 the City included Manchester in the Downtown Plan for the first time and subsequently rezoned all the surrounding property and removed any conditions associated with property that had previously been rezoned. This is when the B-7 was put in place on the 500 block of Decatur. The B-7 district is a mixed-use industrial district and was intended to be a transitional district that would slowly be replaced as the area transitioned from an industrial neighborhood to more of a mixed-use residential neighborhood.

The three subject blocks that had been included in B-5(C) were left out of this City-initiated rezoning and the conditions remained in place because the City did not propose any B-5 zoning in Manchester at that time. The B-5 district was later amended to include the form-based regulations that were recommended in Manchester by the Downtown Plan and included in the districts that were put in place 2010 rezoning of the area.

This application requests the removal of those old proffered conditions so that these properties will be treated similar to the surrounding properties in terms of parking requirements, letting the market determine how much parking is desirable. The inclusion of the properties to the B-4 Central Business district without the proffered conditions will allow for greater density and the redevelopment of the surface parking areas within the form-based regulations of the B-4 district. This will allow for a more vibrant neighborhood and streetscape along these four blocks in Manchester.

Master Plan / Downtown Plan

These properties were included in the 2009 Downtown Plan, which recommends that they be developed consistent with the Urban Center Character Area. The Urban Center Character Area calls for

higher density, mixed-use development, typically arranged on a fine-grained street network, with wide sidewalks, regular tree planting, and minimal setbacks.

Specifically addressing Manchester, the Downtown Plan states, “Manchester will benefit greatly from new construction and the infill of its many vacant properties. Such infill will introduce new energy to the district by increasing the residential population, repairing the streetscape, and enhancing safety by providing ‘eyes on the street’.” (page 4.33)

The more recently developed Riverfront Plan designates the portion of the subject properties included in the plan for future development, stating, “The Plan anticipates incremental redevelopment of under-utilized parcels and languishing former industrial sites. Development strategies should favor mixed use, with an emphasis on street level retail, where appropriate. The fundamental emphasis of redevelopment along the Riverfront is to intensify pedestrian activity at street level through infill development with sufficient density to be an attractor and destination of activity. Greater density reinforces urban character, provides for an increase in pedestrian activity, resulting in a safer and more vibrant city.” (p. 11).

The type of development and mix of uses that would be permitted under the proposed B-4 district is consistent with the recommendations found for the area in the Downtown Plan and the density supported by the Riverfront Plan.

City Charter Conditions

Given the recommendations in the City’s Downtown Plan, we trust that you will agree with us that the development of the site would be better suited under the regulations in the B-4 Central Business district and that the rezoning meets the City Charter considerations to be observed in the alteration of zoning regulations.

Neighborhood Input

We presented the plan to rezone these properties and remove the proffered conditions to the Manchester Alliance at their October 12, 2017 meeting. The Alliance was generally receptive to the request and did not offer any objections at the time.

Thank you for your consideration of this application. Please feel free to contact me at lory@markhamplanning.com or (804) 248-2561 if you have any questions or require additional materials to process the application.

Very Truly Yours,



Lory Markham

Enclosures

cc: The Honorable Ellen Robertson
Matthew Ebinger, Secretary to the City Planning Commission

EXHIBIT A

LEGAL DESCRIPTION

PARCEL IV:

All that certain piece, parcel or tract of land, together with all improvements thereon and appurtenances thereunto pertaining, located on the southeastern line of Hull Street, between East 4th Street and East 5th Street, and according to a plat made by Chas. H. Fleet & Assocs., dated April 22, 1964, entitled "Plat of Property Situated on the Eastern Line of Hull Street and between Fourth and Fifth Street, Richmond, VA" is more particularly described by metes and bounds as follows:

BEGINNING at the point where the southeastern line of Hull Street intersects the northeastern line of East 5th Street, which point is marked by a stone; thence running along the southeastern line of Hull Street North 51 degrees 26' 51" East 263.93 feet, more or less, to the stone which marks the intersection of the southeastern line of Hull Street and the southwestern line of East 4th Street, thence running along the southwestern line of East 4th Street South 38 degrees 32' 09" East 211.90 feet to the point where the northwestern line of the property owned by Virginia Folding Box Co., Inc., intersects the southwestern line of East 4th Street, which point is marked by a rod; thence leaving East 4th Street and running along the northwestern line of Virginia Folding Box Co., Inc. property the following courses and distances: South 51 degrees 27' 20" West 115.01 feet to a rod North 38 degrees 32' 09" West 38.90 feet to a rod; and South 51 degrees 24' 51" West 149.0 feet to a rod on the northeastern line of East 5th Street; thence running along the northeastern line of East 5th Street North 38 degrees 32' 09" West 173.07 feet to the point of beginning.

