

INTRODUCED: September 10, 2018

AN ORDINANCE No. 2018-249

To authorize the special use of the property known as 4022 Midlothian Turnpike for the purpose of perimeter fencing, upon certain terms and conditions.

Patron – Mayor Stoney (By Request)

Approved as to form and legality
by the City Attorney

PUBLIC HEARING: OCT 8 2018 AT 6 P.M.

WHEREAS, the owner of the property known as 4022 Midlothian Turnpike, which is situated in a R-53 Multifamily Residential District, desires to use such property for the purpose of perimeter fencing, which use, among other things, does not satisfy the landscape buffer requirement for parking areas in section 30-710.13 of the Code of the City of Richmond (2015), as amended; and

WHEREAS, in accordance with section 17.11 of the Charter of the City of Richmond (2018), as amended, it has been made to appear that, if granted subject to the terms and conditions set forth in this ordinance, the special use granted by this ordinance will not be detrimental to the safety, health, morals and general welfare of the community involved, will not tend to create

AYES: 9 NOES: 0 ABSTAIN: _____

ADOPTED: OCT 8 2018 REJECTED: _____ STRICKEN: _____

congestion in streets, roads, alleys and other public ways and places in the area involved, will not create hazards from fire, panic or other dangers, will not tend to overcrowding of land and cause an undue concentration of population, will not adversely affect or interfere with public or private schools, parks, playgrounds, water supplies, sewage disposal, transportation or other public requirements, conveniences and improvements, and will not interfere with adequate light and air; 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 30-1050.1 of the Code of the City of Richmond (2015), as amended, the Council hereby finds that the special use set forth in and subject to the terms and conditions of this ordinance will not (i) be detrimental to the safety, health, morals and general welfare of the community involved, (ii) tend to create congestion in streets, roads, alleys and other public ways and places in the area involved, (iii) create hazards from fire, panic or other dangers, (iv) tend to overcrowding of land and cause an undue concentration of population, (v) adversely affect or interfere with public or private schools, parks, playgrounds, water supplies, sewage disposal, transportation or other public requirements, conveniences and improvements, or (vi) interfere with adequate light and air.

§ 2. **Grant of Special Use Permit.**

(a) Subject to the terms and conditions set forth in this ordinance, the property known as 4022 Midlothian Turnpike and identified as Tax Parcel No. S004-3294/001 in the 2018 records of the City Assessor, being more particularly shown on a survey entitled “ALTA / NSPS Land Title Survey for Midlothian Village,” prepared by Partner Engineering and Science, Inc., dated December 22, 2017, and last revised December 28, 2017, 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 existing multifamily dwellings and accessory uses with perimeter fencing, hereinafter referred to as “the Special Use,” substantially as shown on the plans entitled “The Belt Atlantic,” prepared by ebersoldt & associates architecture, dated February 28, 2018, and last revised on June 25, 2018, hereinafter referred to as “the Plans,” copies of which are attached to and made a part of this ordinance.

(b) The adoption of this ordinance shall constitute the issuance of a special use permit for the Property. The special 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 special use permit is conditioned on the following special terms and conditions:

(a) The Special Use of the Property shall be as existing multifamily dwellings and accessory uses with perimeter fencing, substantially as shown on the Plans.

(b) The perimeter fencing's materials and dimensions shall be substantially as shown on the Plans, with such changes as may be approved by the Director of Planning and Development Review, in accordance with applicable law.

(c) Prior to removal of existing landscaping from the Property, a landscape plan shall be submitted to and must be approved by the Director of Planning and Development Review. The landscape plan must indicate the existing landscaping to be retained and removed and the proposed locations of replacement landscaping.

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

(a) All required final grading and drainage plans, together with all easements made necessary by such plans, must be approved by the Director of Public Utilities prior to the issuance of the building permit.

(b) 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 any other property or public streets and the use thereof.

(c) 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.

(d) 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.

(e) 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 special use permit is conditioned on the following general terms and conditions:

(a) 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 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 special 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 30-1050.7 through 30-1050.11 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 special use permit granted hereby becomes null and void, whether as a result of the Owner relinquishing this special 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 building permit substantially in accordance with the Plans for the Special Use subject to the terms and conditions set forth in this ordinance. An application for the building permit shall be made within 730 calendar days following the date on which this ordinance becomes effective. If either the application for the building permit is not made within the time period stated in the previous sentence or the building permit terminates under any provision of the Virginia Statewide Building Code, this ordinance and the special 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.2018.311

O & R REQUEST

4-8079

AUG 15 2018

Office of the
Chief Administrative Officer

O & R Request

DATE: August 14, 2018

TO: The Honorable Members of City Council

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

THROUGH: Selena Cuffee Glenn, Chief Administrative Officer

THROUGH: Douglas C. Dunlap, Interim Deputy Chief Administrative Officer for Economic Development and Planning

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

RE: To authorize the special use of the property known as 4022 Midlothian Turnpike for the purpose of perimeter fencing, upon certain terms and conditions.

EDITION:1

RECEIVED

AUG 29 2018

OFFICE OF CITY ATTORNEY

ORD. OR RES. No. _____

PURPOSE: To authorize the special use of the property known as 4022 Midlothian Turnpike for the purpose of perimeter fencing, upon certain terms and conditions.

REASON: The applicant is renovating an existing multi-family development. Perimeter fencing for the development would not satisfy the landscape buffer requirement for parking areas. A special 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 October 1, 2018, meeting. A letter outlining the Commission's recommendation will be forwarded to City Council following that meeting.

BACKGROUND: The proposed development is located at on the intersection of Midlothian Turnpike and

Wythemar Street, in the Swansboro West neighborhood in the City's Old South Planning District. The property is comprised of 9.5 acres, and is currently improved with a 216-unit apartment complex.

The City of Richmond's current Land Use Plan designates a land use category for the subject property as Multi-family Medium Density. "Primary uses are multi-family dwellings at densities up to 20 units per acre. Includes day nurseries, adult day care and residential support uses such as schools, places of worship, neighborhood parks and recreation facilities, and limited public and semi-public uses" (City of Richmond Master Plan, p. 133).

The City's Zoning Ordinance designates this property as R-53 (Multi-family Residential). Citing the need to allow for clear lines of site throughout the property in order to improve safety within the community, the applicant is seeking relief from Section 30-710.13 of the Zoning Ordinance regarding buffering for parking areas. This special use permit would allow perimeter fencing along parking areas that does not include landscaping.

Adjacent and nearby properties are a combination of large areas of R-5 and R-4 Single-Family Residential Districts with some M-1 Light Industrial and B-3 General Business Districts occupying the adjacent areas to the south and west respectively. A mix of commercial, industrial, vacant, institutional, and single-family residential land uses are present in the vicinity of the subject property.

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

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

BUDGET AMENDMENT NECESSARY: No

REVENUE TO CITY: \$2,400 application fee

DESIRED EFFECTIVE DATE: Upon Adoption

REQUESTED INTRODUCTION DATE: September 10, 2018

CITY COUNCIL PUBLIC HEARING DATE: October 8, 2018

REQUESTED AGENDA: Consent

RECOMMENDED COUNCIL COMMITTEE: None

CONSIDERATION BY OTHER GOVERNMENTAL ENTITIES: City Planning Commission, October 1, 2018

AFFECTED AGENCIES: Office of Chief Administrative Officer
Law Department (for review of draft ordinance)
City Assessor (for preparation of mailing labels for public notice)

RELATIONSHIP TO EXISTING ORD. OR RES.: None

REQUIRED CHANGES TO WORK PROGRAM(S): None

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

STAFF: Matthew Ebinger, Principal Planner
Land Use Administration (Room 511) 646-6304

PDR O&R 18-54



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: 4000 - 4034 Midlothian Turnpike Date: 05.02.2016
Tax Map #: 50043294001 & 50043294001B Fee: 2400.00
Total area of affected site in acres: 9.74

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

Zoning

Current Zoning: R-53 Multifamily Residential
Existing Use: Multifamily apartment complex (216 units)

Proposed Use

(Please include a detailed description of the proposed use in the required applicant's report)
No change in use - renovation to existing dwelling unit buildings - no increase in SF

Existing Use: Multifamily apartment complex (216 units)

Is this property subject to any previous land use cases?

