### AN ORDINANCE No. 2021-262

To authorize the special use of the property known as 116 South Laurel Street for the purpose of two two-family detached dwellings, upon certain terms and conditions.

Patron – Mayor Stoney (By Request)

Approved as to form and legality by the City Attorney

City Clerk

A TRUE COPY:

PUBLIC HEARING: SEP 27 2021 AT 6 P.M.

WHEREAS, the owner of the property known as 105 South Laurel Street, which is situated in a R-7 Single- and Two-Family Urban Residential District desires to use such property for the purpose of two two-family detached dwellings, which use, among other things, is not currently allowed by section 30-413.5, concerning lot area and lot width, of the Code of the City of Richmond (2020), as amended; and

WHEREAS, in accordance with section 17.11 of the Charter of the City of Richmond (2020), 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 congestion in streets, roads, alleys and other public ways and places in the area involved, will not

AYES:	9	NOES:	0	ABSTAIN:	
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ADOPTED: OCT 11 2021 REJECTED: STRICKEN:

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 (2020), 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 116 South Laurel Street and identified as Tax Parcel No.W000-0293/020 in the 2021 records of the City Assessor, being more particularly shown on a survey entitled "ALTA/NSPS Land Title Survey Showing Existing Improvements to #733 W. Cary Street & #103 & #116 S. Laurel Street, City of Richmond, Virginia," prepared by Shadrach & Associates, LLC, and dated November 11, 2020, 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 two two-family detached dwellings, hereinafter referred to as "the Special Use," substantially as shown on the plans entitled "116 S Laurel St, Richmond, VA 23220," prepared by ADO/Architecture Design Office, dated March 5, 2021, and last revised April 20, 2021, 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 two two-family detached dwellings, substantially as shown on the Plans.
- (b) No fewer than 12 parking spaces shall be provided on the Property, substantially as shown on the Plans. Four of the parking spaces shall be made available to only residents of the

Property; the remaining eight parking spaces may be made available for lease to others. Six of the required 12 parking spaces may be captive spaces.

- (c) A bicycle rack to accommodate a minimum of six bicycles shall be provided on the Property, substantially as shown on the Plans.
- (d) All building materials and site improvements, including but not limited to building finishes and landscaping, shall be substantially as shown on the Plans.
- (e) All mechanical equipment serving the Property shall be located or screened so as not to be visible from any public right-of-way.
- (f) Prior to the issuance of any certificate of occupancy for the Special Use, the Property shall be subdivided into two lots, substantially as shown on the Plans, which shall be accomplished by obtaining any necessary approvals from the City and recording the appropriate plats and deeds among the land records of the Clerk of the Circuit Court of the City of Richmond.
- § 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 (2020), 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 (2020), 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 (2020), 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 (2020), 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.

2021-394

### **City of Richmond**

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

### **Item Request**

File Number: PRE.2021.772

### O & R Request

**DATE:** August 12, 2021 **EDITION:**1

**TO:** The Honorable Members of City Council

**THROUGH:** The Honorable Levar M. Stoney, Mayor (Patron: Mayor, by Request)

(This in no way reflects a recommendation on behalf of the Mayor)

**THROUGH:** J.E. Lincoln Saunders, Acting Chief Administrative Officer

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

Planning

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

**RE:** To authorize the special use of the property known as 116 South Laurel Street for the purpose

two two-family detached dwellings, upon certain terms and conditions.

ORD. OR RES. No.

**PURPOSE:** To authorize the special use of the property known as 116 South Laurel Street for the purpose two two-family detached dwellings, upon certain terms and conditions.

**REASON:** The applicant is requesting to authorize the special use of the property known as 116 South Laurel Street for the purpose two two-family detached dwellings, upon certain terms and conditions. The property is located in an R 7 Single- and Two-Family Urban Residential District. While the proposed use is permitted in the R-7 District, the lot area and lot width requirements are not met for two-family detached dwellings with the proposal. Therefore, a special use permit is necessary to authorize the proposed two-family detached dwellings.

**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 4, 2021, meeting.

**BACKGROUND:** The subject property consists of a single parcel of land that has a lot area of 7,883 square feet (0.181 acres) and is currently vacant. The property is located in the Oregon Hill neighborhood at the on South Laurel Street, midblock between W Cary Street and Cumberland Street.

File Number: PRE.2021.772

The subject property is located within the R 7 Single- and Two-Family Urban Residential District. The proposed two-family detached dwellings do not meet the lot area and lot width requirements for two-family detached dwellings in the R-7 District.

Richmond 300 recommends a future land use of "Neighborhood Mixed-Use" for the property. The primary uses recommended for Neighborhood Mixed-Use are single-family houses, accessory dwelling units, duplexes, small multi-family buildings (typically 3-10 units) and open space. Secondary uses include large multi-family buildings (10+ units), retail/office/personal service, institutional, cultural and government. The intensity recommended for Neighborhood mixed-use is typically two to four stories, with more height permissible along major streets. The development style should be compatible with the existing context. Setbacks, plazas and parks can help create a sense of place and community gathering areas. New developments on larger parcels should continue or introduce a gridded street pattern. In historic neighborhoods, small-scale commercial buildings should be introduced. Ground floors should engage the street with features such as street-oriented facades. Appropriate setbacks, open space, front porches, elevated ground floors and other features that provide a sense of privacy should be provided for residential uses. Pedestrian, bicycle, and transit access must be accommodated, and bike parking must be provided.

The portion of South Laurel Street that abuts the property is designated as a "Major Mixed-Use Street" on the "Great Streets and Street Typologies" map.

A mix of single- and two-family dwellings are located to the west, east, north and south of the subject property. Commercial uses are located within a block, fronting along West Cary Street.

**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:** \$300 application fee

**DESIRED EFFECTIVE DATE:** Upon adoption

**REQUESTED INTRODUCTION DATE:** September 13, 2021

CITY COUNCIL PUBLIC HEARING DATE: October 11, 2021

**REQUESTED AGENDA:** Consent

**RECOMMENDED COUNCIL COMMITTEE:** None

File Number: PRE.2021.772

CONSIDERATION BY OTHER GOVERNMENTAL ENTITIES: City Planning Commission

October 4, 2021

**AFFECTED AGENCIES:** Office of Chief Administrative Officer

Law Department (for review of draft ordinance)

**RELATIONSHIP TO EXISTING ORD. OR RES.:** None

**REQUIRED CHANGES TO WORK PROGRAM(S):** None

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

**STAFF:** Richard Saunders, Senior Planner, Land Use Administration (Room 511) 646-5648



# 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

Application is hereby submitted for: (check one)  special use permit, new		
special use permit, new special use permit, plan amendment		
☐ special use permit, text only amendment		
Project Name/Location		
Property Address: 116 S Laurel Street, Richmond, VA 23220		Date <u>:</u> 3/8/21
Tax Map #: W0000293020 Fee: \$300.00		
Total area of affected site in acres: .181		
See <b>page 6</b> for fee schedule, please make check payable to the " <b>C</b>	city of Richmond")	
Zoning		
Current Zoning:R7		
Existing Use: 101 - R Single Family Vacant (R1-R7)		
Proposed Use		
Please include a detailed description of the proposed use in the re	quired applicant's repo	ort)
Split the lot into two lots and constrct a Two Family Detached Dwelling on		- Carlo Maria Carlo Carl
Existing Use: vacant lot		
s this property subject to any previous land use case:	s?	
Yes No		
If Yes, please list the Ordinance Number	er:	
Chadau Carith		
Applicant/Contact Person: Charley Smith		
Company: Oregon Properties LLC		
Mailing Address: PO Box 70666	Chahar Va	7in Code: 23255
City: Richmond	State: Va	Zip Code: 23255
Telephone:(804)986-5324	Fax: _(	)
Email: charley.smith@LNF.com		
Property Owner: Oregon Properties LLC	Charley Smith/ Manage	or
If Business Entity, name and title of authorized signee	: Chaney Smith Manage	er
(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 execu	te or attest.)	J. (1.0 551.1.p.1.)
sile has of have been duly duthorized and empowered to as siles.		
Mailing Address: PO Box 70666		
City: Richmond	State: VA	Zip Code: 23255
Telephone: _(804)986-5324	Fax: _(	)
Email: charley.smith@LNF.com		
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Property Owner Signature:	<b>(</b> (	

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)

Project: 116 S Laurel Street

Richmond, VA 23220

Date of Submittal: March 8, 2021

### Description of Proposed Work

The owner of the property 116 S Laurel Street seeks permission split the lot into two equal size lots and to construct a two-family detached dwelling on each vacant lot. The Zoning Administrator advised that the lot at 116 S Laurel is eligible to be split. Two family dwellings are a permitted use in R-7 zoning, but Special Use Permission is required and being requested because the property does not meet the lot area or lot width requirements. 116 S Laurel Street has a lot area of 7865 square feet and a width of 55 feet. The spit lots would each have a lot area of 3,932.50 and a width of 27.50. The proposed two family dwellings do meet the setback, coverage, height, and parking requirements. The 100 block of Laurel Street is currently comprised of two-family dwellings and single-family dwellings. These two family dwelling has been architecturally designed to look like a single family home and is consistent with the architectural features of neighboring properties.