PARCEL V

All that certain lot or parcel of land together with the dwelling thereon designated as No. 19 East Fourth Street, lying and being in the City of Richmond, (formerly Manchester), State of Virginia, as more fully described on "Plat of Property Situated on the Western Line of 4th Street and North of Decatur Street," made by Chas. H. Fleet and Associates, Civil Engineers and Surveyors, dated July 16, 1956 and further bounded and described as follows:

COMMENCING at a point distant 107 feet from the intersection of the western line of Fourth Street with the northern line of Decatur Street, thence running and fronting on said western line of Fourth Street 26 feet 6 inches towards Hull Street and running back at right angles and between parallel lines 112.67 feet to an alley.

PARCEL VI

All that certain lot, piece or parcel of land with all improvements thereon, lying and being in the City of Richmond, Virginia, known as No. 21 East Fourth Street, as more fully described on "Plat of Property Situated on the Western Line of 4th Street and North of Decatur Street," made by Chas. H. Fleet and Associates, Civil Engineers and Surveyors, dated July 16, 1956, and further bounded and described as follows:

COMMENCING at a point distant 83-1/2 feet from the intersection of the north line of Decatur Street with the west line of Fourth Street; thence running and fronting 23-1/2 feet on said West line of Fourth Street toward Hull Street, and running back between parallel lines at right angles to Fourth Street, 131.75.

PARCEL VII

All that certain lot, piece or parcel of land, with all improvements thereon, lying and being in the City of Richmond, Virginia, on the southwestern line of Fourth Street, known and designated as No. 23 East Fourth Street, as more fully described on "Plat of Property Situated on the Western Line of 4th Street and North of Decatur Street," made by Chas. H. Fleet and Associates, Civil Engineers and Surveyors, dated July 16, 1956, and further bounded and described as follows:

COMMENCING at a point on the southwestern line of Fourth Street, distant Sixty (60) feet from the northwestern line of Decatur Street; thence running along the said southwestern line of Fourth Street, Twenty-three and one-half (23-1/2) feet, toward Hull Street, thence running back from the front, between parallel lines, at right angles to said Fourth Street, One Hundred and Thirty-one and seventy-five one-hundredths (131.75) feet to the property adjoining in the rear.

PARCEL VIII

All that certain lot, piece or parcel of land with the improvements thereon known as No. 25 East Fourth Street, lying and being in the City of Richmond, Virginia, and more particularly described as follows:

COMMENCING at a point on the west side of Fourth Street 30 feet north of the north line of Decatur Street; thence running northwardly along and fronting on the said west line of Fourth Street 30 feet; thence running back between parallel lines (said lines being parallel to the north line of Decatur Street) 131.75.

PARCEL IX

All that certain lot, piece or parcel of land with the improvements thereon known as No. 27 East Fourth Street, lying and being in the City of Richmond, Virginia, and more particularly described as follows:

FRONTING 30 feet on the west line of Fourth Street and running back between the north line of Decatur Street and line parallel therewith 131.75.

Being a part of the same real estate conveyed to Plant Zero Management, LLC, a Virginia limited liability company by deed of contribution from 300 Block, LLC, a Virginia limited liability company, dated December 1, 2003, recorded December 30, 2003, in the Clerk's Office, Circuit Court, City of Richmond, Virginia as Instrument No. 030049694.

LEGAL DESCRIPTION

PARCEL I: 220 Hull Street

All that certain lot, piece or parcel of land with all improvements thereon and appurtenances thereto belonging, lying and being in the City of Richmond, Virginia, in that part thereof known as South Richmond, on the southern line of Hull Street between Third or Wadsworth Street and Second Street, and described as follows:
 BEGINNING at the intersection of the southern line of Hull Street, with the eastern line of Third and Wadsworth Street, thence extending easterly along and fronting on the southern line of Hull Street, ninety (90) feet, thence from said front extending back southerly between parallel lines (1) the western one of which is the eastern line of Third or Wadsworth Street one hundred thirty (130) feet to an alley twelve (12) feet wide.

PARCEL II: 15 E. 2nd Street

All that certain parcel of land lying and being in the City of Richmond, Virginia, with the improvements thereon, and more particularly described as follows:
 BEGINNING at a point on the east line of Third Street, distance thereon 71 feet north of the point of intersection with the north line of Decatur Street, said point of beginning also being at the center of a spur track, thence from said point of beginning extending northwesterly along the east line of Third Street 132.20 feet to the south line of a 10-foot alley, thence extending easterly along the south line of said alley 200.62 feet to a point on the west line of Second Street, thence extending southerly along the west line of Second Street 134.51 feet to the center of said spur track, thence extending westerly along the center line of said spur track 200.62 feet to the point of beginning; all as shown on a plat of survey prepared by William M. Lewis, Certified Surveyor, dated December 1, 1949.