Yes No If Yes, please list the Ordinance Number: _____

Applicant/Contact Person: Melissa Cox

Company: Ebersold + Associates Architecture
Mailing Address: 1214 Washington Avenue
City: St Louis State: MO Zip Code: 63103
Telephone: (314) 241-4566 Fax: (314) 241-4939
Email: mcox@eplusa-arch.com

Property Owner: Midlothian Community Partners, LP

If Business Entity, name and title of authorized signee: Sam Gellis

(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: 17782 Sky Park Circle
City: Irvine State: CA Zip Code: 92614
Telephone: (949) 2368280 Fax: ()
Email: smellis@cpp-housing.com

Property Owner Signature:

The names, addresses, telephone numbers and signatures of all owners of the property are required. Please attach additional sheets as needed. If a legal representative signs for a property owner, please attach an executed power of attorney. **Faxed or photocopied signatures will not be accepted.**

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 Application

Re: Midlothian Village Apartments (to be renamed The Belt Atlantic)
4000 - 4034 Midlothian Turnpike
Richmond, VA 23224

The above referenced property is an existing apartment complex with no proposed change to use or building square footage. The site is currently zoned R-53 Multifamily Residential and is either fully conforming or legally non-conforming with all current zoning ordinances, with the exception of parking screening. The requirement for visually screening the parking lots has been in place since the original construction of the buildings in the early 1970s. The ordinance requires either a continuous evergreen vegetative screen or an opaque structural screen. The current vegetation has deteriorated so as not to be considered continuous and the fencing is not solid and does not obstruct the views into the property.

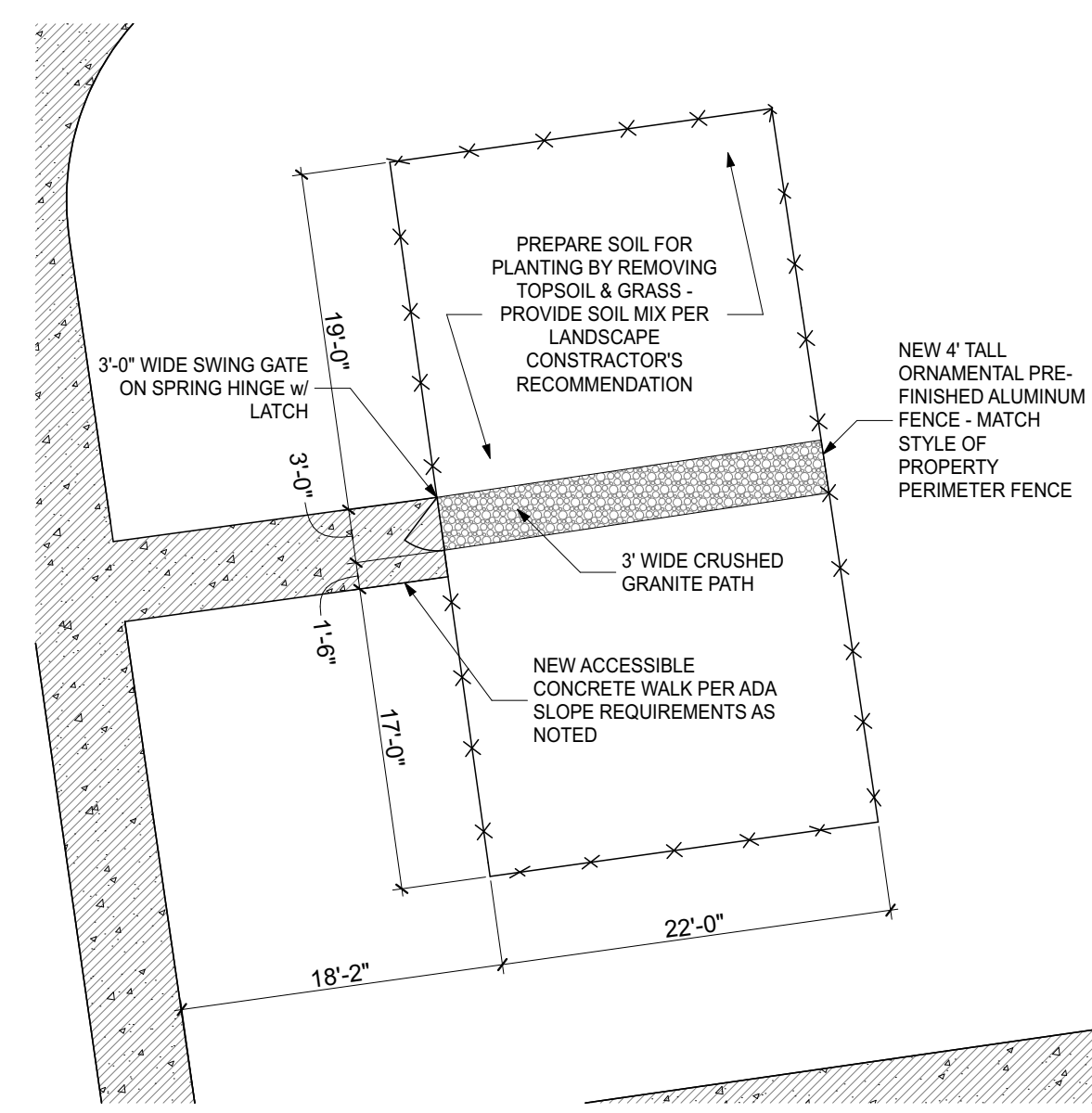
The property has recently been sold and the new owner is planning an extensive renovation to address deferred maintenance items as well as security and crime issues. The owner had a consultant look at measures that could be taken on the site to address security, and landscaping is a major item that can help improve security, as it currently is so dense and overgrown within the site that it prohibits visibility and may make residents feel more vulnerable. It is the intent to clean up the landscaping and provide new where warranted, within the site as well as at the perimeter, but also to improve the line of sight across the property with shrubbery kept low and tree canopies kept high. Cutting off view of the site from outside the property lines would not be positive for the activity the owner is trying to eliminate. Both the Virginia Housing Development Authority and the local councilman are in support of improving the visibility into and across the site from the perimeter as a means of discouraging criminal activity, and it would be in the best interest of the residents and surrounding properties to reduce negative activities on this site.

The zoning code requirement from which we are seeking relief is Section 30-710.13 Perimeter Buffers.

