INTRODUCED: January 24, 2022

AN ORDINANCE No. 2022-021

To amend and reordain Ord. No. 2008-192-194, adopted Sept. 8, 2008, as previously amended by Ord. No. 2009-45-125, adopted Jun. 22, 2009, which authorized the special use of the property known as 305 North 18th Street for the purpose of a mixed-use, multifamily dwelling and allowed the alteration of the design of the building, to modify the site plan and on-site parking requirements, upon certain terms and conditions.

Patron – Mayor Stoney (By Request)

Approved as to form and legality
by the City Attorney

PUBLIC HEARING: FEB 28 2022 AT 6 P.M.

I. That Ordinance No. 2008-192-194, adopted September 8, 2008, as previously amended by Ordinance No. 2009-45-125, adopted June 22, 2009, be and is hereby amended and reordained as follows:

§ 1. That the property known as 305 North 18th Street and identified as Tax Parcel No. E000-0186/026 in the [~~2008~~] 2022 records of the City Assessor, being more particularly shown on the survey entitled "ALTA/ACSM Land Title Survey of 1.54 Acres of Land Situated at the Intersection of East Broad Street, State Route #33, and 18th Street, City of Richmond, Virginia," prepared by Townes Site Engineering, dated October 8, 2007 and revised October 17, 2007, incorporated into Sheet C2 of the plans entitled "Cedar Broad Special Use Permit", prepared by

AYES:	9	NOES:	0	ABSTAIN:	
ADOPTED:	FEB 28 2022	REJECTED:		STRICKEN:	

Koontz-Bryant, P.C., dated June 25, 2008 a copy of which is attached to and made a part of Ordinance No. 2008-192-194, [~~are~~] adopted September 8, 2008, and on the survey entitled "ALTA/ ACSM Land Title Survey Showing 1.549 Acres of Land Located at the Intersection of Cedar Street and East Broad Street," prepared by Koontz-Bryant, P.C., and dated September 8, 2011, a copy of which is attached to and made a part of this amendatory ordinance, is hereby permitted to be used for a mixed-use development, substantially as shown on Sheets A.101, A. 201 through A.206, and A.211 of the plans entitled "Cedar Broad, 305 North 18th Street, Richmond, VA," prepared by Walter Parks Architect and dated November 26, 2008, Sheets A. 301 through A.305, A.401, A.402, A.416, A.417, and A.506 of the plans entitled "Cedar Broad, 305 North 18th Street, Richmond, VA," prepared by Walter Parks Architect, dated November 26, 2008 and last revised May 7, 2009, and on Sheets C1 through C3 and LP1 through LP2 of the plans entitled "Cedar Broad Special Use Permit," prepared by Koontz-Bryant, P.C., dated April 7, 2008 and revised through November 17, 2008, copies of which are attached to and made a part of [~~this ordinance~~] Ordinance No. 2009-45-125, adopted June 22, 2009, except as modified by the plans entitled "Construction Area of Pool and Sun Deck," prepared by Emerson-Roper Companies, and dated June 9, 2021, and as shown on sheets A.1 and A.2 of the plans entitled "Cedar Broad Pool, Richmond, Virginia," prepared by Walter Parks Architect, and dated June 28, 2021, copies of which are attached to and made a part of this amendatory ordinance.

§ 2. That the adoption of this ordinance shall constitute the granting of a special use permit for the, which shall be transferable from the owner of the property to the successor or successors in fee simple title of the owner, whether acquired by operation of law, deed or otherwise, and which shall run with the land.

§ 3. That the Commissioner of Buildings is hereby authorized to issue to the owner of

the property a building permit substantially in accordance with the plans referred to above for the aforementioned purpose, subject to the following terms and conditions:

(a) The owner of the property shall be bound by, shall observe, and shall comply with all other laws, ordinances, rules and regulations applicable to the property, except as otherwise provided in this ordinance.

(b) Application for a building permit for the above referenced plans shall be made within [~~twenty-four (24) months~~] 730 days from the effective date of this amendatory ordinance. This building permit shall expire and shall become null and void if any necessary construction has not commenced within [~~one hundred eighty (180)~~] 180 days from the date of the building permit or if construction is suspended or abandoned for a period of [~~one hundred eighty (180)~~] 180 days at any time after such construction has commenced, as provided in any applicable provisions of the Virginia Uniform Statewide Building Code. Should application for the building permit not be made within [~~twenty-four (24) months~~] 730 days after the effective date of this amendatory ordinance or should the building permit expire and become null and void after the expiration of the [~~twenty-four (24) month~~] 730-day time period for making application for the building permit, the privileges granted by this amendatory ordinance shall terminate and the special use permit shall become null and void.

(c) 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 subject property have been paid.

(d) All required final grading and drainage plans, together with all easements made necessary by such plans, shall be approved by the Director of [~~Community Development~~] Public Utilities prior to the issuance of building permits.

(e) 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 adjacent property or public streets and the use thereof.

(f) 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.

(g) The use of the property shall be a mixed-use development with a maximum of [~~two hundred four (204)~~] 204 dwelling units and a minimum of [~~eight thousand (8,000)~~] 8,000 square feet of commercial space within the first or ground floor of the structure along the East Broad Street and North 18th Street frontages and configured and arranged substantially as depicted on the [~~attached~~] plans attached to Ordinance No. 2009-45-125, adopted June 22, 2009, except as modified by the plans entitled "Construction Area of Pool and Sun Deck," prepared by Emerson-Roper Companies, and dated June 9, 2021, and as shown on sheets A.1 and A.2 of the plans entitled "Cedar Broad Pool, Richmond, Virginia," prepared by Walter Parks Architect, and dated June 28, 2021, copies of which are attached to and made a part of this amendatory ordinance. Any permitted principal use allowed within the B-6 Mixed-Use Business Zoning District shall be permissible within the designated commercial spaces of the proposed building as shown on the [~~attached~~] plans attached to Ordinance No. 2009-45-125, adopted June 22, 2009, except as modified by the plans entitled "Construction Area of Pool and Sun Deck," prepared by Emerson-Roper Companies, and dated June 9, 2021, and as shown on sheets A.1 and A.2 of the plans entitled "Cedar Broad Pool, Richmond, Virginia," prepared by Walter Parks Architect, and dated June 28, 2021, copies of which are attached to and made a part of this amendatory ordinance.

(h) One [~~(1)~~] bedroom dwelling units shall be a minimum of [~~five hundred (500)~~]

500 square feet in area. Two [~~(2)~~] bedroom dwelling units shall be a minimum of [~~seven hundred (700)~~] 700 square feet in area. Three [~~(3)~~] bedroom dwelling units shall be a minimum of [~~nine hundred (900)~~] 900 square feet in area. All dwelling units within the building shall contain an average of no less than [~~six hundred (600)~~] 600 square feet in area.

