

INTRODUCED: June 25, 2018

AN ORDINANCE No. 2018-190

To authorize the special use of the property known as 1715 Rear Hanover Avenue for the purpose of a single-family dwelling, upon certain terms and conditions.

Patron – Mayor Stoney (By Request)

Approved as to form and legality
by the City Attorney

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

WHEREAS, the owner of the property known as 1715 Rear Hanover Avenue, which is situated in a R-6 Single-Family Residential District, desires to use such property for the purpose of a single-family detached dwelling, which use, among other things, does not meet the lot area requirements of section 30-412.4(1) of the Code of the City of Richmond (2015), as amended; and, does not have public street frontage meeting the requirements of section 30-610.1 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 (2010), 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

AYES: 9 NOES: 0 ABSTAIN: _____

ADOPTED: JULY 23 2018 REJECTED: _____ STRICKEN: _____

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 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 1715 Rear Hanover Avenue and identified as Tax Parcel No. W000-0732/037 in the 2018 records of the City Assessor, being more particularly shown on a survey entitled “Plat Showing a Physical Survey of 1,260 Sq. Ft. of Land Located Southeast of Allen Avenue, City of Richmond, Virginia,” prepared by Jenning Stephenson, P.C., and dated September 14, 2016, shown as insets on sheet SUP 1 of the plans entitled “Modifications to: 1715 Rear Hanover Street, Richmond, Virginia,” prepared by Michael Pellis Architecture, and dated August 15, 2017, copies of which are 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 a single-family detached dwelling, hereinafter referred to as “the Special Use,” substantially as shown on the plans entitled “Modifications to: 1715 Rear Hanover Street, Richmond, Virginia,” prepared by Michael Pellis Architecture, and dated August 15, 2017, 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 a single-family detached dwelling, substantially as shown on the Plans.

(b) One off-street parking space shall be provided for the Special Use within a radius of 500 feet from the Property.

(c) All building materials and elevations shall be substantially as shown on the Plans.

(d) The height of the Special Use shall not exceed two stories 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 final certificate of occupancy for the Special Use, the primary alley access to the Property shall be named in accordance with sections 26-7 through 26-10 of the Code of the City of Richmond (2015), as amended.

(g) No permit implementing the Special Use shall be issued until written evidence that the Director of Public Works, the Chief of Police, and the Chief of Fire and Emergency Services have confirmed that the alley access to the Property for all-weather travel by public and emergency vehicles is suitable has been submitted to the Zoning Administrator.

§ 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.2018.053

RECEIVED

JUN 13 2018

OFFICE OF CITY ATTORNEY

O & R Request

O & R REQUEST

MAY 30 2018

4-7859

Office of the

Chief Administrative Officer

EDITION: 1

DATE: May 29, 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: Peter L. Downey, Deputy Chief Administrative Officer for Economic
Development and Planning

RED 5-29-18

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



RE: To authorize the special use of the property known as 1715 Rear Hanover Avenue for the
purpose of a single-family detached dwelling, upon certain terms and conditions.

ORD. OR RES. No. _____

PURPOSE: To authorize the special use of the property known as 1715 Rear Hanover Avenue for the
purpose of a single-family detached dwelling, upon certain terms and conditions.

REASON: The proposed development is to convert an existing two-story accessory building into a
single-family dwelling. The parcel does not meet current R-6 requirements for lot area and does not have
public street frontage. 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 July 16, 2018 meeting. A
letter outlining the Commission's recommendation will be forwarded to City Council following that
meeting.

BACKGROUND: The subject property consists of a 1,260 SF (0.03 acre) parcel of land currently
improved with an existing, two story storage building and is a part of the Fan neighborhood in the Near West

Planning District. The property is located at the center of the block bound by North Allen Avenue, Hanover Avenue, North Vine Street, and Grove Avenue, and is accessed via alley.

The R-6 standards require a minimum lot area of 5,000 SF, which would not be met by the existing parcel. The density of the parcel, if developed as proposed, would equate to approximately 33 units per acre. Overall, due to the significant variety of housing types and densities, the proposal is generally consistent with the pattern of development found within this portion of the Fan neighborhood.

The City of Richmond's current Master Plan designates the subject property for Single-Family Medium Density land use which includes, "...single-family and two-family dwellings, both detached and attached, at densities of 8 to 20 units per acre. Includes residential support uses such as schools, places of worship, neighborhood parks and recreation facilities, and limited public and semi-public uses. Typical zoning classifications that may accommodate this land use category: R-5A, R-6 and R-7. (City of Richmond, Master Plan, p.133)

All adjacent and nearby properties are located within the same R-6 Single-Family Residential District as the subject property. A mix of single- two- and multi-family land uses, with some commercial land uses are present in the vicinity.

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

DESIRED EFFECTIVE DATE: Upon Adoption

REQUESTED INTRODUCTION DATE: June 25, 2018

CITY COUNCIL PUBLIC HEARING DATE: July 23, 2018

REQUESTED AGENDA: Consent

RECOMMENDED COUNCIL COMMITTEE: None

CONSIDERATION BY OTHER GOVERNMENTAL ENTITIES: City Planning Commission, July 16, 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: Draft Ordinance, Application Form, Applicant's Report, Plans, Survey, Map

STAFF: Jonathan Brown, Senior Planner
Land Use Administration (Room 511) 804-646-5734

PDR O&R No. 18-15



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/>

SUP-023125-2017

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: 1715 Rear Hanover Ave Date: 08/14/2017
 Tax Map #: ID: W000732037 Fee: \$300.00
 Total area of affected site in acres: .029

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

Zoning

Current Zoning: 533Bstorage:district is R6

Existing Use: storage

Proposed Use

(Please include a detailed description of the proposed use in the required applicant's report)

Single Family Dwelling

Existing Use: storage

Is this property subject to any previous land use cases?