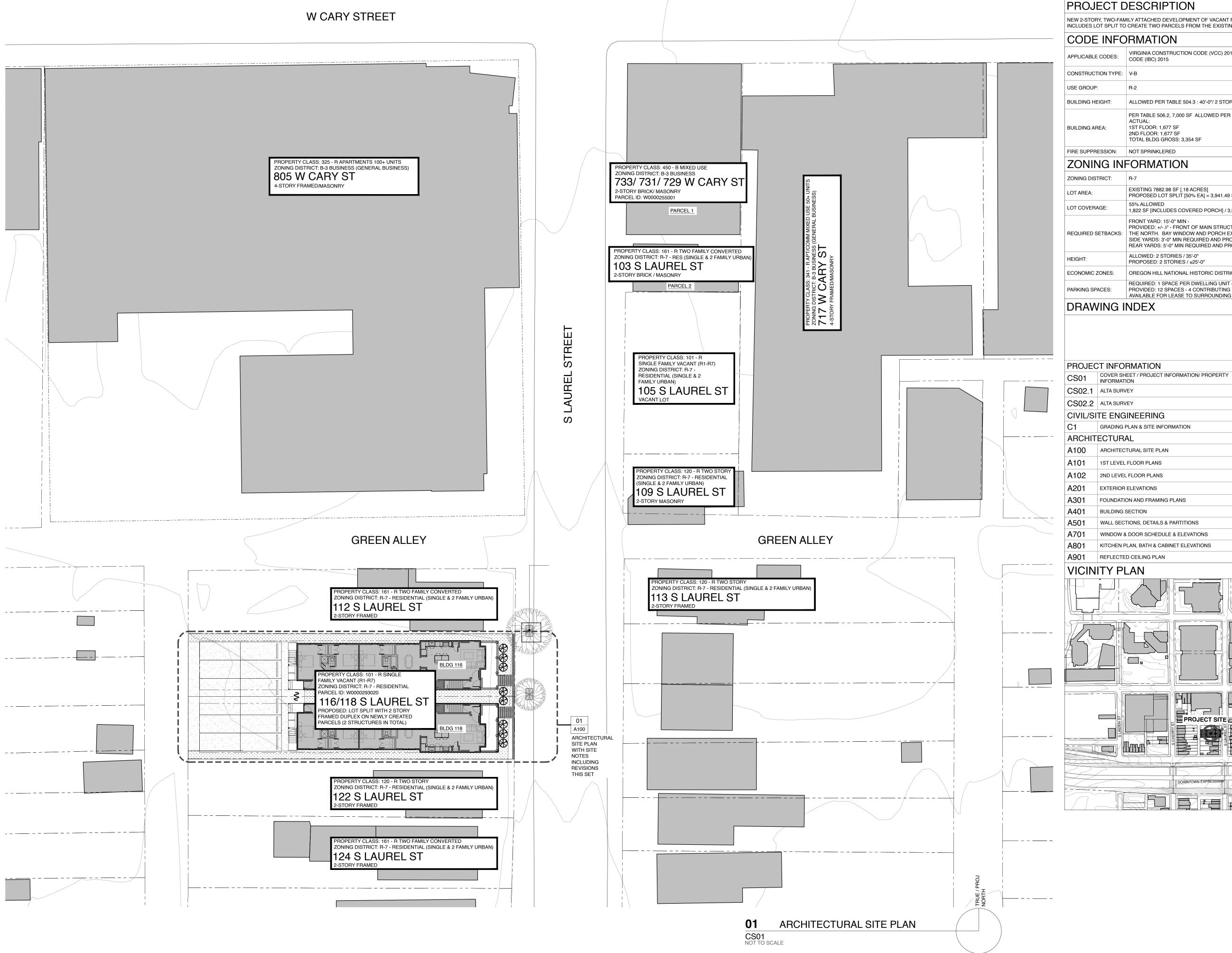
Taking each point outlined in the Special Use Permit filing procedures:

- 1/ The proposed use is not detrimental to the safety, health, morals, and general welfare of the community involved. Two family dwellings are a permitted use in R-7 zoning. The proposed use suggests an appropriate use without altering the historic character of the neighborhood. The dwelling suggests an improvement along this section of Idlewood compared to the some of the surrounding deteriorating buildings.
- The proposed use is not anticipated to create congestion in streets, roads, alleys and other public ways and places in the area involved. The owner is adding 12 parking spaces (6 on each split lot) on the property, which exceeds the parking requirements for the two family dwelling. A portion of these parking spaces are intended to be available for long term lease to local businesses to avoid congestion in the area. The 100 block of Laurel Street has on street parking on both sides of the street. The proposed dwelling will also be accessible from the rear alley, which will reduce traffic and parking concerns for Laurel.
- 3/ The proposed project does not create hazards from fire, panic or other dangers. The project as configured meets the International Building Code's requirements for egress and protection of occupants. The new dwelling will make the neighborhood safer by building on a vacant lot that could be used for dumping or loitering.
- The proposed project does not cause overcrowding of land nor an undue concentration of population. Two family dwellings are a permitted use in R-7 zoning. This project meets all zoning requirements (setback, coverage, height, and parking) except for the lot area and lot width requirements. This is an infill project that is being built on land vacant land.
- The proposed project 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. This two family dwelling conforms to the surrounding properties, and it will not adversely affect the neighborhood. Building a new dwelling will improve the neighborhood by building on a vacant lot.
- 6/ The proposed project will not interfere with adequate light and air. The height and setbacks of the proposed dwelling will confirm to the surrounding properties. Regarding the proposed floor plans, all living spaces and bedrooms are on at least one exterior wall and have access to at least one operable window.

compiled and submitted by: Charley Smith

804-986-5324

Charley.Smith@LNF.com





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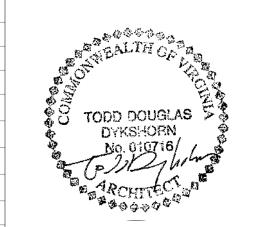
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RESPONSE TO CITY OF RICHMOND SUP
REVIEW COMMENTS DATED 4-26-2021

**SPECIAL USE PERMIT SET** 03-05-2021 **REVISION 04-20-2021** 

NOT FOR CONSTRUCTION



**ADO**/Architecture Design Office 105 E Broad Street Richmond, Virginia 23219

116 S LAUREL ST RICHMOND, VA 23220

COVER SHEET / PROJECT INFO CODE AND ZONING INFORMATION PROJ NUMBER

SOCIAL

AUTHOR(S)

21.116

CS01

### Legal Descriptions (Per Title)

Parcel One (729-733 W Cary Street)

All those certain lots, pieces or parcels of land, with all improvements thereon, lying and being in the City of Richmond, Virginia, commonly known as 729-733 West Cary Street, bounded and described as follows:

Beginning at a point on the south line of Cary Street 33 feet 9 inches east of Laurel Street, which point is opposite the center of the stairway in common between tenements Nos. 729 and 731, leading up to the floors above said stores; thence from said point of beginning running eastwardly along and fronting on Cary Street; 16 feet 3 inches; thence running back between parallel lines 75 feet 1 inch to a 4 foot alley in the rear, and a line

Also beginning at the southeast corner of Cary and Laurel Streets; thence running eastwardly along and fronting 33.75 feet on the south side of Cary Street, thence back southwardly between parallel lines, (the eastern line running through the center of an enclosed passageway on the east, with stairs for the joint use of the upper floors of Nos. 731 and 729 West Cary Street) 75.08 feet to the north line and alley in common 4 feet wide.