Parcels I and II, being part of the same property shown on survey entitled "Plat of Four Parcels of Land Along the East Line of Third Street, Between Hull Street and Decatur Street in the City of Richmond, Virginia," prepared by Foster & Miller, P.C. dated April 14, 1984 and revised May 23, 1994, of Richmond, Virginia, and

Being the same real estate conveyed to Commons at Plant Zero, LLC, a Virginia limited liability company, by deed from Corcoran Mill Group, Inc., an Ohio corporation, successor in interest by merger to the Richmond Paperboard Corporation, dated December 3, 2004, recorded December 3, 2004 in the Clerk's Office, Circuit Court, City of Richmond, Virginia as Instrument No. 04400599.

GENERAL NOTES

- This plot is based on current field work.
- No underground utilities were located. Only aboveground utilities are shown.
- There is visible evidence of recent earth moving, building construction or building additions.
- There is no visible evidence of recent street or sidewalk construction or repair.
- There is no visible evidence of site use as a waste dump, sump or sanitary landfill.
- This plot was prepared with the benefit of a title report from Transition Title Insurance Company, Commitment # PREM-0088 effective November 17, 2008.
- All Statements within the certification, and other references located elsewhere hereon related to: utilities improvements, structures, buildings, party walls, parking, easements, servitudes, and encroachments, are based solely on above ground, visible evidence, unless another source of information is specifically referenced hereon.
- Field Measurements do not match Record Measurements
- This parcel is in zone "X" as defined on F.I.R.M. # 510129-0010 C dated July 20, 1998. Zone "X" is defined as an area out side 500 year flood plain.
- Parcel(s) zoning is M-2
 Setback:
 Front = 0
 Rear = 0
 Side = 0
- Buildings and site are under renovation and construction.
- Corners not set due to construction.
- Alley vacated per Quin Daulton Deeds recorded in instruments 0635990, 0635991 and 0635992



CERTIFICATION

TO: WACHOVIA BANK, NATIONAL ASSOCIATION, WACHOVIA COMMUNITY DEVELOPMENT ENTERPRISES I, LLC, TRANSITION TITLE INSURANCE COMPANY AND THE COMMONS AT PLANT ZERO, LLC.

The undersigned, Registered Public Surveyor (the "Surveyor") hereby certifies that:

This plan of survey and the property description set forth hereon are true and correct and prepared from an actual on-the-ground survey of the real property shown hereon (the "Project").

- Such survey was conducted by the Surveyor, or under his supervision;
- All monuments shown hereon actually exist, and the location, size, and type of material thereof are correctly shown;
- All parcels shown hereon are contiguous with each other and no gaps or spaces exist between or among such parcels;
- Except as shown hereon, there are no visible encroachments onto the Project or protrusions therefrom (including, without limitation, encroachments by improvements appurtenant to adjoining premises or protrusions onto adjacent premises by improvements appurtenant to the Project), there are no improvements on the Project, there are no visible easements or rights-of-way on the Project, and there are no visible discrepancies, conflicts, shortages in area, or boundary line conflicts;
- As of the date on this plot, except as shown hereon, there are no poles, lines, wires, electrical power, telephone lines, or other utilities on the Project, and all utility services required for the operation of the Project (including sanitary sewer, storm sewer, telephone, gas, electric, and water) enter the Project by way of adjoining public streets, or this survey shows the point of entry of any visible utilities which pass through or are located on adjoining private land;
- Ingress and egress to and from the Project is provided by the following streets and dedicated public rights-of-way maintained by the Commonwealth of Virginia or the City of Richmond; and
- All recorded assessments and taxes levied and assessed in the Commitment for Title Insurance No. PREM-0088 issued by Transition Title Insurance Company ("Title Company") dated November 17, 2008, have been correctly plotted hereon;
- Except as shown hereon, there are no watercourses, ditches, reservoirs, pools, streams, or other natural areas of water flow on the Project, and there is no apparent use of the Project for pathways, driveways, or roadways for which there are no recorded easements, or for dumping, drilling, or excavation;
- The Project is not located in a 100-year flood plain or in an identified "flood prone area", as defined by the U.S. Department of Housing and Urban Development, pursuant to the Flood Disaster Protection Act of 1973, as amended, as reflected by Flood Insurance Rate Map Panel #510129-0010 C, dated July 20, 1998, which map panel covers the area in which the Project is situated;
- The survey was made in accordance with "Minimum Standard Detail Requirements for ALTA/ACSM Land Title Surveys" jointly established and adopted by the American Land Title Association and the American Congress on Surveying and Mapping in 2000, and meets the accuracy requirements of a Class A survey as defined therein.

The Surveyor expressly understands and agrees that (i) this Certificate is made to induce Wachovia Bank, National Association, its successors and/or assigns ("Lender"), Wachovia Community Development Enterprises II, LLC and the Commons at Plant Zero, to extend credit secured by a mortgage covering the Project and to induce the Title Company to issue a policy of title insurance insuring the validity and priority of such mortgage; (ii) Lender and Title Company are entitled to rely on this plot of survey as being true and accurate in all respects and upon this Certificate as being true and accurate; and (iii) the consideration paid to the Surveyor for the preparation and certification of such survey has been paid, in part, for the benefit of Lender and Title Company and in anticipation of their reliance hereon.