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

Applicant/Contact Person: James C and Nancy S Storie

Company: _____
 Mailing Address: 11084 Kersey Lane
 City: Mechanicsville State: VA Zip Code: 23116
 Telephone: (804) 514-1316 JIM Fax: ()
 Email: jim@redlineleather.com nstorie@me.com

Property Owner: James C Storie and Nancy S. Storie

If Business Entity, name and title of authorized signee: _____

(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: 11084 Kersey Lane
 City: Mechanicsville State: VA Zip Code: 23116
 Telephone: (804) 514-1316 Fax: ()
 Email: nstorie@me.com jim@redlineleather.com

Property Owner Signature: *James C Storie*

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)

1715 REAR HANOVER AVENUE

SPECIAL USE PERMIT APPLICANT REPORT

Department of Planning and Development Review
Land Use Administration Division, Room 511
City Hall, 900 East Broad Street, Richmond Virginia 23219

August 15, 2017

To Whom It May Concern:

The owners of 1715 Rear Hanover Ave, Jim & Nancy Storie (the applicants), are requesting the allowance of converting a storage warehouse into a single-family dwelling. The proposal is to convert the existing interior into a two bedroom, 2 ½ bathroom dwelling. Minimal changes to the exterior are being contemplated including a new entry vestibule, a roof top deck and open railing over the existing single story portion, replacement of all windows with new divided lite windows and a new 6' brick privacy wall along the contemplated outdoor patio. One parking space will be provided in a garage located approximately 300' from the building (206-R2 North Allen Ave) and is currently owned by the applicants.

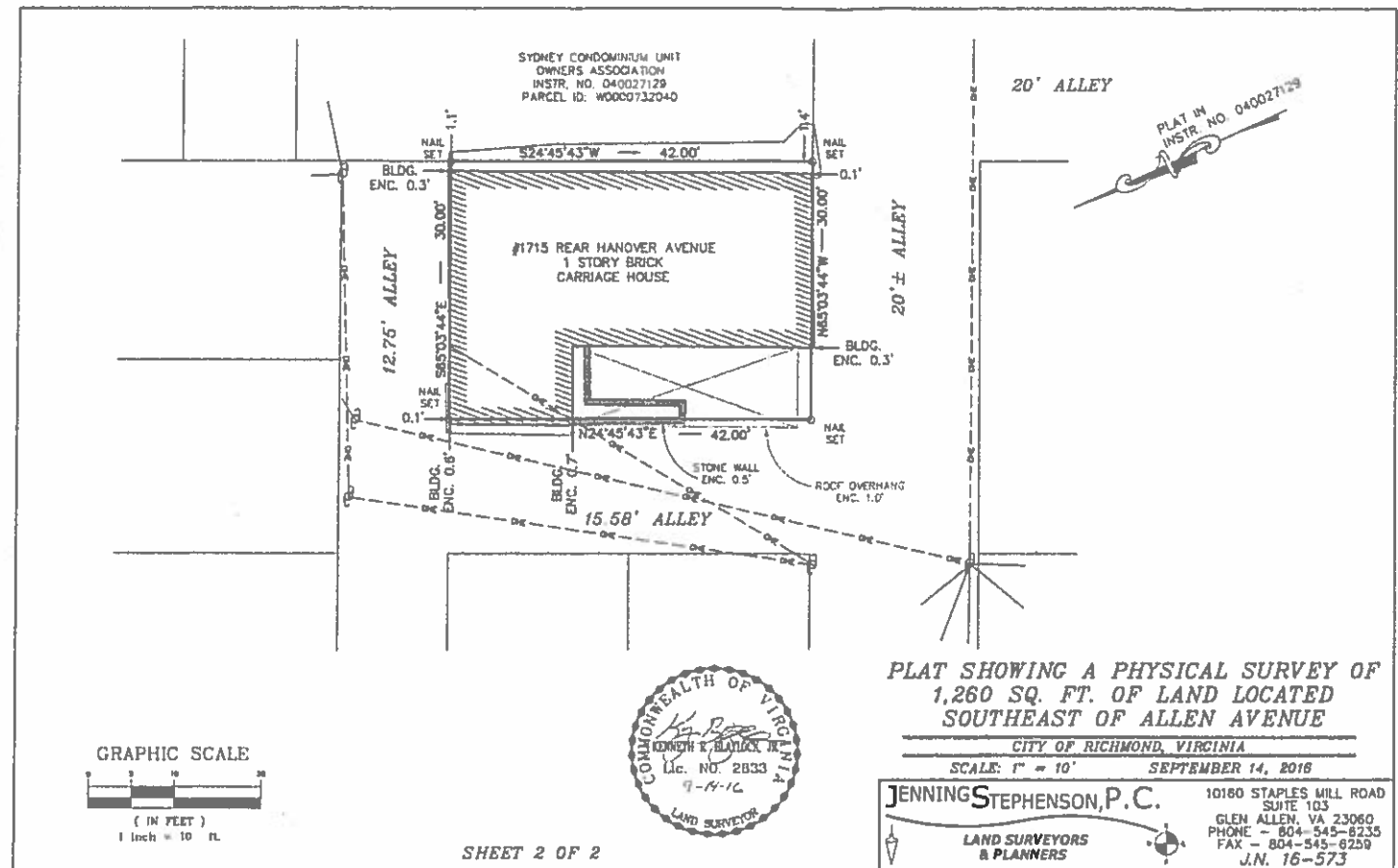
Please refer to the plan sheets titled SUP-1 as evidence in support of the following statements:

