### INTRODUCED: June 11, 2018

### AN ORDINANCE No. 2018-184

To authorize the conditional use of the property known as 939 Myers Street for the purpose of authorizing a nightclub, upon certain terms and conditions.

Patron – Mayor Stoney (By Request)

Approved as to form and legality by the City Attorney

PUBLIC HEARING: JULY 23 2018 AT 6 P.M.

WHEREAS, the owner of the property known as 939 Myers Street, which is situated in a TOD-1 Transit-Oriented Nodal District, desires to use such property for the purpose of a nightclub, which is currently allowed only by approval of a conditional use permit by City Council pursuant to section 30-457.3 of the Code of the City of Richmond (2015), as amended; and

WHEREAS, in accordance with section 30-1045.5 of the Code of the City of Richmond (2015), as amended, it has been made to appear that, if granted pursuant to the terms and conditions set forth in this ordinance and Chapter 30, Article X, Division 5.1 of the Code of the City of Richmond (2015), as amended, the conditional use permit granted by this ordinance will not be contrary to the general purposes of Chapter 30 of the Code of the City of Richmond (2015), as

AYES:	9	NOES:	0	ABSTAIN:	
ADOPTED:	JULY 23 2018	<b>REJECTED</b> :		STRICKEN:	

amended, as stated in section 30-100 of the Code of the City of Richmond (2015), as amended; will not be in conflict with the objectives and policies of the master plan for the City; will conform with all applicable sections of Chapter 30, Article X of the Code of the City of Richmond (2015), as amended, and other applicable requirements of the district in which it is proposed to be located; will not substantially diminish or impair the established property values in the neighborhood in which it is proposed to be located; will not have an undue adverse effect on the public health, safety or general welfare; will not adversely affect the character of the surrounding area or the continued use and development of surrounding property in a manner consistent with applicable zoning regulations or master plan objectives; will not cause undue traffic congestion on public streets or significantly increase traffic volumes on minor residential streets; will be adequately served by essential public services and facilities and will not cause an undue burden on such services and facilities; will not cause the destruction, loss or damage of significant natural, scenic or historic features to any greater degree than development of the property for uses permitted by right in the district; will ensure compatibility with surrounding property through existing and proposed landscaping, screening and buffering and the location, arrangement and character of existing and proposed buildings, structures, open spaces, parking areas, vehicular circulation, driveways, signage and lighting; and will not cause or result in any significant increase in negative cumulative impact when considered in conjunction with other conditional uses in the neighborhood in which it is proposed to be located; and

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

### NOW, THEREFORE,

### THE CITY OF RICHMOND HEREBY ORDAINS:

§ 1. Finding. Pursuant to section 30-1045.5 of the Code of the City of Richmond (2015), as amended, the Council hereby finds that the conditional use set forth in and subject to the terms and conditions of this ordinance will not be contrary to the general purposes of Chapter 30 of the Code of the City of Richmond (2015), as amended, as stated in section 30-100; will not be in conflict with the objectives and policies of the master plan for the City; will conform with all applicable sections of Chapter 30, Article X of the Code of the City of Richmond (2015), as amended, and other applicable requirements of the district in which it is proposed to be located; will not substantially diminish or impair the established property values in the neighborhood in which it is proposed to be located; will not have an undue adverse effect on the public health, safety or general welfare; will not adversely affect the character of the surrounding area or the continued use and development of surrounding property in a manner consistent with applicable zoning regulations or master plan objectives; will not cause undue traffic congestion on public streets or significantly increase traffic volumes on minor residential streets; will be adequately served by essential public services and facilities and will not cause an undue burden on such services and facilities; will not cause the destruction, loss or damage of significant natural, scenic or historic features to any greater degree than development of the property for uses permitted by right in the district; will ensure compatibility with surrounding property through existing and proposed landscaping, screening and buffering and the location, arrangement and character of existing and proposed buildings, structures, open spaces, parking areas, vehicular circulation,

driveways, signage and lighting; and will not cause or result in any significant increase in negative cumulative impact when considered in conjunction with other conditional uses in the neighborhood in which it is proposed to be located.

### § 2. Grant of Conditional Use Permit.

(a) Subject to the terms and conditions set forth in this ordinance, the property known as 939 Myers Street and identified as Tax Parcel No. N000-1481/044 in the 2018 records of the City Assessor, being more particularly shown on a survey entitled "ALTA/NSPS Land Title Survey of Three Parcels of Land Containing 4.973 Acres of Land Known as #939 & #949 Myers Street and #950 Terminal Place Being Parcels N000-1481/044, N000-1482/003 & N000-1481/001, City of Richmond, Virginia," prepared by Balzer and Associates, Inc., dated February 6, 2018, and last revised March 29, 2018, a copy of which is attached to and made a part of this ordinance, hereinafter referred to as "the Property," is hereby permitted to be used for the purpose of authorizing a nightclub, hereinafter referred to as "the Conditional Use," substantially as shown on the plans entitled "River City Roll, 933 Myers Street, Richmond, VA 23230," prepared by Price Simpson Harvey, and dated May 1, 2017, hereinafter referred to as "the Plans," a copy of which is attached to and made a part of this ordinance.

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

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

(a) Pursuant to section 30-457.3 of the Code of the City of Richmond (2015), as amended, the use of the Property shall include a nightclub, substantially as shown on the Plans.

(b) Operation of the nightclub use permitted by this conditional use permit shall be conducted strictly in accordance with the document entitled "River City Roll, Management Program," consisting of pages of a Conditional Use Permit Application labeled as pages 5, 6, 7, 8, and 10, prepared by Rob Long, and dated April 24, 2018, a copy of which is attached to and made part of this ordinance.