BRIAN M LONG, L.S. # 002372

AS-SURVEYED DESCRIPTION

PARCEL I
 BEGINNING AT THE INTERSECTION OF 3RD STREET AND HULL STREET ROAD;
 THENCE ALONG HULL STREET ROAD N 52°40'20" E 90.00' TO A POINT;
 THENCE LEAVING HULL STREET ROAD, S 37°23'01" E 130.00' TO A POINT ALONG A FORMER PUBLIC ALLEY;
 THENCE ALONG SAID FORMER ALLEY, S 52°40'20" W 90.00' TO A POINT ALONG 3RD STREET;
 THENCE ALONG 3RD STREET N 37°23'01" W 130.00' TO THE POINT OF BEGINNING AND CONTAINING 0.269 ACRES OF LAND.

PARCEL II
 BEGINNING AT THE INTERSECTION OF 3RD STREET AND HULL STREET;
 THENCE ALONG 3RD STREET S 37°23'01" E 130.00' TO THE POINT OF BEGINNING;
 THENCE N52°40'20" E 260.62' ALONG A FORMER PUBLIC ALLEY TO A POINT ON 2ND STREET;
 THENCE ALONG 2ND STREET S 37°20'27" E 134.51' TO A POINT;
 THENCE ALONG A NON-ADJACENT CURVE HAVING A RADIUS OF 300.60', A LENGTH OF 282.23', AND A CHORD OF S 86°17'20" W 38.22' TO A POINT;
 THENCE S 52°38'37" W 222.37' TO A POINT ON 3RD STREET;
 THENCE ALONG 3RD STREET N 37°23'01" W 132.20' TO THE POINT OF BEGINNING AND CONTAINING 0.791 ACRE OF LAND.

PARCEL III
 BEGINNING AT THE INTERSECTION OF 3RD AND HULL STREET;
 THENCE ALONG 3RD STREET 130.00' TO THE POINT OF BEGINNING;
 THENCE N 52°40'20" E 260.62' TO A POINT ON 2ND STREET;
 THENCE ALONG 2ND STREET S 37°20'27" E 134.51' TO A POINT ON 3RD STREET;
 THENCE S 52°38'37" W 222.37' TO A POINT ON 3RD STREET;
 THENCE ALONG 3RD STREET N 37°23'01" W 132.20' TO THE POINT AND PLACE OF BEGINNING AND CONTAINING 0.072 ACRES OF LAND.

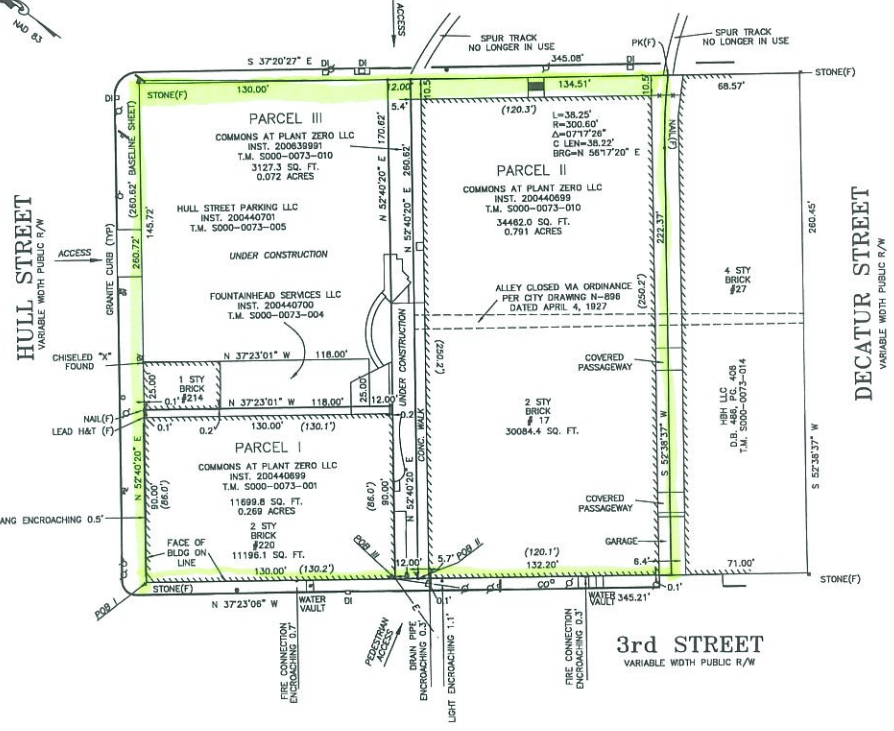
PARKING

NO VISIBLE PARKING OBSERVED AT TIME OF SURVEY.



