INTRODUCED: July 26, 2021

AN ORDINANCE No. 2021-217

To authorize the special use of the property known as 1520 West Main Street for the purpose of two mixed-use buildings containing commercial uses, outdoor dining, and up to 20 multifamily dwelling units, upon certain terms and conditions.

Patron – Mayor Stoney (By Request)

Approved as to form and legality by the City Attorney

PUBLIC HEARING: SEP 13 2021 AT 6 P.M.

WHEREAS, the owner of the property known as 1520 West Main Street, which is situated in a UB Urban Business District, the Main Street/Uptown Parking Overlay District PO-3, and the Stonewall Jackson School City Old and Historic District, desires to use such property for the purpose of two mixed-use buildings containing commercial uses, outdoor dining, and up to 20 multifamily dwelling units, which use, among other things, is not currently allowed by sections 30-433.2, concerning permitted principal and accessory uses, 30-433.8, concerning height limit, and 30-910.3, concerning the requirements of the Main Street/Uptown Parking Overlay District PO-3, of the Code of the City of Richmond (2020), as amended; and

AYES:	8	NOES:	0	AB0STAIN:	
ADOPTED:	SEPT 13 2021	REJECTED:		STRICKEN:	

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 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 1520 West Main Street and identified as Tax Parcel No.W000-0607/037 in the 2021 records of the City Assessor, being more particularly shown on a survey entitled "Lot Split, 1520 W. Main Street, Richmond, Virginia," prepared by Parker Design Group, and dated August 28, 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 mixed-use buildings containing commercial uses, outdoor dining, and up to 20 multifamily dwelling units, hereinafter referred to as "the Special Use," substantially as shown on the plans entitled (i) "Renovations to: Stonewall School Building, 1520 West Main Street, Richmond, Virginia," prepared by Irby Architects, with sheets A.2 through A.6 and Ex. 1 through Ex. 6 dated October 20, 2020; a site sheet and sheet A.1 dated October 20, 2020, and last revised April 9, 2021; and (ii) "New Mixed Used Building," prepared by Irby Architects, and dated April 9, 2021, hereinafter referred to, collectively, 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 mixed-use buildings containing commercial uses, outdoor dining, and up to 20 multifamily dwelling units, substantially as shown on the Plans.
- (b) Uses permitted in the UB Urban Business District pursuant to Chapter 30, Article IV, Division 18 of the Code of the City of Richmond (2020), as amended, shall be permitted on the Property.
 - (c) The height of the Special Use shall not exceed the height as shown on the Plans.
- (d) The location of the outdoor dining shall be limited to the location identified as "Existing Patio and Pergola," on sheet Ex.1 of the Plans.
- (e) No music or public address system shall be operated in such a manner that sound produced therefrom is audible beyond the boundaries of the Property.
- (f) A minimum of 20 off-street parking spaces shall be required for the Special Use, substantially as shown on the Plans.
- (g) Sheltered bicycle parking for a minimum of 8 bicycles shall be provided for the Special Use, substantially as shown on the Plans.
- (h) If the Owner desires to subdivide the Property into two lots, then 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 a survey entitled "Lot Split, 1520 W. Main Street, Richmond, Virginia," prepared by Parker Design Group, and dated August 28, 2020, a copy of which is attached to and made a part of this ordinance, 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) The Owner shall make improvements within the right-of-way, including removal of the curb cut and concrete sidewalk along the West Main Street frontage of the Property, installation of new granite curb and herringbone brick pavers in place of the curb cut and concrete sidewalk to connect to the brick paver sidewalk to the east, and the planting of a new tree within the existing tree well along the West Main Street frontage of the Property, which improvements may be completed in one or more phases as approved by the Director of Public

Works. All improvements and work within the public right-of-way shall be (i) completed in accordance with the requirements of the Director of Public Works, (ii) considered completed only upon written confirmation by the Director of Public Works that such improvements and work are in accordance with such requirements, (iii) transferred to the City, following the written confirmation by the Director of Public Works, pursuant to a transfer of interest document approved as to form by the City Attorney and accepted by the Chief Administrative Officer or the designee thereof on behalf of the City. The Chief Administrative Officer or the designee thereof, for and on behalf of the City, is hereby authorized to accept, in the manner for which this subsection provides, all improvements and work required by and meeting the requirements of this subsection. The final certificate of occupancy shall not be issued for the Property until all requirements of this subsection are fully satisfied.