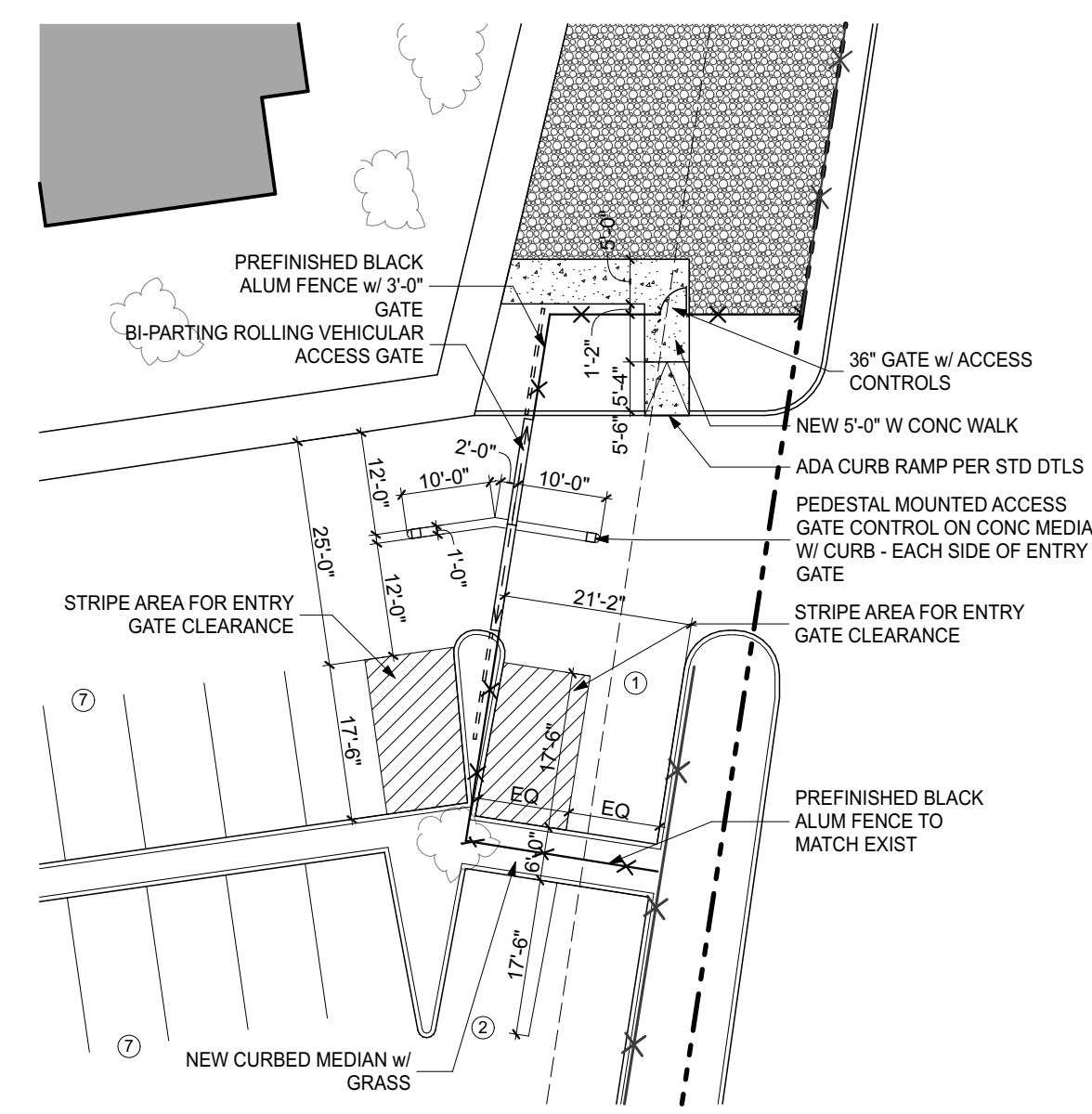
Please feel free to contact me with any questions or to discuss further.