- A. The change of use to single family will not be detrimental to the safety, health, morals and general welfare of the community involved. The use contemplated is allowable in the R6 zoning and is compatible with the residential neighborhood, which surrounds the project.
- B. The change of use will not create additional congestion along the alleyways where the building is located. A designated parking space will be provided within approx. 300' of the building in an enclosed garage which has been purchased by the property owners.
- C. All bedrooms will have egress compliant operable windows and all new construction will be primarily of full brick construction to match existing. The contemplated change from Storage to single-family dwelling is a change to a less hazardous use classification.
- D. The proposed use is compatible with the R6 zoning classification it is within and therefore, would not cause overcrowding of land or an undue concentration of population
- E. The change of use to single family dwelling will not adversely affect any public or private schools, parks, playgrounds, water supplies, sewage disposal, transportation or other public requirements.
- F. The change of use to single family dwelling and the improvements contemplated will not interfere with adequate light and air and will have zero impact on existing adjacent properties.

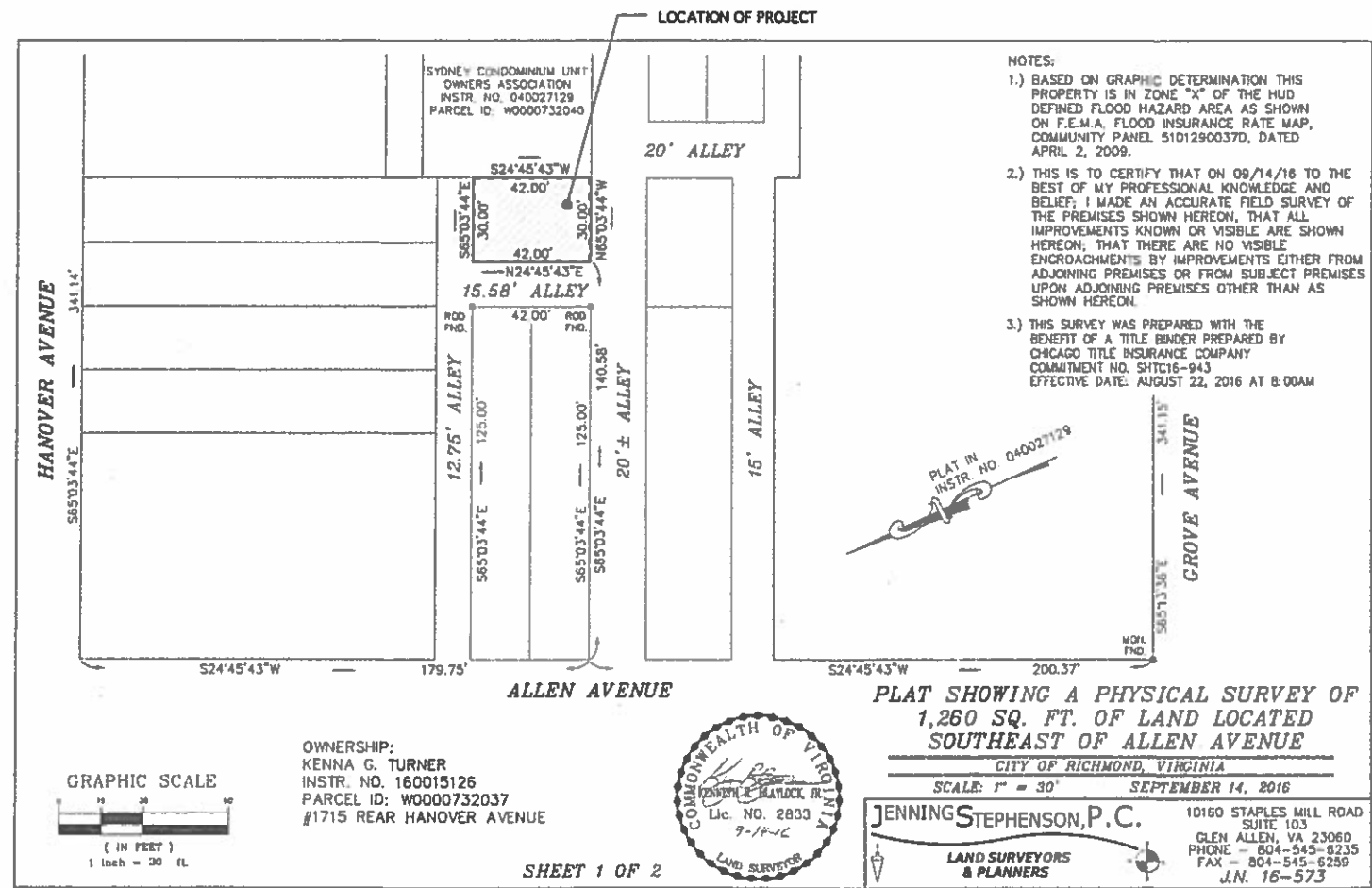
The applicants have contacted their council member and met with the Fan District Association and all groups expressed support for the proposed change of use (pending final review of submitted SUP documents). Once the Fan District Association has had a chance to review the specific SUP documents, the applicants are more than willing to meet and discuss any concerns, which may arise.

Thank you for your consideration.

Michael Pellis
(On behalf of the applicants)



2 SITE PLAN AS NOTED



1 LOCATION MAP AS NOTED

SCOPE OF PROJECT

THE SCOPE OF WORK UNDER THIS PERMIT IS:

TO CONVERT THE EXISTING TWO-STORY BUILDING WITH 1,339 SF OF LIVING SPACE FROM WAREHOUSE STORAGE USE INTO A SINGLE FAMILY DWELLING.