- (f) 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 1,826 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.

A TRUE COPY:

TESTE:

City Clerk

2021-363

City of Richmond

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

Item Request

File Number: PRE.2021.730

O & R Request

DATE: June 28, 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 1518 and 1520 West Main Street for

the purpose of two mixed-use buildings and outside dining, upon certain terms and

conditions.

ORD. OR RES. No.

PURPOSE: To authorize the special use of the property known as 1518 and 1520 West Main Street for the purpose of two mixed-use buildings and outside dining, upon certain terms and conditions.

REASON: The applicant is requesting a special use permit to allow for the construction of a four-story mixed-use building adjacent to the existing three-story historic Stonewall Jackson School building, which is proposed to be renovated into a mixed-use building. The proposed uses within the buildings are permitted under the UB Urban Business District, however the proposed outdoor dining, which has previously operated on the property, is not permitted because it is within 100' of property located in an R district. Additionally, the proposed height of the new mixed-use building (48' 9.75") exceeds the height allowed under the UB District (which is 28'). While the applicant intends to meet the parking requirements of the PO3 (Main Street/Uptown Parking Overlay District), the ordinance provides flexibility should the proposed commercial uses differ from what is preliminarily contemplated.

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 August 16, 2021, meeting.

File Number: PRE.2021.730

BACKGROUND: The subject property consists of a 26,180 square foot (0.60) acre parcel that is improved with a three-story commercial building containing a floor area of approximately 30,000 square feet that presently contains office and retail uses. The property is located in The Fan neighborhood.

The subject property is located within the UB Urban Business District, the PO3 Main Street/Uptown Parking Overlay District, and the Stonewall Jackson School City Old & Historic District. The proposed outdoor dining use is not permitted because it is within 100' of property located within an R district. Additionally, the proposed height of the new mixed-use building exceeds what is permitted under the UB Urban Business District. While the applicant intends to meet the parking requirements of the PO3 (Main Street/Uptown Parking Overlay District), the ordinance provides flexibility should the proposed commercial uses differ from what is preliminarily contemplated. The Commission of Architectural Review reviewed and conditionally approved the proposed new mixed-use building at its April 27, 2021 meeting.

The Richmond 300 Master Plan recommends a future land use of "Community Mixed-Use" for the property. The development style recommended for Community Mixed-Use is development that generally complements the existing context with continuance or enhancement of the gridded street pattern to increase connectivity. The intensity recommended for Community Mixed-Use is two to six story buildings, based on street widths and depending on the historic context and stepping down in height adjacent to residential areas, as necessary. New buildings that are taller than historic buildings should stepback from the build-to line after matching the height of the predominant cornice line of the block. Ground floor uses should engage and enliven the street, with windows, doors, storefronts and other features that allow transparency and interaction between the building and the street. The primary uses recommended for Community Mixed-Use are retail/office/personal service, multi-family residential, cultural, and open space. Pedestrian, bicycle, and transit access must be prioritized and bike parking should be provided.

Commercial and mixed-use buildings also front on both sides of West Main Street to the east and west of the subject property. An office building exists directly to the north of the property, with single family uses located across the alley from the office building.

The subject property and properties to the east, west, north and south are located within the UB Urban Business District and the PO3 Main Street/Uptown Parking Overlay District. Properties to the north of the midblock alley between N Lombardy Street and N Plum Street are located within the R-6 Single-Family Attached District.