LONG SURVEYING LLC
 3408 SHERWOOD BLUFF WAY
 POWHATAN, VA 23139

2nd STREET
 VARIABLE WIDTH PUBLIC R/W



3rd STREET
 VARIABLE WIDTH PUBLIC R/W

NOTES CORRESPONDING TO SCHEDULE B

TITLE REPORT FINISHED BY TRANSITION TITLE INSURANCE COMPANY, COMMITMENT NUMBER PREM-0088 DATED NOVEMBER 17, 2008.

- ITEM 1: DEFECTS, LIENS, ENCUMBRANCES, ADVERSE CLAIMS OR OTHER MATTERS, IF ANY, CREATED, FIRST APPEARING IN THE PUBLIC RECORDS OR ATTACHING SUBSEQUENT TO THE EFFECTIVE DATE HEREOF BUT PRIOR TO THE DATE THE PROPOSED INSURED ACQUIRES FOR VALUE OF RECORD THE ESTATE OR INTEREST OR MORTGAGE THEREON COVERED BY THIS COMMITMENT -- NOT A MATTER OF SURVEY.
- ITEM 2: ENCROACHMENTS, OVERLAPS, DEFICIENCY IN QUANTITY OF GROUND, BOUNDARY LINE DISPUTES, ROADWAYS, UNRECORDED EASEMENTS, OR ANY MATTERS WHICH WOULD BE DISCLOSED BY AN ACCURATE SURVEY AND INSPECTION OF THE PREMISES -- ALTA SURVEY PERFORMED.
- ITEM 3: TAXES FOR YEAR 2007, AND SUBSEQUENT YEARS, NOT YET DUE AND PAYABLE. -- NOT A MATTER OF SURVEY.
- ITEM 4: RIGHTS OF OTHERS TO THE USE OF THE SPUR TRACK CONSTRUCTED PER INDENTURE RECORDED IN DEED BOOK 26, PAGE 431. SEE INSTRUMENT FOR PARTICULARS. -- NO LONGER AFFECTS PARCEL, THE SPUR TRACK IS BURIED.
- ITEM 5: ABSOLUTE RELEASE AND COVENANTS NOT TO SUE AS RECORDED IN DEED BOOK 440, PAGE 1326. SEE COPY OF DEED. -- NOT A MATTER OF SURVEY.
- ITEM 6: DEDICATION OF ALLEY TO CITY OF RICHMOND RECORDED IN DEED BOOK 658, PAGE 433. SEE INSTRUMENT FOR PARTICULARS. -- ALLEY VACATED. SEE GENERAL NOTE 1.3.
- ITEM 7: RECORDED PLATS:
 1. WM. M. LEWIS DATED DECEMBER 1, 1949 SHOWING RAIL SPUR TRACKS ADJACENT TO SUBJECT REAL ESTATE AND ENCROACHMENT OF BUILDING ON 2ND STREET. SEE DIVISION II, PLAT 6, PAGE 22.
 2. CHARLES FLEET & ASSOC., DATED OCTOBER 15, 1976, RECORDED WITH DEED BOOK 499, PAGE 367 SHOWS UTILITIES CROSSING SUBJECT REAL ESTATE AND ENCROACHMENT OF IMPROVEMENTS ON HULL STREET.
 ITEMS ON PLATS THAT AFFECT CURRENT SURVEY ARE RECORDED IN DEED BOOK 499, PAGE 367.
 (XX) BUILDING DIMENSIONS
- ITEM 8: MATTERS OF RECORD IN INSTRUMENT NO. 980033979 "CLEAN-UP PLAN CERTIFICATION". -- NOT A MATTER OF SURVEY.

- ⊕ FIRE HYDRANT
- ⊕ UTILITY POLE
- ⊕ WATER METER
- ⊕ GAS VALVE
- ⊕ WATER VALVE
- ⊕ STORM INLET



ALTA/ACSM SURVEY
 SFT

LEGAL DESCRIPTION

PARCEL I:

All that certain lot, piece or parcel of land, with all improvements thereon and rights, ways and appurtenances thereto belonging, situated in the City of Richmond, Virginia, and bounded and described as follows:

BEGINNING at a hub and tack of the south property line of Decatur Street with the west property line of Fifth Street, thence North 51 degrees 23'39" East along the south property line of Decatur Street a distance of 263.95 feet to a stone at the intersection of Fourth Street, thence extending along and fronting on the stone of the intersection of Fourth Street, thence extending along and fronting on the northern property line of Stockton Street, thence extending along and fronting on the northern property line of Stockton Street, thence extending along and fronting on the north side of the intersection of the northern property line of Stockton Street with the western property line of Fifth Street, thence extending along and fronting on the point of beginning, all more particularly shown on a "Plan of Property Situated on 4th and 5th Street between Decatur and Stockton Streets" dated February 3, 1959 and prepared by Charles H. Teal & Assoc., Civil Engineers and Surveyors, a copy of which plot is attached to a recorded and valid deed dated May 1, 1959, from Crowley's Manufacturing Company, Incorporated to Virginia Folding Box Company, Incorporated, recorded on May 1, 1959 in the Clerk's Office of the Henning Court, Part II of the City of Richmond, Virginia as Deed Book 247, page 225.