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

(a) 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.

(b) Any encroachments existing, proposed on the Plans or contemplated in the future shall require separate authorization and shall be subject to the applicable provisions of the Code of the City of Richmond (2015), as amended, and all future amendments to such laws.

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

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

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

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

(c) Words and phrases used in this ordinance shall be interpreted to have the meanings ascribed to them by section 30-1220 of the Code of the City of Richmond (2015), as amended, unless the context clearly indicates that a different meaning is intended.

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

(e) The privileges granted by this ordinance may be revoked pursuant to the provisions of sections 30-1045.14 through 30-1045.17 of the Code of the City of Richmond (2015), as amended, and all future amendments to such laws. Failure to comply with the terms and conditions of this ordinance shall constitute a violation of section 30-1080 of the Code of the City of Richmond (2015), as amended, and all future amendments to such law, or any other applicable laws or regulations.

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

§ 6. **Implementation.** The Commissioner of Buildings is authorized to issue a certificate of occupancy substantially in accordance with the Plans for the Conditional Use subject to the terms and conditions set forth in this ordinance. An application for the certificate of occupancy shall be made within 730 calendar days following the date on which this ordinance becomes effective. If either the application for the certificate of occupancy is not made within the time period stated in the previous sentence or the certificate of occupancy terminates under any provision of the Virginia Statewide Building Code, this ordinance and the conditional use permit granted hereby shall terminate and become null and void.

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

# **City of Richmond**

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

# Item Request File Number: PRE.2018.185

RECE		U & R REQUEST
MAY 15	2018	MAY 2 2018
OFFICE OF CITY	ATTORNEY <u>O &amp; R Request</u>	Office of the Chief Administrative Officer
DATE:	May 1, 2018	EDITION:1
TO:	The Honorable Members of City Council	
THROUGH:	The Honorable Levar M. Stoney, Mayor <b>Stores</b> (This is no way reflects a recommendation on behalf	
THROUGH:	Selena Cuffee Glenn, Chief Administrative Officer $\mathcal A$	
THROUGH:	Peter L. Downey, Deputy Chief Administrative Officer Planning	for Economic Development and
FROM:	Mark A. Olinger, Director, Department of Planning and	Development Review
RE:	To authorize the conditional use of the property known a of authorizing a nightclub, upon certain terms and conditional	as 939 Myers Street for the purpose tions.
ORD. OR RE	S. No	

**PURPOSE:** To authorize the conditional use of the property known as 939 Myers Street for the purpose of authorizing a nightclub, upon certain terms and conditions.

**REASON:** The entertainment activities, hours of operation, and alcohol sales at certain times of day within the bowling alley are considered, by the Zoning Ordinance, to be nightclub activities. A conditional use permit is therefore required.

**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 June 18, 2018, meeting. A letter outlining the Commission's recommendation will be forwarded to City Council following that meeting.

**BACKGROUND:** The subject property consists of a 1.76 acre parcel of land recently improved with a commercial building containing a boutique bowling alley with 20 bowling lanes and a restaurant. The entertainment, activities, and hours of operation aspects of the bowling alley are considered, by the Zoning

### File Number: PRE.2018.185

Ordinance, to be nightclub activities. A conditional use permit is therefore required.

The property is a part of the Scott's Addition area in the Near West Planning District. The subject property is designated by the City's Pulse Corridor Plan for Nodal Mixed-Use land uses. This designation provides the following description, characteristics, and land use implications:

- Transit oriented district located immediately adjacent to the Pulse BRT or other frequent transit service at key gateways and prominent places in the city in order to provide for significant, urban form development in appropriate locations.

- Higher density pedestrian- and transit-oriented development encouraged on vacant and underutilized sites; new development should be urban in form and may be of larger scale than existing context. It should directly engage with the prominence of Nodal Mixed Use places and the public realm

- Highly active street frontages and urban design features that encourage pedestrian activity required

The current zoning designation for this property and surrounding properties is TOD-1 - Transit-Oriented Nodal District.

**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:** \$1,600 application fee

**DESIRED EFFECTIVE DATE:** Upon Adoption.

**REQUESTED INTRODUCTION DATE:** May 29, 2018

CITY COUNCIL PUBLIC HEARING DATE: June 25, 2018

**REQUESTED AGENDA:** Consent.

**RECOMMENDED COUNCIL COMMITTEE:** None.

**CONSIDERATION BY OTHER GOVERNMENTAL ENTITIES:** City Planning Commission, June 18, 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, Management Plan, Draft Ordinance, Plans, Survey, Map.

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

PDR O&R No. 18-32

RICHMOND	Application for <b>CONDITIONAL USE PERMIT</b> Department of Planning and Development Review Land Use Administration Division 900 E. Broad Street, Room 511 Richmond, Virginia 23219 (804) 646-6304 http://www.richmondsov.com/
Application is hereby submitted for: (check one) Conditional use permit, new Conditional use permit, amendment	
Project Name/Location Property Adress: <u>939</u> Mycrs Street Tax Map #: <u>Nooc 148 1044</u> Fee: <u>A 11600</u> Total area of affected site in acres: <u>1.7</u> b	
(See page B for fee schedule, please make check payable to the	e "City of Richmond")
Zoning Current Zoning: TO D-1	
Existing Use: <u>new construction site</u>	
Proposed Use (Please include a detailed description of the proposed use in the Bantique boulding alky with 20	a large carbon in the same share
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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.