### Parcel Two (103 S Laurel Street)

All that certain lot or parcel of land, lying and being in the City of Richmond, Virginia on the east line of Laurel Street between Cary and Cumberland Streets, with all the Improvements thereon and appurtenances thereto belonging, known as No. 103 South Laurel Street, bounded and described as follows, to-wit:

Beginning at a point on the east line of Laurel Street distant seventy-nine (79) feet one (1) inch south of the south line of Cary Street, which point is the south line of a four (4) foot alley for the joint use of the property hereby conveyed and that adjoining on the north, thence running southwardly along the east line of Laurel Street end fronting thereon twenty (20) feet eleven (11) inches; thence back eastwardly from said front and between parallel lines fifty (50) feet to the adjoining property on the east.

### Parcel Three (116 S Laurel Street)

All that certain lot, piece or parcel of land, with all improvements thereon lying and being in the City of Richmond, Virginia, commonly known as 116 S. Laurel Street, shown on a plat of survey made by Gene Watson & Associates, P.C., dated May 15, 2008, entitled "Plat Showing Improvements on #116 South Laurel Street in the City of Richmond, Virginia", and which was attached to a deed recorded on September 18, 2019 in the City of Richmond Circuit Court Clerk's Office as Instrument No.190019206, and to which plat reference is hereby made for a more particular description of the Property.

BEING the same real estate conveyed to Charles A. Moses, Jr., William Michael Moses, Marion McClure, Meredith Moses, Christopher K. Moses and Anne Stratton, as tenants in common by Deed of Distribution from Charles A. Moses, Jr. and William Michael Moses, as Trustees of the Family Trust under the Will of Charles A. Moses, deceased dated October 10, 2019, recorded October 18, 2019 in the Clerk's Office, Circuit Court, City of Richmond, Virginia in Instrument No. 190021554.

BEING the same real estate conveyed to 733 Cary Group, LLC, a Virginia limited liability company by Deed from Charles A. Moses, Jr., William Michael Moses, Marion McClure, Meredith Moses end Christopher K. Moses dated October 10, 2019, recorded October 29, 2019 in the Clerk's Office, Circuit Court, City of Richmond, Virginia in Instrument No.

BEING the same real estate conveyed to Anne Stratton, also known as Anne Moses Stratton by Deed of Confirmation from Anne Stratton, a distribute under the Deed of Distribution from Charles A. Moses, Jr., and William Michael (sic) Moses, as Trustees of the Family Trust under the Will of Charles A. Moses, deceased dated March 11, 2020, recorded March 11. 2020 in the Clerk's Office, Circuit Court, City of Richmond, Virginia in Instrument

ALTA/NSPS LAND TITLE SURVEY SHOWING EXISTING IMPROVEMENTS TO #733 W. CARY STREET & CITY OF RICHMOND, VIRGINIA



20068.JOB -- 20068-ALTA.DWG

Legal Descriptions (As Surveyed)

Parcel One (#733 West Cary Street)

BEGINNING at the point of intersection of the eastern boundary of the right of way line of South Laurel Street and the Southern boundary of the right of way line of West Cary Street; thence proceeding along the southern boundary of the right of way line of West Cary Street in a southeasterly direction S 89\*58'44" E 50.00 feet to a point;

Thence leaving the southern boundary of the right of way line of West Cary street and proceeding in a southwesterly direction S 00°29'35" W 75.08 feet to a point on the north line of a 4' Alley in Common;

Thence proceeding along the northern boundary of the 4' Alley in Common N 89\*58'44" W 50.00 feet to a point on the eastern boundary of the right of way line of South Laurel Street;

Thence proceeding along the eastern boundary of the right of way line of South Laurel Street in a northeasterly direction N 00°29'35" E 75.08 feet to a point, said point being the Point and Place of Beginning of Parcel One, containing 0.086 Acres, more or less.

### Parcel Two (#103 South Laurel Street)

BEGINNING at a point on the eastern boundary of the right of way line of South Laurel Street, said point being 79.08 feet south from the point of intersection of the southern boundary of the right of way line of West Cary Street and the eastern boundary of the right of way line of South Laurel Street; thence leaving the eastern boundary of the right of way line of South Laurel Street and proceeding along the southern boundary of a 4' Alley in Common in a southeasterly direction S 89'58'44" E 50.00 feet to a point:

Thence leaving the southern boundary of the 4' Alley in Common and proceeding in a southwesterly direction the following two (2) courses and distances:

- 1) S 00°29'35" W 20.92 feet to a point;
- 2) Thence N 89°58'44" W 50.00 feet to a point on the eastern boundary of the right of way line of South

Thence proceeding along the eastern boundary of the right of way line of South Laurel Street in a northeasterly direction N 00°29'35" E 20.92 feet to a point, said point being the Point and Place of Beginning of Parcel Two, containing 0.024 Acres, more or less.

### Parcel Three (#116 South Laurel Street)

BEGINNING at a point on the western boundary of the right of way line of South Laurel Street, said point being 115.00 feet north from the point of intersection of the northern boundary of the right of way line of Cumberland Street and the western boundary of the right of way line of South Laurel Street; Thence leaving the western boundary of the right of way line of South Laurel Street and proceeding in a northwesterly direction N 89\*55'29" W 143.17 feet to a point on the eastern boundary of the right of way line of a 20' Public Alley;

Thence proceeding along the eastern boundary of the right of way line of a 20' Public alley on a northeasterly direction N 00°08'06" E 55.00 feet to a point;

Thence leaving the eastern boundary of the right of way line of a 20' Public Alley and proceeding in a southeasterly direction S 89°55'29" E 143.49 feet to a point on the western boundary of the right of way line of South Laurel Street:

Thence proceeding along the western boundary of the right of way line of South Laurel Street in a southwesterly direction S 00°28'23" W 55.00 feet to a point, said point being the Point and Place of Beginning of Parcel 3, containing 0.181 Acres, more or less.

BEGINNING at a point on the eastern boundary of the right of way line of South Laurel Street, said point being 75.08 feet south from the point of intersection of the southern boundary of the right of way line of West Cary Street and the eastern boundary of the right of way line of South Laurel Street;

Thence leaving the eastern boundary of the right of way line of South Laurel Street and proceeding in the following three (3) courses and distances:

- 1) S 89°58'44" E 50.00 feet to a point;
- 2) Thence S 00°29'35" W 4.00 feet to a point;
- 3) Thence N 89'58'44" W 50.00 feet to a point on the eastern boundary of the right of way line of South Laurel Street;

Thence proceeding along the eastern boundary of the right of way line of South Laurel Street in a northeasterly direction N 00°29'35" E 4.00 feet to a point, said point being the Point and Place of Beginning of the 4' Alley in Common, containing 0.005 Acres, more or less.

ALSO BEING the same properties described in Title Commitment issued by Chicago Title Insurance company dated August 27, 2020 (Commitment No. SHTC20-1569). General Notes

- 1. This survey plat represents a current and accurate field transit survey of the premises shown hereon. Date of last physical survey: November 2, 2020
- 2. This survey was made with the benefit of a Title Report issued by
- Chicago Title Insurance Company, dated effective as of August 27, 2020 (Commitment No. SHTC20-1569).
- 3. All streets shown hereon are public.
- 4. The legal description does form a mathematically closed figure with no gaps, gores or overlaps.
- 5. Observed utilities are plotted and shown hereon.
- Subsurface Utility delineation was not performed.
- 6. Parcel One has pedestrian access from West Cary Street and South Laurel Street. Parcel Two has pedestrian access from South Laurel Street. Parcel Three has direct vehicular access from a 20' Public Alley and pedestrian access from South Laurel Street.
- 7. There is no observed evidence of current earth moving work, building construction,
- 8. 5/8" Rods or P-K Nails found at all corners unless otherwise shown hereon.

