

October 10, 2022

CCR3 Holdings LLC 11 South 12th Street #115 Richmond, Virginia 23219

Baker Development Resources 530 East Main Street, Suite 730 Richmond, Virginia 23219 Attn: Mark Baker

To Whom It May Concern:

RE: **BZA 37-2022**

You are hereby notified that the Board of Zoning Appeals will hold a public hearing on Wednesday, November 2, 2022 at 1:00 PM in the 5th Floor Conference Room, City Hall, 900 E. Broad Street to consider an application for a lot split and building permit to construct a new single-family (attached) dwelling at 415 NORTH ARTHUR ASHE BOULEVARD (Tax Parcel Number W000-1206/020), located in an R-48 (Multi-Family Residential) District. This meeting will be open to in-person participation. To maximize compliance with public health guidance aimed at preventing the spread of COVID-19, the public will have the option to provide their comments by teleconference/videoconference via Microsoft Teams, or in writing via email as indicated below.

Please be advised that the applicant or applicant's representative is required to participate in the subject public hearing either by teleconference/videoconference or in person. For teleconference participation call 804-316-9457 and entering code 705 223 233#. For video access by computer, smart phone or tablet visit https://richmondva.legistar.com/Calendar.aspx. Select the Board of Zoning Appeals drop-down and 2022 drop-down, click meeting details for November 2, 2022 meeting and then click video access. In the event you have difficulty accessing a public hearing you may contact Mr. William Davidson at 804-396-5350 or by email at Chuck.Davidson@rva.gov for assistance. The Board of Zoning Appeals Rules of Procedure provides that in the case of an application for a variance or a special exception, the applicant, proponents or persons aggrieved under §15.2-2314 of the Code of Virginia, shall be permitted a total of six (6) minutes each to present their case. The Board of Zoning Appeals will withhold questions until the conclusion of the respective presentations. For the purposes of the record it also requested that before addressing the Board you identify yourself and spell your name.

Finally, when you submitted your application to the zoning office you were given an handout entitled, Suggestions for Presenting Your Case to the Board, which indicated that you should discuss your request with your neighbor(s) and neighborhood

BZA 37-2022 Page 2 October 10, 2022

association(s) prior to appearing before the Board of Zoning Appeals. Contact information for civic group(s) can be found by navigating to the Civic Group webpage of the City's website at https://www.rva.gov/planning-development-review/civic-groups. Once there, you can search for your property using the interactive map. A dialogue box will provide you with the names of all civic groups within which your property may lie. Once you have those group names, simply scroll down the page to the appropriate group(s) to find the contact information for each. The Board understands that given the current situation it is not practical to conduct face-to-face discussions with either your neighbors or neighborhood association(s) but the Board requests that you make a good faith effort to provide them with relevant information regarding your case.

If you have any questions regarding the Board's procedures or any issue involving presentation of your case, please feel free to contact me.

Very truly yours,

Roy W. Benbow, Secretary Phone: (804) 240-2124

E-mail: Roy.Benbow@rva.gov

Log W. Londer

cc: Zoning Administrator

Notice of this meeting is being sent to the persons whom the Board of Zoning Appeals believes to be property owners in the immediate vicinity of the property concerned in this application. This notice is for their information only, and there is no need for them to appear unless they so desire. The Board will, however, welcome such views as any persons care to express during the hearing on this application.

425 N Boulevard Llc 2513 W Main St Richmond, VA 23220

Austin James S And Susan S 409 N Arthur Ashe Blvd Richmond, VA 23220 Braille Circulating Library For The Blind 400 N Mulberry St Richmond, VA 23220

Caa Properties Llc 417 N Arthur Ashe Blvd Richmond, VA 23220

Campus-pierce Arrow Llc P.o. Box 530292 Birmingham, AL 35253 Deaner Kimberly D & Hooper Jefferson Dean & Kylee C 2701 Kensington Ave Richmond, VA 23220

Doster James M Jr & Ella A 2707 Kensington Ave Richmond, VA 23220 Garrett Shirley 102 Craig End #17 Nags Head, NC 27959

Gilbert Elizabeth A 404 N Mulberry St Richmond, VA 23220

Goodwin Michael W And Barbara A M Trustees 2706 Stuart Ave Richmond, VA 23220 Jeffreys Harvey E & Lacy B C/o Neville C Johnson 4905 Radford Ave Ste 111 Richmond, VA 23230

Kensington Properties Llc C/o Christopher Small 500 N Arthur Ashe Blvd Richmond, VA 23220

Main Street Richmond Property Llc 17 W Main St Richmond, VA 23220 Shannon Mary M 2705 Kensington Ave Richmond, VA 23220 Sheridan Janet D Trust Of 2015 Trustee 406 N Mulberry St Richmond, VA 23220

Tibbetts Ryan J And Katharine W 418 N Mulberry St Richmond, VA 23220 Virginia Historical Society 428 N Arthur Ashe Blvd Richmond, VA 23220

Property: 415 N Arthur Ashe Blvd Parcel ID: W0001206020

Parcel

Street Address: 415 N Arthur Ashe Blvd Richmond, VA 23220-

Owner: CCR3 HOLDINGS LLC

Mailing Address: 11 S 12TH ST #115, RICHMOND, VA 23220

Subdivision Name: NONE

Parent Parcel ID:

Assessment Area: 450 - Fan/Near West

Property Class: 406 - B Paved Surface Parking **Zoning District:** R-48 - Residential (Multi-Family)

Exemption Code: -

Current Assessment

Effective Date: 01/01/2022 Land Value: \$385,000 Improvement Value: \$12,000 Total Value: \$397,000

Area Tax: \$0

Special Assessment District: None

Land Description

Parcel Square Feet: 4049.8 Acreage: 0.093

Property Description 1: 0027.00X0150.00 0000.093 AC L40
State Plane Coords(?): X= 11780791.517290 Y= 3728238.051777
Latitude: 37.55775001, Longitude: -77.47251330

Description

Land Type: Commercial S2

Topology:
Front Size: 27
Rear Size: 150
Parcel Square Feet: 4049.8
Acreage: 0.093

Property Description 1: 0027.00X0150.00 0000.093 AC L40

Subdivision Name: NONE

State Plane Coords(?): X= 11780791.517290 Y= 3728238.051777

Latitude: 37.55775001, Longitude: -77.47251330

Other

Street improvement:

Sidewalk:

Assessments

Assessment Year	Land Value	Imprevement Value	Total Value	Reason
2023	\$240,000	\$12,000	\$252,000	Reassessment
2022	\$385,000	\$12,000	\$397,000	Reassessment
2021	\$365,000	\$12,000	\$377,000	Reassessment
2020	\$365,000	\$12,000	\$377,000	Reassessment
2019	\$328,000	\$12,000	\$340,000	Reassessmen
2018	\$292,000	\$12,000	\$304,000	Reassessmen
2017	\$292,000	\$12,000	\$304,000	Reassessmen
2016	\$178,000	\$12,000	\$190,000	Reassessment
2015	\$178,000	\$12,000	\$190,000	Reassessment
2014	\$178,000	\$12,000	\$190,000	Reassessment
2013	\$178,000	\$12,000	\$190,000	Reassessment
2012	\$178,000	\$12,000	\$190,000	Reassessment
2011	\$235,000	\$4,000	\$239,000	CarryOver
2010	\$235,000	\$4,000	\$239,000	Reassessment
2009	\$235,000	\$4,000	\$239,000	Reassessment
2008	\$235,000	\$4,000	\$239,000	Reassessment
2007	\$235,200	\$4,300	\$239,500	Reassessment
2006	\$117,600	\$4,300	\$121,900	Reassessment
2005	\$112,000	\$4,000	\$116,000	Reassessment
2004	\$67,900	\$6,100	\$74,000	Reassessment
2003	\$59,000	\$5,500	\$64,500	Reassessment
2002	\$59,000	\$5,500	\$64,500	Reassessment
2001	\$43,500	\$4,000	\$47,500	Reassessment
2000	\$31,500	\$4,000	\$35,500	Reassessment
1998	\$31,500	\$4,000	\$35,500	Not Available

Transfers

Transfer Date	Consideration Amount	Grantor Name	Deed Reference	Verified Market Sale Description
10/20/2021	\$700,000	18 W FRANKLIN STREET LLC	ID2021-30014	1 - VALID SALE-Sale Includes Multiple Parcels
08/09/2021	\$1,400,000	MJK PROPERTIES LLC	ID2021-23054	1 - VALID SALE-Sale Includes Multiple Parcels
10/31/2006	\$960,000	BED ASSOCIATES L L C	ID2006-37726	2 - INVALID SALE-Sale Includes Multiple Parcels
04/20/1998	\$0	BED ASSOCIATES	009800-09934	
04/20/1998	\$0	BEAZLEY WYATT S III	ID9800-9935	
06/23/1983	\$0	Not Available	000813-00789	

Planning

Master Plan Future Land Use: NH-MU

Zoning District: R-48 - Residential (Multi-Family)

Planning District: Near West

Traffic Zone: 1093
City Neighborhood Code: FAN
City Neighborhood Name: The Fan

Civic Code:

Civic Association Name: Fan Area Business Alliance

Subdivision Name: NONE
City Old and Historic District: Boulevard
National historic District: Boulevard

Neighborhoods in Bloom:

Redevelopment Conservation Area:

Economic Development

Care Area: Enterprise Zone:

Environment

100 YEAR Flood Plain Flag: Contact the Water Resources Division at 646-7586.

500 YEAR Flood Plain Flag: N

Resource Protection Flag: Contact the Water Resources Division at 646-7586.