# River City Roll <u>Applicant's Report</u>

River City Roll is a boutique bowling alley currently under construction at 939 Myers Street. The venue will feature twenty lanes, an a la carte restaurant, fullservice bar, covered patio space, private event room and 150-space parking lot. All construction permits are in hand and we are scheduled for an April 1, 2018 opening. The primary offering of River City Roll will be a bowing alley, but per Sec. 30-1220 River City Roll will contain features that define River City Roll as a nightclub pursuant to the code during certain hours of operation. These hours will be minimal (a maximum of three per week), but River City Roll will serve alcohol, have floor space for dancing/viewing and live music available from Midnight to 1:30 a.m. on some Friday and Saturday evenings. River City Roll believes that obtaining the conditional use permit for this secondary use of the space is the best thing to do, but the River City Roll team wants to emphasize that the "nightclub features" are a secondary use and more formality due to the code definitions.

River City Roll is first and foremost a bowling alley and will not be marketed as a "nightclub." The live music provided at River City Roll after midnight will serve the primary purpose of background music for patrons bowling.

River City Roll is intent on being a positive addition to the neighborhood and active member in the Scott's Addition Boulevard Association (letter from the SABA President endorsing our permit is attached). Furthermore, River City Roll managing members have discussed at length their operations with Councilwoman Kim Gray and have her support for the permit.

Please see below for how River City Roll will satisfy the conditions set forth in section 30-1045.5:

(1) Will not be contrary to the general purposes of this chapter as stated in section 30-100 – River City Roll is developing an attractive 22,000 square foot structure that will be an asset to the neighborhood and city on 1.76 acres. Previously the 1.76 acres at 939 Myers Street was a run-down parking lot and 3 dilapidated warehouses that were an eyesore for the neighborhood and city. River City Roll will comply with all city codes and regulations and the plans for construction have already been approved by the city and permits are in hand. River City Roll will help further the growth in the Scott's Addition Boulevard area creating a more convenient, attractive and harmonious community.

(2) Will not be in conflict with the objectives and policies of the master plan for the city: The River City Roll team believes that they will be a positive addition to the city's master plan and help continue the revitalization of the Scott's Addition Boulevard neighborhoods, without adding overcrowding or traffic issues. River City Roll's 150-space parking lot will be a huge asset for the area and annual festivals. The River City Roll team has already had discussions with the managing groups of the Pumpkin Festival and Shamrock the Block and has offered to provide parking assistance at these events.

Page 2, April 24, 2018, Rob Long (3) Will conform with all applicable sections of this article and other applicable requirements of the district in which it is proposed to be located: River City Roll will comply with all requirements.

(4) Will not substantially diminish or impair the established property values in the neighborhood in which it is proposed to be located: River City Roll will enhance property values, per recent assessment River City Roll has increased the value at 939 Myers Street from \$218,000 in 2017 to \$2,185,000 per city property records. Furthermore, River City Roll has a total development budget of \$5.8 million and is constructing a \$4 million dollar structure that will greatly enhance the area. (5) Will not have an undue adverse effect on the public health, safety or general welfare: River City Roll will help further the progress in the area in regards to safety. River City Roll will have 7 foot sidewalks along Myers Street, site lighting will increase safety across the two acre site that was once very dimly lit and River City Roll will have security cameras along all 4 elevations of the site as well as a security team present at all hours of operation (further detailed in the Management Report). (6) Will not adversely affect the character of the surrounding area or the continued use and development of surrounding property in a manner consistent with applicable zoning regulations or master plan objectives: The design of River City Roll was developed with the character of the neighborhood in mind. The facility will fit in seamlessly with the neighborhood.

(7) Will not cause undue traffic congestion on public streets or significantly increase traffic volumes on minor residential streets: River City Roll hours of operation begin at 5pm, with the majority of patrons expected to arrive after 6pm following post work traffic, so the team does not forecast increased congestion. Also, River City Roll is easily accessed from multiple routes so there will not be undue congestion at any one access point or route. The ample availability of off-street parking will further help diminish any congestion in the traffic pattern.

(8) Will be adequately served by essential public services and facilities and will not cause an undue burden on such services and facilities: River City Roll will be adequately served by public services and will not cause an undue burden. Furthermore, River City Roll has already helped improve the public services in the area by financing a new fire hydrant in the area.

(9) Will not cause the destruction, loss or damage of significant natural, scenic or historic features to any greater degree than development of the property for uses permitted by right in the district: No historical or scenic features are altered by the River City Roll project.

(10) Will ensure compatibility with surrounding property through existing and proposed landscaping, screening and buffering and the location, arrangement and character of existing and proposed buildings, structures, open spaces, parking areas, vehicular circulation, driveways, signage and lighting: The attached plans show that River City Roll is compliant with all of these requirements.

(11) Will not cause or result in any significant increase in negative cumulative impact when considered in conjunction with other conditional uses in the neighborhood in which it is proposed to be located: River City Roll will create a positive impact for the area and will enhance the area in conjunction with surrounding businesses.

> Page 3 April 24, 2018, Rob Long

# River City Roll Management Program

In order to satisfy the requirements of section 20-1045.5 of the zoning ordinance River City Roll is submitting the following Management Program.

a. Operational characteristics and features of the nightclub, including the following:

1. Staffing levels: River City Roll staffing levels will vary on a night to night basis. Projected staffing for the opening is included as **Appendix 1**.

2. Hours of operation, and days of the week on which the establishment will be operated as a nightclub: River City Roll plans to be open from 5pm to Midnight on Monday, Tuesday, Wednesday and Thursday, from 5pm to 2am on Friday, from 11am to 2am on Saturday and from 11am to Midnight on Sunday. River City Roll will only operate as a nightclub on Friday and Saturday from Midnight to 1:30am. Last call will occur and music will stop 30 minutes prior to the 2am proposed closing time. River City Roll will be a 21 and up only facility after 5pm on all days of operations.