(i) Final exterior building materials shall be as shown on the [~~attached~~] plans attached to Ordinance No. 2009-45-125, adopted June 22, 2009, except as modified by the plans entitled "Construction Area of Pool and Sun Deck," prepared by Emerson-Roper Companies, and dated June 9, 2021, and as shown on sheets A.1 and A.2 of the plans entitled "Cedar Broad Pool, Richmond, Virginia," prepared by Walter Parks Architect, and dated June 28, 2021, copies of which are attached to and made a part of this amendatory ordinance. [~~Alternative~~] With the exception of improvements shown on such plans, copies of which are attached to and made a part of this amendatory ordinance, alternative building materials may be used, subject to the approval of the Director of [~~Community Development~~] Planning and Development Review. The following exterior materials and their colors shall be subject to the approval of the Director of [~~Community Development~~] Planning and Development Review prior to the issuance of any applicable building permits:

1. The fiber cement panel system.
2. The perforated metal screen and open grating around the parking area.
3. The painted steel balcony railings.
4. The rusticated brick units and the color of the brick types.

(j) Any encroachments existing, proposed on the attached 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 [~~(2004)~~] (2020), as amended.

(k) All signage on the site must comply with the sign regulations for the B-6 Mixed-

Use Business Zoning District, as set forth in section [~~114-518~~] 30-518 of the Code of the City of Richmond [~~(2004)~~] (2020), as amended.

(l) Parking spaces shall be provided at a minimum ratio of one parking space per dwelling unit. [~~One hundred seventy-three (173)~~] One hundred sixty-eight on-site parking spaces shall be provided to serve the use or uses of the properties configured and arranged substantially as depicted on the [~~attached~~] plans attached to Ordinance No. 2009-45-125, adopted June 22, 2009, except as modified by the plans entitled "Construction Area of Pool and Sun Deck," prepared by Emerson-Roper Companies, and dated June 9, 2021, and as shown on sheets A.1 and A.2 of the plans entitled "Cedar Broad Pool, Richmond, Virginia," prepared by Walter Parks Architect, and dated June 28, 2021, copies of which are attached to and made a part of this amendatory ordinance. A maximum of [~~thirty~~] 30 percent [~~(30%)~~] of these spaces are permitted to meet the dimensions of a compact parking space as defined by section [~~114-710.3:1(a)~~] 30-710.3:1(a) of the Code of the City of Richmond [~~(2004)~~] (2020), as amended. In addition to the on-site parking, no fewer than [~~thirty-one (31)~~] 31, or the minimum number required to provide the desired one parking space per dwelling unit ratio, off-site parking spaces shall be provided within a [~~one thousand~~] 1,000 feet [~~(1,000')~~] radius of the East Broad Street entrance to the residential portion of the building.

(m) Landscaping, lighting, and streetscape improvements shall be provided, substantially as depicted on LP1 and LP2 of the [~~attached~~] plans attached to Ordinance No. 2009-45-125, adopted June 22, 2009, except as modified by the plans entitled "Construction Area of Pool and Sun Deck," prepared by Emerson-Roper Companies, and dated June 9, 2021, and as shown on sheets A.1 and A.2 of the plans entitled "Cedar Broad Pool, Richmond, Virginia," prepared by Walter Parks Architect, and dated June 28, 2021, copies of which are attached to and made a part of this amendatory ordinance, and in accordance with the required permits issued by

the Urban Forestry Division of the Department of Public Works and by the Department of Public Utilities.

(n) The height of building on the Property shall not exceed [~~eighty-five~~] 85 feet [~~(85')~~], substantially as shown on the [~~attached~~] plans attached to Ordinance No. 2009-45-125, adopted June 22, 2009.

§ 4. [~~That the~~] The privileges granted by this ordinance may [~~under certain circumstances~~] be revoked[~~. Upon noting that a condition of a special use permit has been violated, the Zoning Administrator shall issue a written notice of violation to the property owner. The notice shall inform the property owner (i) which condition or conditions have been violated, (ii) the nature of the violation, and (iii) that the City Planning Commission shall hold a public hearing at which it shall review the violation and the special use permit~~] pursuant to the provisions of sections [~~114-1050.7~~] 30-1050.7 through [~~114-1050.11~~] 30-1050.11 of the Code of the City of Richmond [(~~2004)~~] (2020), as amended, [~~if (a) the property owner does not abate the violation within thirty (30) days of the issuance of the notice or (b) three (3) notices of violation are issued to the property owner within any twelve (12) month period. No action taken pursuant to the provisions of this section shall in any way limit the City's right to pursue any other remedy at law or in equity against the property owner~~] and all future amendments to such laws. Failure to comply with the terms and conditions of this ordinance shall constitute a violation of section [~~114-1080~~] 30-1080 of the Code of the City of Richmond [~~(2004)~~] (2020), as amended, and all future amendments to such law, or any other applicable laws or regulations.

§ 5. [~~That when~~] 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 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. This ordinance shall be in force and effect upon adoption.

II. This amendatory ordinance shall be in force and effect upon adoption.

A TRUE COPY:
TESTE:

City Clerk

RECEIVED
By City Attorney's Office at 2:49 pm, Dec 21, 2021

RECEIVED
By CAO Office at 8:48 am, Dec 14, 2021

2021-517

City of Richmond

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

Item Request

File Number: PRE.2021.957

O & R Request

DATE: December 13, 2021 **EDITION:**1

TO: The Honorable Members of City Council

THROUGH: The Honorable Levar M. Stoney, Mayor (Patron: Mayor, by Request)
(**This in no way reflects a recommendation on behalf of the Mayor.)**

THROUGH: J.E. Lincoln Saunders, Chief Administrative Officer JELS

THROUGH: Sharon L. Ebert, Deputy Chief Administrative Officer for Economic Development and Planning

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

RE: To authorize the amendment ordinance 2009-45-125, adopted June 22, 2009 which authorized the amendment of ordinance 2008-192-194, adopted on September 8, 2008 authorizing the special use of the property known as 305 North 18th Street for the purpose of a mixed-use, multi-family dwelling in order to allow the modification of the site plan and on-site parking requirements, upon certain terms and conditions.

ORD. OR RES. No. ___

PURPOSE: To authorize the amendment ordinance 2009-45-125, adopted June 22, 2009 which authorized the amendment of ordinance 2008-192-194, adopted on September 8, 2008 authorizing the special use of the property known as 305 North 18th Street for the purpose of a mixed-use, multi-family dwelling in order to allow the modification of the site plan and on-site parking requirements, upon certain terms and conditions.

REASON: The subject property is located in the M-1 Light Industrial Zoning District and dwelling units are not permitted uses in this district. Ordinance number 2008-192-194 authorized 192 dwelling units and required a swimming pool and clubhouse to be located on the roof of the proposed structure. Ordinance number 2009-45-125 amended the special use to remove this requirement for rooftop amenities. The current proposed amendment seeks authorization to construct an on-site swimming pool and deck as well as to reduce the minimum on-site parking requirements. Therefore a special use permit amendment is requested.

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 February 7, 2022 meeting.

BACKGROUND: The subject property has a principal frontage on North 18th Street as well as frontage along East Marshall Street to the north, East Broad Street to the south, and North Cedar Street to the east. The property is approximately 1.54 acres and is improved with a structure containing 204 dwelling units located above ground floor commercial uses.

Residential uses are not authorized in the underlying M-1 Light Industrial Zoning District and a special use of the property was granted for this purpose. Approximately 8,000 square feet of commercial area is located along the ground floor East Broad Street and North 18th Street frontages. Parking is provided at a ratio of one space per dwelling unit. A total of 173 parking spaces are provided on-site and 31 spaces are located off-site within a 1,000 foot radius. The Richmond 300 Master Plan recommends Destination Mixed Uses for the Property. Primary uses include multi-family residential, retail, and office uses.