PARCEL II:

All that certain lot, piece or parcel of land with all improvements thereon, lying and being in the City of Richmond, Virginia, and more particularly described as follows:

BEGINNING at a stone at the intersection of the northern property line of Decatur Street with the western line of Fifth Street, and from such point of beginning extending westerly along and fronting on the northern property line of Decatur Street 77.50 feet to a point in the northern property line of Decatur Street, thence leaving Decatur Street and extending in a northeasterly direction along the eastern line of a 13 foot alley 52.42 feet to a point; thence extending in a westerly direction 77.50 feet to a stone in the western property line of Fifth Street; thence extending in a southeasterly direction along and fronting on the western property line of Fifth Street 62.42 feet to the point of beginning, all as more fully shown on a plot made by Charles H. Teal and Associates, Civil Engineers and Surveyors, dated May 22, 1950, entitled "Plan of Property Situated on the Western Line Decatur Street and between 5th and 6th Streets," a copy of which plot is attached to and made part of Deed recorded in Deed Book 254, page 566.

PARCEL III:

All that certain lot, piece or parcel of land lying and being in the City of Richmond, Virginia, and more particularly described as follows:

BEGINNING at a point in the northern line Decatur Street, which point is 90.50 feet west of the western property line of Fifth Street, one from such point of beginning extending westerly along and fronting on the northern property line of Decatur Street 92.29 feet to a point in the northern property line of Decatur Street; thence leaving Decatur Street and extending in a northerly direction 117.0 feet to a stone forming Decatur Street and extending in a southeasterly direction along and fronting on the southern line of a 12 foot alley 43.83 feet to a point; thence extending in a southeasterly direction along the western line of a 6 foot alley 33.38 feet to a point; thence extending in a southeasterly direction along the southern line of a 4 foot alley 48.50 feet to a point; thence extending southeasterly along and fronting on the western line of a 13 foot alley 58.42 feet to the point of beginning; together with the alleys in the rear of 4 feet and 6 feet, all as more fully shown on the plot referred to above, a copy of which is attached to Deed recorded in Deed Book 254, page 566.

TOGETHER with all of the right, title and interest of the Grantors herein and to the 13 foot alley as shown on the plot referred to above.

PARCEL IV:

All that certain lot or parcel of land, lying and being in the City of Richmond, State of Virginia, and being more particularly bounded and described as follows, to wit:

COMMENCING at the intersection of the north line of Decatur Street with the east line of 5th Street, thence from said point of beginning extending easterly along Fifth Street and fronting on the east line of Decatur Street 72.8 feet more or less, thence from said frontage extending back northerly between parallel lines, one of which is the east line of 5th Street, 112 feet to an alley in the rear.

Being the same real estate conveyed to Plant One, LLC a Virginia limited liability company by deed from Mecklenburg Corporation, a Delaware corporation, successors in interest to West Virginia Pulp and Paper Company, formerly a Delaware corporation, dated December 15, 2003, recorded December 31, 2003 in the Clerk's Office, Circuit Court of Richmond, Virginia as Instrument No. 03-449700, page 0001.

CERTIFICATION

TO: LEHMAN BROTHERS BANK, FSB, A FEDERAL STOCK SAVINGS BANK & TRANSITION TITLE INSURANCE COMPANY

This survey is made for the benefit of Lehman Brothers Bank, FSB and Transition Title Insurance Company.

I, Brian M Long, a Registered Land Surveyor in the Commonwealth of Virginia, do hereby certify to the abovesaid parties, their successors and assigns, as of the date set forth above, that I have made a careful survey of a tract of land as described in the "As-Surveyed Description".

1. The survey reflected by this plat was actually made upon the ground, that the attached plat of survey is made at least in accordance with the minimum standards established by the Commonwealth of Virginia for surveys and with the "Minimum Standard Detail Requirements for ALTA/ACSM Land Title Surveys" jointly promulgated and adopted by ALTA and NSPS in 2005 and includes items 1-6, 7(a) (1) (i), 8-11, 13, 14(i), and 18 of Table A. It is in full effect on the date of this certification, in my professional opinion as a Land Surveyor registered in the Commonwealth of Virginia. The Relative Positional Accuracy of this survey does not exceed that which is specified in said Accuracy Standards.