*3. Type of Virginia Alcoholic Beverage Control license and related restrictions:* River City Roll will apply for an On-premise Mixed Beverage Use Restaurant License and will obey all Virginia ABC regulations and restrictions.

4. Floor plan showing the general arrangement and seating capacity of tables and bar facilities, dance floor and standing room areas and capacity, which floor plan shall be posted on the premises in a prominent location viewable by the patrons: River City Roll floor plan is attached as **Appendix 2**.

5. Total occupant load: 375 total occupant load (including patio).

6. General type, frequency and hours of entertainment to be provided: Music provided will be a combination of house bands and DJs with the primary focus of providing background music for the bowling patrons. These entertainment options will only be offered after midnight on Fridays and Saturdays a few times per month. River City Roll does not intend to have ticketed concerts or marketing itself as a "nightclub," River City Roll solely desires to enhance the patrons bowling experience with live and house music.

*b. Provisions for off-street parking:* River City Roll will have 150 parking spots in an onsite private lot.

# c. Provisions for security and crowd management, including the following:

1. Provisions for a level of security and crowd management sufficient to comply with the requirements of chapter 6, article V of this code, whether or not the nightclub is required to obtain a public dance hall permit: River City Roll will staff security during all hours of operation after 5pm, with an increased presence on Friday and Saturday evenings. The facility will also be equipped with a state of the art security camera system monitoring all public areas of the facility and a majority of the parking lot.

2. Procedures, features, arrangements and staffing levels for security and crowd management for both the interior and exterior of the premises:

Page 5 April 24, 2018, Rob Long River City Roll's security program will address internal and external threats. Its recruiting process will include a formal application that asks for references, job history and information on any crime, other than traffic offenses, for the past seven years. A background check will be conducted on every potential employee. During training, extensive role playing will be conducted for new hires to educate them on how to respond to specific security threats. Training based on the written security plan will establish a base line of policies and procedures and dictate the desired behavior of employees. The job description for the Security Guard is included as **Appendix 3**.

A written security plan will guide how owners, managers and employees plan responses to specific situations. The written security plan will document standards for:

- Training
  - When is "reasonable force" warranted?
  - What is "disruptive behavior"?
  - What is the role of customer service in security?
  - What constitutes ejection or fair warning from the venue?
  - When should the police be called?
  - Where does the property line end?
  - What are the procedures for handling injuries?
- Staffing
  - Security needs are dictated by conditions in the venue. Labor cost is not a factor.
  - "Hot Spots," such as restrooms and the parking lot, will be identified as locations for fights, drug activity and sexual assaults. These areas require enhanced security.
  - How should the security team react when multiple security personnel must react to a situation?
- Daily tasks
  - Conduct formal meetings with all security staff to review assignments, equipment checks, and answer questions about how to conduct policy and procedure.
  - Ensure all radios have fresh batteries and functioning ear pieces. Conduct radio checks with each unit. Ensure each person has a working flashlight.
  - Check each camera individually to ensure it is working. Ensure that the date/time on the DVR is correct.
  - Assign someone to walk the parking lot to check for any lighting issues and to ensure it is clear of any potential hazards. Document any light checks.
  - Check all emergency exits. Ensure all exits are clearly marked and that they are not blocked in any way.
  - Role play specific incidents to assess responses to security threats.
- Situations
  - Fire inside the building
  - Gun drawn in the venue
  - Shooting inside the venue
  - Fight in the building
  - Fight in the parking lot
  - Power outage

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2018,
Page 6 April 24, 2018, Rob Long

### Earthquake

3. A plan and the procedures for mitigating potential adverse impacts on nearby dwelling and business uses: River City Roll intends on being a good neighbor and minimizing any negative impact on nearby businesses and dwellings. Neighboring business will not experience any negative impact from River City Roll due to the fact that River City Roll's hours of operation occur after our neighbors have closed for business. The only dwelling that could potentially be impacted is the Cookie Factory Lofts, where River City Roll Managing Member Rob Long is a resident. Furthermore, River City Roll's landlord, Boulevard Partners LLC, owns The Cookie Factory Lofts and is very sensitive to its residents. Due to the personal connection with The Cookie Factory Lofts, River City Roll will do all things possible to make sure that the residents are not disturbed, to include: no outdoor music on the patio and patio doors will be closed at midnight. Also, it is spelled out clearly in our lease with Boulevard Partners LLC that we will not have music play past 1:30am on weekend nights and that we are not permitted to have outdoor music. Furthermore, Boulevard Partners LLC has stated that they will never allow a tenant at 939 Myers Street to have music past these hours or entertainment on the patio that could disturb The Cookie Factory Loft dwellers.

> Page 7 April 24, 2018, Rob Long

Day	Mon	Tues	Weds	Thurs	Fri	Sat	Sun
Open	5:00 PM	5:00 PM	5:00 PM	5:00 PM	5:00 PM	11:00 AM	11:00 AM
Close	12:00 AM	12:00 AM	12:00 AM	12:00 AM	2:00 AM	2:00 AM	12:00 AM
Bartender	4	4	4	5	5	6	5
Server	10	10	10	10	12	12	12
Host	3	3	3	3	4	4	3
Busser/Runner	6	6	6	7	9	9	
Security	1	1	1	1	2	2	1
Utility	2	2	2	2	3	4	
Cook	6	6	6	7	8	10	
Security	2	2	2	2	3	3	
Total	34	.34	34	37	46	50	44

# Appendix 1 – Opening Staffing Plan

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2018,
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# **Appendix 3 - Security Guard Job Description**

## **Overview**

River City Roll is seeking a professional security guard to protect our premises, assets and personnel. You will maintain a high visibility presence and prevent all illegal or inappropriate actions. The goal is to detect, deter, observe and report.