Properties to the north, south and east are located in the B-5 Central Business District and contain a variety of uses including mixed use buildings, industrial uses, single-family dwellings, offices, and a park.

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: $1,800 application fee

DESIRED EFFECTIVE DATE: Upon adoption

REQUESTED INTRODUCTION DATE: January 10, 2022

CITY COUNCIL PUBLIC HEARING DATE: February 14, 2022

REQUESTED AGENDA: Consent

RECOMMENDED COUNCIL COMMITTEE: None

CONSIDERATION BY OTHER GOVERNMENTAL ENTITIES: City Planning Commission
February 7, 2022

AFFECTED AGENCIES: None

RELATIONSHIP TO EXISTING ORD. OR RES.: None

REQUIRED CHANGES TO WORK PROGRAM(S): None

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

STAFF: David Watson, Senior Planner, Land Use Administration, 804-646-1036

Application for **SPECIAL USE PERMIT**
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/

Application is hereby submitted for: (check one)

- ☐ **special use permit, new**
- ☑ **special use permit, plan amendment**
- ☐ **special use permit, text only amendment**

Project Name/Location

Property Address: 305 N. 18th Street Date: June 9, 2021
Tax Map #: E0000186026 Fee: $1,800
Total area of affected site in acres: 1.55 acres

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

Zoning

Current Zoning: M-1

Existing Use: Multifamily - Mixed Use

Proposed Use

(Please include a detailed description of the proposed use in the required applicant's report)
Add swimming pool and deck as accessory to multifamily use of the prroperty, adjust parking layout and landscape to accomodate pool/deck
Existing Use: Multifamily Residential with ground floor B-6 uses

Is this property subject to any previous land use cases?

Yes ☑ No ☐ If Yes, please list the Ordinance Number: Most recent ordinance number is 2009-45-125, adopted 4/27/09
Original ordinance was 2008-192-194, adopted Sept 8, 2008.

Applicant/Contact Person: John Grier
Company: Emerson-Roper Companies
Mailing Address: 2903 A Boulevard
City: , Colonial Heights State: VA Zip Code: 23834
Telephone: (804) 419-2285 Fax: (804) 419-2211
Email: jgrier@plusmgt.com

Property Owner: CB Richmond Associates LC
If Business Entity, name and title of authorized signee: Philip R. Roper, III

(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: 2903 A Boulevard
City: Colonial Heights State: VA Zip Code: 23834
Telephone: (804) 518-1498 Fax: (804) 419-2211
Email: ccogle@whittle-roper.com

Property Owner Signature: [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.**

NOTE: Please attach the required plans, checklist, and a check for the application fee (see Filing Procedures for special use permits)

APPLICANT'S REPORT - SPECIAL USE PERMIT AMENDMENT REQUEST

305 NORTH 18TH STREET - THE CEDAR BROAD APARTMENTS

BACKGROUND

This Special Use Permit Amendment is requested to update an existing Special Use Permit adopted in 2009, which authorized the development of a multifamily community (the Cedar Broad Apartments) along E. Broad Street in Shockoe Bottom.

The initial Special Use Permit for the Cedar Broad Apartments was granted on September 8, 2008, by Ordinance Number 2008-192-194, for up to 192 multifamily units, with a site layout and building designs locked in. Final building designs resulted in plans for 204 multifamily units, so a Special Use Permit Amendment was requested and received on June 22, 2009, by Ordinance No. 2009-45-125.

This 2009 Ordinance locked in a building designs, a site layout and landscaping details, and set minimums for the number of on on-site and off-site parking spaces.

The Cedar Broad Apartments were constructed in 2010, and after more than a decade of operation, it is clear there are adjustments needed to those Special Use Permit requirements to fine-tune the community to better match the current market needs of renters seeking housing in the Shockoe Bottom area.

REQUEST

This request is intended to allow the continued evolution of the Cedar-Broad Apartments to match the current expectations and needs of downtown renters, by:

1. Provide enhanced amenities for the residents by amending the site layout plan to accommodate installation of an on-site swimming pool and pool deck; and by
2. changing the minimum parking requirements to reflect the actual parking demands of the actual renters, as demonstrated from the operation of this apartment community over the past decade, so that unused spaces can be put to good use by other Shockoe Bottom residents and businesses.

Specially, we ask approval of this Special Use Permit Amendment to:

1. <u>ACCOMMODATE THE ADDITION OF A POOL AND POOL DECK AS AN AMENITY</u>: A portion of the landscaped area along the surface parking lot will be converted to a swimming pool and adjacent paver hardscaped area, and a sun deck will be constructed over a portion of the surface parking area, necessitating the elimination of a few parking spaces. Thus, this request incorporates the elimination of the landscape area, the elimination of three parking spaces for the sun deck area and for relocation of an emergency

power generator, and the inclusion of elevation drawings and site plan adjustment for the sun deck;

2. ADJUST THE PARKING REQUIREMENTS: This aspect of the request would adjust the parking requirements to address the displacement of the three parking spaces on-site necessary for the pool deck construction, and to eliminate the requirement to have thirty-one off-site spaces leased to be available if needed for Cedar Broad residents.

STATEMENT OF JUSTIFICATION

From the very outset, the Cedar Broad Apartments have attracted a resident base that works or goes to school in close proximity to the Apartments. Across the variety of rental multifamily properties within the Downtown, Shockoe Bottom and Tobacco Row areas, there are properties that are positioned geographically and/or by project design to serve specific segments of the market. The Cedar Broad Apartments, by virtue of its location at the bottom of the "Broad Street Hill" just down from the VCU Health Medical Campus, has attracted many walkers and cyclists that work or attend classes within just a few walkable blocks of their homes at the Cedar Broad Apartments.

Characteristics of this resident demographic include the following aspects that are relevant to this request:

- The renter profile is generally a younger, active person, that seeks more outdoor activities than currently provided, thereby necessitating the installation of the pool in the parking area to supplement the roof deck on the current building;
- The renter profile includes students and employees of the nearby VCU Health Campus, as well as employees of nearby Shockoe Bottom business establishments, and a sufficient number of these renters chose to not own vehicles due to their ability to walk to work and to entertainment, thereby leaving a number of on-site parking spaces unused each month, and not ever needing the reserved off-site spaces.

  The specific numbers for the parking demand is as follows:

Number of multifamily units:	Total Built Units:	204
	Typ. Vacancy:	≥ 11 (incl. model unit)
	Typ. Leased Units:	≤ 193 (historical max.)

  Required Spaces: 173 on-site, 31 off-site, for total of 204

  Number of Spaces Typically Assigned to Residents: 161 on-site spaces***

  *** field surveys indicate typical peak spaces occupied is around 145, including staff spaces, due to resident work and travel schedules.

Given this historical total occupancy and total parking demand, this request proposes addressing the parking needs of the residents as follows:

- Eliminate off-site parking requirements completely, as those spaces have never been needed;
- Set the on-site parking requirement at 168 spaces, which would be more than adequate to accommodate historical demand, and would accommodate the proposed displacement of three on-site spaces for construction of the sun deck and relocation of the generator.

This reduction would equate to 1 space per 1.2 units, which compares favorably to the requirements applied to the B-5 zoned properties in Shockoe Bottom, where the parking requirement is 1 space per 4 units.