INTERIOR MODIFICATIONS WILL BE PERFORMED IN ORDER TO ACCOMMODATE TWO BEDROOMS AND TWO AND A HALF BATHROOMS, KITCHEN AND WASHER & DRYER.

EXTERIOR IMPROVEMENTS CONSIST OF A NEW ENTRY VESTIBULE CONSTRUCTED OF A BRICK PARAPET WALL, NEW SHED ROOF AND STUD FRAMED ENTRY WALL WITH CUSTOM ENTRY DOOR.

ONE SET OF THE EXISTING BUILDING BARN STYLE DOORS WILL BE RESTORED AND MADE OPERABLE. THE EXISTING OPENING WILL BE INFILLED WITH A NEW DIVIDED LITE DOOR AND WINDOW.

ALL EXISTING WOOD WINDOWS WILL BE REPLACED WITH DIVIDED LITE WINDOWS TO MATCH THE EXISTING DIVIDED LITE STYLE.

A NEW OUTDOOR DECK WILL BE CONSTRUCTED ABOVE THE EXISTING SINGLE STORY PORTION OF THE BUILDING AND WILL HAVE AN OPEN METAL RAILING ALONG TWO SIDES. ALL EXISTING ROOFS AND SKYLIGHTS WILL REMAIN AND REPAIRED/WEATHERPROOFED AS NECESSARY.

A NEW 6' HT. BRICK WALL WILL BE CONSTRUCTED ALONG THE OUTDOOR PATIO FOR PRIVACY. ALL NEW BRICK INFILL WILL BE OF RECLAIMED BRICK TO MATCH THE EXISTING BUILDING.

SYMBOL LEGEND

- WALL TYPE
- KEYNOTE SYMBOL
- STANDARD DUPLEX W/ DATA & PHONE
- 0'-0" FLOOR HEIGHT
- PATH OF TRAVEL WITH LINEAR FOOT DISTANCE
- EXTERIOR ELEVATION TAG
- BUILDING SECTION TAG
- DETAIL WALL SECTION TAG
- DRAWING REVISION
- EXISTING WALLS TO REMAIN
- EXISTING WALLS TO REMOVE
- NEW WALLS

BUILDING CODE DATA

JURISDICTION: RICHMOND, VIRGINIA

APPLICABLE CODES: 2012 VIRGINIA UNIFORM STATEWIDE RESIDENTIAL BUILDING CODE

INDEX OF DRAWINGS

SHEET	DESCRIPTION
SUP 1	COVER SHEET DATA
SUP 2	EXISTING FLOOR PLANS
SUP 3	PROPOSED FLOOR PLANS
SUP 4	EXISTING BUILDING ELEVATIONS
SUP 5	PROPOSED BUILDING ELEVATIONS

CONTACT INFORMATION

OWNER: JAMES & NANCY STORIE 11084 KERSEY LANE MECHANICSVILLE, VIRGINIA 23116 804.514.1318 jms@redlineether.com

ARCHITECT: MICHAEL PELLIS 201 W. 7TH STREET RICHMOND, VA 23224 804.212.9024 michael@michaelpellis.com

PROJECT: 1715 REAR HANOVER STREET, RICHMOND, VIRGINIA

MODIFICATIONS TO:

COVER SHEET & CODE DATA

REVISIONS

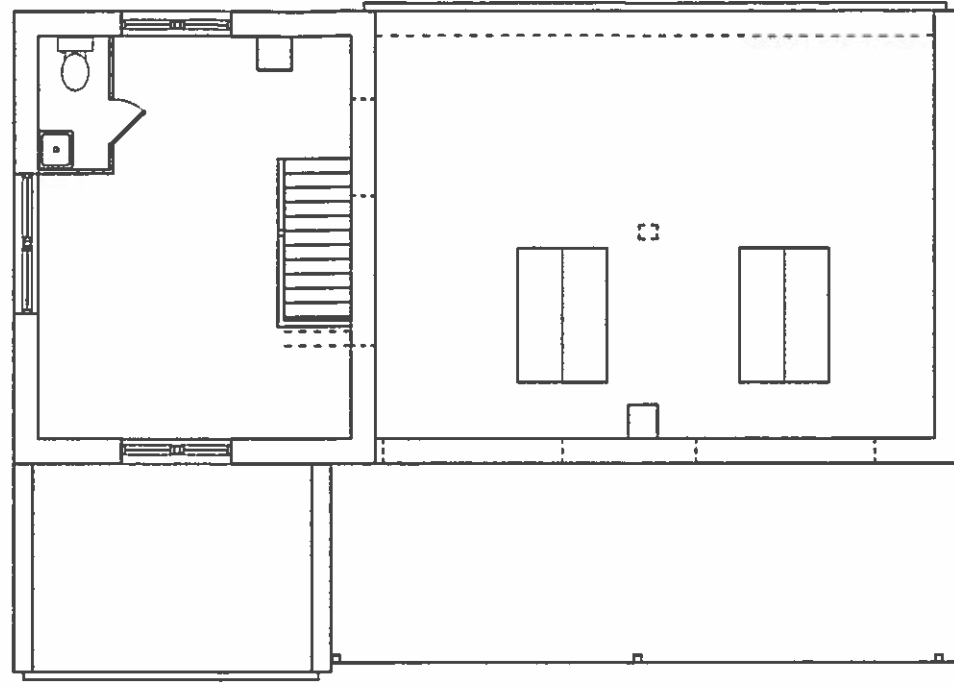
N/A
N/A
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SUP 1