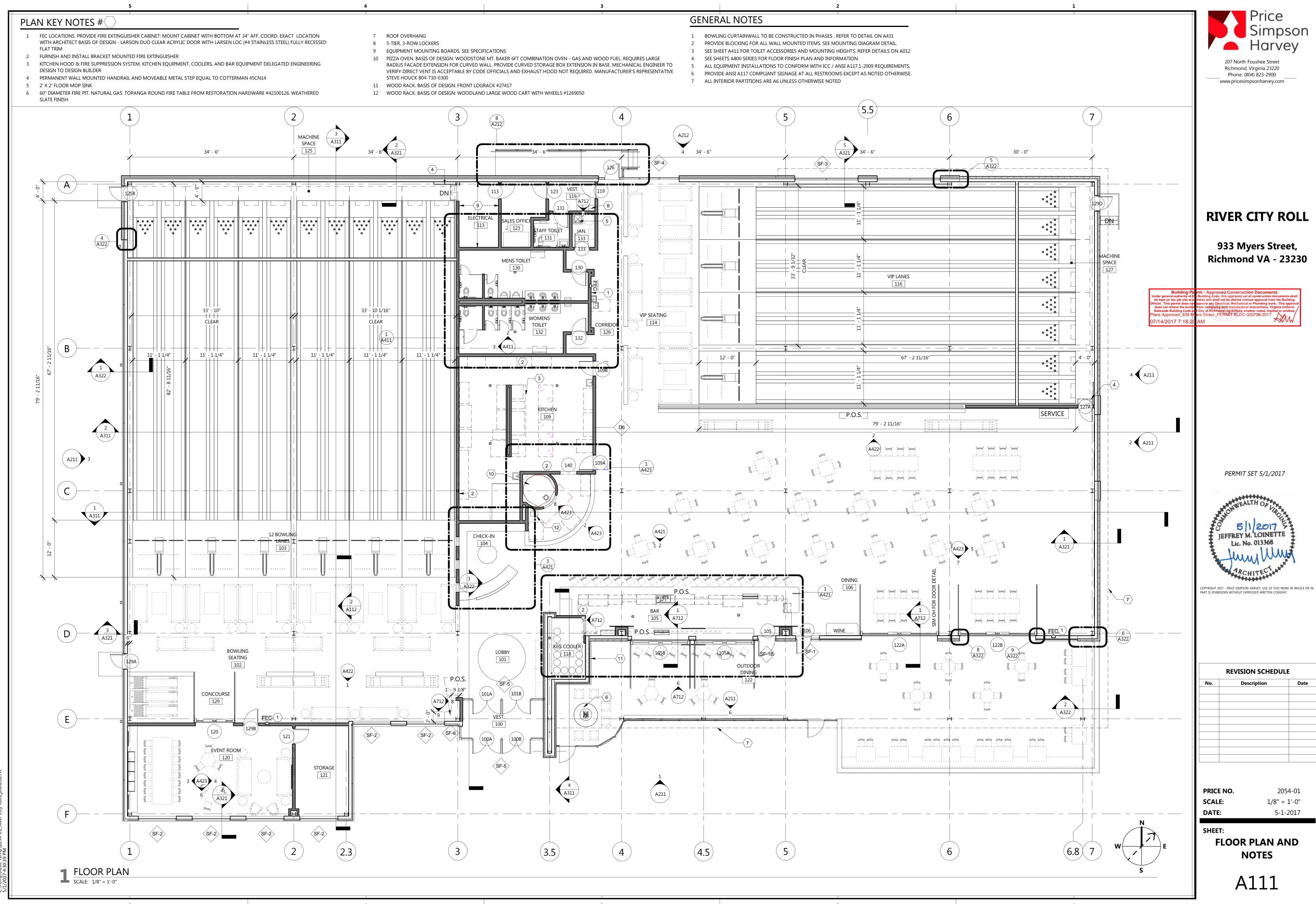
## Responsibilities

- Protect company's property and staff by maintaining a safe and secure environment
- Observe for signs of crime or disorder and investigate disturbances
- Act lawfully in direct defense of life or property
- Apprehend criminals and evict violators
- Take accurate notes of unusual occurrences
- Report in detail any suspicious incidents
- Patrol randomly or regularly building and perimeter
- Monitor and control access at building entrances and vehicle gates
- Watch alarm systems or cameras and operate detecting/emergency equipment
- Perform first aid or CPR

## Requirements

- 3-5 years of work experience as a security guard or relevant position
- Trained security officer with diploma
- Ability to operate detecting systems and emergency equipment
- Excellent knowledge of public safety and security procedures/protocols
- Surveillance skills and detail orientation
- Integrity and professionalism
- High school degree

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# <u>NOTES CORRESPONDING TO "SCHEDULE B – PART II"</u>

FILE NUMBER: 01262-7765

EXCEPTIONS 1 THROUGH 8 CONTAIN NO SURVEY INFORMATION TO BE PLOTTED HEREON.