COMPARISON TO COMPREHENSIVE PLAN GUIDANCE

The recently-adopted Richmond 300 Plan encourages housing strategies that foster continued investment in the city's housing resources to adapt those resources to current market needs, and promotes policies that will result in reduced reliance on individual automobile transport, and implies throughout that urban parking requirements could effectively be less than 1 per unit as alternative modes of transport become more prevalent in the City, particularly in the Downtown and surrounding neighborhoods.

While similarly encouraging high-quality, market driven housing, the recently-released draft of the Shockoe Bottom area plan offers a slightly more nuanced set of strategies regarding parking needs, by suggesting there is a need to examine overall parking needs in Shockoe Bottom, as there is at least the perception of a parking shortage overall, and there are potential conflicts between overnight on-street parking (and sometimes day-time parking) by residents, and parking needs of area employees during the day and restaurant and entertainment patrons in evenings.

As a possible solution, the draft Plan notes that there may be spaces in existing parking areas and decks that are not needed by the primary use, and could be a source of parking spaces for other uses that have an inadequate on-site supply or cannot be adequately supported by the on-street parking.

Thus, while the applicant recognizes the need for care in this request for a reduced parking requirement, it is noted that a) the request is based on the real-world experience in the past decade where a steady percentage of residents forego car ownership due to the proximity to work or school, and b) the off-site spaces are reserved in another Shockoe Bottom property where the primary use does not need them, and given that the spaces are going unused year-after-year, this off-site parking resource is wasted when it could be used by others if the current 31-space off-site requirement imposed on Cedar Broad Apartments is dropped.

As such, the reinvestment in the Cedar Broad Apartments by adding a pool and sun deck are supported with housing policies in both Plan documents, and similarly, adjusting the parking requirements would not be inconsistent with the two documents.

CITY CHARTER REQUIREMENTS

The City Charter requires that prior to City Council approval of a Special Use Permit, it must be shown that the proposed special use will not:

1. be detrimental to the safety, health, morals and general welfare of the community involved;
2. create congestion in streets, roads, alleys and other public ways and places in the area involved;
3. create hazards from fire, panic or other dangers;
4. tend to cause overcrowding of land and an undue concentration of population;
5. adversely affect or interfere with public or private schools, parks, playgrounds, water supplies, sewage disposal, transportation or other public requirements, conveniences and improvements; or
6. interfere with adequate light and air.

In general, the proposed Special Use Permit Amendment would not contribute to any of the negative impacts prohibited by the City Charter, and would, in fact, contribute to an enhanced housing experience for the residents of the Cedar Broad Apartments by facilitating a significant investment in the community's amenity package, and adjusting the parking requirements would free up unused spaces that might someday be supportive of other uses within the Shockoe Bottom area.

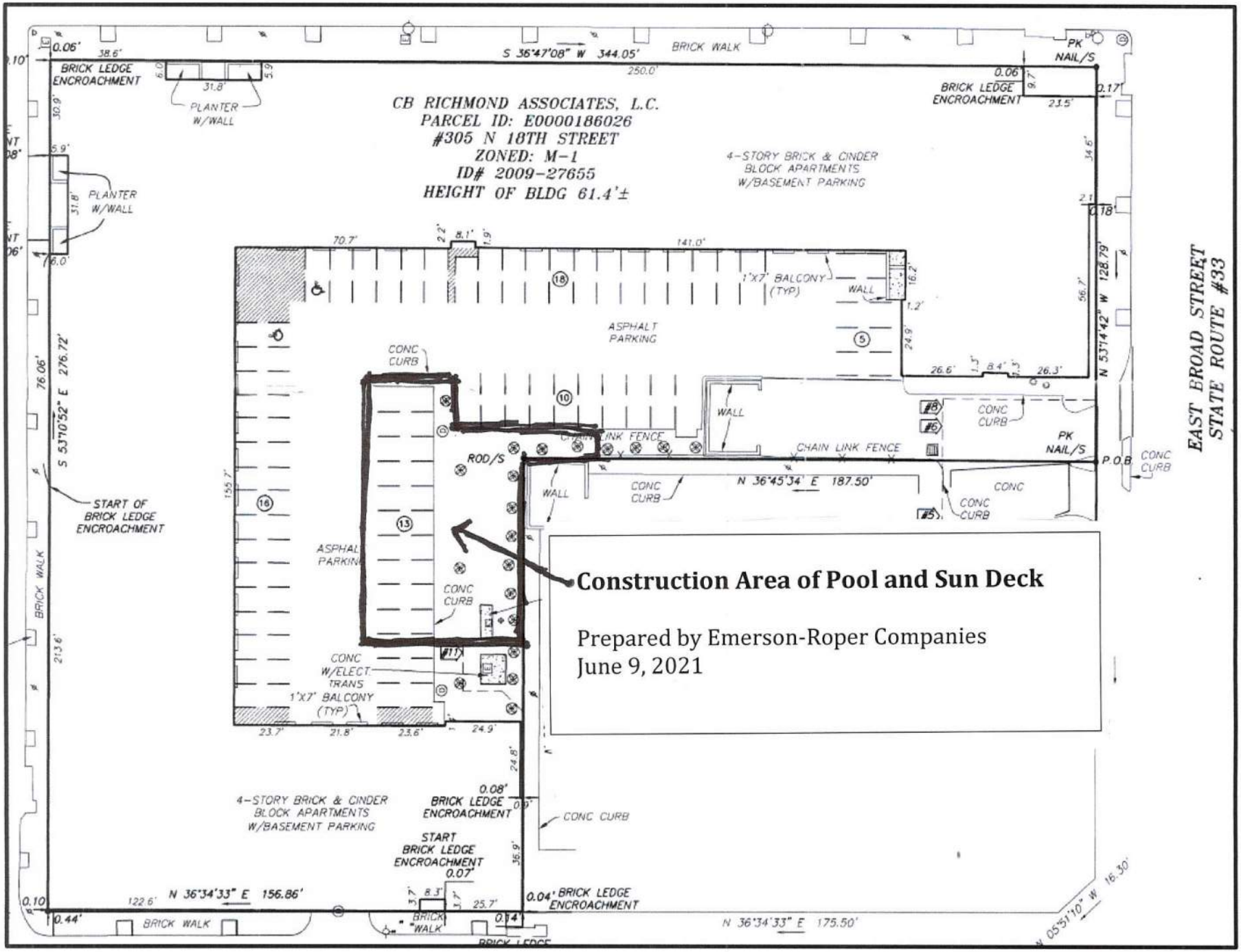
Thus, the standards set by the City Charter would be met.