Best regards,

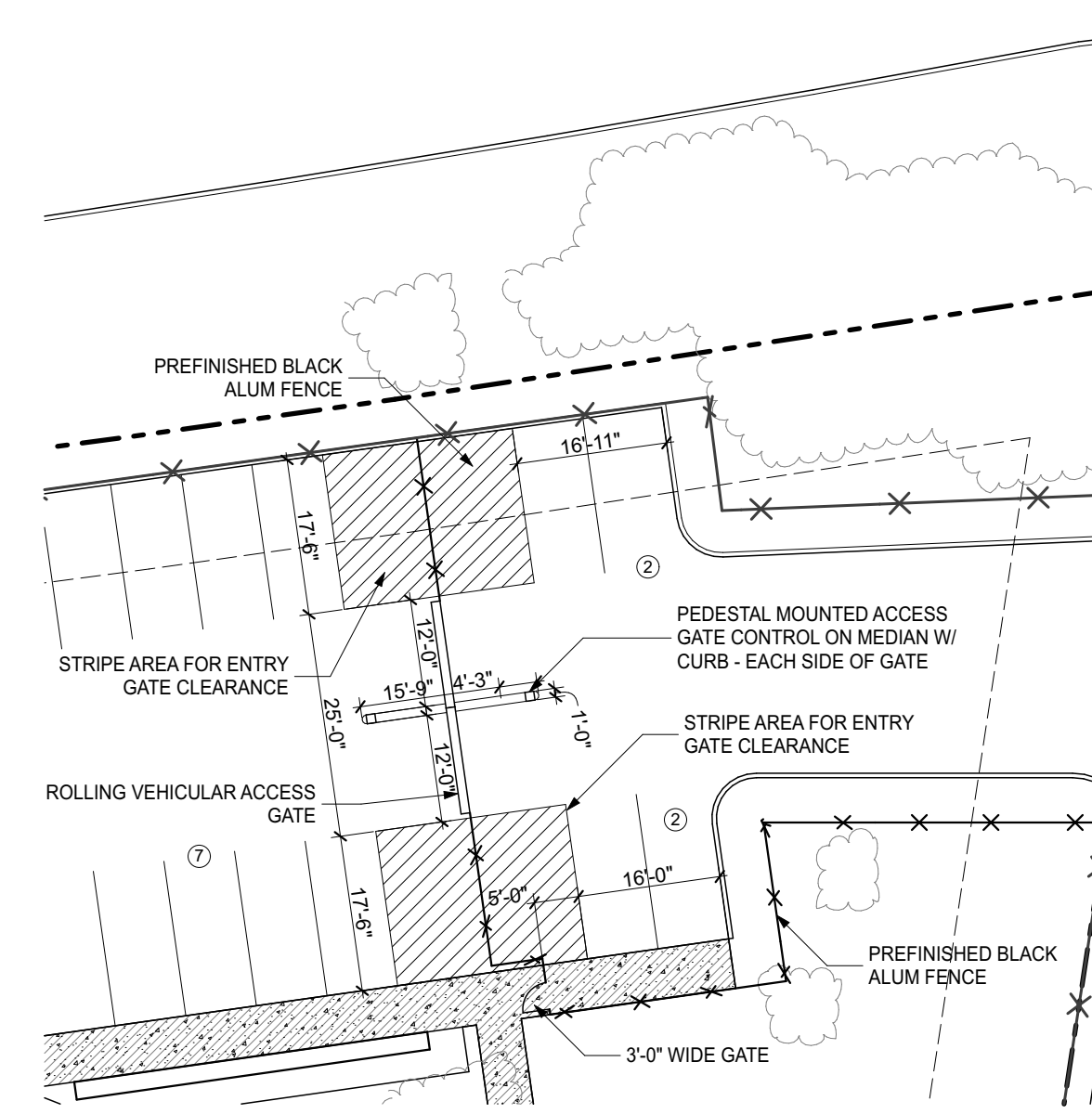
Melissa Cox, AIA, NCARB



4 COMMUNITY GARDEN PLAN
SCALE: 1" = 10'



3 ENLARGED ENTRY GATE PLAN
SCALE: 1" = 20'



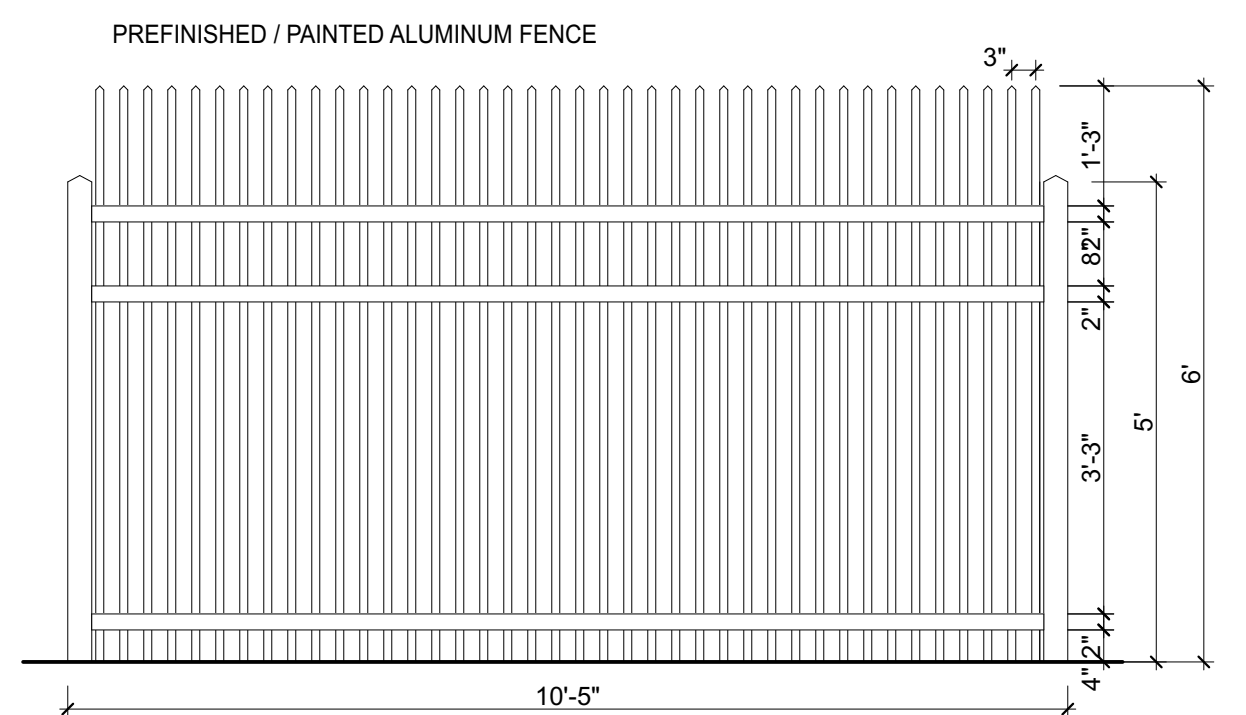
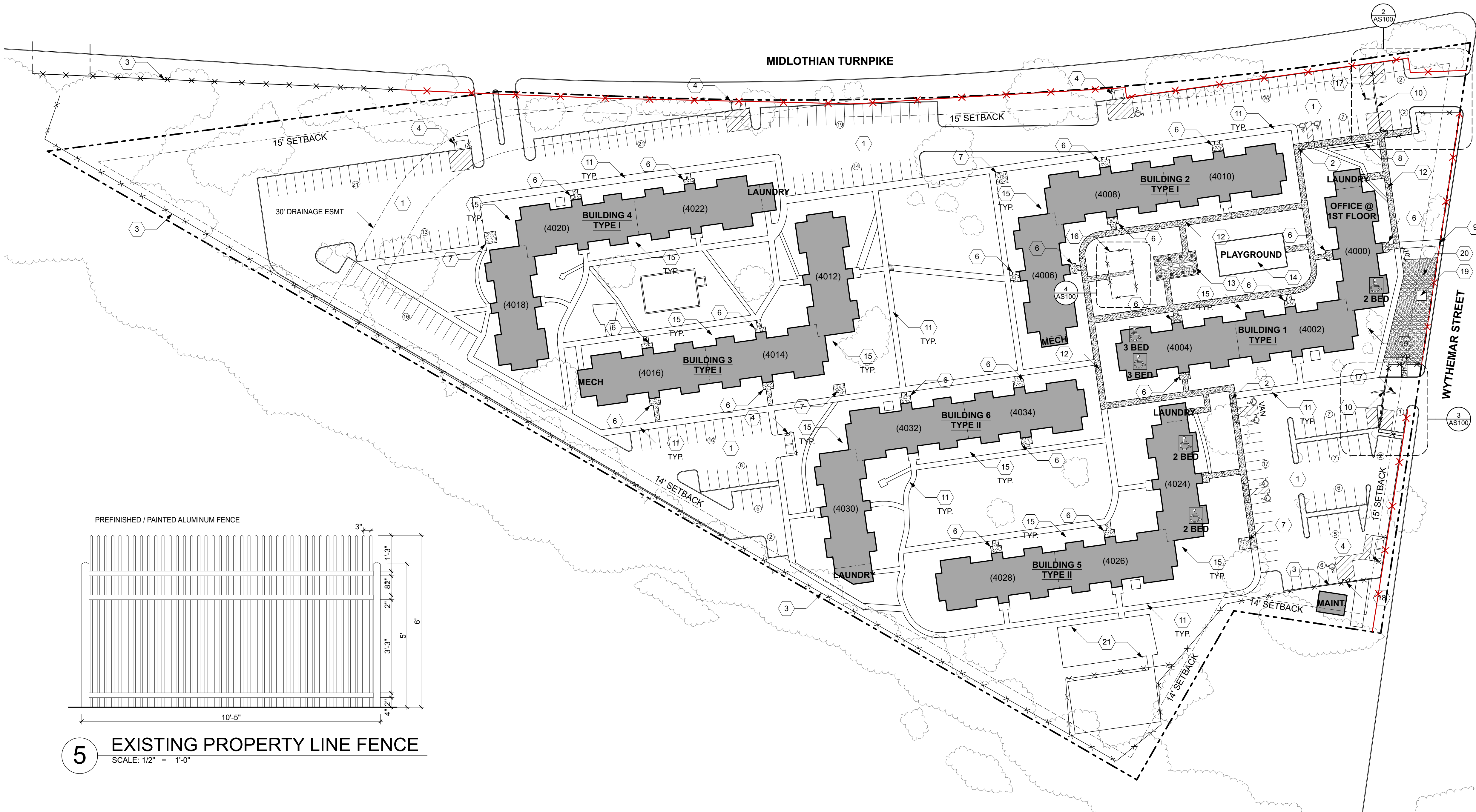
2 ENLARGED ENTRY GATE PLAN
SCALE: 1" = 20'

LEGEND

- NEW ASPHALT PAVEMENT
- NEW CONCRETE
- EXISTING BUILDING
- PROPERTY LINE
- EXISTING FENCE
- NEW FENCE
- EXISTING PAINTED ALUM FENCE PER DETAIL 5/AS100
- TYPE 'A' ACCESSIBLE UNIT
- ACCESSIBLE PARKING STALL
- ACCESSIBLE ROUTE - MAX 5% SLOPE & 2% CROSS SLOPE
- EXISTING TREE / LANDSCAPING (LOCATION APPROXIMATE)

- GENERAL ARCHITECTURAL SITE PLAN NOTES:**
- A) DO NOT SCALE DRAWINGS EXCEPT FOR GENERAL BIDDING PURPOSES. CONTRACTOR TO FIELD VERIFY EXISTING CONDITIONS & DIMENSIONS. NOTIFY ARCHITECT OF ANY DISCREPANCIES FOUND AMONG THE DOCUMENTS.
 - B) ALL DIMENSIONS ARE FROM OUTSIDE FACE OF CURB, UNLESS NOTED OTHERWISE.
 - C) THE FINISH FLOOR (OR LANDING) ON EACH SIDE OF TYPE 'A' UNIT ENTRIES, LEASING OFFICE / COMMUNITY CENTER, & COMMON LAUNDRY ROOMS SHALL BE LEVEL W/ MAX 2% SLOPE IN ANY DIRECTION (FOR DRAINAGE). THRESHOLDS NOT TO EXCEED 1/2" IN HEIGHT & ARE TO BE BEVELED AT 1:2 SLOPE MAX.
 - D) ALL BUILDING DOWNSPOUTS MUST DISCHARGE MIN 5'-0" FROM FACE OF BUILDING FOUNDATION. PROVIDE SPLASH BLOCKS OR EXTENSIONS.
 - E) TRIM ALL CONIFEROUS TREES AROUND BUILDING BASES TO MAINTAIN A 3' CLEARANCE BETWEEN TREE AND BUILDING FACE.
 - F) TRIM TREE CANOPIES SO THEY HANG NO LOWER THAN 8' ABOVE GRADE, FOR VISIBILITY.
 - G) TRIM SHRUBBERY/BUSHES AROUND BUILDING BASES TO MAX 3' IN HEIGHT.