Wetland Flag: N

Census

Census Year	Block	Block Group	Tract
2000	2018	0405002	040500
1990	205	0405002	040500

Schools

Elementary School: Fox
Middle School: Binford
High School: Jefferson

Public Safety

Police Precinct: 3
Police Sector: 313
Fire District: 10
Dispatch Zone: 045A

Public Works Schedules

Street Sweep: TBD
Leaf Collection: TBD
Refuse Collection: Wednesday
Bulk Collection: TBD

Government Districts

Council District: 2
Voter Precinct: 207
State House District: 78
State Senate District: 14
Congressional District: 4

Extension 1 Details

Extension Name: C02 -

Year Built: 1970

Stories: 0

Units: 0

Number Of Rooms: 0

Number Of Bed Rooms: 0

Number Of Full Baths: 0

Number Of Half Baths: 0

Condition: normal for age

Foundation Type:

1st Predominant Exterior:

2nd Predominant Exterior: N/A

Roof Style:

Roof Material:

Interior Wall:

Floor Finish:

Heating Type:

Central Air: N

Basement Garage Car #: 0

Fireplace: N

Building Description (Out Building and Paving

Yard Items):

Extension 1 Dimensions

Finished Living Area: 0 Sqft

Attic: 0 Sqft

Finished Attic: 0 Sqft

Basement: 0 Sqft

Finished Basement: 0 Sqft

Attached Garage: 0 Sqft

Detached Garage: 0 Sqft

Attached Carport: 0 Sqft

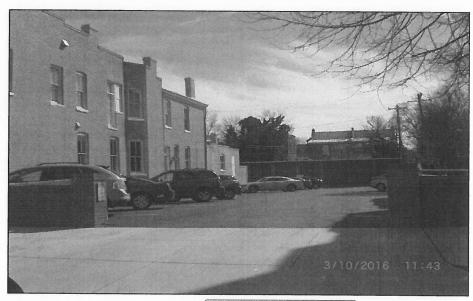
Enclosed Porch: 0 Sqft

Open Porch: 0 Sqft

Deck: 0 Sqft

Property Images

Name:W0001206020 Desc:C02



Click here for Larger Image

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RICHMOND BOARD OF ZONING APPEALS APPLICATION FORM



THE RICHMOND ZONING ADMINISTRATION OFFICE ROOM 110, CITY HALL, 900 EAST BROAD STREET RICHMOND, VIRGINIA 23219 (804) 646-6340

TO BE COMPLETED BY THE APPLICANT						
PROPETY OWNER: CCR3 Holdbogs LLC PHONE: (Home) (703) 489-9668 (Mobile) ()						
ADDRESS 11 South 12th Street #115 FAX: (_) (Work) (_)						
Richmond, VA 23219 E-mail Address: greg@centercreekhomes.com						
PROPERTY OWNER'S						
REPRESENTATIVE: Baker Development Resources PHONE: (Home) ((Mobile) (804) 874-6275						
(Name/Address) 530 East Main Street, Suite 730 FAX; () (Work) ()						
Richmond, VA 23219 E-mail Address: markbaker@bakerdevelopmentresources.com Atta: Mark Baker						
TO BE COMPLETED BY THE ZONING ADMINSTRATION OFFICE						
PROPERTY ADDRESS (ES) 415 North Arthur Ashe Boulevard						
TYPE OF APPLICATION:	_					
ZONING ORDINANCE SECTION NUMBERS(S): 30-300, 30-416.8 & 30.800.2(b)	-					
APPLICATION REQUIRED FOR: A lot split and building permit to construct a new single-family dwelling.						
TAX PARCEL NUMBER(S): W000-1206/020 ZONING DISTRICT: R-48 (Multi-Family Residential)						
REQUEST DISAPPROVED FOR THE REASON THAT: The building height requirement is not met. In the R-48 zoning						
district no building shall exceed thirty-five (35) feet in height. A building height of 43.44' ± is proposed. Additionally the lot						
area of a lot on which a nonconforming use is located shall not be reduced unless authorized by the Board of Zoning Appeals. The lot formerly known at 415 North Arthur Ashe Blvd contains a nonconforming parking area use and was divide	he					
to create a new lot (413 North Arthur Ashe Blvd).						
DATE REQUEST DISAPPROVED: <u>September 9, 2022</u> FEE WAIVER: YES ☐ NO: ⊠						
DATE FILED: September 15 2022, PIME RILED: 2:15 p.m. PREPARED BY: Josh Young RECEIPT NO. BZAR-118367-2022						
AS CERTIFIED BY: (ZONING ADMINSTRATOR)						
I BASE MY APPLICATION ON:						
SECTION 17.20 PARAGRAPH(S) OF THE CHARTER OF THE CITY OF RICHMOND						
SECTION 15.2 -2309.2 OF THE CODE OF VIRGINIA [OR] SECTION 1040.3 PARAGRAPH(S) (15) & (17) OF THE ZONING ORDINANCE OF THE CITY OF RICHMOND						
TO BE COMPLETED BY APPLICANT						
I have received the handouts, Suggestions for Presenting Your Case to the Board & Excerpts from the City Charter						
I have been notified that I, or my representative, must be present at the hearing at which my request will be considered.						
SIGNATURE OF OWNER OR AUTHORIZED AGENT:						

*** TO BE COMPLETED BY THE SECRETARY TO THE BOARD OF ZONING APPEALS ***

CASE NUMBER: B14 37 -2022 HEARING DATE: November 2, 2022 AT 1:00 P.M.

BOARD OF ZONING APPEALS CASE BZA 37-2022 150' Buffer

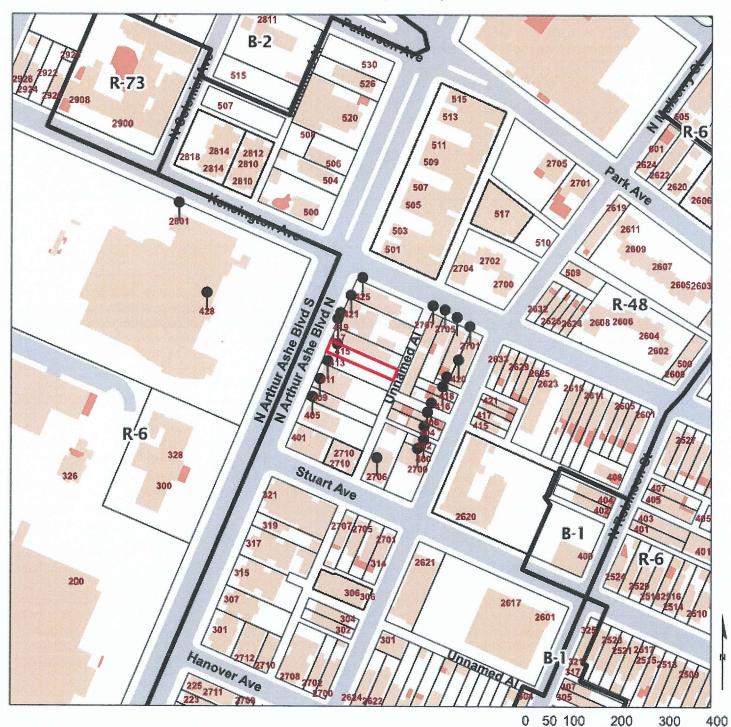
APPLICANT(S): CCR3 Holdings LLC

PREMISES: 415 North Arthur Ashe Boulevard (Tax Parcel Number W000-1206/020)

SUBJECT: A lot split and building permit to construct a new single-family (attached) dwelling.

REASON FOR THE REQUEST: Based on Sections 30-300, 30-416.8 & 30-800.2(b) of the Zoning Ordinance for the reason that:

The building height and nonconforming use requirements are not met.



Feet



BOARD OF ZONING APPEALS PRESENTATION SUGGESTIONS

CITY OF RICHMOND, VIRGINIA

When presenting your request for a variance or exception to the Board of Zoning Appeals, it is important that you consider the points outlined below. The City Charter requires that every decision of the Board must be based upon a finding of fact that the Board must determine from sworn testimony, together with pertinent evidence, presented at its public hearing. It is essential that the Board receive thorough and complete information in order for it to adequately consider your case and make an informed decision.

- 1. The powers and duties of the Board of Zoning Appeals (BZA) are specified in Section 17.20 of the City Charter and Article X, Division 5, of the Zoning Ordinance. The Zoning Office will assist you in identifying how your case should be filed. If you have questions regarding your case filing, please contact the Zoning Administration Office (804-646-6340) or at PDRZoningAdministration@Richmondgov.com. Please review the applicable provisions of the City Charter or the Zoning Ordinance thoroughly and address them when presenting your case to the Board to show that the applicable requirements have been satisfied.
- 2. The Board of Zoning Appeals is a quasi-judicial board whose decisions are controlled by statutory law and also take into consideration applicable case law that has been handed down by the Richmond Circuit Court and the Virginia Supreme Court. The Board suggests that if you have any legal questions regarding statutory or case law as it may apply to your application, that those legal issues should be discussed with an attorney before you make your final decision to submit an application to the Board.
- 3. The Board considers it essential that you discuss your case with nearby residents (notification letters are sent to all property owners within a 150-foot radius of your property) and any nearby civic association(s). Information regarding your neighborhood association(s) and/or contact person(s) may be obtained here. Once on the page, you can search for your property using the interactive map. A dialogue box will provide you with the names of all civic groups within which your property may lie. Once you have those group names, scroll down the page to the appropriate group(s) to find the contact information for each.