DATE: AUGUST 15, 2017

OWNER: JAMES & NANCY STORIE 11084 KERSEY LANE, MECHANICSVILLE, VIRGINIA 23116

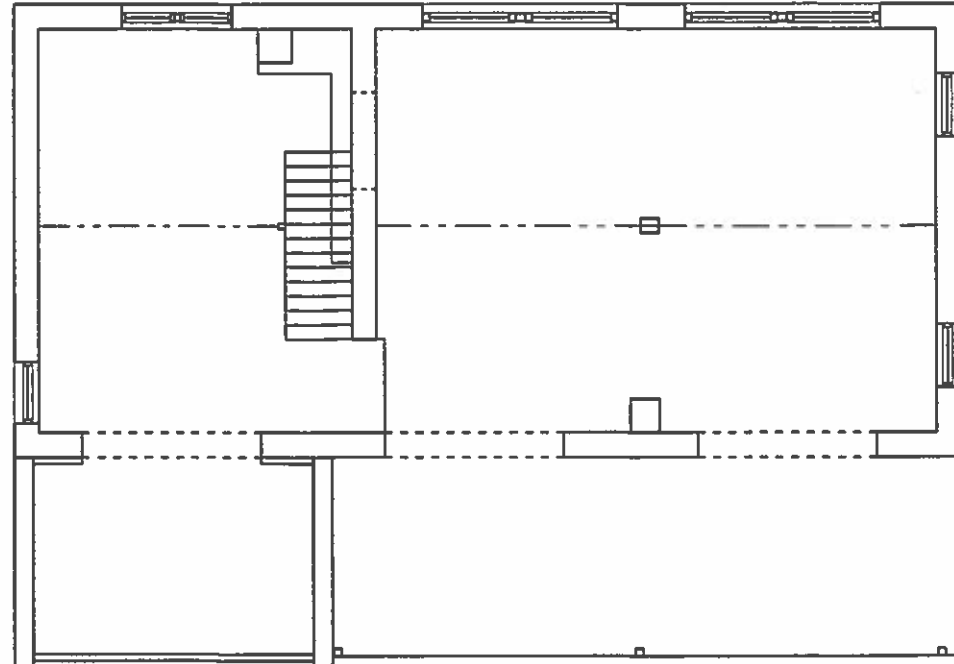
MICHAEL PELLIS ARCHITECTURE 201 W. 7TH ST., RICHMOND, VA 23224 www.michaelpellis.com 804.212.9024



EXISTING 2ND FLOOR PLAN

1/4" = 1'-0"

2



EXISTING 1ST FLOOR PLAN

1/4" = 1'-0"

1



PROJECT:
MODIFICATIONS TO:
 1715 REAR HANOVER STREET, RICHMOND, VIRGINIA

OWNER:
JAMES & NANCY STORIE
 11084 KERSEY LANE, MECHANICSVILLE, VIRGINIA 23116

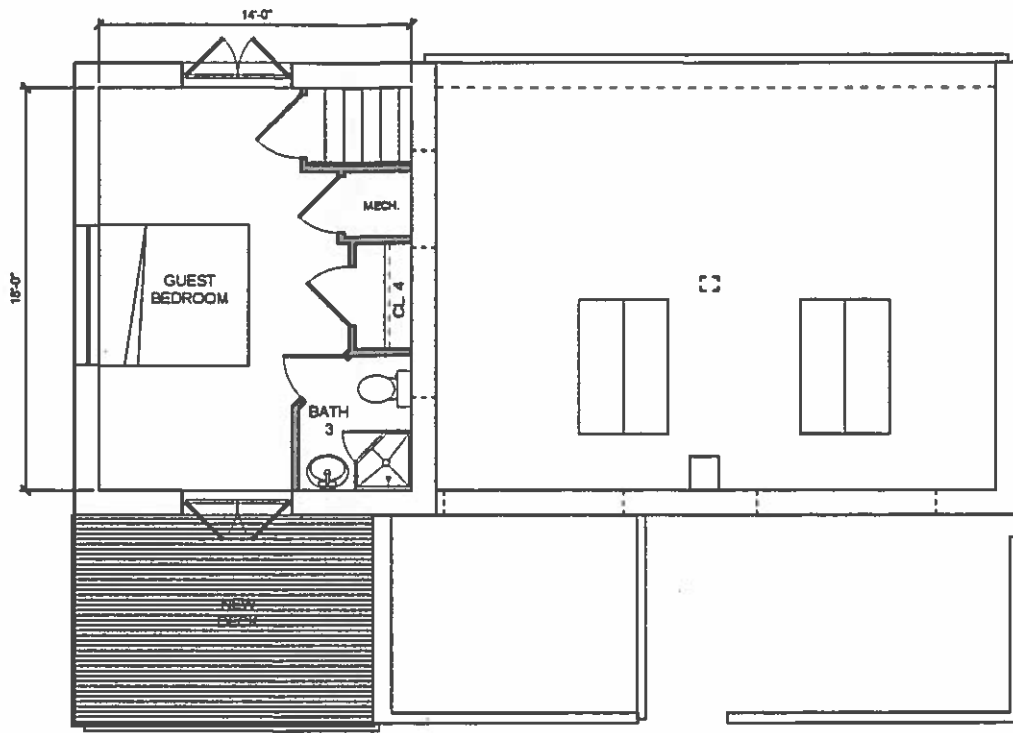
EXISTING PLANS

MICHAEL PELLIS ARCHITECTURE
 www.michaelpellis.com
 804.212.8024
 201 W. 7th St., Richmond, VA 23224