Sheet 1 of 2

# Legend

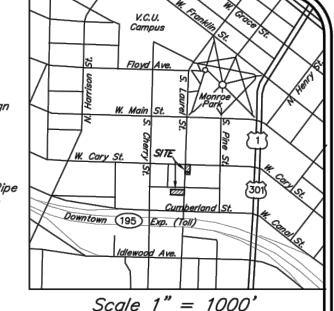
- *♦ Fire Hydrant* Handicap Parking Spaces
- (#) Painted Parking Space Number Water Meter
- Water Valve
- Lamp Post (Metal Post w/light) 

  | Yard Inlet (Drainage) O Drainage Manhole
- Sanitary Manhole Cable T.V. Pedestal C&P Telephone Pedestal

₩ Gas Valve

Parcel One:

- -- Vepco Pole ∇ Vepco Transformer ਰ Misc Frame Sign
- TOO Handi-cap Parking Sign Bollard
- Sanitary Cleanout Concrete Surface RCP Reinforced Concrete Pipe CMP Corrugated Metal Pipe D.I. Drainage Inlet
- F.F.E Finish Floor Elevation P.O.B. Point of Beginning



Parcels Two & Three:

(URBAN RESIDENTIAL DISTRICT)

Maximum Height: 35.00 Feet

15.00 Feet

5.00 Feet

No delineated Spaces

No delineated Spaces

No delineated Spaces

Current Zoning: R-7

Yard Setbacks:

Parking

Parcel Two:

Parcel Three:

Current Zoning: B-3 (GENERAL BUSINESS DISTRICT) Setbacks: Spaces between buildings on the same lot. Where two or

more buildings, at least one of which contains a dwelling use, are erected on the same lot, the distance between any two such buildings shall be not less than 15 feet.

Maximum Height: No building or structure shall exceed 35 feet in height in the B-3 general business district, provided that additional height, not to exceed a total height of 60 feet, shall be permitted when all yards exceed the minimum required by not less than one foot for each one foot of building height in excess of 35 feet and provided, further, that no additional height shall be permitted on a transitional

### Yard Setbacks:

Front: Side: None Required No side yards shall be required, except that where a side be a side yard of not less than ten feet in width.

lot line abuts a property in an R or RO district there shall No rear yard shall be required, except that where a rear lot line abuts or is situated across an alley from property in an R or RO district there shall be a rear yard of not less than 20 feet in depth.

### \* ZONING TO BE VERIFIED BY ZONING CONFIRMATION LETTER

For further clarification of Zoning Requirements - Contact: Zoning Division - Planning and Development Review 900 E. Broad St., Room 110 Richmond, Virginia 23219 (804) 646-6340

### Flood Certification

I have examined the Flood Insurance Rate Map for the City of Richmond, Virginia, Community Panel No. 510129-0037-D, (Panel 37 of 83), effective date April 2, 2009, and hereby certify to the best of my professional knowledge and belief that the property is not located in a Special Flood Hazard Area, but is located in Zone (X) as determined by National Flood Insurance Program, Federal Emergency Management Agency, Department of Housing and Urban Development.

# Surveyor's Certificate

This survey is certified to and prepared for the sole and exclusive benefit of the entities and/or individuals listed below as of November 11, 2020 and shall not be relied upon by any other entity or individual whomsoever.

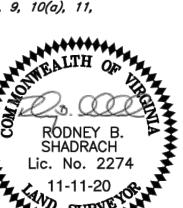
Va. Registered Surveyor No. 2274

- To: LAUREL HOLDINGS LLC
- To: OREGON PROPERTIES LLC CHICAGO TITLE INSURANCE COMPANY To: SAFE HARBOR TITLE COMPANY
- The undersigned further certifies 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 1-4, 6(a), 6(b), 7(a), 8, 9, 10(a), 11,

13, 16, 17 and 19 of Table A thereof. The fieldwork was completed on November 2, 2020.

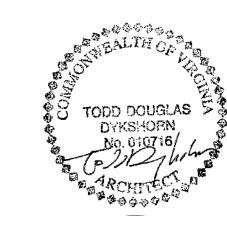
11/11/20 Rodney B. Shadrach Date Shadrach & Associates, LLC

I hereby certify that this ALTA survey, to the best of my professional knowledge and belief, is correct and complies with the minimum procedures and standards established by the Virginia State Board of Architects, Professional Engineers, Land Surveyors and Certified Landscape Architects.