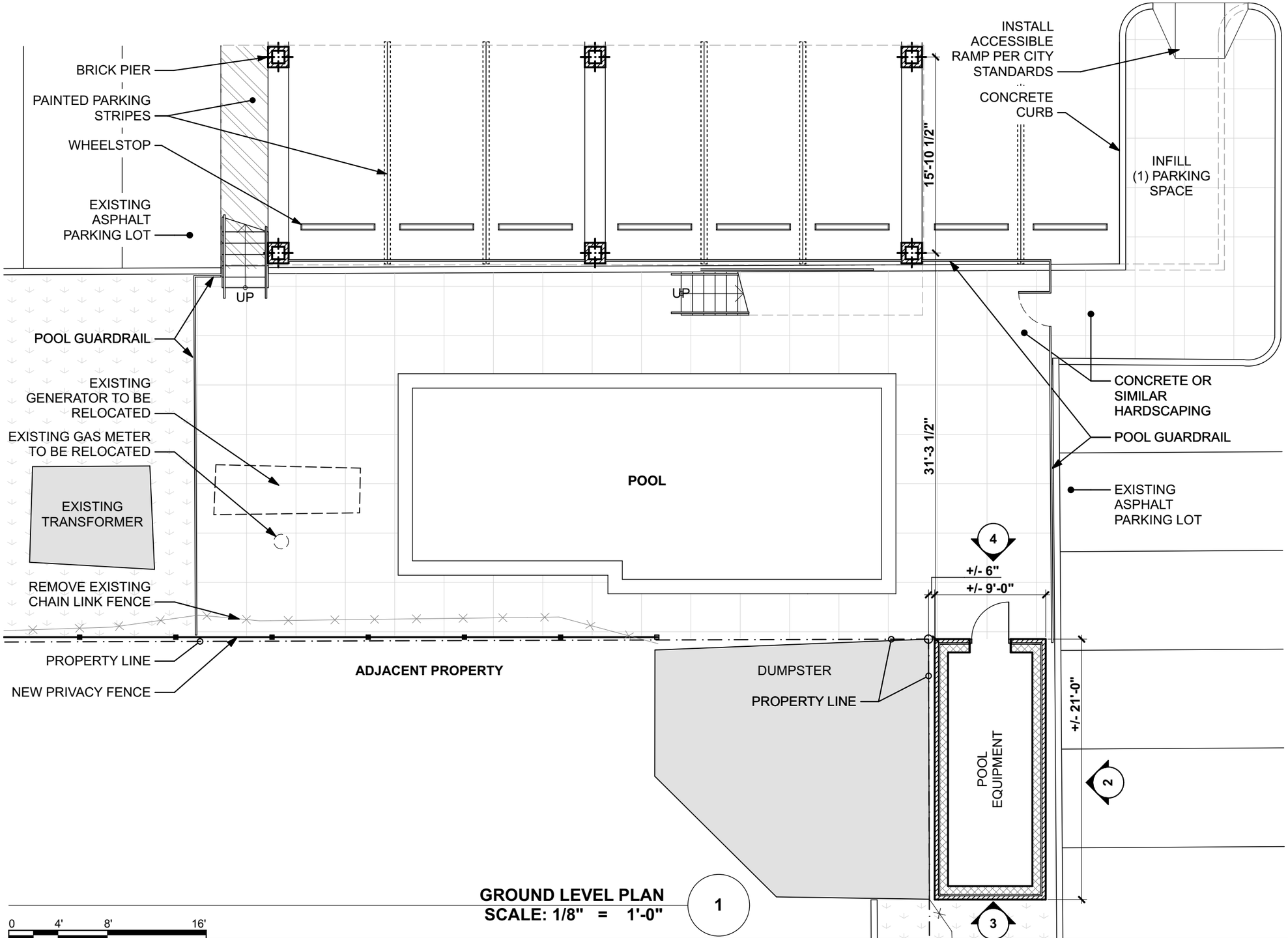
SPECIFIC CHANGES TO PREVIOUS ORDINANCE

The following list outlines the specific changes to the existing Special Use Permit established by Ordinance No. 2009-45-125:

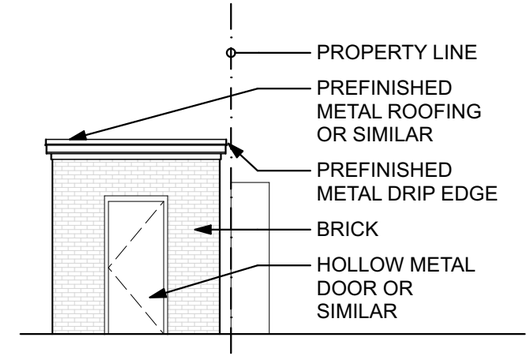
1. The existing plan references in § 1. may be retained, but the site and landscape plans therein will be modified by the submitted plan entitled "Construction Area of Pool and Sun Deck", prepared by Emerson-Roper Companies, dated June 9, 2021, and the site and building elevation plans therein will be modified and supplemented by the submitted plans that show the pool and paver area improvements and the raised sun deck improvements, entitled "Cedar Broad Pool", consisting of sheets A.1 and A.2, prepared by Walter Parks Architect, dated June 28, 2021.

~~2.~~ The parking requirements, as set forth in § 3.(l), will be modified to read as follows: (l) ~~Parking spaces shall be provided at a minimum ratio of one parking space per dwelling unit.~~ One hundred ~~seven - three (173)~~ <u>sixty-eight</u> on-site parking spaces shall be provided to serve the use or uses of the properties configured and arranged substantially as depicted on the ~~attached~~ plans <u>attached to Ordinance No. 2009-45-125, as modified by the attached plans</u>. A maximum of thirty percent (30 %) of these spaces are permitted to meet the dimensions of a compact parking space as defined by section 114-710.3:1(a) of the Code of the City of Richmond (2004), as amended. ~~In addition to the on-site parking, no fewer than thirty-one (31) or the minimum number required to provide the desired one parking space per dwelling unit ratio, off-site parking spaces shall be provided within a one thousand feet (1,000') radius of the East Broad Street entrance to the residential portion of the building.~~

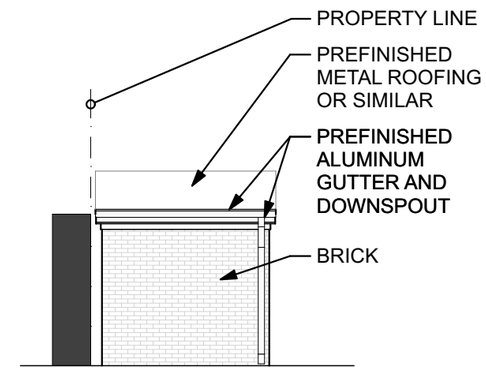

CB RICHMOND ASSOCIATES, L.C.
PARCEL ID: E0000186026
#305 N 18TH STREET
ZONED: M-1
ID# 2009-27655
HEIGHT OF BLDG 61.4'±
4-STORY BRICK & CINDER BLOCK APARTMENTS W/BASEMENT PARKING
ASPHALT PARKING
BRICK LEDGE ENCROACHMENT
PLANTER W/WALL
BRICK WALK
S 36°47'08" W 344.05'
250.0'
PK NAIL/S
1'X7' BALCONY (TYP)
WALL
CONC CURB
CHAIN LINK FENCE
ROD/S
N 36°45'34" E 187.50'
N 53°14'42" W 128.79'
S 53°10'52" E 276.72'
START OF BRICK LEDGE ENCROACHMENT
CONC W/ELECT TRANS
START BRICK LEDGE ENCROACHMENT 0.07'
N 36°34'33" E 156.86'
N 36°34'33" E 175.50'
P.O.B
EAST BROAD STREET
STATE ROUTE #33
Construction Area of Pool and Sun Deck
Prepared by Emerson-Roper Companies
June 9, 2021