- KEYED SITE PLAN NOTES:**
- 1 EXISTING PARKING LOT & DRIVE AISLES TO RECEIVE SEAL COAT W/ NEW STRIPING PER PARKING LAYOUT SHOWN. PROVIDE NEW ADA PARKING SIGNAGE PER 6/AS101.
 - 2 PROVIDE NEW ACCESSIBLE CONCRETE WALK & CURB CUT FROM ACCESSIBLE PARKING STALLS TO TYPE 'A' UNIT ENTRIES - MAX SLOPE OF 5% W/ 2% CROSS SLOPE.
 - 3 REMOVE & REPLACE CHAIN LINK FENCING ALONG SOUTH PROPERTY LINE - PROVIDE PRE-FINISHED BLACK ALUM FENCE TO MATCH STYLE OF EXISTING.
 - 4 PROVIDE NEW PRE-FINISHED BLACK ALUM FENCE W/ PERFORATED INFILL PANELS @ EXISTING 3-SIDED DUMPSTER ENCLOSURES. REMOVE WOOD FENCING WHERE OCCURS.
 - 5 REMOVE & REPLACE ALL BUILDING MOUNTED FLOOD LIGHTING - NEW FIXTURES SHALL BE LED W/ LUMEN OUTPUT GREATER THAN EXISTING FIXTURE & BE ENERGY STAR CERTIFIED.
 - 6 DEMOLISH & REMOVE EXISTING CONCRETE PAVERS & RETAINING WALL BLOCK @ BREEZEWAY ENTRIES WHEREVER EXISTING (BOTH COURTYARD & PARKING LOT SIDES), RE-GRADE ADJACENT GRASS AREAS AS REQ'D TO ELIMINATE RETAINING WALLS & ACHIEVE PROPER DRAINAGE. SEE DETAIL 14/AS101 FOR ACCESSIBLE BREEZEWAY RAMP GUIDELINES.
 - 7 PROVIDE BIKE RACK ON NEW 10' X 10' CONC SLAB PER DETAILS (FOUR TOTAL). PROVIDE PREFAB ALUMWOOD COVER @ ALL LOCATIONS.
 - 8 REMOVE & REPLACE ALL MAILBOXES & PARCELS @ MAIL KIOSK - PROVIDE 4C TYPE BOXES & PARCELS PER USPS RATIO REQUIREMENTS.
 - 9 PROVIDE NEW ACCESS CONTROLLED PEDESTRIAN GATE @ EXISTING FENCE.
 - 10 PROVIDE NEW VEHICULAR GATE W/ ACCESS CONTROLS - TIE INTO EXISTING FENCING (2 LOCATIONS) & MATCH EXISTING FENCE STYLE.
 - 11 PROVIDE CONCRETE SIDEWALK REPAIRS PER \$30,000 ALLOWANCE.
 - 12 PROVIDE NEW 5' WIDE CONC WALKS TO COMMON AMENITIES AS SHOWN BY HATCH - MAX 5% SLOPE W/ 2% CROSS SLOPE.
 - 13 PROVIDE NEW 35' X 20' PREFAB ALUMWOOD PATIO COVER W/ SLAB ON GRADE & CAST CONCRETE PICNIC TABLES. REF SITE DETAILS.
 - 14 PROVIDE NEW FALL SURFACE W/ CAST IN PLACE CONC CONTAINMENT CURB @ EXIST PLAY EQUIPMENT. PLAY STRUCTURE TO BE PREPPED & PAINTED. ANY EXIST SURFACING MATERIAL & CONTAINMENT CURB TO BE REMOVED ENTIRELY. REF CURB DETAIL ON AS101.
 - 15 PROVIDE NEW LANDSCAPING PER \$35,000 ALLOWANCE.
 - 16 PROVIDE NEW 850 SF COMMUNITY GARDEN W/ 4' TALL MTL FENCE W/ 3'-0" WIDE GATE - PROVIDE HOSE BIB ON ADJACENT BUILDING & TOOL STORAGE IN NEARBY COMMON LAUNDRY ROOM.
 - 17 PROVIDE 12" WIDE X 20' LONG MEDIAN W/ CURB @ GATE CENTER - PROVIDE PEDESTAL MOUNTED ACCESS CONTROL FOR GATE @ EACH SIDE.
 - 18 6'-0" WIDE DOUBLE GATE @ NEW STL FENCING FOR MAINTENANCE BUILDING ACCESS.
 - 19 EXISTING BUS STOP SHELTER - NO WORK
 - 20 2500 SF OF GRAVEL SPREAD OVER EXISTING GRADE AROUND BUS SHELTER.
 - 21 PROVIDE ASPHALT PATCH & REPAIR @ BASKETBALL COURT & INSTALL NEW POLES & HOOPS.



5 EXISTING PROPERTY LINE FENCE
SCALE: 1/2" = 1'-0"

1 ARCHITECTURAL SITE PLAN
SCALE: 1" = 50'

ebersoldt + associates
architecture
1214 WASHINGTON AVENUE
ST. LOUIS, MO 63103
314 + 241 4566 P
314 + 241 4599 F
WWW.EPLUSA-ARCH.COM
MO CERT OF AUTH: 2007030600

These drawings have been prepared by ebersoldt + associates architecture and contain proprietary and confidential information. The use of these drawings or the underlying design concepts without the prior written consent of ebersoldt + associates is prohibited. These drawings and specifications have been prepared for use on a specific project. Each project is unique and the drawings and specifications are not to be used on any other project without the prior written consent of ebersoldt + associates. ebersoldt + associates architecture is not responsible for any errors or omissions in these drawings or specifications or for any consequences arising from their use. © COPYRIGHT 2018 EBERSOLDT + ASSOCIATES, LLC

COMMONWEALTH OF VIRGINIA
MECHANICAL
ARCHITECT
No. 0401018848
MELISSA J. COX
MECHANICAL ARCHITECT
0401018848

THE BELT ATLANTIC
4000 MIDLOTHIAN TURNPIKE
RICHMOND, VA 23224
MIDLOTHIAN COMMUNITY PARTNERS, LP
17782 SKY PARK CIRCLE IRVINE CA 92614

IF THE ABOVE DIMENSION DOES NOT MEASURE ONE INCH (1") EXACTLY, THIS DRAWING WILL HAVE BEEN ENLARGED OR REDUCED, AFFECTING ALL LABELED SCALES.

ISSUE DESCRIPTION	DATE
PERMIT SET	02/28/18
CONSTRUCTION SET	05/01/18

REVISIONS	
DESCRIPTION	DATE
AS1 2	06/06/18
SUP PERMIT REV	06/25/18

SCALE: AS NOTED
JOB: 17-23-022

AS100
PLOTTED ON: 6/25/18

ARCHITECTURAL SITE PLAN

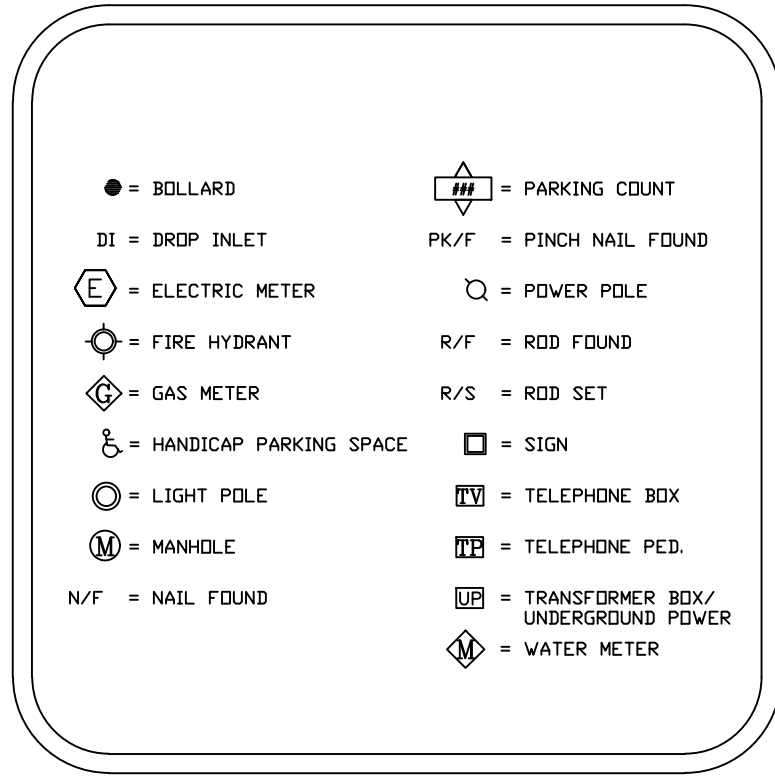
ZONING INFORMATION

ZONE: R-53 (MULTI RESIDENTIAL DISTRICT)