## SPECIAL USE PERMIT SET 03-05-2021

### NOT FOR CONSTRUCTION





# 116 S LAUREL ST

RICHMOND, VA 23220

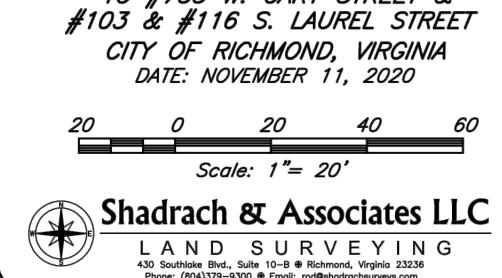
ATLA SURVEY

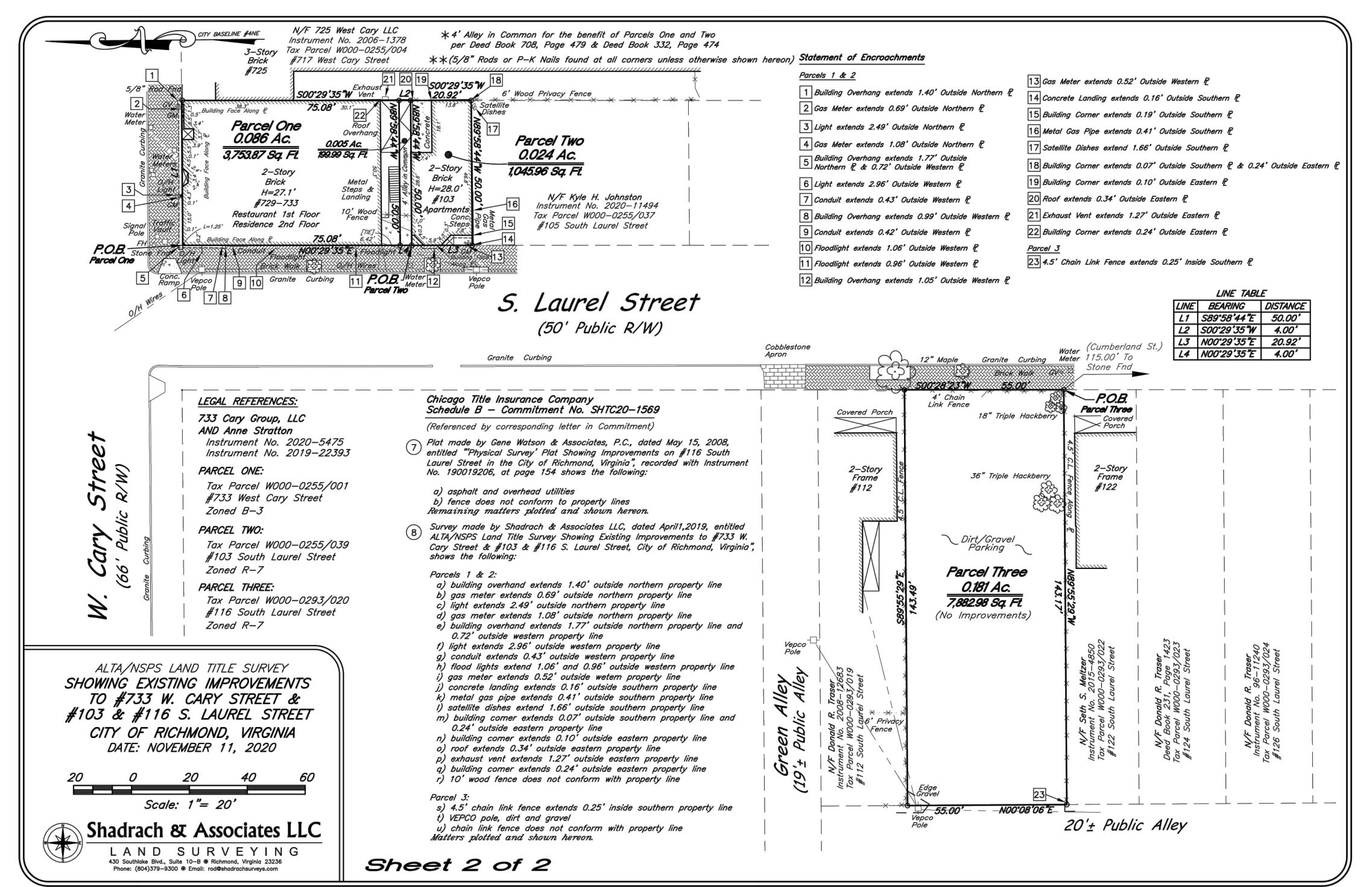
PROJ NUMBER

21.116 AUTHOR(S)

CS02.1

SOCIAL





20068.JOB -- 20068-ALTA.DWG

# SPECIAL USE PERMIT SET 03-05-2021

### NOT FOR CONSTRUCTION





# 116 S LAUREL ST

RICHMOND, VA 23220

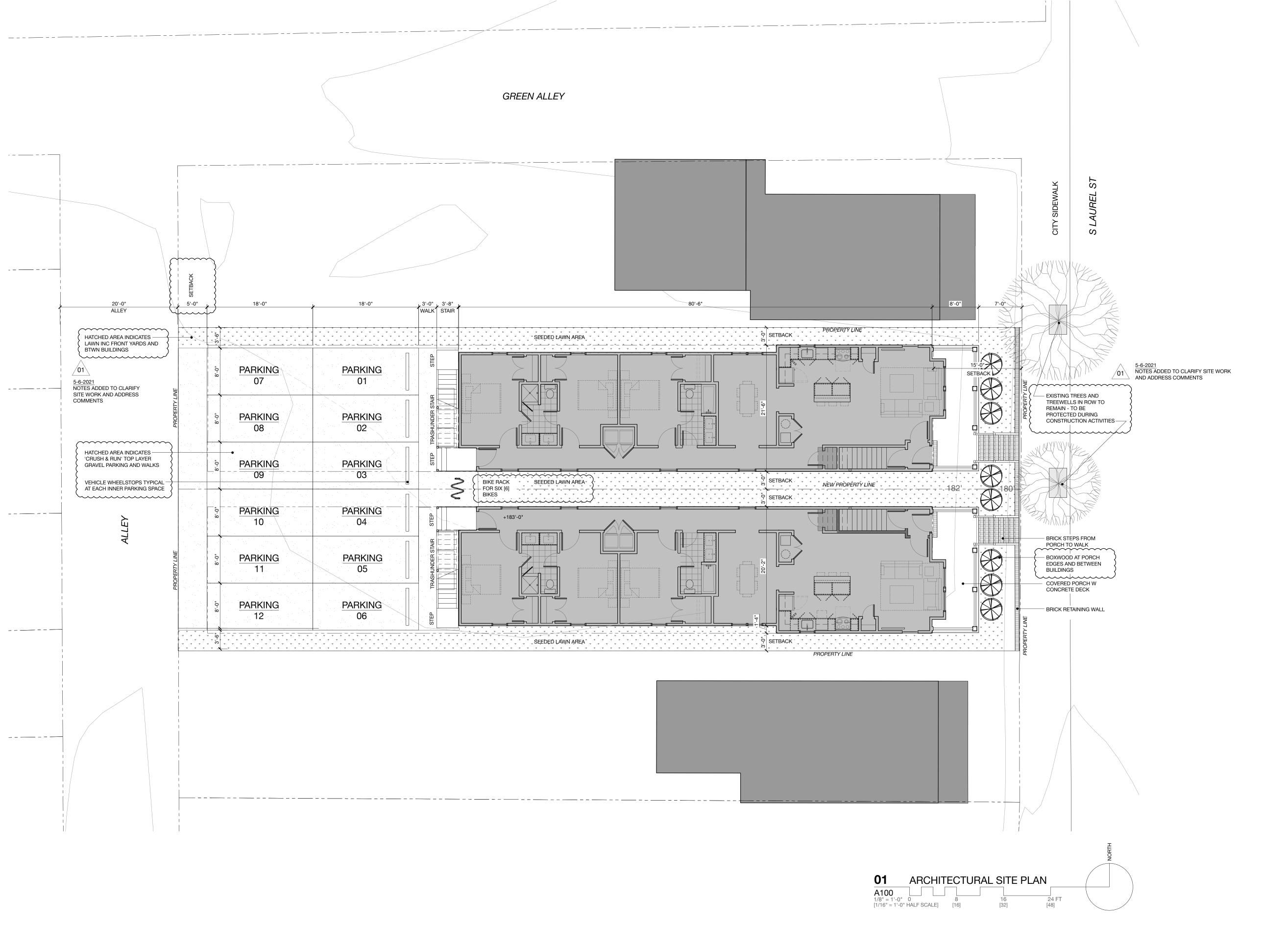
ATLA SURVEY

PROJ NUMBER
21.116

AUTHOR(S)

SOCIAL

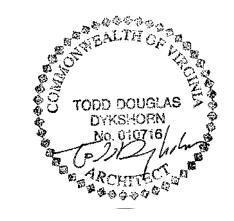
CS02.2



01 5-6-2021 RESPONSE TO CITY OF RICHMOND SUP REVIEW COMMENTS DATED 4-26-2021

SPECIAL USE PERMIT SET 03-05-2021 REVISION 04-20-2021

NOT FOR CONSTRUCTION



ARCHITECT:

ADO/Architecture Design Of
105 E Broad Street
Richmond, Virginia 23219
804 343 1212