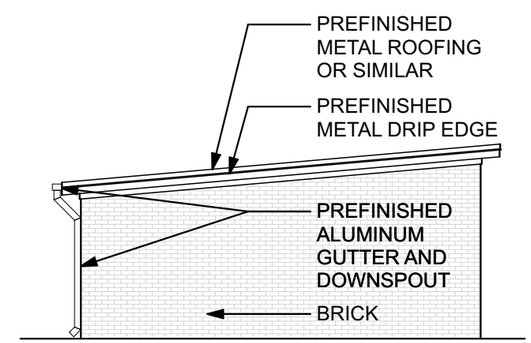
GROUND LEVEL PLAN
SCALE: 1/8" = 1'-0"
1



POOL SHED - NORTH ELEV
SCALE: 1/8" = 1'-0"
4



POOL SHED - SOUTH ELEV
SCALE: 1/8" = 1'-0"
3



POOL SHED - EAST ELEV
SCALE: 1/8" = 1'-0"
2

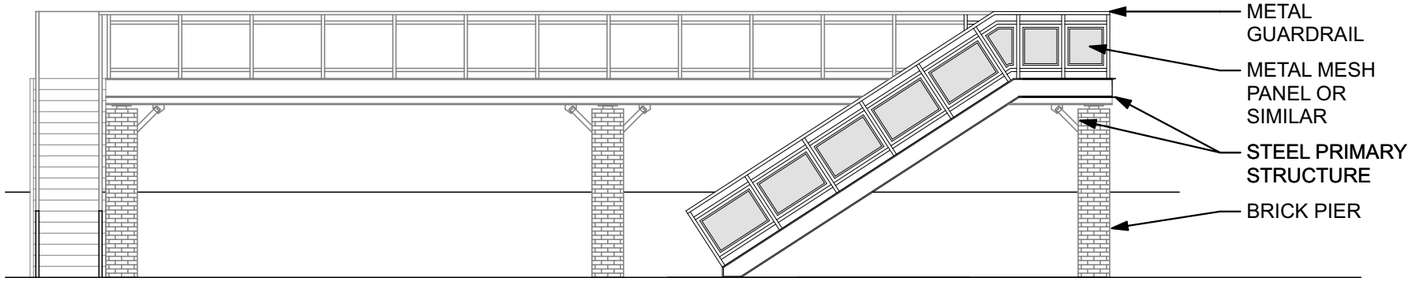
CEDAR BROAD POOL
RICHMOND, VIRGINIA

project #: 20.36
date: 6/28/21

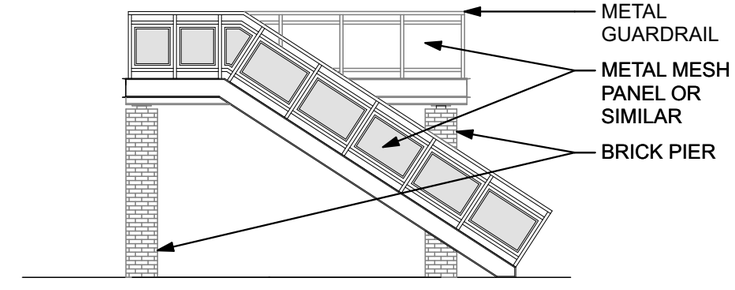
GROUND LEVEL PLAN

A.1

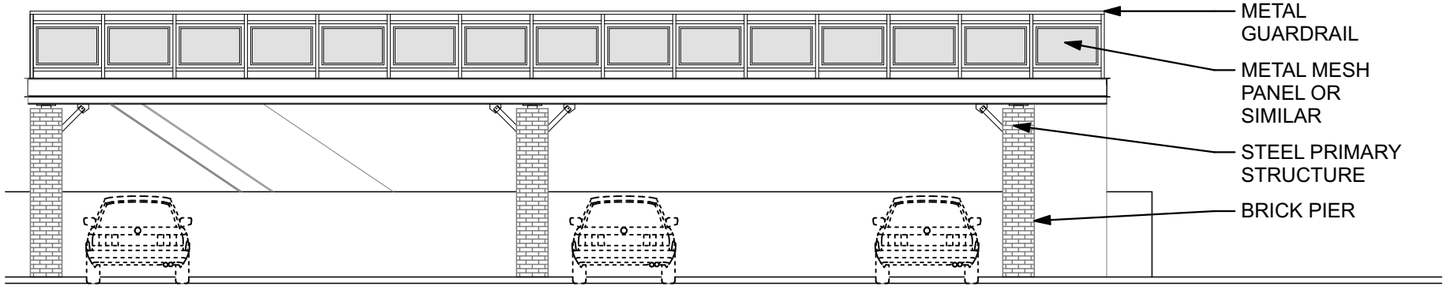
313 N. Adams Street
Richmond, VA 23220
t 804.644.4761
f 804.644.4763
walterPARKS ARCHITECT



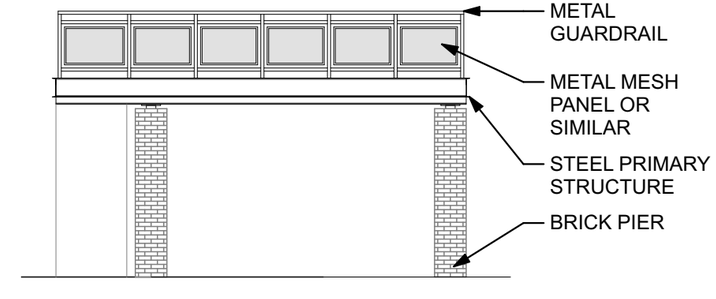
DECK - SOUTH ELEV 5
SCALE: 1/8" = 1'-0"



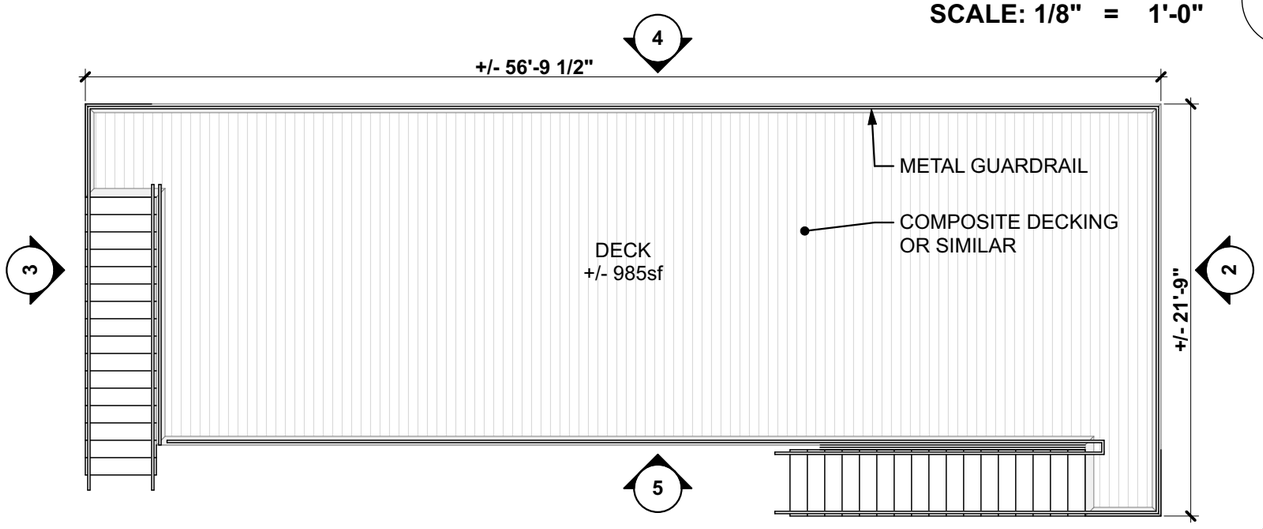
DECK - WEST ELEV 3
SCALE: 1/8" = 1'-0"