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

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

BUDGET AMENDMENT NECESSARY: No

REVENUE TO CITY: \$2,400 application fee

DESIRED EFFECTIVE DATE: Upon Adoption

REQUESTED INTRODUCTION DATE: July 26, 2021

CITY COUNCIL PUBLIC HEARING DATE: September 13, 2021

File Number: PRE.2021.730

REQUESTED AGENDA: Consent

RECOMMENDED COUNCIL COMMITTEE: None

CONSIDERATION BY OTHER GOVERNMENTAL ENTITIES: City Planning Commission

August 16, 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 4856



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: 1520 \$ 1518 W. MAN St. Tax Map #: W0007037 Fee: 176 = .601 Total area of affected site in acres: 425 \$ 176 = .601
(See page 6 for fee schedule, please make check payable to the "City of Richmond")
Zoning Current Zoning: U.B. Existing Use: Ommercial
Proposed Use (Please include a detailed description of the proposed use in the required applicant's report) Existing Use: SHC & CommerCial
Is this property subject to any previous land use cases? Yes No If Yes, please list the Ordinance Number:
Applicant/Contact Person: Company: 520 W. MAIN Street; LLC Mailing Adeless: 1520 W. MAIN Street; LLC City: KIChnard: State: Xip Code: 23020 Telephone: 804) 359-10002 Fax: 804 359-10004 Email: 500001 & the Cognad from . Can
Property Owner: 1520 W MAIN Street; LC If Business Entity, name and title of authorized signee: BY JOHN CONRAD, Member
(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:
Property Owner Signature: 1520 W Main Skeet, LC, by Ohalannad, Monde

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 REQUEST

1520 & 1518 W. Main Street (W0000607037) (.601 ac.)

Submitted, November 10, 2020, by Applicant,

1520 W Main Street, LLC By: John A. Conrad, Managing Member 1520 W. Main Street, Suite 204 Richmond, VA 23220

INTRODUCTION

Applicant applies for a special use permit ("SUP") for 1520 & 1518 W. Main Street ("the Property"), in order to use this Property for any uses permitted in UB Zoning Ordinance Sec. 30-433.1 et seq., and/or upon the special uses and conditions set forth herein.

DESCRIPTION OF CONFIGURATIONS AND OWNERSHIP OF PROPERTIES

This Properties is currently carried in the City's records as TMP No. W0000607037 (1520 & 1518 W. Main St.). See Exhibit A (1-4). However, this property has the following history of changes in its physical configurations and ownership.

In terms of physical configurations, the parcel known as 1520 W. Main St. in the past has also included more than one lot. It has undergone changes in its configuration, one change occurring many years ago and other changes occurring more recently. In 1886, when the City built the 30,000 SF building formerly known as Lombardy School, West End School, and Stonewall Jackson School, the adjacent lot located immediately east on Main Street was privately owned property known as 1518 W. Main St., and included a residence and other dependencies. The 1905 and 1919 Sanborn Maps depict this residence on lot 1518 W. Main St. on attached Exhibits B (1 & 2). In 1925, the City of Richmond purchased this property, demolished the dwelling and other improvements, and incorporated lot 1518 W. Main St. into 1520 W. Main St., as indicated in the 1925 Sanborn Map which excludes any reference to 1518 W. Main Street on attached Exhibits B (3 & 4). Finally, on May 22, 2020 the Applicants consolidated the adjoining parcel previously known as 1 N. Lombardy Avenue into Lot 1520 W. Main St. This property includes the rear private driveway and six parking spaces located along the northern boundary line of 1520 W. Main St. For more information about the current physical configurations of lots 1518 and 1520 see the most current surveys attached as Exhibits C (1).

Stonewall Jackson, LLC has owned these Properties since 2005. However, its name has been changed to 1520 W Main Street, LLC. Thus, all three of these Properties are currently owned 1520 W Main Street, LLC and this LLC continues to be owned by John and Kathy Conrad.

MASTER PLAN DESIGNATION OF USES & EXISTING ZONING AND USES

The Master Plan designates this Property for "Community Commercial" use. The proposed improvements for this Property is consistent with this designation of the Master Plan. This Property is currently zoned UB which allows all of the uses proposed by Applicants.