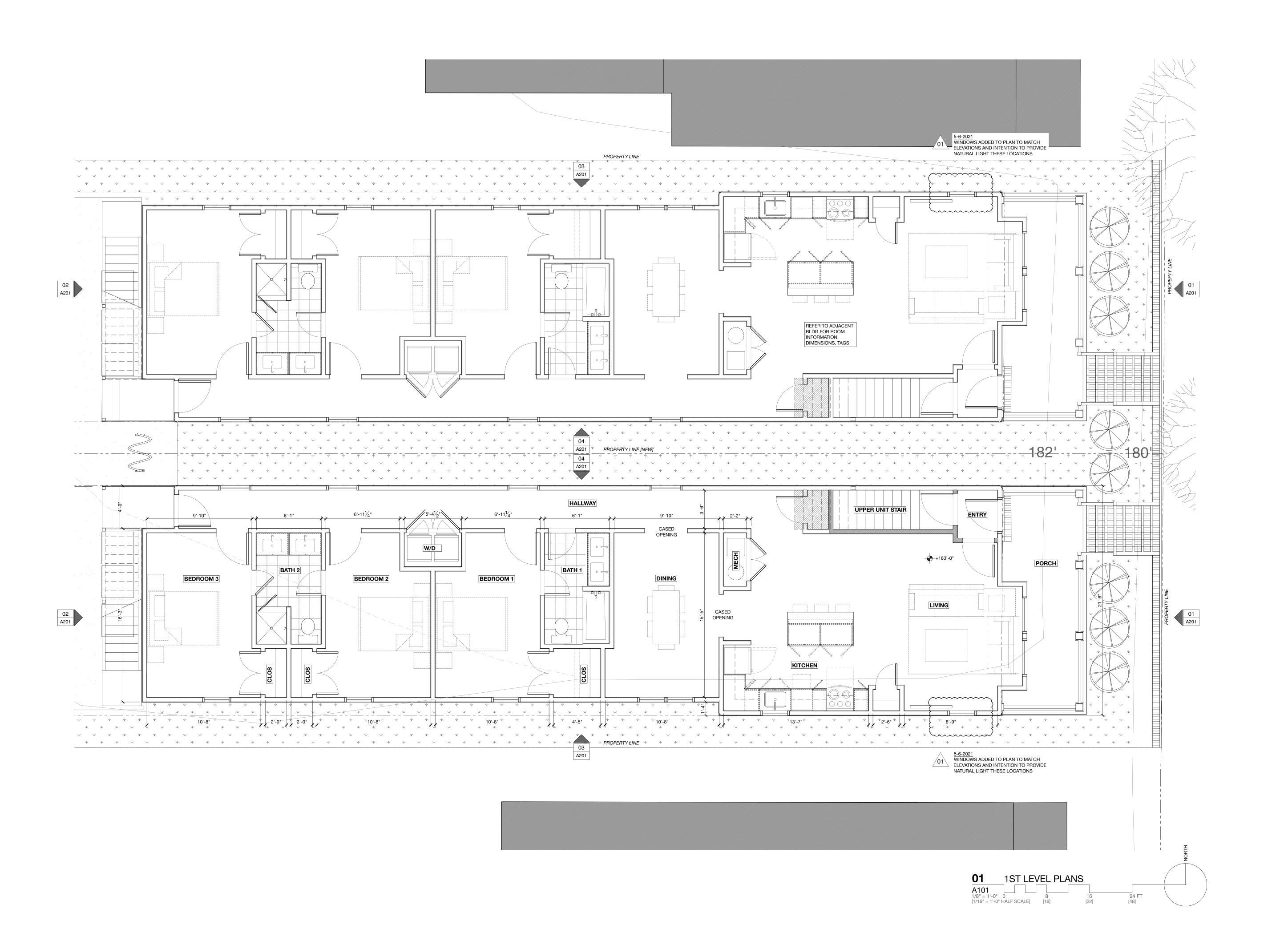
116 S LAUREL ST

RICHMOND, VA 23220

SITE PLAN

PROJ NUMBER
21.116

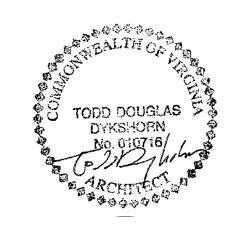
AUTHOR(S) A100





# SPECIAL USE PERMIT SET 03-05-2021 REVISION 04-20-2021

# NOT FOR CONSTRUCTION





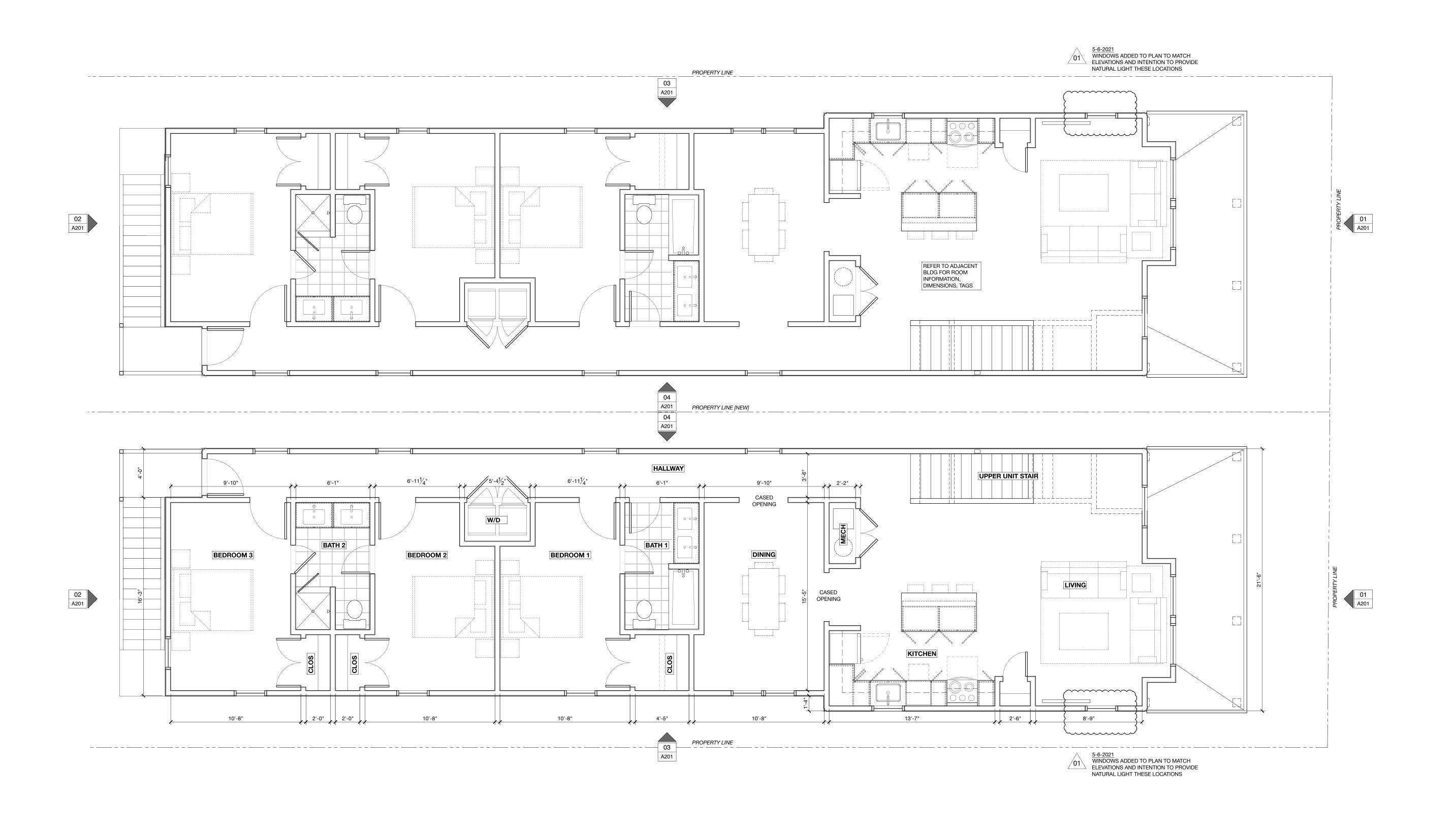
# 116 S LAUREL ST RICHMOND, VA 23220

FLOOR PLANS

PROJ NUMBER
21.116

AUTHOR(S)