DECK - NORTH ELEV 4
SCALE: 1/8" = 1'-0"



DECK - EAST ELEV 2
SCALE: 1/8" = 1'-0"



DECK PLAN 1
SCALE: 1/8" = 1'-0"

0 4' 8' 16'

CEDAR BROAD POOL
RICHMOND, VIRGINIA

project #: 20.36
date: 6/28/21

DECK PLAN AND ELEVATIONS

A.2

313 N. Adams Street
Richmond, VA 23220
t 804.644.4761
f 804.644.4763

walterPARKS ARCHITECT

CERTIFICATION:

TO: BERKADIA COMMERCIAL MORTGAGE LLC, CB RICHMOND ASSOCIATES, L.C., LOVE FUNDING CORPORATION AND FIDELITY NATIONAL TITLE INSURANCE COMPANY. THIS IS TO CERTIFY THAT THIS MAP OR PLAT AND THE SURVEY ON WHICH IT IS BASED WERE MADE ON ACCORDANCE WITH THE 2011 MINIMUM STANDARD DETAIL REQUIREMENTS FOR ALTA/ACSM LAND TITLE SURVEYS, JOINTLY ESTABLISHED AND ADOPTED BY ALTA, ACSM AND NSPS, AND INCLUDES ITEMS 1–4, 6(A & B), 7(A), 8, 9, 10A, 11(B), 12, 13, 16–19, AND 20A OF TABLE A THEREOF. THE FIELD WORK WAS COMPLETED ON SEPTEMBER 8, 2011.

BY: George L. Bryant, III 10/31/11

GEORGE L. BRYANT, III, LS
REGISTRATION NO: 1672

DATED:

I HEREBY CERTIFY TO THE U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT, BERKADIA COMMERCIAL MORTGAGE LLC, CB RICHMOND ASSOCIATES, L.C., LOVE FUNDING CORPORATION AND FIDELITY NATIONAL TITLE INSURANCE COMPANY, AND TO THEIR SUCCESSORS AND ASSIGNS, THAT I MADE AN ON–THE–GROUND SURVEY PER RECORD DESCRIPTION OF THE LAND SHOWN HEREON LOCATED IN THE CITY OF RICHMOND, VIRGINIA ON AUGUST 31, 2011, AND THAT IT AND THIS MAP WERE MADE IN ACCORDANCE WITH THE HUD SURVEY INSTRUCTIONS AND REPORT, FORM HUD–92457, AND MEET THE REQUIREMENTS FOR AN ALTA/ACSM LAND TITLE SURVEY, AS DEFINED IN THE CURRENT "MINIMUM STANDARD DETAIL REQUIREMENTS FOR ALTA/ACSM LAND TITLE SURVEYS DATED 2011".

TO THE BEST OF MY KNOWLEDGE, BELIEF AND INFORMATION, EXCEPT AS SHOWN HEREON: THERE ARE NO ENCROACHMENTS EITHER WAY ACROSS PROPERTY LINES: TITLE LINES AND LINES OF POSSESSION ARE THE SAME; AND THE PREMISES ARE FREE OF ANY 100/500 YEAR RETURN FREQUENCY FLOOD HAZARD, AND SUCH FLOOD FREE CONDITION IS SHOWN ON THE FEDERAL FLOOD INSURANCE RATE MAP, COMMUNITY PANEL NO. #5101290041D

ENCUMBRANCES

FIDELITY NATIONAL TITLE INSURANCE COMPANY

FILE NUMBER: 11764885 DATED: OCTOBER , 2011 AT

EXC. #	INSTRUMENT	GRANTEE	DESCRIPTION	STATUS
4	96–6881	McDONALDS CORP.	MEMORANDUM INGRESS/EGRESS	AFFECTS SHOWN HEREON PLOTTED
5	96–6882	McDONALDS CORP.	CONVENANT INGRESS/EGRESS	AFFECTS SHOWN HEREON PLOTTED
6	96–14059	McDONALDS CORP	RECIPROCAL INGRESS/EGRESS	AFFECTS SHOWN HEREON PLOTTED
7(A–D)			PLAT BY TOWNES (ADVERSE TITLE MATTERS)	DOES NOT AFFECT
8	09–27656	18TH & BROAD LLC	RECIPROCAL INGRESS/EGRESS	AFFECTS SHOWN HEREON PLOTTED
11	10–18815	VIRGINIA POWER	VEPCO EASEMENT	AFFECTS–APPROXIMATE LOCATION SHOWN HEREON

COMMONWEALTH OF VIRGINIA
GEORGE L. BRYANT, III
Lic. No. 1672
George L. Bryant, III 10/31/11
LAND SURVEYOR

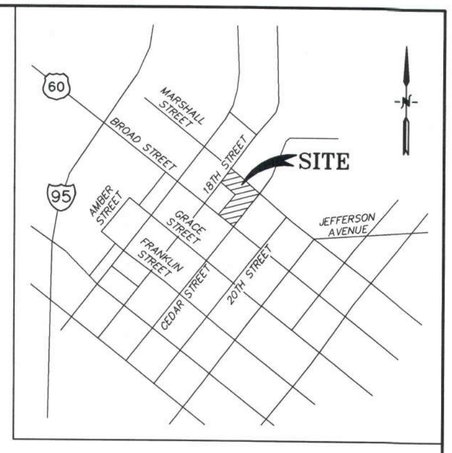
LEGAL DESCRIPTION:

METES AND BOUNDS:

BEGINNING AT A POINT SITUATED ON THE NORTHERN LINE OF EAST BROAD STREET, A VARIABLE WIDTH RIGHT OF WAY, SAID POINT BEING 128.79' FROM THE WESTERN LINE OF CEDAR STREET, A VARIABLE WIDTH RIGHT OF WAY, LEAVE SAID NORTHERN LINE N36°45'34"E, 187.50' TO A POINT; THENCE N53°14'42"W, 147.27' TO A POINT SITUATED ON THE EASTERN LINE OF 18TH STREET, A VARIABLE WIDTH RIGHT OF WAY; THENCE CONTINUE ALONG SAID EASTERN LINE N36°34'33"E, 156.86' TO A POINT SITUATED ON THE SOUTHERN LINE OF MARSHALL STREET, A VARIABLE WIDTH RIGHT OF WAY; THENCE CONTINUE ALONG SAID SOUTHERN LINE S53°10'52"E, 276.72' TO A POINT SITUATED ON THE WESTERN LINE OF CEDAR STREET, A VARIABLE WIDTH RIGHT OF WAY; THENCE CONTINUE ALONG SAID WESTERN LINE S36°47'08"W, 344.05' TO A POINT SITUATED ON THE NORTHERN LINE OF EAST BROAD STREET, A VARIABLE WIDTH RIGHT OF WAY; THENCE CONTINUE ALONG SAID NORTHERN LINE N53°14'42"W, 128.79' TO THE POINT OF BEGINNING. SAID PARCEL CONTAINING 1.54 ACRES.