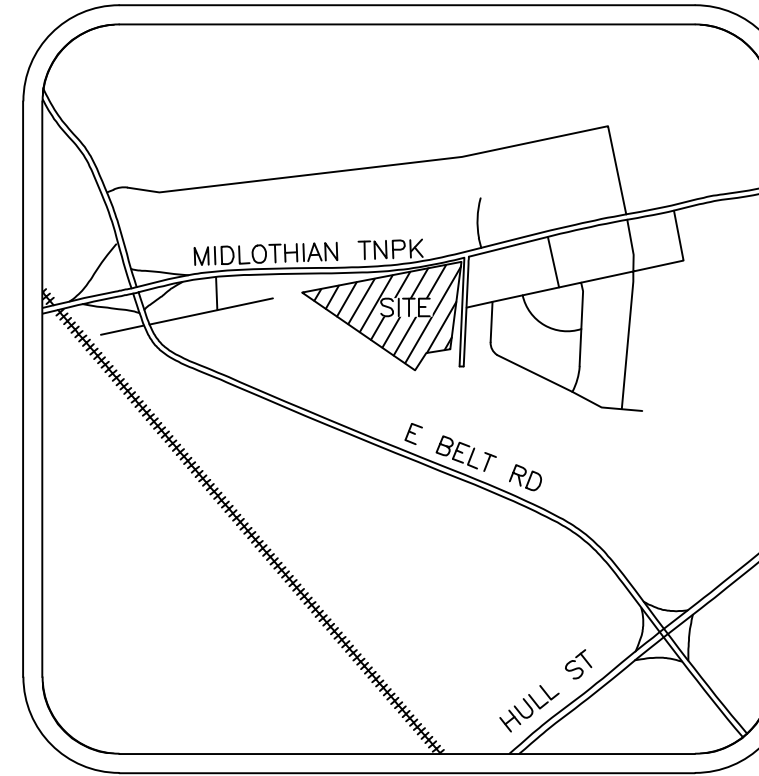
AREA REGULATION		
FRONT SETBACK:	15 FT	CONFORMING
SIDE SETBACK:	15 FT	CONFORMING
REAR SETBACK:	15 FT	CONFORMING
DISTANCE BETWEEN BUILDINGS:	15 FT	CONFORMING
MAX LOT COVERAGE:	60%	CONFORMING
MAX HEIGHT:	60 FT	CONFORMING

PARKING REQUIREMENTS	
TOTAL REQUIRED PARKING:	1.5 SPACES PER UNIT, 216 UNITS, 324
DEFICIENT PARKING:	116
PARKING STATUS IS LEGAL NONCONFORMING	

ZONING REPORT PREPARED BY PARTNER ENGINEERING AND SCIENCE, INC. ON NOVEMBER 22, 2017.



LEGEND



VICINITY MAP

SURVEY RELATED ITEMS CORRESPONDING TO SCHEDULE B TITLE COMMITMENT

11. EASEMENT GRANTED FROM MIDLOTHIAN LIMITED PARTNERSHIP TO C&P BY INSTRUMENT DATED MAY 19, 1972 RECORDED JUNE 20, 1972 IN BOOK 400 PAGE 410. (SERVES PROPERTY. PLOTTED HEREON.)
12. AGREEMENT BETWEEN MIDLOTHIAN LIMITED PARTNERSHIP AND VIRGINIA ELECTRIC AND POWER COMPANY BY INSTRUMENT DATED MAY 16, 1972 RECORDED ON MAY 22, 1974 IN BOOK 443 PAGE 568. (SERVES PROPERTY. PLOTTED HEREON.)
13. DEED OF EASEMENT GRANTED FROM MIDLOTHIAN LIMITED PARTNERSHIP, A VIRGINIA LIMITED PARTNERSHIP TO CITY OF RICHMOND BY INSTRUMENT DATED NOVEMBER 12, 1975 RECORDED NOVEMBER 24, 1975 IN BOOK 475 PAGE 417. (SERVES PROPERTY. PLOTTED HEREON.)
14. DEED OF DEDICATION BY INSTRUMENT ACCEPTED MARCH 11, 1976 IN BOOK 482 PAGE 684. (SERVES PROPERTY. PLOTTED HEREON.)
15. EXTENDED USE REGULATORY AGREEMENT AND DECLARATION OF RESTRICTIVE COVENANTS DATED JULY 3, 2001 RECORDED ON DECEMBER 28, 2001 IN INSTRUMENT NO. 010035495 AND ANY AMENDMENTS THERETO, BUT OMITTING ANY COVENANTS OR RESTRICTIONS, IF ANY, BASED UPON RACE, COLOR, RELIGION, SEX, SEXUAL ORIENTATION, FAMILIAL STATUS, MARITAL STATUS, DISABILITY, HANDICAP, NATIONAL ORIGIN, ANCESTRY, OR SOURCE OF INCOME, AS SET FORTH IN APPLICABLE STATE OR FEDERAL LAWS, EXCEPT TO THE EXTENT THAT SAID COVENANT OR RESTRICTION IS PERMITTED BY APPLICABLE LAW. (AGREEMENT NOT PLOTTABLE.)
16. 236(E)(2) USE AGREEMENT DATED DECEMBER 28, 2001 RECORDED ON DECEMBER 28, 2001 IN INSTRUMENT NO. 010035496. AMENDED AT INSTRUMENT NO. 110010116. (AGREEMENT NOT PLOTTABLE.)
17. ALL CONDITIONS, MATTERS, EASEMENTS AND SETBACK LINES AS SET FORTH ON PLAT RECORDED IN PLAT BOOK 8 PAGE 127. (NOT PLOTTED)

TITLE LEGAL DESCRIPTION

ALL THAT CERTAIN LOT, PIECE OR PARCEL OF LAND, WITH THE BUILDINGS AND IMPROVEMENTS THEREON ERECTED, SITUATE, LYING AND BEING IN THE CITY OF RICHMOND, COMMONWEALTH OF VIRGINIA.

BEGINNING AT A POINT ON SOUTH SIDE OF PROPERTY OWNED BY CITY OF RICHMOND PUBLIC WORKS AT NORTH LINE OF PROPERTY OWNED BY CSX TRANSPORTATION, INC.; THENCE ALONG SOUTH SIDE OF PROPERTY OWNED BY CITY OF RICHMOND PUBLIC WORKS N 82°51'20" E - 398.03' TO A POINT AT SOUTH LINE OF MIDLOTHIAN TURNPIKE; THENCE CONTINUING ALONG SAID LINE S87°13'40" E - 100.30' TO A POINT; THENCE CONTINUING ALONG SAID LINE ALONG A CURVE TO THE LEFT HAVING A RADIUS OF 3578.13' FOR A DISTANCE OF 659.89' TO A POINT; THENCE CONTINUING ALONG SAID LINE N 82°12'20" E - 90.39' TO NORTHWEST INTERSECTION OF MIDLOTHIAN TURNPIKE AND WYTHEMAR AVENUE; THENCE ALONG WEST SIDE OF WYTHEMAR AVENUE S9°00'00" W - 518.71' TO NORTH LINE OF PROPERTY OWNED BY CITY OF RICHMOND PUBLIC UTILITIES; THENCE ALONG SAID LINE N81°00'00" W - 130.00' TO A POINT; THENCE CONTINUING ALONG SAID LINE S 30°15'50" W - 170.00' TO A POINT IN NORTH LINE OF PROPERTY OWNED BY CSX TRANSPORTATION INC.; THENCE ALONG SAID LINE N 59°44'10" W - 1097.34' TO A POINT ON SOUTH SIDE OF PROPERTY OWNED BY CITY OF RICHMOND PUBLIC WORKS, SAID POINT OF BEGINNING.

THE ABOVE DESCRIBED PARCEL IS THE SAME LAND DESCRIBED IN STEWART TITLE GUARANTY COMPANY, COMMITMENT NUMBER: MTAVA-122979, EFFECTIVE SEPTEMBER 13, 2017 12:00 AM.