The property known as 1520 W. Main St. includes a 30,000 SF building known as Lombardy School, West End School, as well as other names. This property includes a four story, 30,000 SF building, a corner patio, and twenty- three parking spaces. This

building includes four floors: the Ground Floor, Second Floor, Third Floor and an Attic or Fourth Floor. This building represents the oldest property formerly owned by the City of Richmond which is still in its original condition. The exterior design of this building has a magnificent scale, with its fifty- eight foot height, three large Greek & Italianate cast iron entrance porches, perched on top of ten thirty foot wide granite steps, granite and brick construction, with eighty ten foot tall windows. The interior architecture also includes a magnificent scale, introduced by the large central lobby and ten foot wide center halls, fourteen foot ceilings and ten foot window and doors, located throughout the Second and Third Floors halls and twelve large classrooms. This building's iconic stature has been recognized by its designation as a U.S. and Commonwealth of Virginia Historic Landmark.

For more than 40 years prior to November 1, 2020, the Ground Floor was leased and used entirely as a large restaurant and bar, first the "Stonewall Café and then as Baja Bean Co., and was permitted by the City Fire Marshall for 280 patrons. However, as indicated in the attached proposed Ground Floor Plans, the Ground Floor space is planned for retail, office and restaurant uses. The Second and Third Floors are currently leased as professional office space. The Attic or Fourth floor is currently unimproved and unused.

SPECIAL TERMS & CONDITIONS OF SUP APPLICATION

Applicant applies for special use permit ("the SUP") for 1520 & 1518 W. Main Street ("the Property"), to be issued by the City of Richmond in order to permit this Property to be used pursuant to the following special uses, and/or conditions:

- (1) The City of Richmond's UB Zoning Ordinance Sec. 30-433.8, stating that no building or structure shall exceed twenty-eight feet in height, is waived in order to permit the construction, occupancy, and use of the improvements to the existing building located at 1520 W. Main St., at its current height of approximately fifty-six feet above its Ground Floor, or forty seven (47) feet, plus or minus, above finished grade, and the construction, occupancy, and use of the proposed building located at 1518 W. Main St., at approximately thirty-six (36) feet, plus or minus, above finished grade, as set forth in the architectural plans attached as Exhibit D.
- (2) The City of Richmond's UB Zoning Ordinance Sec. 30-433.2(22)(a), stating with regard to restaurants and other food and beverage establishments, that no deck, patio, terrace, or other areas outside a completely enclosed building used for the service or accommodation of patrons shall be situated within one hundred (100) feet of any R District, is waived in order to permit the existing permitted exterior patio and related improvements located at 1520 W. Main St., set forth in the plans and records attached as Exhibit E, to continue to be occupied and used for service or consumption of food and beverages by patrons.

- (3) The City of Richmond's UB Zoning Ordinance Sec. 30-433.2 (2-5, 7-11, 12, 13, 16-20, 22, & 25), stating the permissible principal and accessory retail, commercial, office, and residential uses in the UB Zoning, permits on the first and second floors of 1518 W. Main St., retail, office, commercial, or residential uses and residential uses on the third floor, as set forth in the architectural plans, Sheets A-2 and A-3 attached in Exhibit D, or, alternatively, on the same first and second floors, retail, office, or commercial uses, and residential uses on the third floor, as set forth in the architectural plans Sheets, A-2 Alternative and A-3 Alternative, attached as Exhibit D.
- (4) In the event the Applicant files a deed of correction in order to create 1518 W. Main St. as a separate lot, the City of Richmond's existing UB Zoning Ordinance Sec. 30-710.1 requirement that seven or more parking spaces be provided for retail, office, commercial or residential uses on the first and second floors of 1518 W. Main St. and residential use on the third floor shall be waived. A total of twenty-seven parking spaces are provided for 1520 and 1518 W. Main and at least six of those spaces shall be provided exclusively for the use of the occupants of 1518 W. Main St.
- (5) No uses or conditions granted by the City as a part of this special use permit shall prohibit any other uses of the Properties not set forth in Exhibit D that are permitted pursuant to the provisions of the UB Zoning Ordinance so long as those uses are also permitted pursuant to all requirements of all codes and regulations of the City of Richmond.

1518 W. Main St.

This building is 6,915 SF. As set forth in the architectural plans attached as Exhibit D this building will be used for uses permitted under the current UB zoning, including those set forth in Exhibit D and the Conditions hereof. As indicated Architectural Sheet A, six or seven parking spaces are required, depending on whether the first and second floor space designated as residential use is actually used for residential or retail, commercial or office uses, and whether or not 1518 W. Main & 1518 W, Main remain separate lots, and six spaces are provided.