- EXCEPTION 9 RIGHT, TITLE AND INTEREST IN THE OWNERSHIP OF THE RAILROAD TRACKS, RESERVED IN DEED RECORDED IN DEED BOOK 175, PAGE 682, CORRECTED IN DEED BOOK 184, PAGE 1071, AS CONTAINED IN DEEDS RECORDED IN DEED BOOK 281, PAGE 1779 AND IN DEED BOOK 325, PAGE 1724, AND ASSIGNMENT OF EASEMENT RECORDED IN INSTRUMENT No. 96–20459. VARIABLE WIDTH ASSIGNED EASEMENT IS PLOTTED HEREON.
- EXCEPTION 10 SEWER EASEMENT RECORDED IN DEED BOOK 180–B, PAGE 204. UNABLE TO DETERMINE EXACT LOCATION. NO PLAT PROVIDED THEREWITH.
- EXCEPTION 11 SEWER EASEMENT RECORDED IN DEED BOOK 195-A, PAGE 470 IS APPROXIMATELY PLOTTED HEREON.
- EXCEPTION 12 SEWER EASEMENT RECORDED IN DEED BOOK 346D, PAGE 471, IS APPROXIMATELY PLOTTED HEREON. NO VISIBLE EVIDENCE FOUND IN FIELD. 16' SEWER EASEMENT IN SUPPLEMENTAL AGREEMENT RECORDED IN DEED BOOK 772, PAGE 809 IS LOCATED OFFSITE AND PLOTTED HEREON.
- EXCEPTION 13 SEWER EASEMENT RECORDED IN DEED BOOK 380-C, PAGE 187 IS PLOTTED HEREON.
- EXCEPTION 14 SEWER EASEMENT RECORDED IN DEED BOOK 382-A, PAGE 460. CONTAINS NO SURVEY INFORMATION TO BE PLOTTED HEREON.
- EXCEPTION 15 APPROXIMATE LOCATION OF VEPCO POLE LINE EASEMENT RECORDED IN DEED BOOK 531–A, PAGE 426 IS PLOTTED HEREON.
- EXCEPTION 16 VEPCO POLE LINE EASEMENT RECORDED IN DEED BOOK 573D, PAGE 526. UNABLE TO DETERMINE EXACT LOCATION. NO PLAT PROVIDED THEREWITH.
- EXCEPTION 17 10' VEPCO EASEMENT RECORDED IN DEED BOOK 654–D, PAGE 655. UNABLE TO DETERMINE EXACT LOCATION. NO VISIBLE EVIDENCE OF UNDERGROUND UTILITIES FOUND IN FIELD.
- EXCEPTION 18 APPROXIMATE LOCATION OF VEPCO POLE LINE EASEMENT RECORDED IN DEED BOOK 660A PAGE 276 IS LOCATED OFFSITE AND PLOTTED HEREON.
- EXCEPTION 19 VARIABLE WIDTH ACCESS EASEMENT RECORDED AS INSTRUMENT No. 97-10134 IS PLOTTED HEREON.
- EXCEPTION 20 EASEMENTS AND RESTRICTIONS RECORDED AS INSTRUMENT No. 150017384. INGRESS/EGRESS EASEMENT FOR THE CRITICAL ACCESS DRIVE IS LOCATED OFFSITE.
- EXCEPTION 21 INGRESS/EGRESS EASEMENTS, PARKING EASEMENTS, TEMPORARY CONSTRUCTION EASEMENTS, ACCESS EASEMENTS RECORDED AS INSTRUMENT No. 170013586. INGRESS/EGRESS EASEMENT IS PLOTTED HEREON. VARIABLE WIDTH PARKING EASEMENT IS LOCATED OFFSITE AND PLOTTED HEREON.
- EXCEPTION 22 RIGHTS OF THE RAILROAD COMPANY SERVICING THE RAILROAD. CONTAINS NO SURVEY INFORMATION TO BE PLOTTED HEREON.
- EXCEPTION 23 TERMS AND PROVISIONS OF THE LEASE RECORDED AS INSTRUMENT No. 170027117. CONTAINS NO SURVEY INFORMATION TO BE PLOTTED HEREON.

#### FILE NUMBER: 01262-7765A

EXCEPTIONS 1 THROUGH 8 CONTAIN NO SURVEY INFORMATION TO BE PLOTTED HEREON.

EXCEPTION 9 – TERMS AND PROVISIONS OF THE LEASE RECORDED AS INSTRUMENT No. 170027117. CONTAINS NO SURVEY INFORMATION TO BE PLOTTED HEREON.

### GENERAL NOTES

_	CURRENT	OWNER	(S	/
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### PARCEL I

INTERBAKE PARTNERS RETAIL, LLC #949 MYERS STREET PARCEL N000–1482/003 INSTR. 1700–11422 <u>PARCEL II</u> BOULEVARD PARTNERS, LLC #939 MYERS STREET PARCEL N000-0481/044 INSTR. 1300-23396 <u>PARCEL III</u>

INTERBAKE PARTNERS RETAIL, LLC #950 TERMINAL PLACE PARCEL N000-1481/001 INSTR. 1700-11422

- THIS SURVEY WAS PREPARED WITH THE BENEFIT OF TWO TITLE REPORTS PROVIDED BY STEWART TITLE GUARANTY COMPANY, FILE No. 01262-7765, EFFECTIVE JANUARY 9, 2018, AND FILE No. 01262-7765A, EFFECTIVE MARCH 18, 2018.
- CIRCLED NUMBERS CORRESPOND TO EXCEPTIONS AS LISTED IN FILE No. 01262-7765, SCHEDULE B PART II THEREIN.
- THE SUBJECT PARCELS ARE WITHIN F.E.M.A. DEFINED FLOOD ZONE "X" PER COMMUNITY PANEL No. 5101290029D, DATED APRIL 2, 2009.