MISCELLANEOUS NOTES

- N1 THE BASIS OF BEARINGS OF THIS SURVEY IS BASED ON SURVEY BY ROBERT T. ADDISON, DATED 11/15/12.
 - N2 THE TABLE BELOW DESCRIBES THE TYPE AND NUMBER OF PARKING STALLS ENTIRELY WITHIN PROPERTY BOUNDARY. STALLS THAT ARE PARTIALLY WITHIN BOUNDARY ARE LISTED UNDER THE HEADING "PARTIAL". PARTIAL STALLS ARE NOT COUNTED IN THE TOTAL
- | PARKING | | | | |
|---------|----------|---------|---------|-------|
| REGULAR | HANDICAP | TRAILER | PARTIAL | TOTAL |
| 200 | 8 | 0 | 0 | 208 |
- N3 NO EVIDENCE OF CONSTRUCTION OR EARTH MOVING WAS OBSERVED AT TIME OF SURVEY
 - N4 THERE WAS NOT PROPOSED CHANGES IN STREET RIGHT OF WAY LINES, OBSERVED OR MADE AVAILABLE TO THE SURVEYOR BY THE CONTROLLING JURISDICTION. EVIDENCE OF RECENT STREET OR SIDEWALK CONSTRUCTION REPAIRS WERE NOT OBSERVED IN THE PROCESS OF CONDUCTING THE FIELDWORK.
 - N5 THE DISTANCE TO THE NEAREST INTERSECTING STREET MIDLOTHIAN TNPK IS ±75' AND IS DESIGNATED ON SURVEY MAP FOR CLARITY.
 - N6 SURVEY PREPARED BY:
LANDMARK FLEET
8014 MIDLOTHIAN TNPK, SUITE 103
RICHMOND, VA 23235
(804) 327-0333
EMAIL: DCSURVEYORS@GMAIL.COM

UTILITY NOTE

- 1 THE SURVEY SHOWS THE LOCATION OF UTILITIES EXISTING ON OR SERVING THE SURVEYD PROPERTY AS DETERMINED BY OBSERVED EVIDENCE COLLECTED PURSUANT TO ALTA SECTION 5 E IV
- 2 THE SURVEY SHOWS THE LOCATION OF UTILITIES EXISTING ON OR SERVING THE SURVEYD PROPERTY AS DETERMINED BY OBSERVED EVIDENCE COLLECTED PURSUANT TO ALTA SECTION 5 E IV TOGETHER WITH EVIDENCE FROM PLANS REQUESTED BY THE SURVEYOR AND OBTAINED FROM THE UTILITY COMPANIES, OR PROVIDED BY THE CLIENT AND MARKINGS REQUESTED BY THE SURVEYOR PURSUANT TO A 811 UTILITY LOCATE OR SIMILAR REQUEST

FLOOD ZONE

A FIELD SURVEY WAS NOT CONDUCTED TO DETERMINE THE FLOOD ZONE AREAS. ANY FLOOD ZONE LINES DISTINGUISHING BETWEEN FLOOD AREAS ARE GRAPHICALLY PLOTTED FROM FEMA FLOOD INSURANCE RATE MAPS (FIRM). A FLOOD ELEVATION CERTIFICATE MAY BE NEEDED TO DETERMINE OR VERIFY THE LOCATION OF THE FLOOD AREAS. THE SUBJECT PROPERTY'S COMMUNITY DOES PARTICIPATE IN THE PROGRAM. IT IS DETERMINED THAT THE SUBJECT PROPERTY RESIDES IN THE FOLLOWING FLOOD ZONE(S) X AS DETERMINED BY OR SHOWN BY FIRM COMMUNITY PANEL NO. 510129003SD DATED APRIL 2, 2009 AND IS NOT IN A FLOOD ZONE AREA. THE FLOOD INSURANCE RATE PROGRAM WAS CONTACTED ON NOVEMBER 27, 2017 BY TELEPHONE OR EMAIL (www.fema.gov)

STATEMENT OF ENCROACHMENTS

NONE NOTED AT TIME OF SURVEY

ALTA/NSPS LAND TITLE SURVEY
FOR
MIDLOTHIAN VILLAGE
PARTNER PROJECT NUMBER 199012

ALTA SURVEY BASED AND RELIED ON STEWART TITLE GUARANTY COMPANY TITLE COMMITMENT, NUMBER MTAVA-122979, CONTAINING AN EFFECTIVE DATE SEPTEMBER 13, 2017 AND TIME OF 12:00 AM

CERTIFICATION

TO WNC & ASSOCIATES, INC., COMMUNITY PRESERVATION PARTNERS, FREDDIE MAC, CITI BANK, AND ITS SUCCESSORS AND/OR ASSIGNS, NA, HAMPSTEAD GROUP.

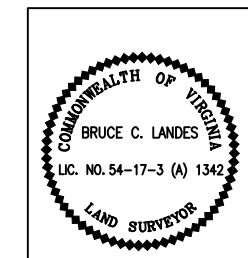
THIS IS TO CERTIFY THAT THIS MAP OR PLAT AND THE SURVEY ON WHICH IT IS BASED WERE MADE IN ACCORDANCE WITH THE 2016 MINIMUM STANDARD DETAIL REQUIREMENTS FOR ALTA/NSPS LAND TITLE SURVEYS, JOINTLY ESTABLISHED AND ADOPTED BY ALTA AND NSPS, AND INCLUDES ITEMS 1, 2, 3, 4, 6a, 7a, 7b1, 7c, 8, 9, 11, 12, 13, 14, 16, 17, 18, 20 OF TABLE A THEREOF. THE FIELDWORK WAS COMPLETED ON 12-22-2017.

DATE OF PLAT OR MAP: 12-28-17

PROPERTY ADDRESS: 4000 MIDLOTHIAN TURNPIKE RICHMOND, VIRGINIA 23224

SURVEYOR: BRUCE LANDES
REGISTRATION NUMBER: 1342
STATE OF REGISTRATION: VIRGINIA
FIELD DATE OF SURVEY: 12-22-2017
LATEST REVISION DATE: 12-28-2017