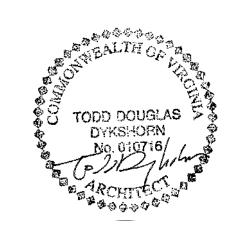
A101





# SPECIAL USE PERMIT SET 03-05-2021 REVISION 04-20-2021

# NOT FOR CONSTRUCTION





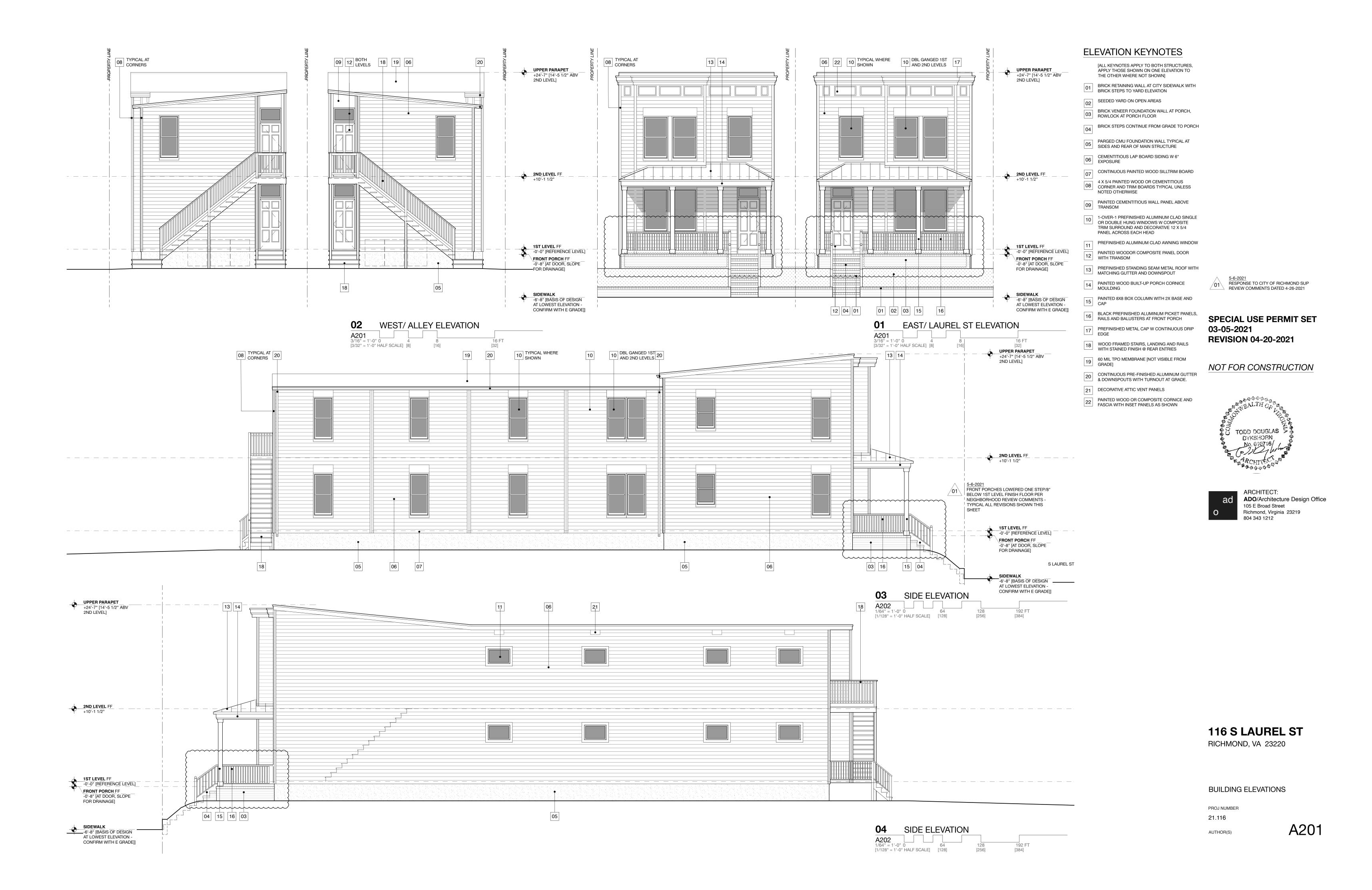
# 116 S LAUREL ST RICHMOND, VA 23220

# FLOOR PLANS

PROJ NUMBER
21.116

2ND LEVEL PLAN

A102 1/8" = 1'-0" 0 8 [1/16" = 1'-0" HALF SCALE] [16] AUTHOR(S) A102



### Legal Descriptions (Per Title)

### Parcel One (729-733 W Cary Street)

All those certain lots, pieces or parcels of land, with all improvements thereon, lying and being in the City of Richmond, Virginia, commonly known as 729-733 West Cary Street, bounded and described as follows:

Beginning at a point on the south line of Cary Street 33 feet 9 inches east of Laurel Street, which point is opposite the center of the stairway in common between tenements Nos. 729 and 731, leading up to the floors above said stores; thence from said point of beginning running eastwardly along and fronting on Cary Street; 16 feet 3 inches; thence running back between parallel lines 75 feet 1 inch to a 4 foot alley in the rear, and a line in extension of its north line.

Also beginning at the southeast corner of Cary and Laurel Streets; thence running eastwardly along and fronting 33.75 feet on the south side of Cary Street, thence back southwardly between parallel lines, (the eastern line running through the center of an enclosed passageway on the east, with stairs for the joint use of the upper floors of Nos. 731and 729 West Cary Street) 75.08 feet to the north line and alley in common 4 feet wide.

### Parcel Two (103 S Laurel Street)

All that certain lot or parcel of land, lying and being in the City of Richmond, Virginia on the east line of Laurel Street between Cary and Cumberland Streets, with all the Improvements thereon and appurtenances thereto belonging, known as No. 103 South Laurel Street, bounded and described as follows, to-wit:

Beginning at a point on the east line of Laurel Street distant seventy-nine (79) feet one (1) inch south of the south line of Cary Street, which point is the south line of a four (4) foot alley for the joint use of the property hereby conveyed and that adjoining on the north, thence running southwardly along the east line of Laurel Street end fronting thereon twenty (20) feet eleven (11) inches; thence back eastwardly from said front and between parallel lines fifty (50) feet to the adjoining property on the east.

### Parcel Three (116 S Laurel Street)

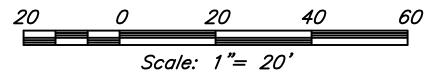
All that certain lot, piece or parcel of land, with all improvements thereon lying and being in the City of Richmond, Virginia, commonly known as 116 S. Laurel Street, shown on a plat of survey made by Gene Watson & Associates, P.C., dated May 15, 2008, entitled "Plat Showing Improvements on #116 South Laurel Street in the City of Richmond, Virginia", and which was attached to a deed recorded on September 18, 2019 in the City of Richmond Circuit Court Clerk's Office as Instrument No.190019206, and to which plat reference is hereby made for a more particular description of the Property.

BEING the same real estate conveyed to Charles A. Moses, Jr., William Michael Moses, Marion McClure, Meredith Moses, Christopher K. Moses and Anne Stratton, as tenants in common by Deed of Distribution from Charles A. Moses, Jr. and William Michael Moses, as Trustees of the Family Trust under the Will of Charles A. Moses, deceased dated October 10, 2019, recorded October 18, 2019 in the Clerk's Office, Circuit Court, City of Richmond, Virginia in Instrument No. 190021554.

BEING the same real estate conveyed to 733 Cary Group, LLC, a Virginia limited liability company by Deed from Charles A. Moses, Jr., William Michael Moses, Marion McClure, Meredith Moses end Christopher K. Moses dated October 10, 2019, recorded October 29, 2019 in the Clerk's Office, Circuit Court, City of Richmond, Virginia in Instrument No.

BEING the same real estate conveyed to Anne Stratton, also known as Anne Moses Stratton by Deed of Confirmation from Anne Stratton, a distribute under the Deed of Distribution from Charles A. Moses, Jr., and William Michael (sic) Moses, as Trustees of the Family Trust under the Will of Charles A. Moses, deceased dated March 11, 2020, recorded March 11, 2020 in the Clerk's Office, Circuit Court, City of Richmond, Virginia in Instrument No. 200005475.

# ALTA/NSPS LAND TITLE SURVEY SHOWING EXISTING IMPROVEMENTS TO #733 W. CARY STREET & #103 & #116 S. LAUREL STREET CITY OF RICHMOND, VIRGINIA DATE: NOVEMBER 11, 2020



Phone: (804)379-9300 ⊕ Email: rod@shadrachsurveys.com



### Legal Descriptions (As Surveyed)

### Parcel One (#733 West Cary Street)

BEGINNING at the point of intersection of the eastern boundary of the right of way line of South Laurel Street and the Southern boundary of the right of way line of West Cary Street; thence proceeding along the southern boundary of the right of way line of West Cary Street in a southeasterly direction S 89°58'44" E 50.00 feet to a point;

Thence leaving the southern boundary of the right of way line of West Cary street and proceeding in a southwesterly direction S 00°29'35" W 75.08 feet to a point on the north line of a 4' Alley in Common;

Thence proceeding along the northern boundary of the 4' Alley in Common N 89°58'44" W 50.00 feet to a point on the eastern boundary of the right of way line of South Laurel Street;

Thence proceeding along the eastern boundary of the right of way line of South Laurel Street in a northeasterly direction N 00°29'35" E 75.08 feet to a point, said point being the Point and Place of Beginning of Parcel One, containing 0.086 Acres, more or less.