1520 W. Main St.

This building is approximately 30,000 SF. As set forth in the architectural plans attached as Exhibit D this building will be used for uses permitted under the current UB zoning, including those set forth in Exhibit D and the Conditions hereof. As stated in architectural plan sheet A, the Proposed Ground Floor Plan for 1520 W. Main Street, the total required parking for 1518 is five or six spaces and for 1520 is 18 spaces, a total of 24, and the total parking spaces provided for 1518 & 1520 W. Main St. are 28.

FINDINGS OF FACT

The proposed improvements to 1518 W. Main St. and 1520 W. Main St. have been designed with careful consideration for the provisions of Section 30-433.1 et seq. of the City of Richmond UB Zoning Code and the Historic District guidelines of the Commission of Architecture Review ("CAR") applicable to 1520 W. Main St. The CAR review and/or the quality assurances conditioned through the SUP guarantee a higher quality development than would otherwise be afforded for the Property by normal Zoning.

The proposed uses of these plans are not only compatible with the surrounding area, and appropriate uses for these sites, but they will be very beneficial to the health, safety and welfare of the neighborhood because of a significantly lower density of users compared to the 280 customers previously permitted at Baja Bean Co. restaurant at 1520 W. Main Street. There are significant improvements to the health, safety, and quality of life of the neighboring properties due to the replacement of a 280 patron restaurant and bar with high quality residential units, small retail shops, professional offices, and a much smaller and high quality restaurant planned at 1520 W. Main St. and 1518 W. Main St.

The intent of this request is to create high-quality improvements to the proposed new and rehabilitated structures, thereby addressing objectives of the Master Plan. The requirements for approval of these SUP's are clearly met. This Application for special use permits will not:

- Be detrimental to the safety, health, morals and general welfare of the community involved. The development of the underutilized portion of the Property in conjunction with the high quality/benefits provided by the SUP will provide positive impacts in terms of health, welfare, etc.
- Tend to create congestion in streets, roads, alleys and other public ways and places in the area involved. The proposed SUP will not result in significant traffic impacts to nearby residential neighborhoods. The traffic generation for one additional single-family dwelling will be negligible. As such, the SUP will not create congestion on streets, roads, alleys or any other public right of way.
- Create hazards from fie, panic or other dangers. The Property will be
 developed in a manner consistent with the requirements of the building code and
 in accordance with the requirements of Fire and Emergency Services. The City's
 codes applicable to this development are designed to eliminate such hazards.
- Tend to overcrowd land and cause an undue concentration of population. The two dwellings are less dense than might otherwise be permitted in the R-63 zoning. For instance, multi-family dwellings are permitted on lots of 4,000 square feet provided that 1,000 square feet of lot area is provided per unit. That would suggest a density twice what is proposed might be achieved on a similar sized

lot. Those same R-63 regulations are designed with the zoning purpose in mind including preventing the overcrowding of land.

- Adversely affect or interfere with public or private schools, parks,
 playgrounds, water supplies, sewage disposal, transportation or other
 public requirements, conveniences and improvement. The SUP amendment
 would not adversely affect the above-referenced City services. To the contrary,
 the proposal would provide positive fiscal (tax) benefits that would enhance the
 City's ability to provide these services to the proposed development.
- Interfere with adequate light and air. The light and air available to the subject and adjacent properties will not be affected. Applicable yard requirements would be met by the proposed dwelling and are compatible with the historic development pattern in the area.

SUMMARY

The Applicant requests approval of this SUP Application. This Application represent an ideal urban infill development for these Properties and the neighborhood. Approval of this SUP assures the construction of very attractive improvements than might not otherwise be developed. Approval of these SUP's will contribute significantly to the overall vibrancy of the block and neighborhood through the provision of an appropriate uses that are not only consistent with the City's Master Plan and historic and architectural regulations, but also represent significant improvements to these Properties and the surrounding neighborhood.