– TABULATION OF STRIPED PARKING SPACES ON THE SUBJECT PROPERTIES:

<u>PARCEL I</u>	<u>PARCEL_II</u>	<u>PARCEL_III</u>
6 REGULAR SPACES	134 REGULAR SPACES	NO PAINTED PARKING SPACES
<u>O HANDICAP SPACES</u>	<u>6 HANDICAP SPACES</u>	
6 TOTAL SPACES	140 TOTAL SPACES	

CHECKED BY: CMF SHEET 1 OF 4

REV. 03/29/2018

DATE: 02/06/2018 SCALE: AS NOTED

JOB: 56180003.00 DRAWN BY: WRL

- THE SUBJECT PARCELS ARE ZONED "TOD-1" (TRANSIT-ORIENTED NODAL DISTRICT) PER CITY OF RICHMOND ONLINE ZONING MAPS.

# LEGAL DESCRIPTION (PER TITLE COMMITMENT)

PARCEL I: (#949 MYERS STREET)

ALL THAT CERTAIN PARCEL OF LAND LYING AND BEING IN THE CITY OF RICHMOND, VIRGINIA, CURRENTLY KNOWN AS 949 MYERS STREET (PARCEL ID NO. N000–1482/003), CONTAINING 2.473 ACRES AND DESIGNATED AS NEW PARCEL II ON A PLAT MADE BY BALZER AND ASSOCIATES, INC., DATED JUNE 7, 2017, ENTITLED "COMPILED PLAT SHOWING A BOUNDARY LINE ADJUSTMENT BETWEEN #939 & #949 MYERS STREET, CITY OF RICHMOND, VIRGINIA," A COPY OF WHICH IS RECORDED IN THE CLERK'S OFFICE, CIRCUIT COURT, CITY OF RICHMOND, VIRGINIA, AS PLAT NO. 17–14B, REFERENCE TO WHICH IS MADE FOR A MORE PARTICULAR DESCRIPTION.

BEING THE SAME REAL ESTATE CONVEYED TO INTERBAKE PARTNERS RETAIL, LLC, A VIRGINIA LIMITED LIABILITY COMPANY, BY DEED FROM 949 MYERS STREET LLC, A VIRGINIA LIMITED LIABILITY COMPANY, DATED JUNE 2, 2017, RECORDED JUNE 5, 2017 IN THE AFORESAID CLERK'S OFFICE, AS INSTRUMENT NO. 170011423; AND BEING A PART OF THE SAME REAL ESTATE CONVEYED TO INTERBAKE RETAIL PARTNERS, LLC, A VIRGINIA LIMITED LIABILITY COMPANY, BY DEED FROM INTERBAKE PARTNERS, LLC (FORMERLY KNOWN AS REBKEE PARTNERS INTERBAKE LLC), A VIRGINIA LIMITED LIABILITY COMPANY, DATED MARCH 26, 2013, RECORDED MARCH 26, 2013 IN THE AFORESAID CLERK'S OFFICE, AS INSTRUMENT NO. 130006390 AND BY DEED OF CORRECTION, CORRECTING THE GRANTEE'S NAME TO BE INTERBAKE PARTNERS RETAIL, LLC, A VIRGINIA LIMITED LIABILITY COMPANY, DATED JUNE 2, 2017, RECORDED JUNE 5, 2017 IN THE AFORESAID CLERK'S OFFICE, AS INSTRUMENT NO. 170011422. REFERENCE IS ALSO MADE TO A DEED OF CONSOLIDATION AND BOUNDARY LINE ADJUSTMENT MADE BETWEEN BOULEVARD PARTNERS LLC, A VIRGINIA LIMITED LIABILITY COMPANY, AND INTERBAKE PARTNERS RETAIL, LLC, A VIRGINIA LIMITED LIABILITY COMPANY, AND INTERBAKE PARTNERS RETAIL, LLC, A VIRGINIA LIMITED LIABILITY COMPANY, DATED JUNE 5, 2017, RECORDED JUNE 5, 2017 IN THE AFORESAID CLERK'S OFFICE, AS INSTRUMENT NO. 170011422. REFERENCE IS ALSO MADE TO A DEED OF CONSOLIDATION AND BOUNDARY LINE ADJUSTMENT MADE BETWEEN BOULEVARD PARTNERS LLC, A VIRGINIA LIMITED LIABILITY COMPANY, AND INTERBAKE PARTNERS RETAIL, LLC, A VIRGINIA LIMITED LIABILITY COMPANY, DATED JUNE, 2017, RECORDED JUNE 18, 2017 IN THE AFORESAID CLERK'S OFFICE, AS INSTRUMENT NO. 170011962.

#### PARCEL II: (#939 MYERS STREET)

ALL THAT CERTAIN PARCEL OF LAND LYING AND BEING IN THE CITY OF RICHMOND, VIRGINIA, CURRENTLY KNOWN AS 939 MYERS STREET (PARCEL ID NO. N000–1481/044), CONTAINING 1.760 ACRES AND DESIGNATED AS NEW PARCEL I ON A PLAT MADE BY BALZER AND ASSOCIATES, INC., DATED JUNE 7, 2017, ENTITLED "COMPILED PLAT SHOWING A BOUNDARY LINE ADJUSTMENT BETWEEN #939 & #949 MYERS STREET, CITY OF RICHMOND, VIRGINIA," A COPY OF WHICH IS RECORDED IN THE CLERK'S OFFICE, CIRCUIT COURT, CITY OF RICHMOND, VIRGINIA, AS PLAT NO. 17–14B, REFERENCE TO WHICH IS MADE FOR A MORE PARTICULAR DESCRIPTION.