Be advised that if you fail to discuss your request with your neighbors and neighborhood association(s), you should anticipate that your case will be continued until the Board's next regularly scheduled meeting. It is highly recommended that you contact your neighborhood association as soon as possible to determine their meeting schedule in order to be sure you allow yourself enough time to talk to all concerned parties prior to the hearing before the Board. The Board's Rules of Procedure require payment of a one-hundred fifty dollar (\$150) continuance fee if the applicant must request a continuance for the reason that the applicant falled to discuss their case with their neighbor(s) or neighborhood association(s).

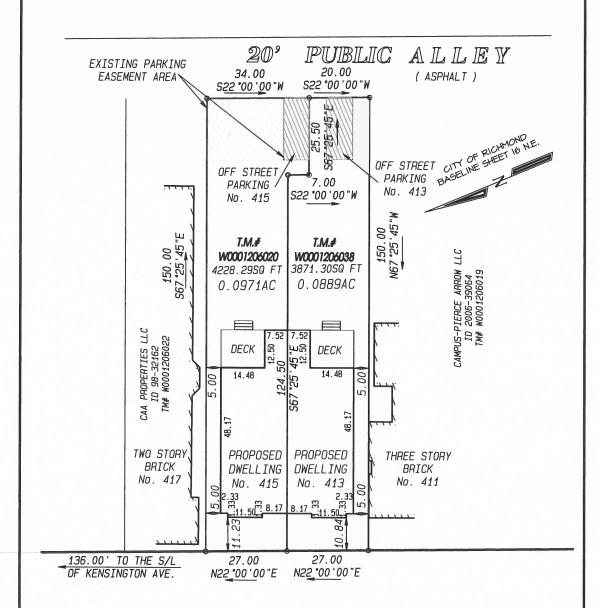
- 4. You are also strongly encouraged to discuss your pending case with the Secretary of the Board, Roy Benbow at (804) 240-2124 well before the hearing. The BZA Secretary can be helpful by explaining the BZA public hearing requirements and process.
- 5. Utilizing photographs, plans, maps, diagrams and such other written or graphic evidence as needed to fully explain your request can be a great help to the Board in understanding your request and thereby improve your chances for success. Remember . . . a picture is worth a thousand words.
- 6. Note that, although the Board is not authorized to grant a waiver from the zoning regulations based on financial circumstances alone, it may be a factor to be taken into consideration along with other facts in a case. If your case involves such a factor, please provide the Board with complete and relevant financial information for its review.
- 7. The Board's hearings are informal, although all testimony is taken under oath. You are not required to be represented by an attorney in presenting your case. However, if you choose, you may have legal representation and/or may utilize such technical experts or other persons to testify on your behalf as you feel are needed to adequately explain your request to the Board.

Acknowledgement of Receipt by Applicant or Authorized Agent:

Revised: November 10, 2020

NOTES: THIS PROPERTY IS LOCATED IN F.E.M.A. FLOOD ZONE "X".

CURRENT OWNER: CCR3 HOLDINGS LLC ID 2021-30014



N. ARTHUR ASHE BOULEVARD

PLAT SHOWING PROPOSED IMPROVEMENTS ON No. 413 & No. 415 N. ARTHUR ASHE BOULEVARD, IN THE CITY OF RICHMOND. VIRGINIA.





201 TWIN RIDGE LANE RICHMOND, VIRGINIA 23235 TELEPHONE (804) 320-2646

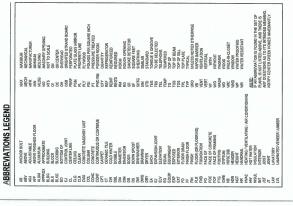
SCALE: 1" = 25'

JOB NUMBER: 91042915PP



413 & 415 ARTHUR ASHE BLVD., RICHMOND, VA 23220

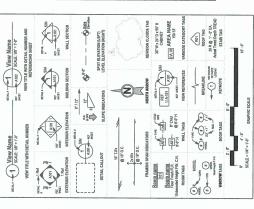
TWO SINGLE-FAMILY 3-STORY TOWNHOUSES IN RICHMOND'S BOULEVARD HISTORIC DISTRICT



DRAWING LIST



ANNOTATION LEGEND



PROJECT INFORMATION

VICINITY MAP LOCATION

MATERIAL PATTERN LEGEND

GENERAL NOTES

UOR WALLS AT POCKET DOORS TO BE 216 STUD FRAMING, UNLESS OTHERWIS FRAMING, UNLESS OTHERWISE NOTED. REFER TO WALL TAGS AND LEGEND.

CENTER CREEK

CLIENT CENTER CREEK HOMES 11 S. 12TH ST., STE. 115 RICHMOND, VA 23219

PROJECT
413 & 415 ARTHUR
ASHE BLVD

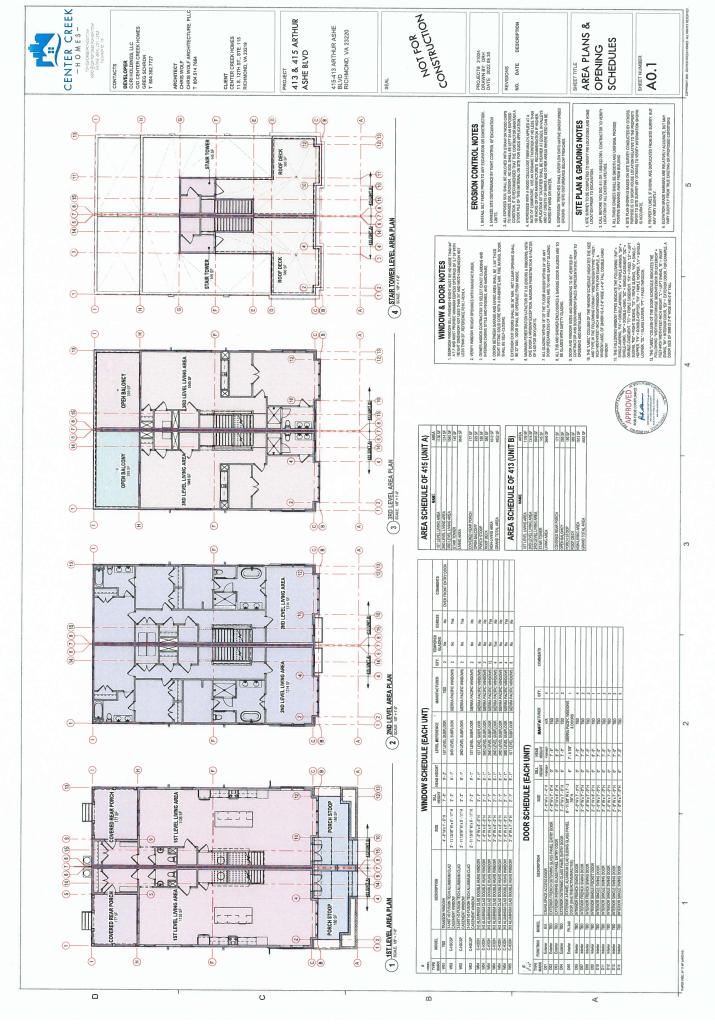
415-413 ARTHUR ASHE BLVD RICHMOND, VA 23220