November 10, 2020

Respectfully Submitted,

W.Main Street ŁEC

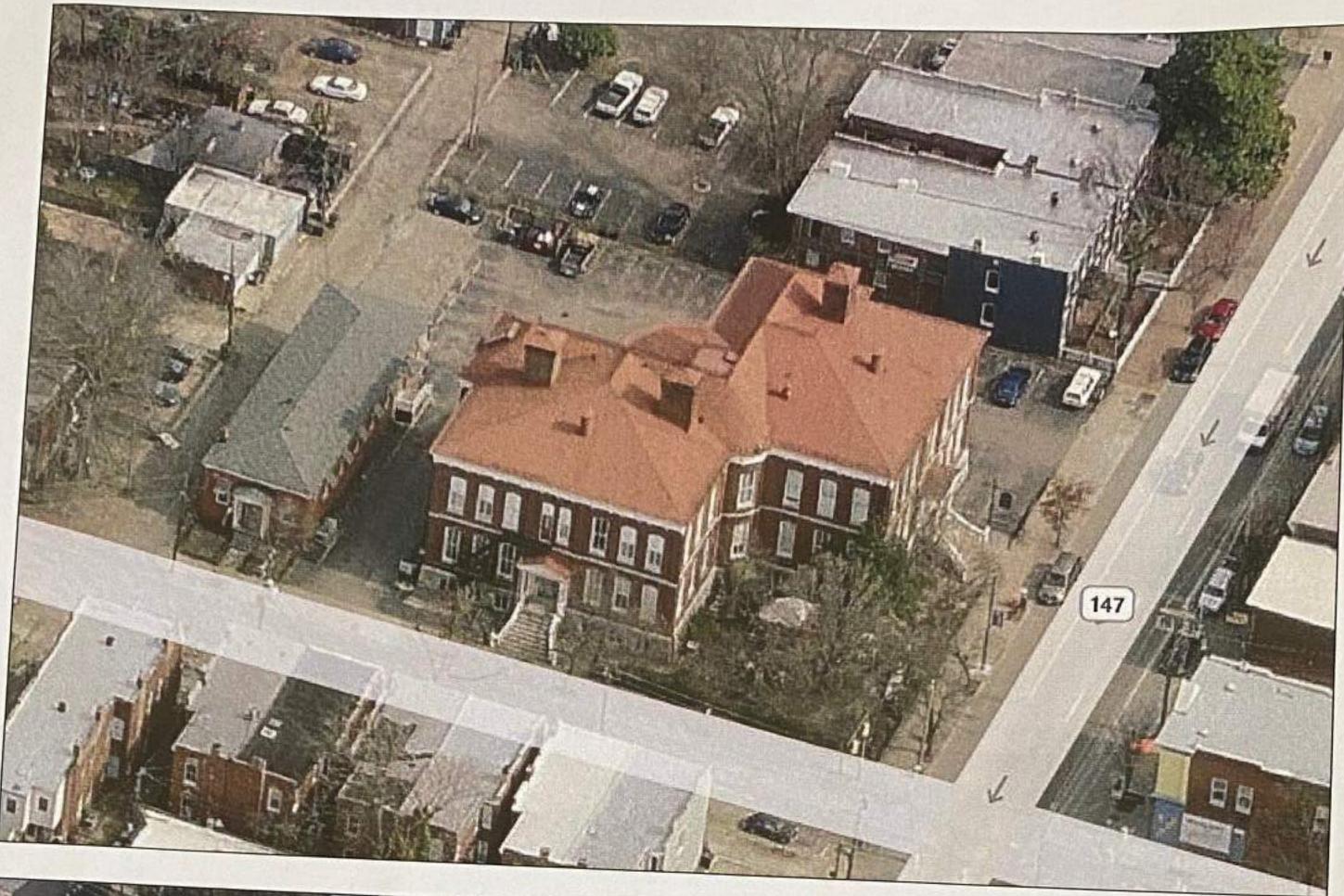
John A. Conrad