REVISIONS
N/A
N/A
N/A
N/A
N/A

SUP 2

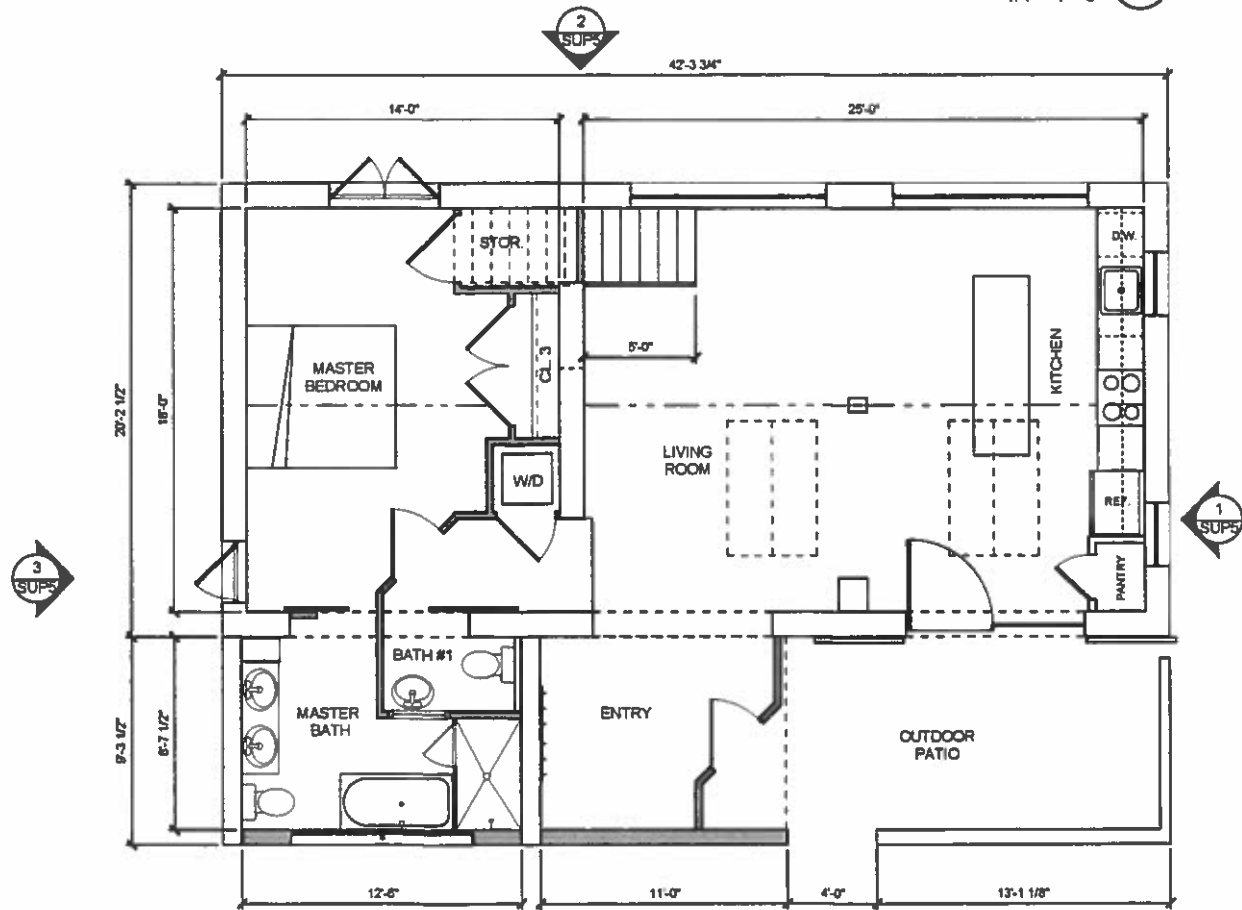
DATE AUGUST 15, 2017



PROPOSED 2ND FLOOR PLAN

1/4" = 1' - 0"

2



PROPOSED 1ST FLOOR PLAN

1/4" = 1' - 0"

1

PROJECT: MODIFICATIONS TO:
1715 REAR HANOVER STREET, RICHMOND, VIRGINIA

OWNER:
JAMES & NANCY STORIE
11084 KERSEY LANE, MECHANICSVILLE, VIRGINIA 23116

PLANS & SECTION

REVISIONS
N/A
N/A
N/A
N/A
N/A

SUP 3

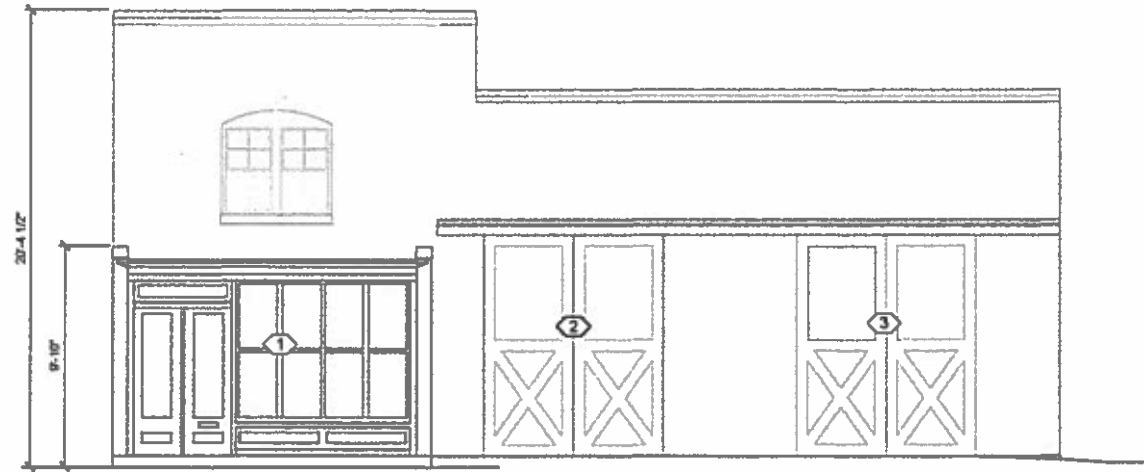
DATE AUGUST 15, 2017

MICHAEL PELLIS ARCHITECTURE
www.michaelpellis.com
804.212.9024
201 W. 7th St., Richmond, VA 23224