SETBACK, HEIGHT, AND BULK STANDARDS
TAKEN FROM DIVISION 28, CITY OF RICHMOND
ORDINANCE

ZONING: M–1
FRONT YARD – NONE
SIDE YARD – NONE
REAR YARDS – NONE
HEIGHT RESTRICTIONS– 45'



VICINITY MAP
SCALE: 1"= 2000'

NOTES:

1. THIS SURVEY WAS PREPARED WITH THE BENEFIT OF TITLE COMMITMENT NUMBER 38132 PROVIDED BY FIDELITY NATIONAL TITLE INSURANCE COMPANY, DATED MARCH 24, 2011 AND IS SUBJECT TO INFORMATION WHICH MAY BE DISCLOSED BY SUCH.
2. PROPERTY IS IN FEMA DEFINED FLOOD ZONE "X" PER COMMUNITY PANEL #5101290041D DATED APRIL 2, 2009.
3. NO CEMETERIES WERE OBSERVED WHILE PERFORMING SURVEY.
4. ALL PROPERTY CORNERS SET UNLESS OTHERWISE NOTED.
5. OTHER THAN TO THE EXTENT SHOWN HEREON, NO UNDERGROUND UTILITIES WERE INVESTIGATED.
6. THIS PARCEL HAS DIRECT ACCESS TO 18TH AND EAST BROAD STREET.
7. UNCOVERED PARKING SPACES= 61
8. UNCOVERED HANDICAP SPACES= 02
9. COVERED PARKING SPACES= 102
10. COVERED HANDICAP SPACES= 04
11. TOTAL PARKING SPACES= 163
12. TOTAL HANDICAP SPACES= 06

ALTA/ACSM LAND TITLE SURVEY SHOWING 1.549 ACRES OF LAND LOCATED AT THE INTERSECTION OF CEDAR STREET AND EAST BROAD STREET

CITY OF RICHMOND, VIRGINIA

DATE: SEPTEMBER 8, 2011 SCALE: AS SHOWN

KOONTZ-BRYANT, P.C.
SITE DEVELOPMENT SOLUTIONS
1703 N. PARHAM ROAD, SUITE 100, RICHMOND, VIRGINIA 23229
(804)740–9200 kbpc@koontzbryant.com FAX (804)740–7338

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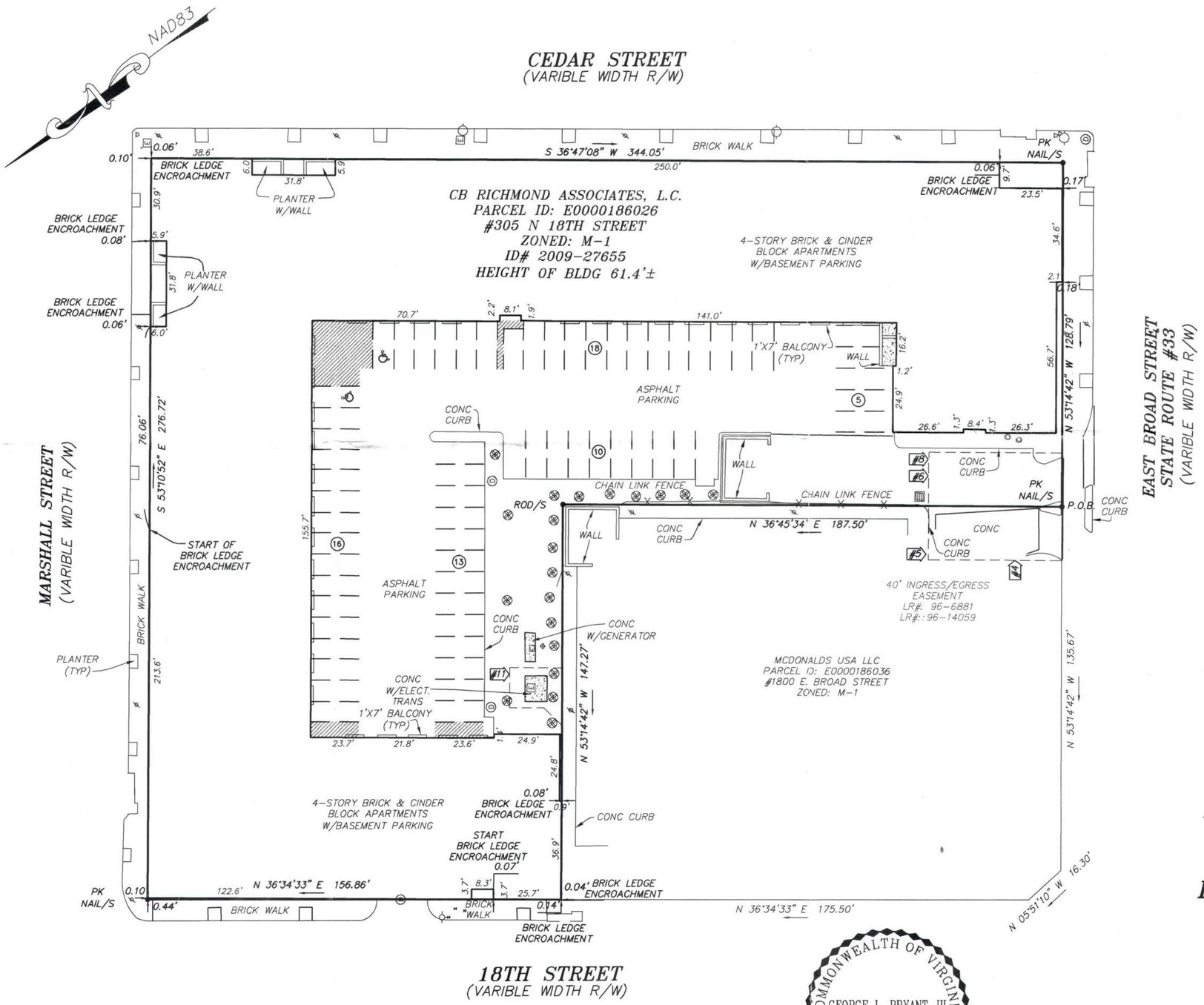

LEGEND

- CLEANOUT
- DRAINGE MANHOLE
- ELECTRIC BOX
- FIRE HYDRANT
- GRATE INLET
- GAS METER
- LIGHT POLE
- UTILITY POLE
- SIGN
- SHRUB
- WATER VALVE

0 30 60 90

COMMONWEALTH OF VIRGINIA
GEORGE L. BRYANT, III
Lic. No. 1672
10/31/11
LAND SURVEYOR

ALTA/ACSM LAND TITLE SURVEY SHOWING 1.549 ACRES OF LAND LOCATED AT THE INTERSECTION OF CEDAR STREET AND EAST BROAD STREET

CITY OF RICHMOND, VIRGINIA

DATE: SEPTEMBER 8, 2011 SCALE: 1"=30'

KOONTZ-BRYANT, P.C.
SITE DEVELOPMENT SOLUTIONS
1703 N. PARHAM ROAD, SUITE 100, RICHMOND, VIRGINIA 23229
(804)740-9200 kbpc@koontzbryant.com FAX (804)740-7338

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