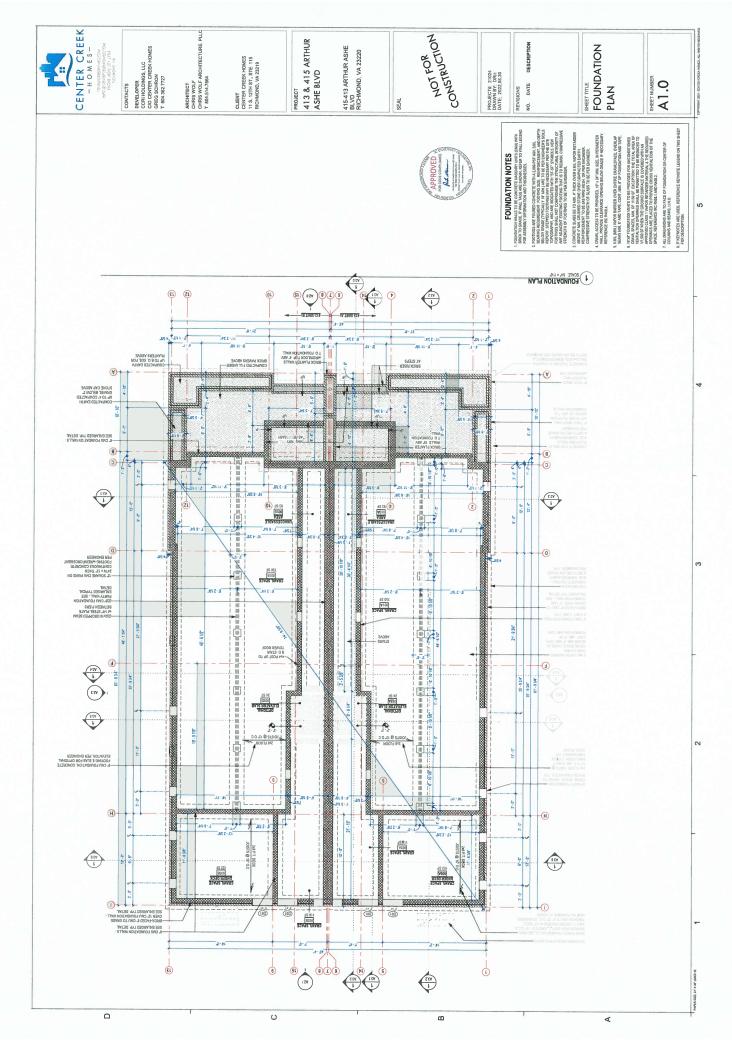


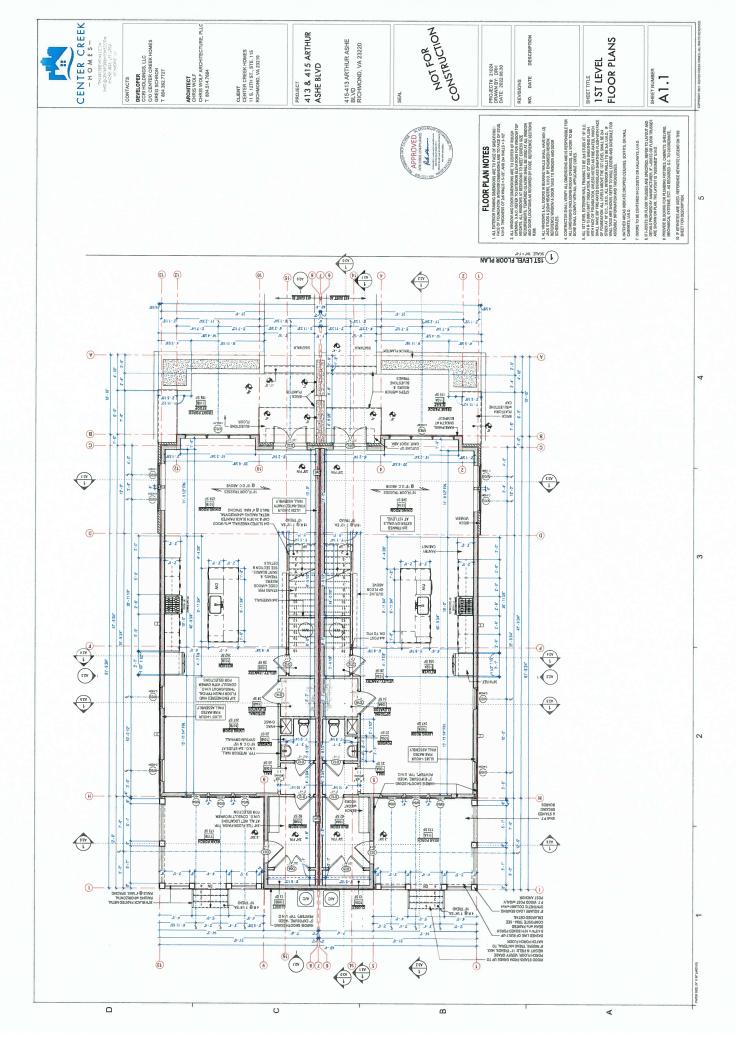
PROJECT#: 21024 DRAWN BY: DRH DATE: 2022:06:30

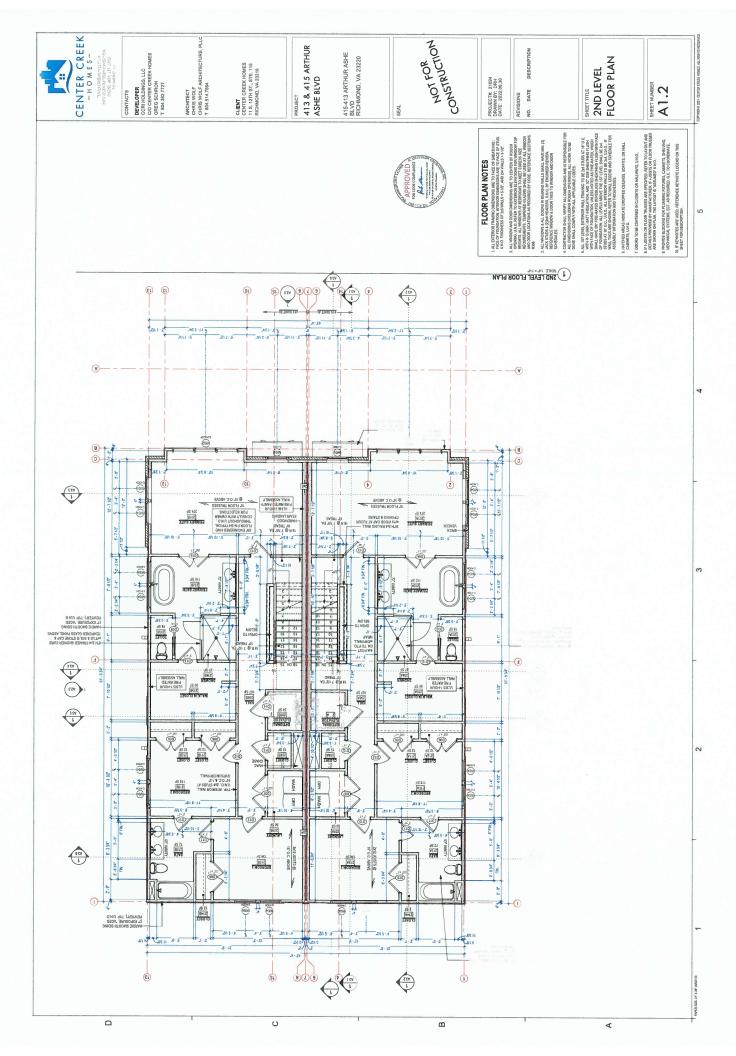
SHEET TITLE
COVER SHEET

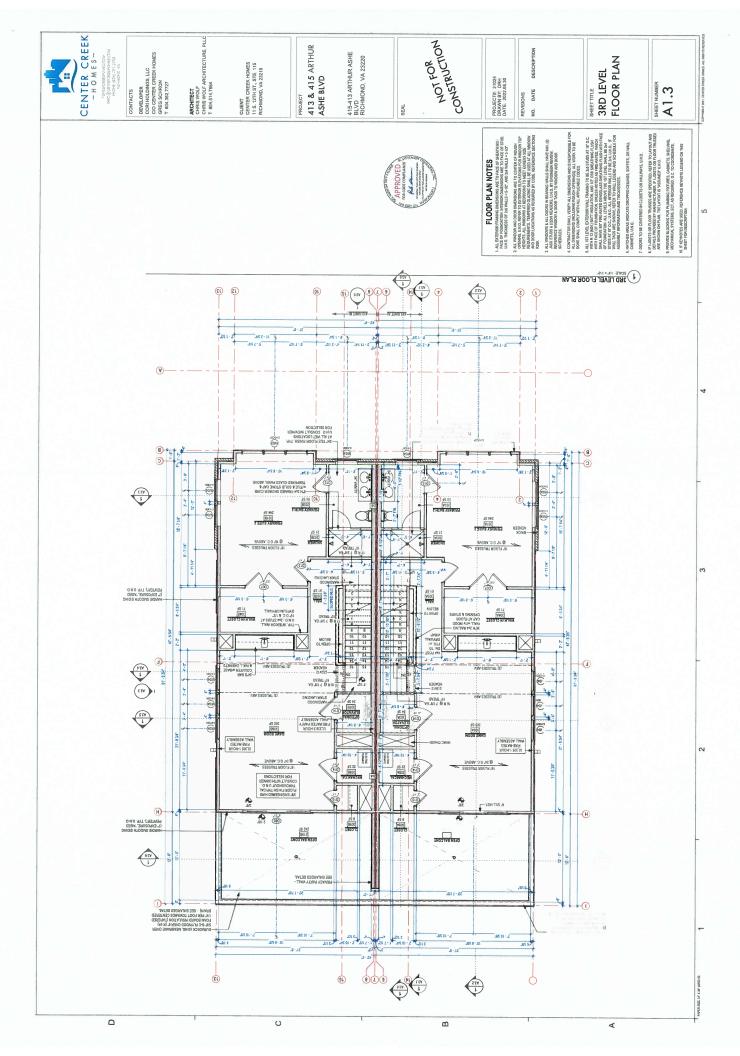
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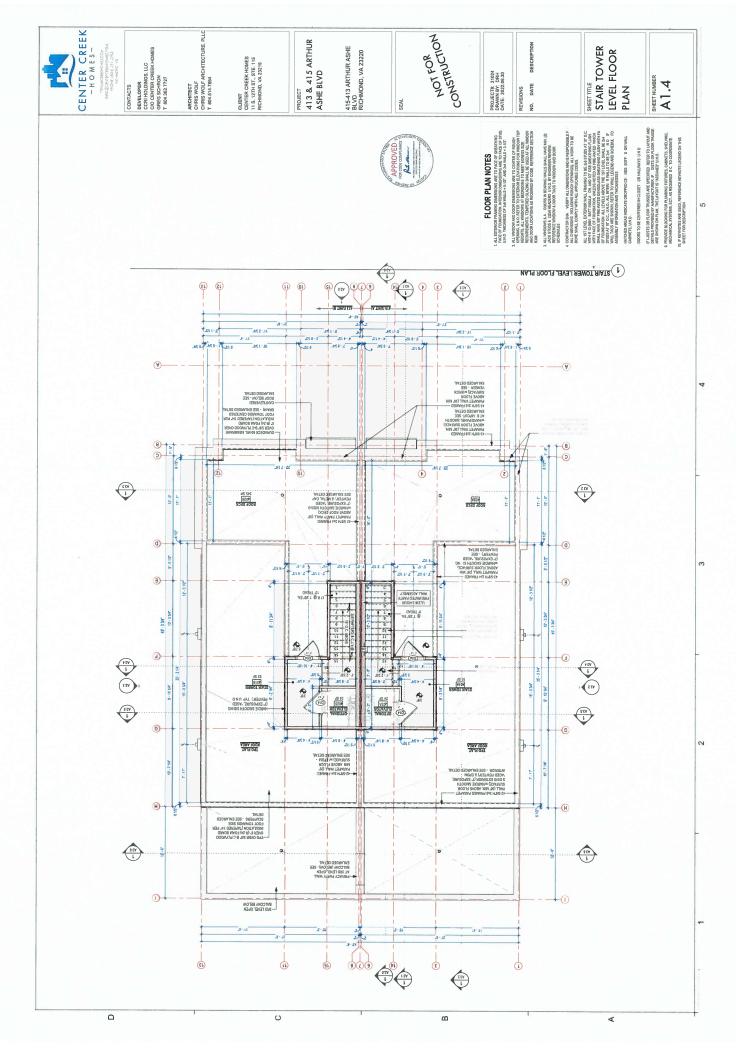