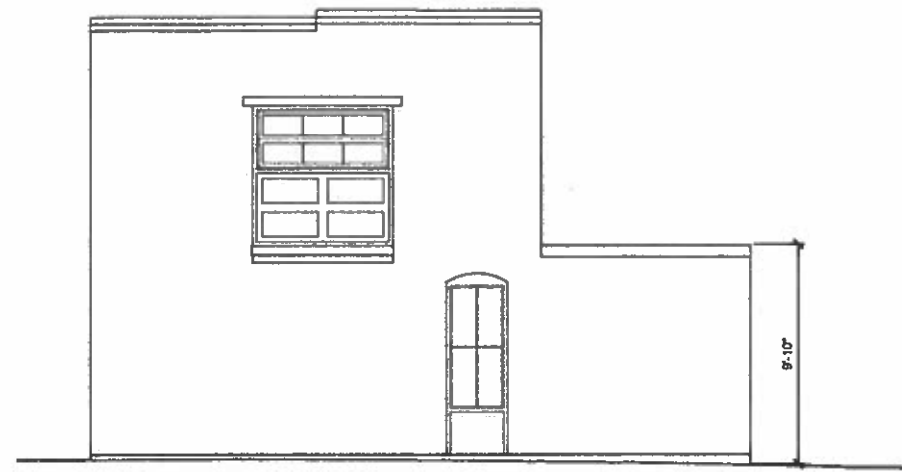
KEY NOTES

- ① EXISTING STOREFRONT TO BE REMOVED
- ② EXISTING BARN DOORS TO BE REMOVED
- ③ EXISTING BARN DOORS TO BE RESTORED & MADE OPERABLE

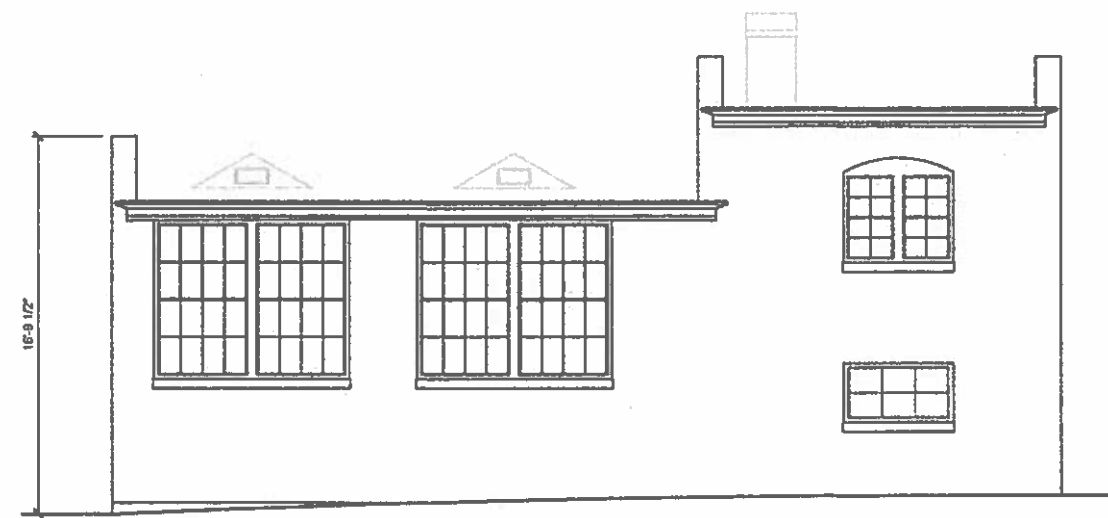
ALL EXISTING WOOD WINDOWS TO BE REMOVED AND REPLACED WITH STEEL SASH WINDOWS. DIVIDED LITE STYLE TO MATCH EXISTING.



