

ZONING AMENDMENT ORDINANCE Z-19-02

BE IT ORDAINED by the Council of the City of Portsmouth, Virginia:

1. That the portion of the zoning map attached to and made a part of the City of Portsmouth Zoning Ordinance, which now zones as FBC, D2-Form Based Code and D1-T-4 the property described in Petition for Zoning Amendment Number Z-19-02, is hereby amended and changed so as to show said property zoned as GMU-K, General Mixed Use (Conditional), and that said property is hereby zoned as GMU-K, General Mixed Use (Conditional).

2. That the property affected by this ordinance by being zoned from FBC, D2-Form Based Code and D1-T-4 to GMU-K, General Mixed Use (Conditional) is furthermore described as follows:

Z-19-02

700-708 London Street (Tax Parcels 0018-1390 to 0018-1395)

ALL THAT certain lot, piece or parcel of land, situate, lying and being in the City of Portsmouth, Virginia, known, numbered and designated as Disposition Parcel 3, as shown on a certain plat entitled: "Portsmouth Redevelopment and Housing Authority, Urban Renewal – Northside Redevelopment Project No. 1, VA R-39, Boundary and Property line Map, Part I, Portsmouth, Virginia," dated July 1, 1969, revised March 23, 1970, April 30, 1970, January 4, 1971, January 31, 1972 and April 21, 1977, made by R. Kenneth Weeks, Engineers, Norfolk, Virginia, which said plat is duly recorded in the Clerk's Office of the Circuit Court of the City of Portsmouth, Virginia, in Map Book 8, pages 23 and 24.

IT BEING all that certain property conveyed to Complex III, a Partnership by Deed of Bargain and Sale from the Portsmouth Redevelopment and Housing Authority dated December 21, 1980 and recorded in Deed Book 798 at Page 457 in the Portsmouth Circuit Court Clerk's Office.

720 London Street (Tax Parcel 0018-1400)

ALL THAT certain lot, piece or parcel of land, situate in the City of Portsmouth, Virginia, more particularly described as follows, to-wit: Beginning at the northeastern corner of the intersection of London and Effingham Streets, which corner is N 3 degrees 26'22" W – 105.01 feet from a chiseled cross in the Southern Project Boundary at the southeastern corner of said intersection; thence from said point of beginning N 3 degrees 26'35" W –

180.65 feet along the eastern right of way line of Effingham Street to a point; thence N 87 degrees 03' 03" E – 180.00 feet along the southern right of way line of Firehouse Lane (formerly Glasgow Street) to a point; thence S 3 degrees 26'35"E - 181.76 feet along the property line of Parcel 3, to a point; thence N 78 degrees 07'41" W – 5.60 feet along the northern right of way line of London Street to a point; thence continuing along said right of way line S 86 degrees 56'39" W – 174.60 feet to the point of beginning.

IT BEING all that certain property conveyed to 720 London, Inc. by Deed of Bargain and Sale from Bank of the Commonwealth dated June 5, 2009 and recorded as Instrument Number 090006463 in the Portsmouth Circuit Court Clerk's Office.

3. That the subject property shall be subject to the following conditions as proffered by the applicant for rezoning and owner of the property:

- (a) When redeveloped, the Property shall be developed in substantial conformity with the conceptual layout prepared by Bohler Engineering, entitled "Governance Plan for Wawa", and dated January 9, 2019, except for modification required by the City's Codes and Ordinances during the Subdivision and Site Plan Review process.
- (b) When constructed, the primary structure located on the Property shall be developed in substantial conformity with the conceptual elevations prepared by Cuhaci & Peterson, entitled "Wawa W50 FB VA_v.2018.01 – Store #8672", and dated January 2, 2019, except for modification required by the City's Codes and Ordinances during the Site Plan Review process.
- (c) When constructed, the gasoline canopy and dumpster enclosure located on the Property shall be developed in substantial conformity with the conceptual elevations prepared by Cuhaci & Peterson, entitled "Wawa Gas Canopy Stacked 6 – A Frame – Trash Compound MASQ17-R – Store #8672", and dated January 2, 2019, except for modification required by the City's Codes and Ordinances during the Site Plan Review process.

4. That this ordinance shall take effect on the date of its adoption.

ADOPTED by the Council of the City of Portsmouth, Virginia, at a meeting held on March 26, 2019.

Teste:

City Clerk