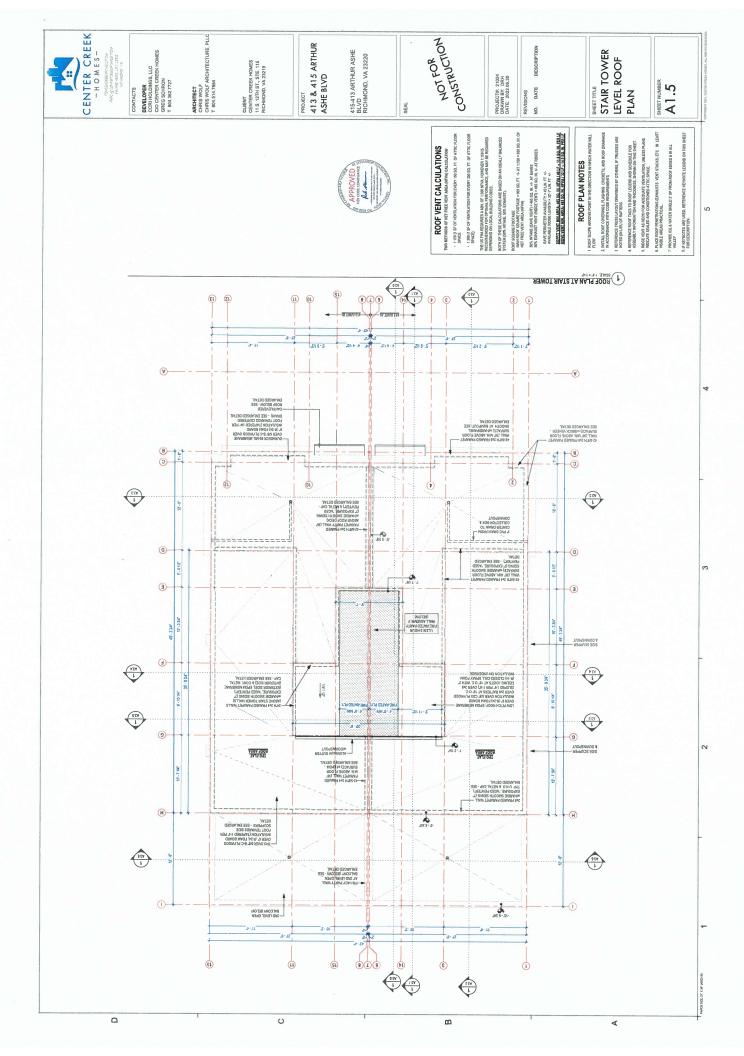


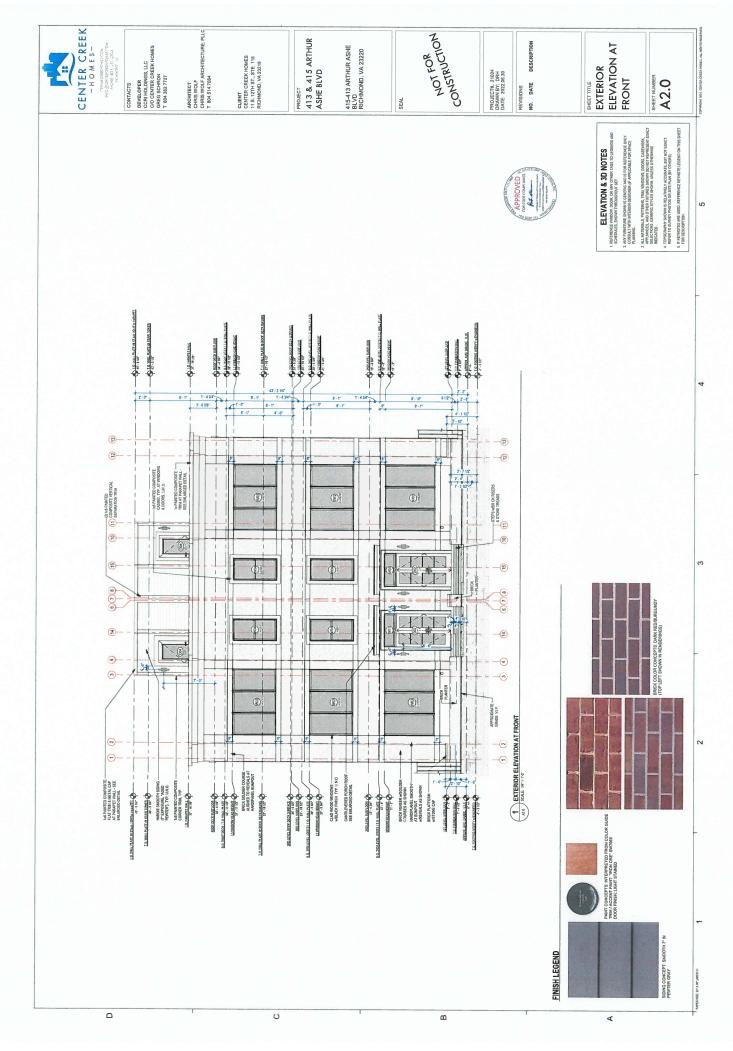


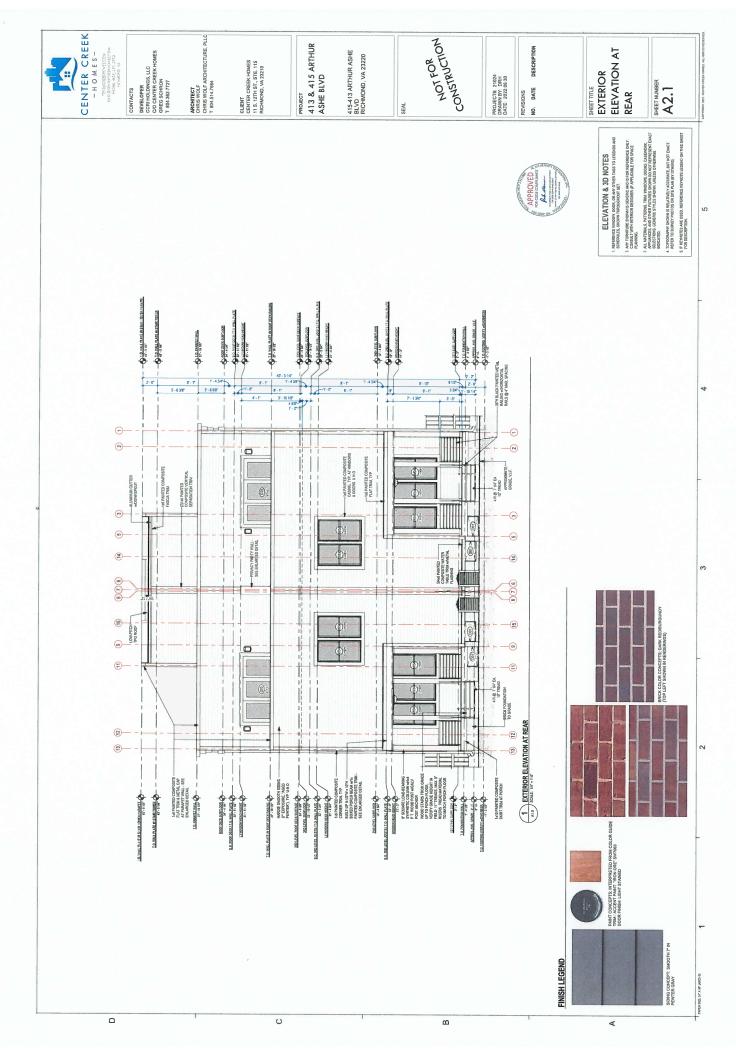


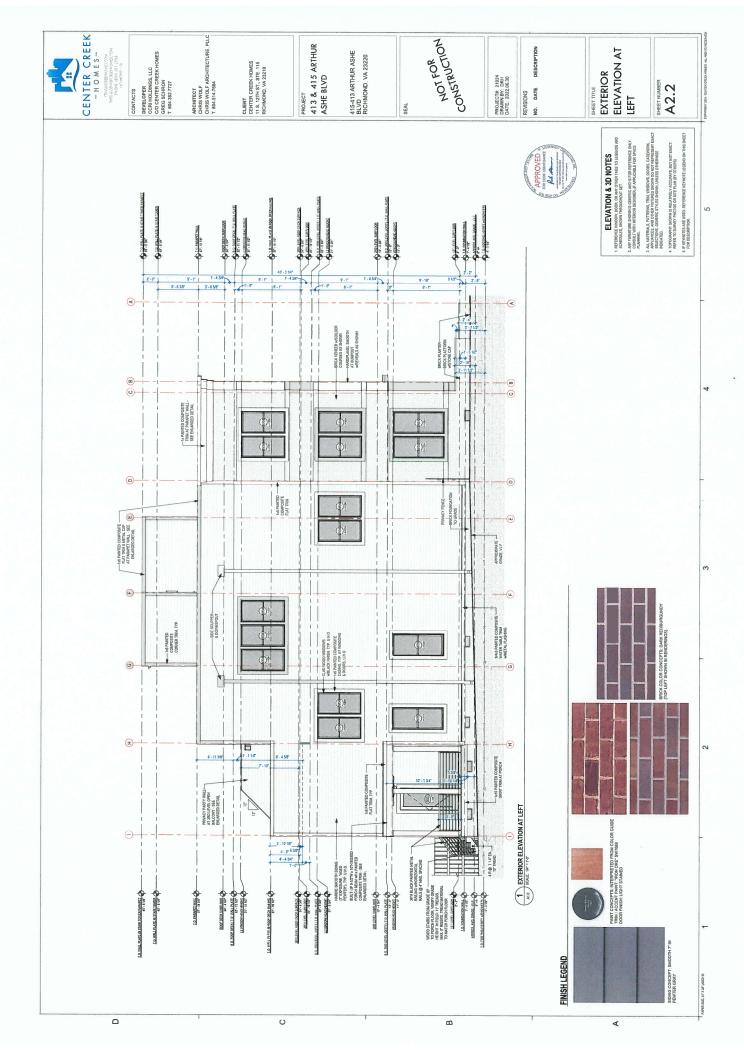


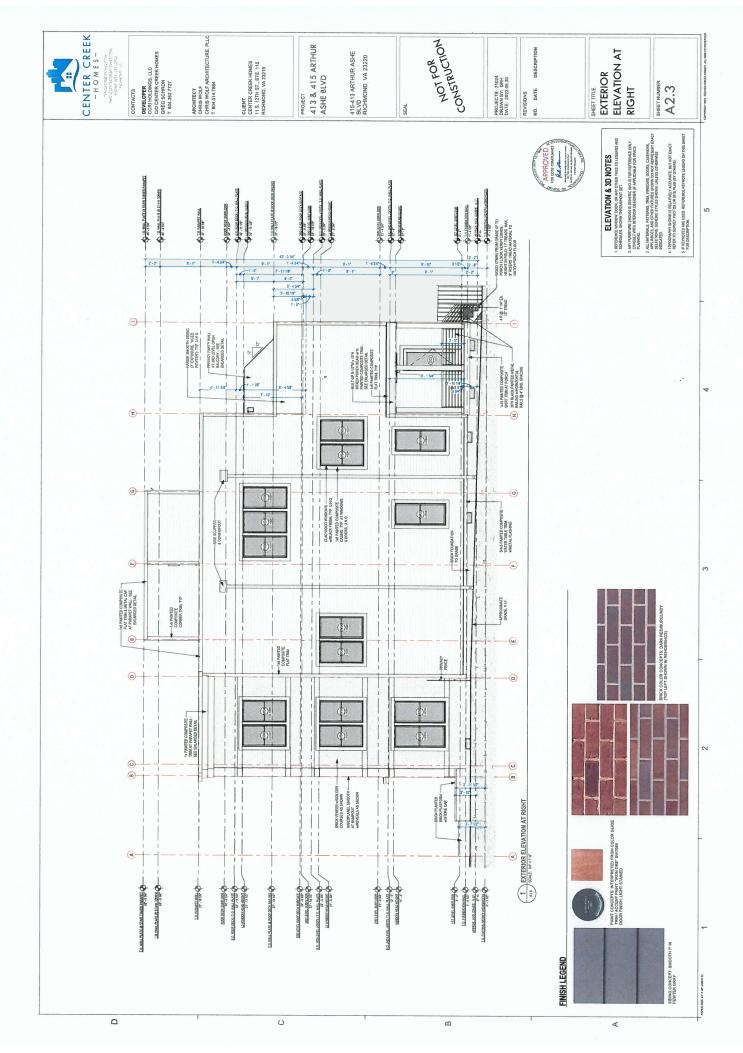


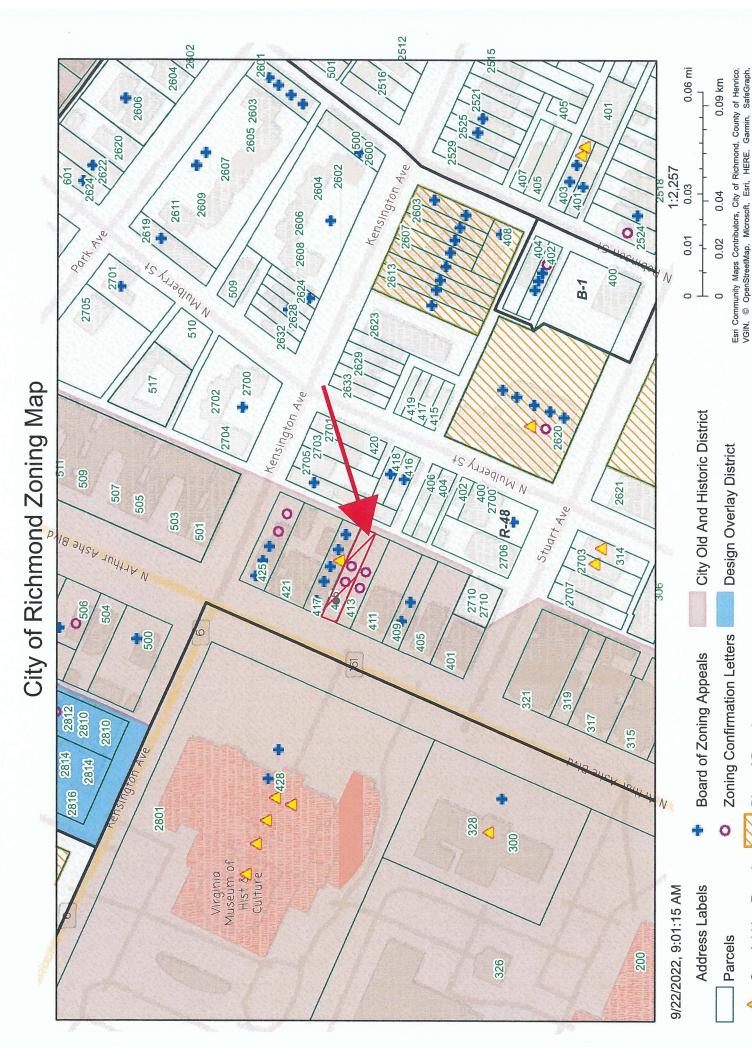












Citations appear in map service do not include Richmond. However, this map product is produced from a City of Richmond application source. The default map service is provided by ESRI and the City has no control over metadata tags appearing therein.

Special Use Permits [722] Plan of Development

This instrument was prepared by: Robert W. Hughes, Esquire (VSB#44182) FloranceGordonBrown, PC 901 East Cary Street, Suite 1900 Richmond, Virginia 23219

Map Reference Number: W0001206020

Title Company: <u>Pidelity National Title Insurance Company</u>

Binder Number: Z21-1587D

Consideration: \$700,000.00

Assessed Value: \$377,000.00

DEED

THIS DEED is made this 13 day of October, 2021, by and between 18 W FRANKLIN STREET LLC, a Virginia limited liability company ("Grantor"); and CCR3 HOLDINGS, LLC, a Delaware limited liability ("Grantee").

WITNESSETH:

THAT for and in consideration of the sum of Ten Dollars (\$10.00) cash in hand paid and other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, Grantor does hereby grant and convey unto Grantee, with General Warranty of Title, that certain real property located in the City of Richmond, Virginia, more particularly described in Exhibit A attached hereto, and by this reference made a part hereof (the "Property"); provided, however, that Grantor hereby reserves from such conveyance, unto itself and its successors and assigns, for the benefit of the Dominant Parcel (as defined below), a perpetual, exclusive easement (the "Parking Easement") over, upon and across that certain portion of the Property labeled as "Parking Easement Area" on that certain plat (the "Plat") prepared by McKnight & Associates, P.C., dated October 4, 2021, and entitled "Plat Showing "Reserved Parking Easement Area" on 415 N. Arthur Ashe Boulevard, in the City of Richmond, Virginia," a copy of which Plat is attached hereto as Exhibit B, and by this reference made a part hereof (the "Parking Easement Area"), which Parking Easement Area is more particularly described in Exhibit C attached hereto, and by this reference made a part hereof, for the purposes of (i) parking of vehicles, and (ii) constructing, operating, using, maintaining, inspecting, repairing, replacing, relocating within the Parking Easement Area, enlarging, altering, improving, and removing parking related improvements, including but not limited to signs and striping of

parking spaces. Grantor and its successors and assigns shall have the right of access to the Parking Easement Area to and from the adjacent public alley.