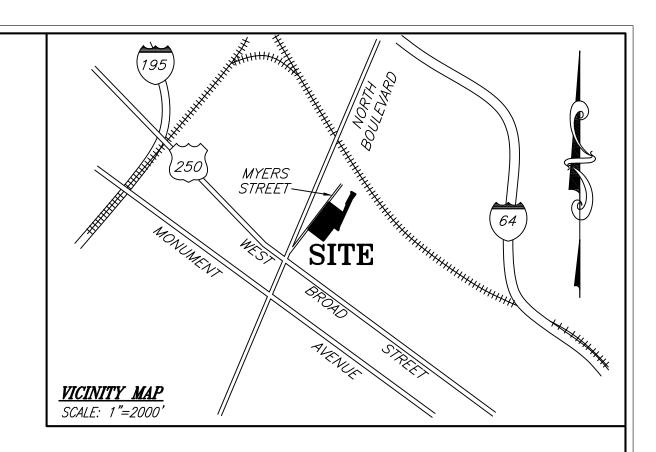
BEING THE SAME REAL ESTATE CONVEYED TO BOULEVARD PARTNERS, LLC, A VIRGINIA LIMITED LIABILITY COMPANY, BY A DEED FROM RUBISCO, LLC, A VIRGINIA LIMITED LIABILITY COMPANY, DATED OCTOBER 15, 2013, RECORDED OCTOBER 16, 2013 IN THE AFORESAID CLERK'S OFFICE, AS INSTRUMENT NO. 130023396, AND BY A DEED OF CONSOLIDATION AND BOUNDARY LINE ADJUSTMENT MADE BETWEEN BOULEVARD PARTNERS LLC, A VIRGINIA LIMITED LIABILITY COMPANY, AND INTERBAKE PARTNERS RETAIL, LLC, A VIRGINIA LIMITED LIABILITY COMPANY, DATED JUNE, 2017, RECORDED JUNE 18, 2017 IN THE AFORESAID CLERK'S OFFICE, AS INSTRUMENT NO. 170011962.

### PARCEL III: (#950 TERMINAL PLACE)

ALL THAT CERTAIN LOT, PIECE OR PARCEL OF LAND LYING AND BEING IN THE CITY OF RICHMOND, VIRGINIA, CONTAINING 32,221.2 SQUARE FEET OR 0.740 ACRE, AND SHOWN AS PARCEL "2" ON A PLAT OF SURVEY PREPARED BY BALZER ENTITLED "PROPERTY LINE MODIFICATION PLAT SHOWING TWO PARCELS OF LAND LYING SOUTH OF LEIGH STREET AND WEST OF TERMINAL PLACE CITY OF RICHMOND, VIRGINIA," ATTACHED TO THE DEED OF BOUNDARY LINE ADJUSTMENT DEED DATED MARCH 1, 2013, RECORDED MARCH 15, 2013 IN THE CLERK'S OFFICE, CIRCUIT COURT, CITY OF RICHMOND, VIRGINIA AS INSTRUMENT NO. 130005595.

BEING A PART OF THE SAME REAL ESTATE CONVEYED TO INTERBAKE RETAIL PARTNERS, LLC, A VIRGINIA LIMITED LIABILITY COMPANY, BY DEED FROM INTERBAKE PARTNERS, LLC (FORMERLY KNOWN AS REBKEE PARTNERS INTERBAKE LLC), A VIRGINIA LIMITED LIABILITY COMPANY, DATED MARCH 26, 2013, RECORDED MARCH 26, 2013 IN THE AFORESAID CLERK'S OFFICE, AS INSTRUMENT NO. 130006390 AND BY DEED OF CORRECTION, CORRECTING THE GRANTEE'S NAME TO BE INTERBAKE PARTNERS RETAIL, LLC, A VIRGINIA LIMITED LIABILITY COMPANY, DATED JUNE 2, 2017, RECORDED JUNE 5, 2017 IN THE AFORESAID CLERK'S OFFICE, AS INSTRUMENT NO. 170011422.

# THE PARCELS SHOWN HEREON ARE THE SAME AS DESCRIBED IN THE TITLE COMMITMENT.



# SURVEYOR'S CERTIFICATION

TO: SEVEN HILLS GROUP LLC, A VIRGINIA LIMITED LIABILITY COMPANY; 939 MYERS, LLC, A VIRGINIA LIMITED LIABILITY COMPANY; 947 MYERS, LLC, A VIRGINIA LIMITED LIABILITY COMPANY; VIRGINIA COMMONWEALTH BANK; AND STEWART TITLE GUARANTY COMPANY:

THIS IS TO CERTIFY THAT THIS MAP OR PLAT AND THE SURVEY ON WHICH IT IS BASED WERE MADE IN ACCORDANCE WITH THE 2016 MINIMUM STANDARD DETAIL REQUIREMENTS FOR ALTA/NSPS LAND TITLE SURVEYS, JOINTLY ESTABLISHED AND ADOPTED BY ALTA AND NSPS, AND INCLUDES ITEMS 1, 2, 3, 4, 7(a), 8, 9, 13, AND 14 OF TABLE "A" THEREOF.

THE FIELD WORK WAS COMPLETED ON JANUARY 25, 2018.

CHRISTOPHER M. FINLEY LIC. No.: 3375

LIC. No.: 3375 CFINLEY@BALZER.CC

<u>03/29/2018</u>



ALTA/NSPS LAND TITLE SURVEY OF THREE PARCELS OF LAND CONTAINING 4.973 ACRES OF LAND KNOWN AS #939 & #949 MYERS STREET AND #950 TERMINAL PLACE BEING PARCELS NOOD-1481/044, NOOD-1482/003 & NOOO-1481/001 CITY OF RICHMOND, VIRGINIA



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