2. The survey correctly shows the location of all buildings, structures and other improvements situated on the Premises.

3. All known and visible utilities serving the Premises enter through adjoining public streets and/or easements of record; that except as shown, there are no hidden easements or rights of way across said Premises, that the property described herein is the same as the property described in Transition Title Insurance Company Commitment No. PREM-0009 with an effective date of February 23, 2005 and that all easements, commitments, and restrictions referenced in said title commitment, and easements which the undersigned has been advised or has knowledge, have been plotted herein or otherwise noted as to their effect on subject property.

4. There are no encroachments onto adjoining premises, streets or alleys by any building, structures or other improvements located on the Premises, and no encroachments onto said Premises by buildings, structures or other improvements situated on adjoining premises except as shown on survey.

5. Said described property is located within an area having a Zone Designation of "X" by the Federal Emergency Management Agency, as Flood Insurance Rate Map No. 51029-0010 D, with a date of identification of July 20, 1998, Community Number 0010, in the City of Richmond, Commonwealth of Virginia, which is the current Flood Insurance Rate Map for the community in which said Premises is situated.

6. The properties have direct physical access to Decatur, Stockton, 4th, 5th & 6th Streets, public streets or highways.

7. All known set backs, side yard and rear yard lines and requirements shown or set forth on all known recorded plats and documents, and those set forth in applicable zoning ordinances, are plotted herein in tabular form.

PARKING

0 ON SITE SPACE REQUIREMENT 0 ON SITE

SCHEDULE B

ITEMS 1-3 NOT MATTERS OF SURVEY

ITEM 4 VEPIC EASEMENT RECORDED IN D.E. 252, PG. 505 IS SHOWN ON PLAT

ITEM 5 ALLEY VACATIONS ARE INCORPORATED IN PLAT

GENERAL NOTES

1. This plat is based on current field work.
2. No underground utilities were located. Only aboveground utilities are shown.
3. There is no visible evidence of recent earth moving, building construction or building additions.
4. There is no visible evidence of recent street or sidewalk construction or repair.
5. There is no visible evidence of site use as a waste dump, sump or sanitary landfill.
6. This plat was prepared with the benefit of a title report from Transition Title Insurance Company, Commitment # PREM-0009 effective February 23, 2005.
7. All statements within the certification, and other references located elsewhere herein related to utilities improvements, structures, buildings, earth walls, parking, easements, servitudes, and encroachments, are based solely on above appearing visible evidence, unless another source of information is specifically referenced herein.
8. Field Measurements do not match Record Measurements.
9. This parcel is in zone "X" as defined on F.I.R.M. # 51029-0010 G dated July 20, 1998. Zone "X" is defined as area out side 500 year flood plain.
10. Parcel(s) zoning is M-2
Setbacks
Front = 0
Rear = 0
Side = 0
Height=45'

AS-SURVEYED DESCRIPTION

PARCEL I

Beginning at the southeastern corner of Decatur Street and 4th Street, thence along 4th Street S 38°30'00" E, 130.28' to Stockton Street; thence along Stockton Street S 51°23'39" W 264.30' to 5th Street; thence along 5th Street N 38°36'14" W 62.38' to a point; thence along Decatur Street N 51°23'39" E, 264.18' to the point-of-beginning and containing 1.989 acres of land.

PARCEL II

Beginning at the northeastern corner of Decatur and 5th Street; thence along Decatur Street S 51°23'39" W 77.50' to a point; thence leaving Decatur N 38°36'14" W 62.38' to a point; thence N 51°23'46" E 77.50' to a point on 5th Street; thence along 5th Street S 38°36'14" E 62.42' to the point-of-beginning and containing 0.117 acres of land.

PARCEL III

Beginning at the northeastern corner of Decatur and 5th Street; thence along Decatur S 51°23'39" W 77.50' to the point-of-beginning; thence S 51°23'39" W 105.29' to a point; thence leaving Decatur N 38°36'14" W 117.90' to a point; thence S 38°36'14" E 55.58' to a point; thence N 51°23'46" E 37.55' to a point; thence N 38°36'14" W 62.38' to the point-of-beginning and containing 0.272 acres of land.

PARCEL IV

Beginning at the northeastern corner of Decatur and 6th Street; thence along 6th Street N 38°36'14" W 117.89' to a point; thence leaving 6th Street N 51°23'46" E 22.97' to a point; thence S 38°36'21" E 117.89' to a point on Decatur Street; thence along Decatur S 51°23'39" W 72.97' to the point-of-beginning and containing 0.197 acres.