For purposes hereof, the "Dominant Parcel" shall mean that certain lot, piece or parcel of land, located in the City of Richmond, Virginia, presently known as 425 North Arthur Ashe Boulevard, and more particularly described as Parcel I in that certain deed from MJK Properties, LLC to Grantor dated August 4, 2021, and recorded August 9, 2021, in the Clerk's Office of the Circuit Court of the City of Richmond, Virginia, as Instrument No. 210023054.

The owner(s) of the Dominant Parcel and the agents, employees, invitees, licensees and tenants of such owner(s), and the subtenants, licensees and invitees of such tenants (collectively, the "Permitted Parkers"), shall have the exclusive right to park in the Parking Easement Area. The owner(s) of the Dominant Parcel shall have the right at all times to keep the Parking Easement clear of all buildings or structures, trees, roots, undergrowth and other obstructions which would interfere with the exercise of the rights reserved hereunder.

Neither Grantee, nor its successors and assigns, nor any of their respective agents, employees, contractors, tenants, licensees or invitees shall (i) park vehicles of any kind in the Parking Easement Area, or (ii) construct any building, structure, or other above-ground obstruction in the Parking Easement Area, or otherwise obstruct the Parking Easement Area, or (iii) prevent any of the Permitted Parkers from parking vehicles in the Parking Easement Area, at any time, or otherwise interfere with the exercise of any of the rights reserved herein.

The owner(s) of the Dominant Parcel shall maintain the Parking Easement Area in a state of good repair and general cleanliness at all times and shall be solely responsible for all maintenance, and costs associated with maintenance, of the Parking Easement Area.

The easement reserved herein and the rights and obligations hereunder (i) shall be enforceable by injunction or by specific performance or as otherwise permitted at law or equity; (ii) shall run with the title to the Property and the Dominant Parcel; and (iii) shall be an easement appurtenant (for the benefit of the Dominant Parcel), and not an easement in gross.

This conveyance is made subject to all restrictions, covenants, conditions and easements of record, insofar as they may legally affect the Property.

WITNESS the following signature and seal:

18 W FRANKLIN STREET LLC,

a Virginia limited liability company

By: (SEAL)

Peter Megyeri, Operating Manager

COMMONWEALTH OF VIRGINIA,

CITY/COUNTY OF Ruhmand, to-wit:

The foregoing Deed was acknowledged before me this the 13 th day of October, 2021, by Peter Megyeri, Operating Manager of 18 W FRANKLIN STREET LLC, a Virginia limited liability company, on behalf of the limited liability company.

My commission expires:

Notary Registration Number:

Oharon O.M. Clan Notary Public

Grantee's Address:

11 S. 12th St. #115 Richmond, VA 23220

EXHIBIT A

ALL that certain lot, piece or parcel of land, with the improvements thereon and the appurtenances thereto belonging, lying and being in the City of Richmond, Virginia, and designated as Parcel 2 on a plat made by George M Stephens, Jr., dated March 24, 1983, entitled "Plat of No. 425 North Boulevard, (Being Parcel 1) and Parcel 2, Richmond, VA.", a copy of which is recorded in the Clerk's Office, Circuit Court, City of Richmond, Virginia, Division 1, in Deed Book 809, Page 588, and being more particularly bounded and described in accordance with said plat as follow:

COMMENCING at a point on the east side of the Boulevard, distant 136 feet South of Kensington Avenue; thence running southwardly along the Boulevard and fronting thereon 54 feet; thence extending back eastwardly from said front between lines parallel with Kensington Avenue 150 feet to an alley in common twenty (20) feet wide.

BEING a portion of the same property conveyed to 18 W Franklin Street LLC, by Deed from MJK Properties, LLC, dated August 4, 2021, and recorded August 9, 2021, in the Clerk's Office, Circuit Court, City of Richmond, Virginia, as Instrument No. 210023054.

EXHIBIT B

Plat

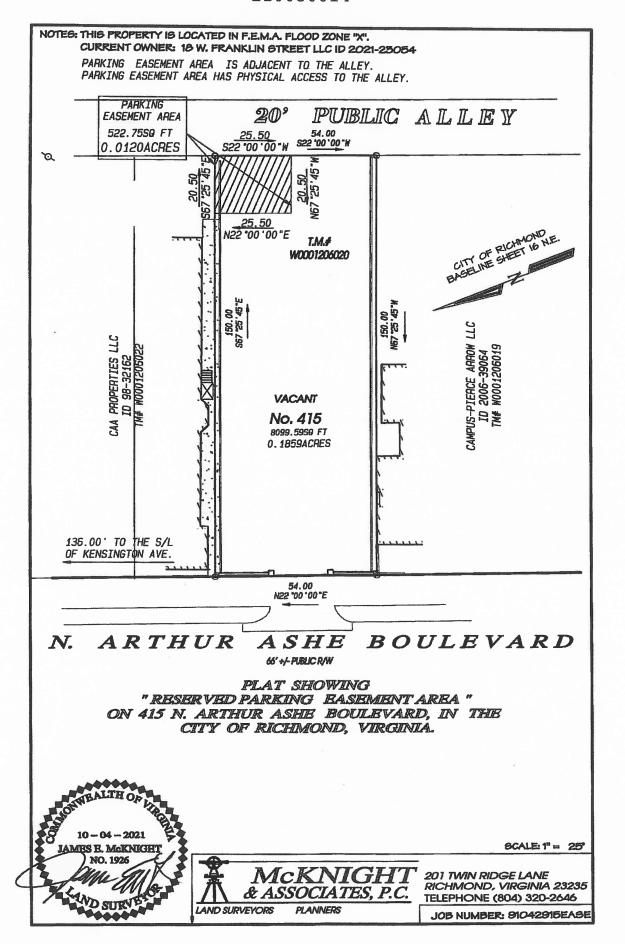


EXHIBIT C

Description of the Parking Easement Area

Commencing at the Point in the City of Richmond where the south line of Kensington Avenue intersects with the East line of N Arthur Ashe Boulevard; thence, along the East line of N Arthur Ashe Boulevard, South 22°00'00" West, a distance of 136.00 feet; thence South 67°25'45" East, a distance of 150.00 feet to the West line of a 20 ft Public Alley; the Point of Beginning; thence in a southerly direction along West line of the twenty foot Alley, South 22°00'00" West, a distance of 25.50 feet; thence North 67°25'45" West, a distance of 20.50 feet; thence North 22°00'00" East, a distance of 25.50 feet; thence South 67°25'45" East, a distance of 20.50 feet to the Point of Beginning.

INSTRUMENT 210030014

RECORDED IN THE CLERK'S OFFICE OF
RICHMOND CITY CIRCUIT COURT ON
OCTOBER 20, 2021 AT 08:30 AM
\$700.00 GRANTOR TAX WAS PAID AS
REQUIRED BY SEC 58.1-802 OF THE VA. CODE
STATE: \$350.00 LOCAL: \$350.00
EDWARD F. JEWETT, CLERK
RECORDED BY: TMG

PREPARED WITHOUT THE BENEFIT OF A TITLE SEARCH BY LAWRENCE H. PEARSON, JR., ESQ. (VSB# 78915) FLECKENSTEIN & ASSOCIATES 311 S. ARTHUR ASHE BOULEVARD RICHMOND, VA 23220 804-358-9400

TAX MAP PARCEL NO.: W000-1206/020

THIS DEED OF DIVISION AND CONFIRMATION, which is exempt from recording taxes pursuant to Section 58.1-810(1) of the Code of Virginia of 1950, as amended, made this 7th day of December, 2021, is by <u>CCR3 HOLDINGS, LLC</u>, a Delaware limited liability company, Grantor and Grantee for indexing purposes.

RECITALS:

WHEREAS, Grantor is the owner of a parcel of real property located in the City of Richmond, Virginia commonly known as 415 N. Arthur Ashe Boulevard, Richmond, VA 23220 (the "Property"), having obtained title to the Property by deed dated October 13, 2021, and recorded October 20, 2021, in the Clerk's Office, Circuit Court, City of Richmond, Virginia as Instrument No. 210030014; and

WHEREAS, the Grantor desires to divide this parcel into two distinct parcels and has entered into and caused this deed to be recorded to formally divide the Property.

NOW, THEREFORE, WITNESSETH:

That for and in consideration of the premises contained herein, the Grantor does hereby declare that certain parcel located in the City of Richmond, Virginia, commonly known as 415 N. Arthur Ashe Boulevard, Richmond, VA 23220, and having a Tax Map Parcel Number of W000-1206/020, is hereby split and divided into two lots, labeled "No. 415", consisting of approximately 4049.80 square feet, and "No. 413", consisting of approximately 4049.80 square feet, respectively, as shown on a certain plat dated October 8, 2021, entitled "PLAT SHOWING"

DIVISION OF TAX MAP PARCEL W0001206020, ALSO KNOWN AS 415 N. ARTHUR ASHE BOULEVARD, IN THE CITY OF RICHMOND, VIRGINIA" made by McKnight & Associates, P.C., Land Surveyors, Planners, a copy of which is attached hereto, and to which reference is made for a more complete description of the two resulting lots.

[SIGNATURE ON FOLLOWING PAGE]

WITNESS the following signature of the Grantor:

CCR3 HOLDINGS, LLC

RV.