WEST ELEVATION
F.F.F. ④



NORTH ELEVATION
F.F.F. ③



EAST ELEVATION
F.F.F. ②



SOUTH ELEVATION
F.F.F. ①

PROJECT:
MODIFICATIONS TO:
1715 REAR HANOVER STREET, RICHMOND, VIRGINIA

OWNER:
JAMES & NANCY STORIE
11084 KERSEY LANE, MECHANICSVILLE, VIRGINIA 23116

EXISTING ELEVATIONS

REVISIONS
N/A
N/A
N/A
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N/A

SUP 4

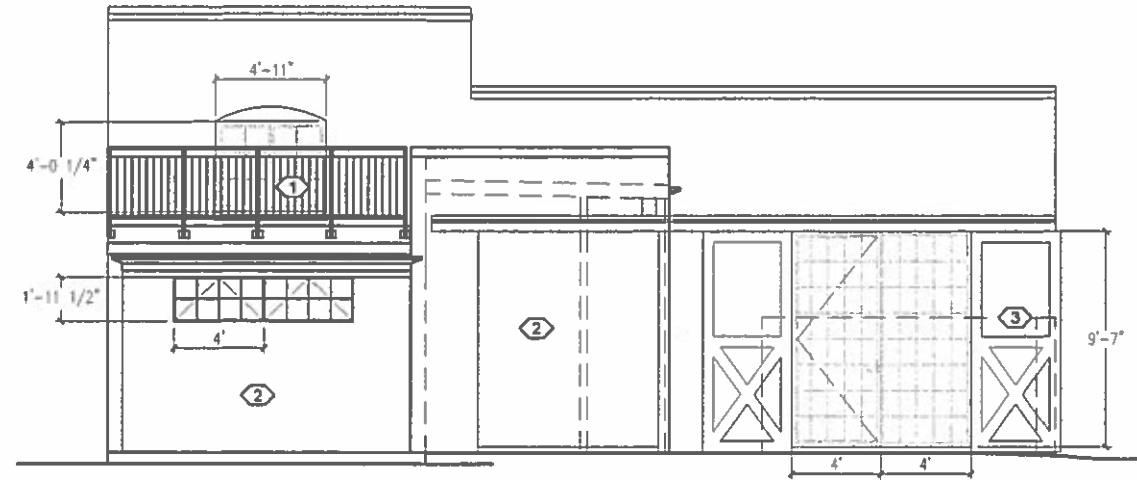
DATE AUGUST 15, 2017

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KEY NOTES

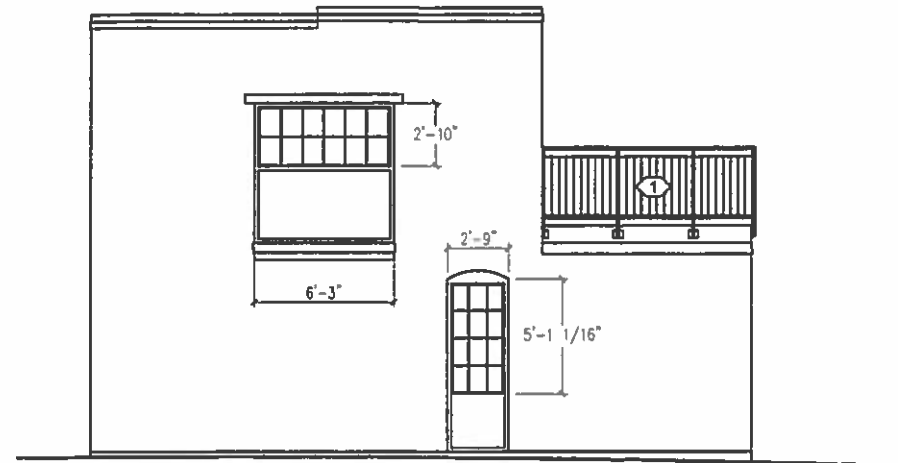
- ① PAINTED METAL RAILINGS - MIN. 42" ABOVE DECKING FINISH
- ② NEW BRICK IOR METAL PANEL NFILL WALL
- ③ 8' HT. BRICK WALLS TO PROVIDE PRIVACY FOR THE OUTDOOR PATIO (SHOWN DASHED) RECLAIMED BRICK TO MATCH EXISTING BUILDING.

ALL WINDOWS TO BE NEW STEEL SASH WINDOWS WITH DIVIDED LITE STYLE TO MATCH EXISTING



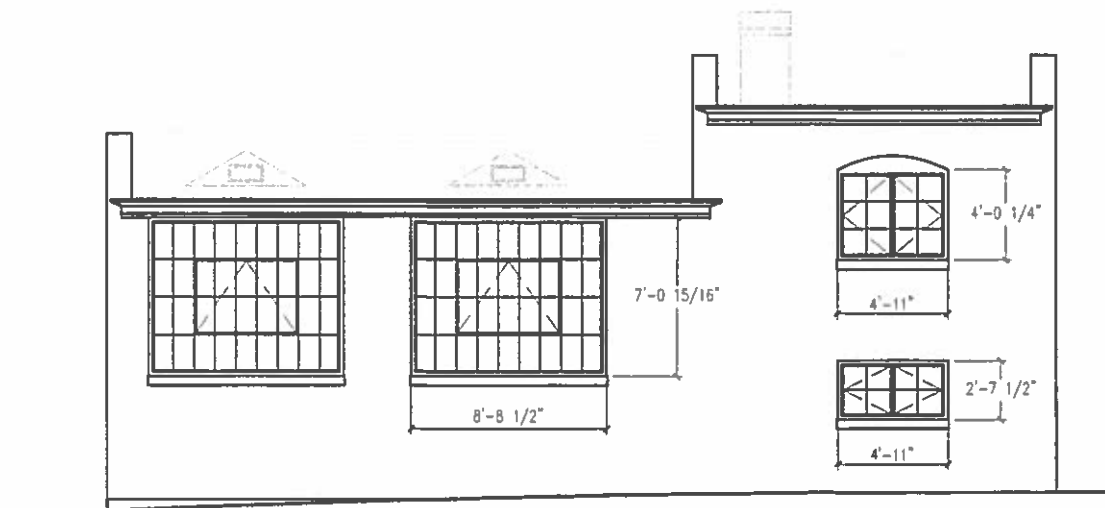
WEST ELEVATION

1/4" = 1' - 0" ④



NORTH ELEVATION

1/4" = 1' - 0" ③



EAST ELEVATION

1/4" = 1' - 0" ②



SOUTH ELEVATION

1/4" = 1' - 0" ①

PROJECT:
MODIFICATIONS TO:
 1715 REAR HANOVER STREET, RICHMOND, VIRGINIA

OWNER:
JAMES & NANCY STORIE
 11084 KERSEY LANE, MECHANICSVILLE, VIRGINIA 23116

PROPOSED ELEVATIONS

REVISIONS
N/A
N/A
N/A
N/A
N/A

SUP 5

DATE
 AUGUST 15, 2017

MICHAEL PELLIS ARCHITECTURE
 www.michaelpellis.com
 804.212.9024
 201 W. 7th St., Richmond, VA 23224