ALTA / ACSM SURVEY OF
400,420 & 403 STOCKTON STREET
501,509 & 511 DECATUR STP

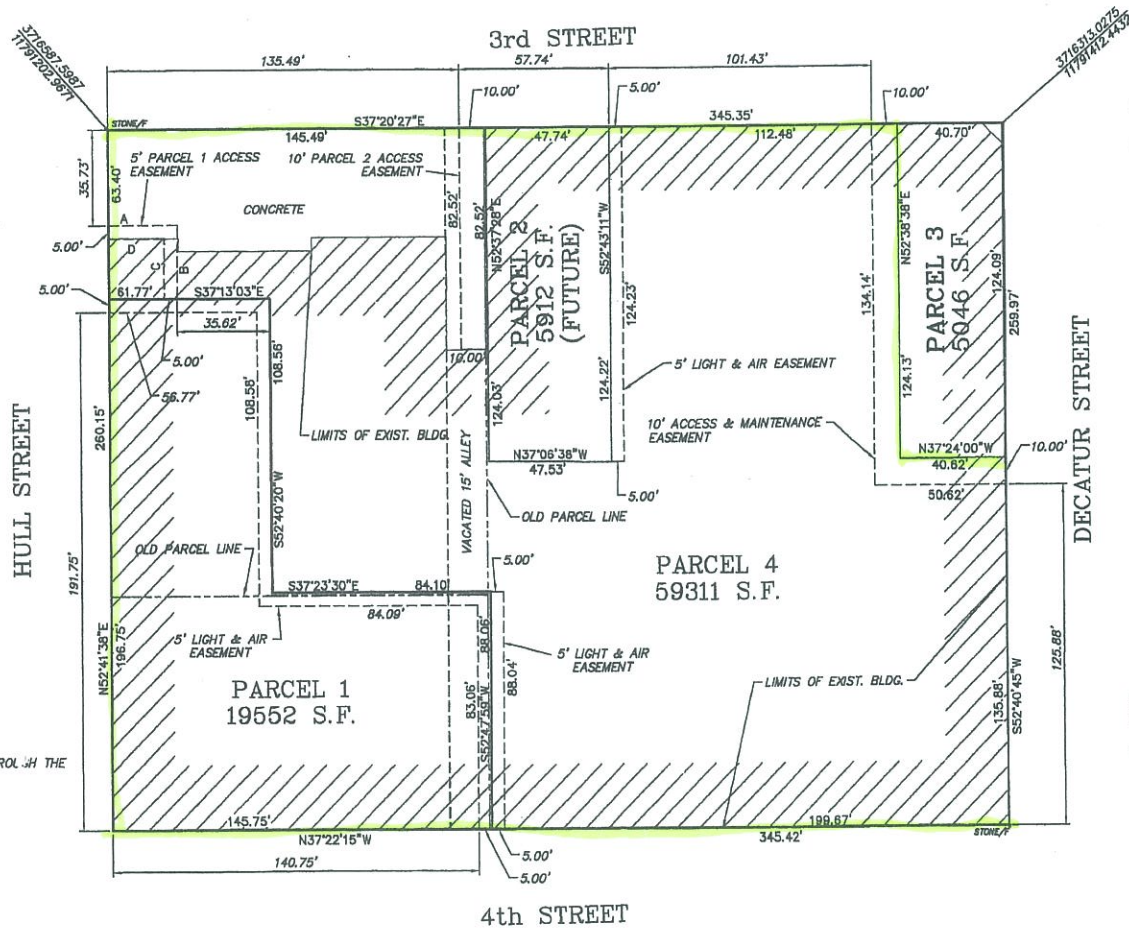
CITY OF RICHMOND
APRIL 11, 2007



5' PARCEL 1 ACCESS EASEMENT

- A) S37°13'03"E - 28.43'
- B) S53°16'39"W - 27.68'
- C) N53°16'39"E - 22.63'
- D) N37°13'03"W 21.38'

NOTE:
INTERIOR PROPERTY LINES RUN THROU TH THE
CENTERLINE OF BUILDING WALLS



LEGAL DESCRIPTION - PARCEL 3

BEGINNING AT A POINT AT THE INTERSECTION OF THE SOUTH LINE OF 3RD STREET, WITH THE WEST LINE OF DECATUR STREET; THENCE S 52° 40' 45" W FOR 124.09' TO A POINT; THENCE N 37° 24' 00" W FOR 40.62'; THENCE N 52° 38' 38" E FOR 124.13' TO A POINT; THENCE S 37° 20' 27" E FOR 40.70' TO A POINT OF BEGINNING; SAID PARCEL CONTAINING 5046 SQ. FT.



I HEREBY CERTIFY THAT THE BOUNDARY SHOWN HEREON IS BASED ON A CURRENT FIELD SURVEY

THIS PROPERTY IS LOCATED IN H.U.D. FLOOD ZONE X

PLAT OF PARCEL 3 ON THE WEST LINE OF DECATUR STREET CITY OF RICHMOND, VIRGINIA

DATE: NOV. 5 SCALE: 1"=30'

HULCHER & ASSOCIATES, INC.
CONSULTING ENGINEERS
RICHMOND, VIRGINIA
(804) 622-7828 • FAX 622-8202
SHEET 1 OF 1