Chris Barnhardt, Project Manager

COMMONWEALTH OF VIRGINIA

CITY OF RICHMOND, to wit;

The foregoing instrument was subscribed, sworn to, and acknowledged before me, in the jurisdictions aforesaid, this __{\dagger} day of December 2021 by Chris Barnhardt, Project Manager and duly authorized agent of CCR3 Holdings, LLC, a Delaware limited liability company.

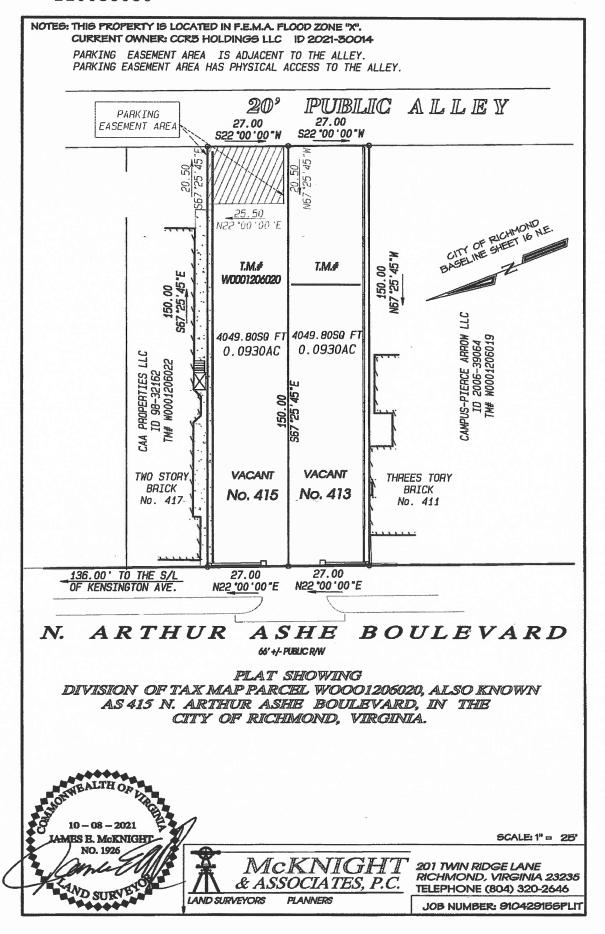
My commission expires: 04/30/2022

Notary Public

Grantee's Address:

11 S. 12th Street #115 Richmond, VA 23219





INSTRUMENT 210035058

RECORDED IN THE CLERK'S OFFICE OF
RICHMOND CITY CIRCUIT COURT ON
DECEMBER 13, 2021 AT 11:29 AM
EDWARD F. JEWETT, CLERK
RECORDED BY: JRO



City of Richmond Commission of Architectural Review



January 26, 2022

Josh Bosler 413-415 Arthur Ashe Richmond, VA 23220

RE:

413-415 Arthur Ashe

Application No. COA-104541-2022

Dear Applicant:

At the January 25, 2022 meeting of the Commission of Architectural Review, the review of your application for a Certificate of Appropriateness resulted in the following action: Approved with Conditions. Specifically, the Commission approved the application for the reasons cited in the staff report provided the following conditions are met:

- all final material specifications and colors be submitted to staff for review and approval,
- the patio material be submitted for administrative review and approval,
- and the fence be a simple design and painted or stained a color that complements the building.

You, or any aggrieved party, have the right to appeal a decision of the Commission of Architectural Review to City Council as specified in Section 30.930 of the Richmond City Code. A petition stating reasons for the appeal must be filed with the City Clerk within 15 days of this meeting.

If you have any questions, please contact Alex Dandridge, CAR Secretary at (804) 646-6569 or by e-mail at alex.dandridge@richmondgov.com.

Sincerely,



City of Richmond Commission of Architectural Review



Mott Induida

Alex Dandridge, Secretary, Commission of Architectural Review



DEPARTMENT OF
PLANNING AND DEVELOPMENT REVIEW
ZONING ADMINISTRATION

July 29, 2021

Baker Development Resources 1519 Summit Avenue, Suite 102 Richmond, Virginia 23230

Attn: Mark Baker

RE:

415 North Arthur Ashe Boulevard (W00-1206/020) and 425 North Arthur Ashe

Boulevard (W000-1206-025)

Dear Mr. Baker:

In response to your request for a Letter of Zoning Confirmation, as of the date of this letter, please be advised of the following:

415 North Arthur Ashe Boulevard (W00-1206/020)

- (a) The above referenced Property is zoned R-48 (Multi-family Residential District) and is subject to the restrictions generally applicable to that classification which are contained in the City of Richmond Zoning Ordinance. Additionally the subject property is within the Boulevard City Old and Historic District. According to the City Assessor's records, the subject property has a road frontage of fifty-four feet (54') along North Arthur Ashe Boulevard, and a lot depth of one hundred fifty feet (150'), which results in a lot area of 8,100 square feet. The property is currently improved with a surface parking area primarily serving the medical office use located at 425 North Arthur Ashe Boulevard and under common ownership with the above reference property.
- (b) The R-48 district permits principal uses such as single-family, two-family, and multi-family dwelling uses by-right. The off-street parking requirement for a single-family, two-family, or multi-family dwelling with only one (1) main building on a lot of record is one (1) parking space per dwelling unit.
- (c) This office can find no record of any required parking leases existing related to the premises. However because the two properties (415 & 425 North Arthur Ashe Blvd.) are under common ownership no formal leases would have been required for parking for 425 North Arthur Ashe Boulevard to be provided at 415 North Arthur Ashe Boulevard. Multiple approvals including the most recent Certificate of Zoning Compliance (CZC) (Z11122801) related to the use of 425 North Arthur Ashe Boulevard require that at least sixteen (16) spaces for the use at 425 North Arthur Ashe Boulevard be provided at 415 North Arthur Ashe Boulevard.
- (d) As proposed, your intent is to determine whether the property could be redeveloped subject to the R-48 district regulations while providing three (3) off-street parking spaces within an easement as shown on the site plan provided with the Zoning Confirmation Letter request, serving the use located at 425 North Arthur Ashe Boulevard. The existing use of the property as a stand-alone parking area is currently nonconforming. Based on the nonconforming use regulations (Sec. 30-800) continuing to provide three (3) off street parking spaces within an easement serving the use located at 425 North Arthur Ashe Boulevard would be permitted and redeveloping the remaining portion of the property according to the R-48 district

RE: 415 & 425 North Arthur Ashe Boulevard July 29, 2021 Page 2

regulations would also be permitted as a matter of right without the necessity for special approvals.

425 North Arthur Ashe Boulevard (W000-1206-025)

- (a) The above referenced Property is zoned R-48 (Multi-family Residential District) and is subject to the restrictions generally applicable to that classification which are contained in the City of Richmond Zoning Ordinance. Additionally the subject property is within the Boulevard City Old and Historic District. According to the City Assessor's records, the subject property has a road frontage of forty-five feet (45') along North Arthur Ashe Boulevard, and a lot depth of one hundred fifty feet (150'), which results in a lot area of 6,750 square feet. The property is currently improved with a three-story medical office building constructed circa 1910 and containing 5,524 square feet of finished living space and a 2,310 square foot basement. It was also noted on the most recent CZC that four (4) parking spaces were being provided on-site for the medical office use. The rest of the parking for the medical office use is provided at 415 North Arthur Ashe Boulevard and there are no nonconforming or "grandfathered" parking spaces associated with the property.
- (b) As proposed, your intent is to determine whether the existing medical office could be converted into a multi-family dwelling containing seven (7) dwelling units. Included in the conversion proposal was the ability to provide of four (4) parking spaces on-site and three (3) parking spaces located off-site at 415 North Arthur Ashe Boulevard to serve the seven (7) dwelling units at 425 North Arthur Ashe Boulevard. Based on the nonconforming use regulations (Sec. 30-800.3), the conversion of the nonconforming medical to a multi-family dwelling containing seven (7) dwelling units would be permitted as a matter of right without the necessity for special approvals provided that the medical office use has not been discontinued for a period of two years or longer and the off-street parking requirement was met.

Without a more specific proposal this office is unable to confirm or refute compliance with applicable zoning requirements pertaining to potential changes/development of the two subject properties. Upon submittal of specific development plans, including detailed floor plans, for any proposed use(s), this office will evaluate for conformance with all zoning requirements in effect at that time.

Please be advised that this office does not issue opinions with respect to compliance with building codes, fire code or other health and safety regulations that may pertain to this property. For building code questions, contact the City of Richmond Permits and Inspections office at 804-646-4169. For fire and safety questions, contact Fire and Emergency Services at 804-646-2500.

You are hereby advised that you have thirty (30) days from this notice in which to appeal this decision to the Board of Zoning Appeals, in accordance with §15.2-2311 of the Code of Virginia and §17.19 of the Richmond City Charter, or this decision shall be final and unappealable. Such appeal must be in writing and must be filed with the Secretary to the Board of Zoning Appeals. Said appeal shall indicate in specific terms the grounds for the appeal and must be accompanied by a filing fee of two hundred and fifty dollars (\$250.00).

I hope this information is sufficient. If you have additional questions, please contact Josh Young by Email at: joshua.young@richmondqov.com or by telephone at: (804) 646-6923.

Sincerely,

William C. Davidson Zoning Administrator

CC:

MJK Properties LLC

425 North Arthur Ashe Boulevard Richmond, VA 23220