

AN ORDINANCE NO. 87-193-185
ADOPTED SEP 14 1987

To authorize the use of the real estate, property known as 110 N. Colonial Avenue and 105 N. Sheppard Street, containing 30,700 square feet, more or less, located between Grove Avenue and Floyd Avenue on the east side of Sheppard Street and extending to the west side of Colonial Avenue, being more completely described as follows: beginning at a point on the east right of way line of N. Sheppard Street, said point being 150.00 feet south of the south right of way line of Grove Avenue; thence extending in a southerly direction along the east right of way line of N. Sheppard Street 82.97 feet to a 15-foot east-west alley; thence extending in an easterly direction along the north right of way line of said alley 341.26 feet to the west right of way line of N. Colonial Avenue; thence extending in a northerly direction along the west right of way line of N. Colonial Avenue 90.18 feet to a point; thence extending in a westerly direction along a property line 65.58 feet to a point; thence extending in a northerly direction along a property line 7.50 feet to a point; thence extending in a westerly direction along a property line 45.00 feet to a point; thence extending in a southerly direction along a property line 7.50 feet to a point; thence extending in a westerly direction along a property line 165.00 feet to a point; thence extending in a southerly direction along a property line 7.50 feet to a point; thence extending in a westerly direction along a property line 65.58 feet to the point of beginning; for the purpose of construction of a forty-three space parking area to serve the Virginia Museum and a medical office building located at 2911-2915 Grove Avenue, substantially as shown on site plan, entitled: "Parking Lots 110 N. Colonial Avenue & 105 N. Sheppard Street", upon certain terms and conditions.

Patron - City Manager (By Request)

Approved as to form and legality
by City Attorney

THE CITY OF RICHMOND HEREBY ORDAINS:

§ 1. That the real estate, property known as 110 N. Colonial Avenue and 105 N. Sheppard Street, containing 30,700 square feet, more or less, located between Grove Avenue and Floyd Avenue on the east side of Sheppard Street and extending to the west side of Colonial Avenue, being more completely described as follows: beginning at a point on the east right of way line of N. Sheppard Street, said point being 150.00 feet south of the south right of way line of Grove Avenue; thence extending in a southerly direction along the east right of way line of N. Sheppard Street 82.97 feet to a 15-foot east-west alley; thence extending in an easterly direction along the north right of way line of said alley 341.26 feet to the west right of way line of N. Colonial Avenue; thence extending in a northerly direction along the west right of way line of N. Colonial Avenue 90.18 feet to a point; thence extending in a westerly direction along a property line 65.58 feet to a point; thence extending in a northerly direction along a property line 7.50 feet to a point; thence extending in a westerly direction along a property line 45.00 feet to a point; thence extending in a southerly direction along a property line 7.50 feet to a point; thence extending in a westerly direction along a property line 165.00 feet to a point; thence extending in a southerly direction along a

property line 7.50 feet to a point; thence extending in a westerly direction along a property line 65.58 feet to the point of beginning; is hereby permitted to be used for the purpose of construction of a forty-three space parking area to serve the Virginia Museum and a medical office building located at 2911-2915 Grove Avenue, substantially as shown on site plan, entitled: "Parking Lots 110 N. Colonial Avenue & 105 N. Sheppard Street", prepared by James O. Quel, dated July 13, 1987, a copy of which is attached hereto and is to be made a part of this ordinance.

§ 2. That the Commissioner of Buildings is hereby authorized to issue to the owner of said real estate, or successor or successors in fee simple title, a building permit for the purpose of constructing the parking lot and to permit the occupancy of the property for such purpose, subject to the following terms and conditions:

(a) That forty-three (43) parking spaces shall be provided substantially as shown on the attached plan. The parking area and private alley shall be improved with a "double shot surface treatment". The parking spaces shall be delineated;

(b) The parking area shall be screened from view from adjacent public streets and residential properties by a solid wood fence not less than four and one-half feet in height substantially as shown on the attached plan;

(c) That existing trees as depicted on the attached plan shall be retained. Additional landscaping as shown on the attached plan shall be installed;

(d) That use of the parking area shall be limited to the medical office at 2911-2915 Grove Avenue, to the Virginia Museum and to other uses that are permitted by the R-53 Multi-Family Residential District;

(e) That identification of the parking area shall be limited to signs which are placed on the screening fence and are intended to be viewed from within the parking area. Such signs shall not project above the screening fence;

(f) That final grading and drainage plans shall be approved by the Director of Community Development prior to issuance of building permits;

(g) That facilities for the collection of refuse shall be provided in accordance with the requirements of the Department of Public Works, such facilities shall be located or screened as not to be visible from adjacent properties and public streets;

(h) That storm or surface water shall not be allowed to accumulate on the land and adequate facilities for drainage of storm or surface water from the land or buildings shall be provided by the owner at its cost and expense so as not to adversely affect or damage adjacent properties or public streets and the use thereof;

(i) That should the owner (and tenant of owner) use the premises for any purpose which is not permitted by this ordinance, or fails, refuses or neglects to comply with the provisions of foregoing paragraphs (a) through (h) and does not terminate such use or comply with such provisions within ninety days after written notice to do so has been given by the Zoning Administrator, the privileges granted by this ordinance shall terminate and the special use permit shall become null and void;

(j) That when the privileges granted by this ordinance terminate and the special use permit becomes null and void or when use of the premises is abandoned for a period of twenty-four consecutive months, use of the real estate shall be governed thereafter by the zoning regulations prescribed for the district in which the real estate is then situated; and

(k) That application for the building permit to construct the parking area shall be made within twelve months from the effective date of this ordinance, which building permit shall expire by limitation and become null and void if construction of the parking area is not commenced within one hundred eighty days from the date of the building permit, or if construction is suspended or abandoned for a period of one hundred eighty days at any

time after the work is commenced, as provided in Section 109.1 of the Uniform Statewide Building Code. Should application for the building permit not be made within twelve months from the effective date of this ordinance or should the building permit expire and become null and void, the privileges granted by this ordinance shall terminate and the special use permit shall become null and void.

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