Bruce Landes
SIGNATURE
JN#23990

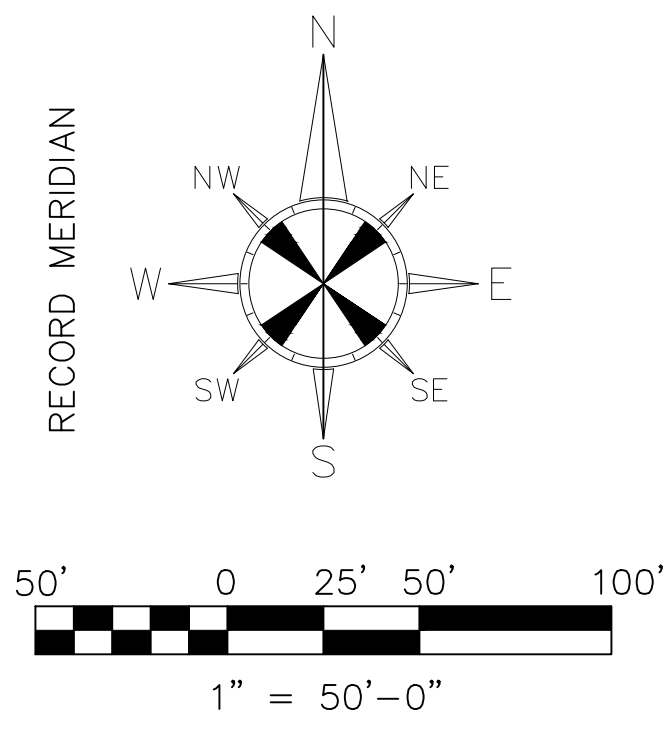
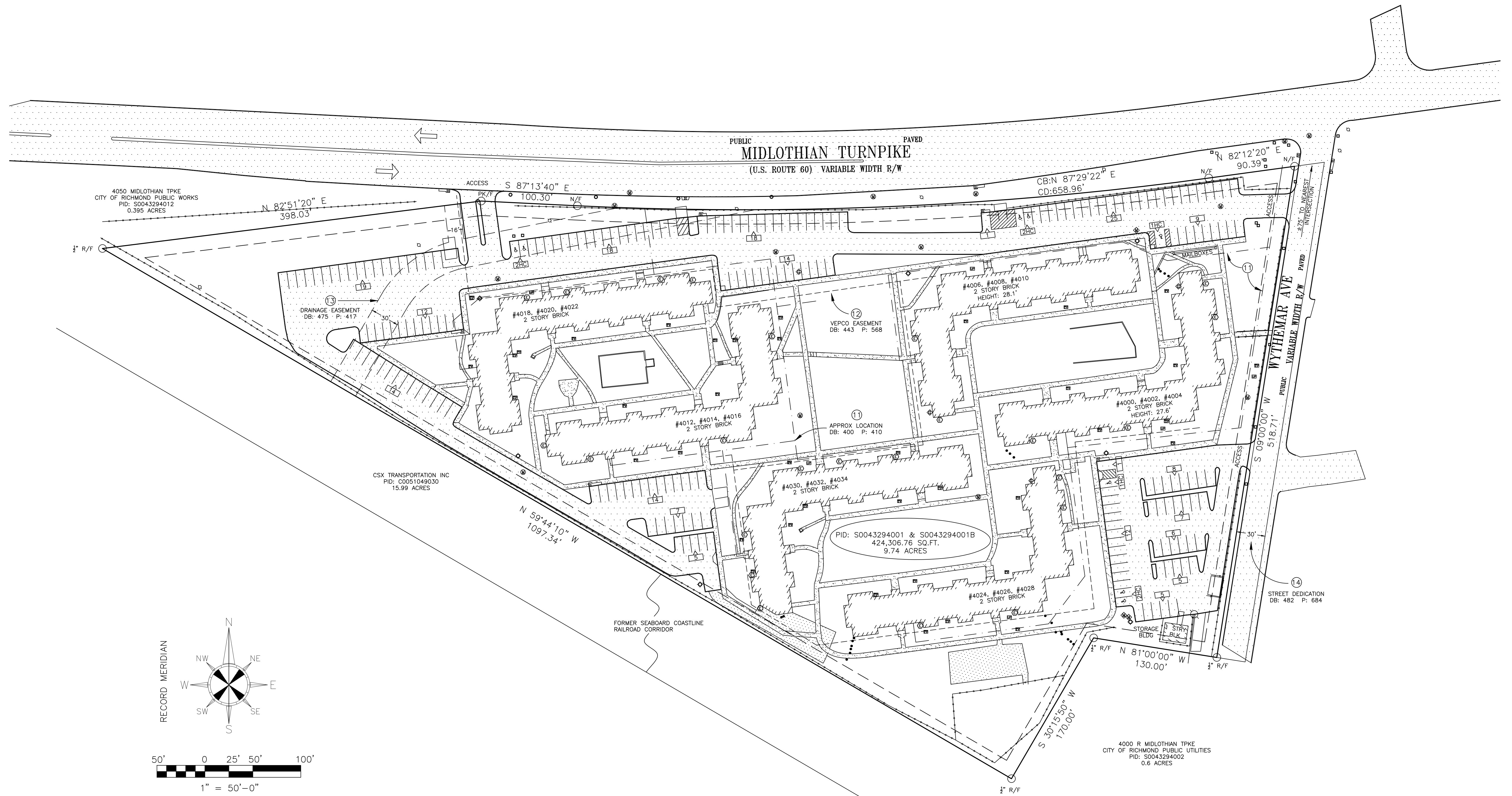


COPYRIGHT 2016
PARTNER ENGINEERING & SCIENCE, INC.
ALL RIGHTS RESERVED.
NO PART OF THIS DOCUMENT IS TO BE REPRODUCED OR TRANSMITTED IN ANY FORM OR BY ANY MEANS WITHOUT THE WRITTEN PERMISSION OF PARTNER ENGINEERING.



1761 EAST GARRY AVE
SANTA ANA, CA 92705
T 714-477-8657
TMcDougall@partneresi.com

http://www.partneresi.com/
PAGE 1 OF 3



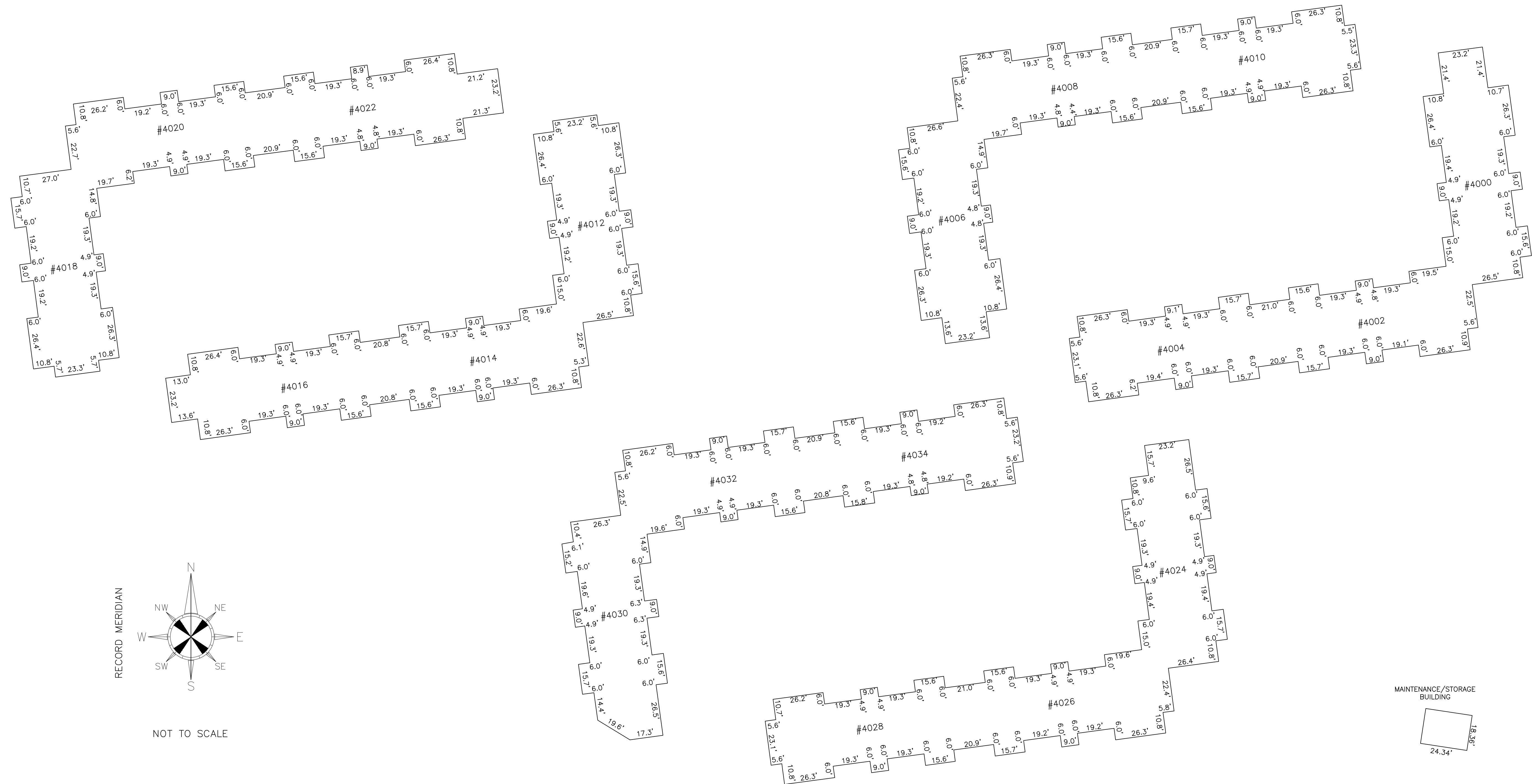
ALTA/NSPS LAND TITLE SURVEY

PARTNER
Engineering and Science, Inc.

1761 EAST GARRY AVE
SANTA ANA, CA 92705
T 714-477-8657
TMcDougall@partneresi.com

Copyright 2016
Partner Engineering &
Science, Inc.
All rights reserved.
This document is
the property of
Partner Engineering
& Science, Inc.
and shall not be
reproduced or
transmitted in
any form or by
any means
without the written
consent of
Partner Engineering
& Science, Inc.

BUILDING DETAIL



ALTA/NSPS LAND TITLE SURVEY

PARTNER
Engineering and Science, Inc.[®]

1761 EAST GARRY AVE
SANTA ANA, CA 92705
T 714-477-8657
TMcDougall@partneresi.com

COMPILED 2016 &
PARTNER ENGINEERING
& SCIENCE, INC. HAS
ALL RIGHTS RESERVED.
ALL RIGHTS RESERVED.
WITHOUT WRITTEN CONSENT
OF PARTNER ENGINEERING