### Parcel Two (#103 South Laurel Street)

BEGINNING at a point on the eastern boundary of the right of way line of South Laurel Street, said point beina 79.08 feet south from the point of intersection of the southern boundary of the right of way line of West Cary Street and the eastern boundary of the right of way line of South Laurel Street; thence leaving the eastern boundary of the right of way line of South Laurel Street and proceeding along the southern boundary of a 4' Alley in Common in a southeasterly direction S 89°58'44" E 50.00 feet to a point;

Thence leaving the southern boundary of the 4' Alley in Common and proceeding in a southwesterly direction the following two (2) courses and distances:

- 1) S 00°29'35" W 20.92 feet to a point;
- 2) Thence N 89°58'44" W 50.00 feet to a point on the eastern boundary of the right of way line of South

Thence proceeding along the eastern boundary of the right of way line of South Laurel Street in a northeasterly direction N 00°29'35" E 20.92 feet to a point, said point being the Point and Place of Beginning of Parcel Two, containing 0.024 Acres, more or less.

### Parcel Three (#116 South Laurel Street)

BEGINNING at a point on the western boundary of the right of way line of South Laurel Street, said point being 115.00 feet north from the point of intersection of the northern boundary of the right of way line of Cumberland Street and the western boundary of the right of way line of South Laurel Street: Thence leaving the western boundary of the right of way line of South Laurel Street and proceeding in a northwesterly direction N 89°55'29" W 143.17 feet to a point on the eastern boundary of the right of way line of a 20' Public Alley;

Thence proceeding along the eastern boundary of the right of way line of a 20' Public alley on a northeasterly direction N 00°08'06" E 55.00 feet to a point;

Thence leaving the eastern boundary of the right of way line of a 20' Public Alley and proceeding in a southeasterly direction S 89°55'29" E 143.49 feet to a point on the western boundary of the right of way line of South Laurel Street;

Thence proceeding along the western boundary of the right of way line of South Laurel Street in a southwesterly direction S 00°28'23" W 55.00 feet to a point, said point being the Point and Place of Beginning of Parcel 3, containing 0.181 Acres, more or less.

### 4' Alley In Common

BEGINNING at a point on the eastern boundary of the right of way line of South Laurel Street, said point being 75.08 feet south from the point of intersection of the southern boundary of the right of way line of West Cary Street and the eastern boundary of the right of way line of South Laurel Street;

Thence leaving the eastern boundary of the right of way line of South Laurel Street and proceeding in the following three (3) courses and distances:

- 1) S 89°58'44" E 50.00 feet to a point;
- 2) Thence S 00°29'35" W 4.00 feet to a point;
- 3) Thence N 89°58'44" W 50.00 feet to a point on the eastern boundary of the right of way line of South

Thence proceeding along the eastern boundary of the right of way line of South Laurel Street in a northeasterly direction N 00°29'35" E 4.00 feet to a point, said point being the Point and Place of Beginning of the 4' Alley in Common, containing 0.005 Acres, more or less.

ALSO BEING the same properties described in Title Commitment issued by Chicago Title Insurance company dated August 27, 2020 (Commitment No. SHTC20-1569).

### General Notes

- 1. This survey plat represents a current and accurate field transit survey of the premises shown hereon. Date of last physical survey: November 2, 2020
- 2. This survey was made with the benefit of a Title Report issued by Chicago Title Insurance Company, dated effective as of August 27, 2020 (Commitment No. SHTC20-1569).
- 3. All streets shown hereon are public.
- 4. The legal description does form a mathematically closed figure with no gaps, gores or overlaps.
- 5. Observed utilities are plotted and shown hereon. Subsurface Utility delineation was not performed.
- 6. Parcel One has pedestrian access from West Cary Street and South Laurel Street. Parcel Two has pedestrian access from South Laurel Street. Parcel Three has direct vehicular access from a 20' Public Alley and pedestrian access from South Laurel Street.
- 7. There is no observed evidence of current earth moving work, building construction, or building additions.
- 8. 5/8" Rods or P-K Nails found at all corners unless otherwise shown hereon.

# Sheet 1 of 2

### Legend

- → Fire Hydrant
- 上 Handicap Parking Spaces # Painted Parking Space Number
- Water Meter
- Water Valve Lamp Post (Metal Post w/light)
- Drainage Manhole Sanitary Manhole
- Cable T.V. Pedestal
- C&P Telephone Pedestal ■ Gas Meter
- ₩ Gas Valve

Zoning

Parcel One:

Yard Setbacks:

None Required

- Vepco Pole
- Vepco Transformer
- Misc Frame Sign oo Handi-cap Parking Sign
  - Bollard Yard Inlet (Drainage) Sanitary Cleanout
  - Concrete Surface
  - RCP Reinforced Concrete Pipe CMP Corrugated Metal Pipe
  - D.I. Drainage Inlet
  - F.F.E Finish Floor Elevation P.O.B. Point of Beginning

# SITE Downtown (195) Exp. (Toll) Scale 1" = 1000'

# Parcels Two & Three:

Current Zoning: R-7 (URBAN RESIDENTIAL DISTRICT)

Maximum Height: 35.00 Feet

### Yard Setbacks:

15.00 Feet Front: 5.00 Feet total height of 60 feet, shall be permitted when all 5.00 Feet

### Parking

Parcel One: No delineated Spaces

Parcel Two:

No delineated Spaces Parcel Three:

in an R or RO district there shall be a rear yard of not No delineated Spaces

### \* ZONING TO BE VERIFIED BY ZONING CONFIRMATION LETTER

less than 20 feet in depth.

Current Zoning: B-3 (GENERAL BUSINESS DISTRICT)

Setbacks: Spaces between buildings on the same lot. Where two or

Maximum Height: No building or structure shall exceed 35 feet in

two such buildings shall be not less than 15 feet.

more buildings, at least one of which contains a dwelling

use, are erected on the same lot, the distance between any

height in the B-3 general business district,

No side yards shall be required, except that where a side

No rear yard shall be required, except that where a rear

lot line abuts or is situated across an alley from property

be a side yard of not less than ten feet in width.

lot line abuts a property in an R or RO district there shall

provided that additional height, not to exceed a

yards exceed the minimum required by not less

than one foot for each one foot of building height

in excess of 35 feet and provided, further, that no

additional height shall be permitted on a transitional

For further clarification of Zoning Requirements - Contact: Zoning Division - Planning and Development Review 900 E. Broad St., Room 110 Richmond, Virginia 23219 (804) 646-6340

### Flood Certification

I have examined the Flood Insurance Rate Map for the City of Richmond, Virginia, Community Panel No. 510129-0037-D, (Panel 37 of 83), effective date April 2, 2009, and hereby certify to the best of my professional knowledge and belief that the property is not located in a Special Flood Hazard Area, but is located in Zone (X) as determined by National Flood Insurance Program, Federal Emergency Management Agency, Department of Housing and Urban Development.

### Surveyor's Certificate

This survey is certified to and prepared for the sole and exclusive benefit of the entities and/or individuals listed below as of November 11, 2020 and shall not be relied upon by any other entity or individual whomsoever.

- CARY LAUREL LLC
- LAUREL HOLDINGS LLC
- OREGON PROPERTIES LLC
- CHICAGO TITLE INSURANCE COMPANY
- SAFE HARBOR TITLE COMPANY

The undersigned further certifies 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 1-4, 6(a), 6(b), 7(a), 8, 9, 10(a), 11, 13. 16. 17 and 19 of Table A thereof.

The fieldwork was completed on November 2, 2020.

11/11/20 Rodney B. Shadrach Date Shadrach & Associates, LLC Va. Registered Surveyor No. 2274

I hereby certify that this ALTA survey, to the best of my professional knowledge and belief, is correct and complies with the minimum procedures and standards established by the Virginia State Board of Architects, Professional Engineers, Land Surveyors and Certified Landscape Architects.