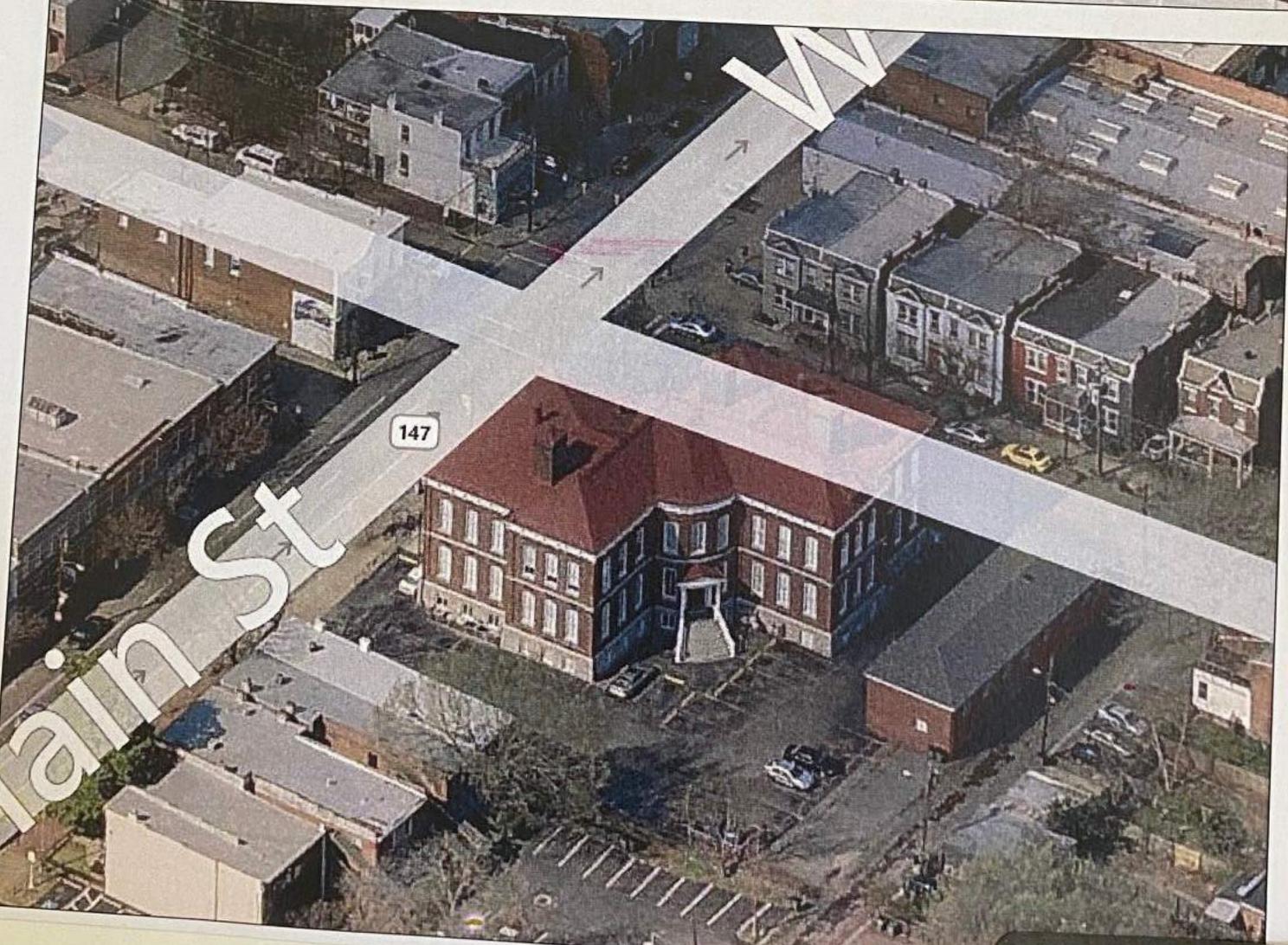
Managing Member

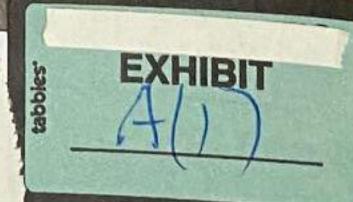
1520 W. Main Street

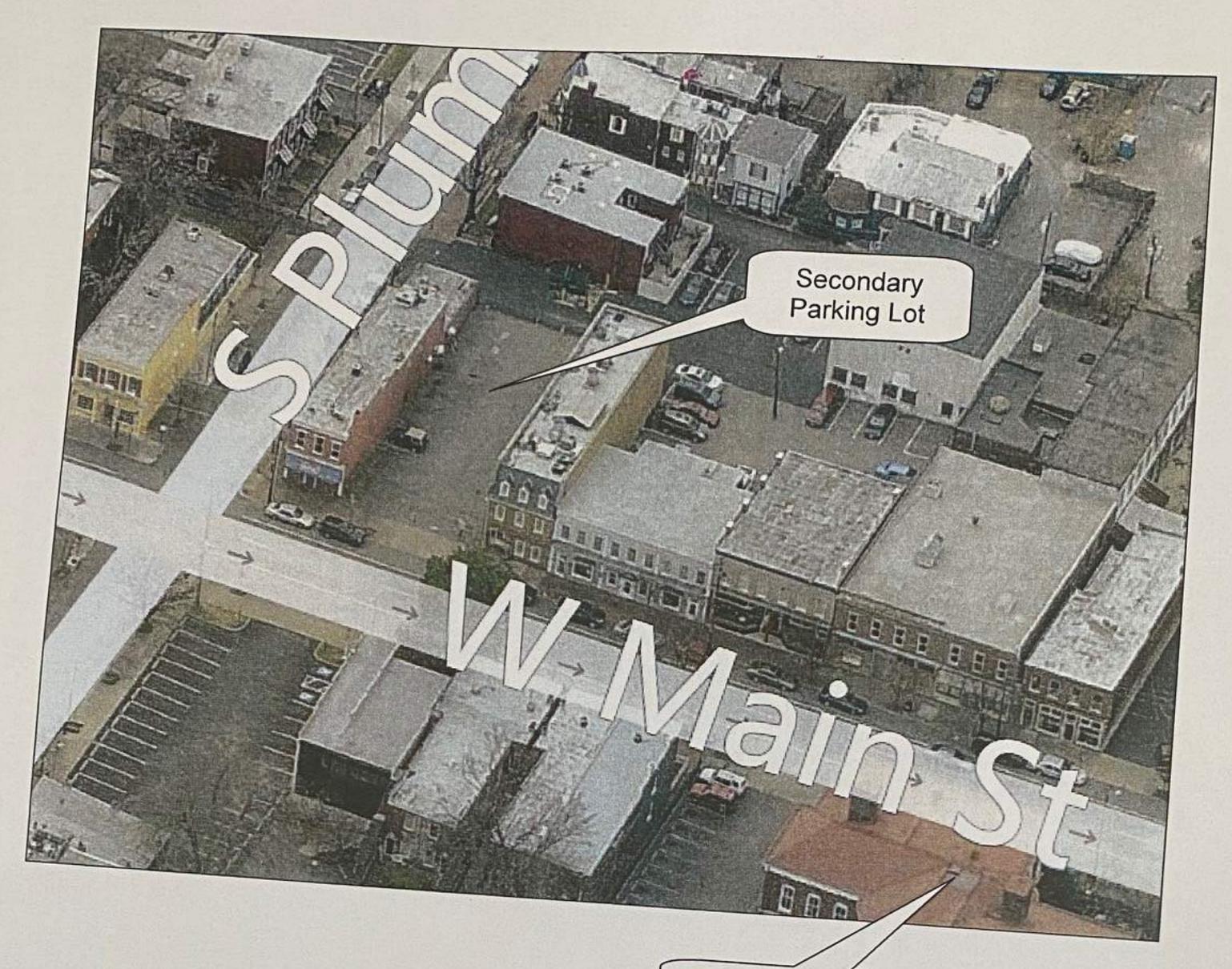
Richmond, VA 23220

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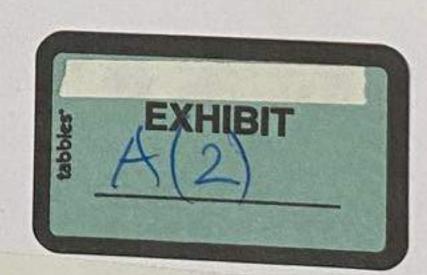








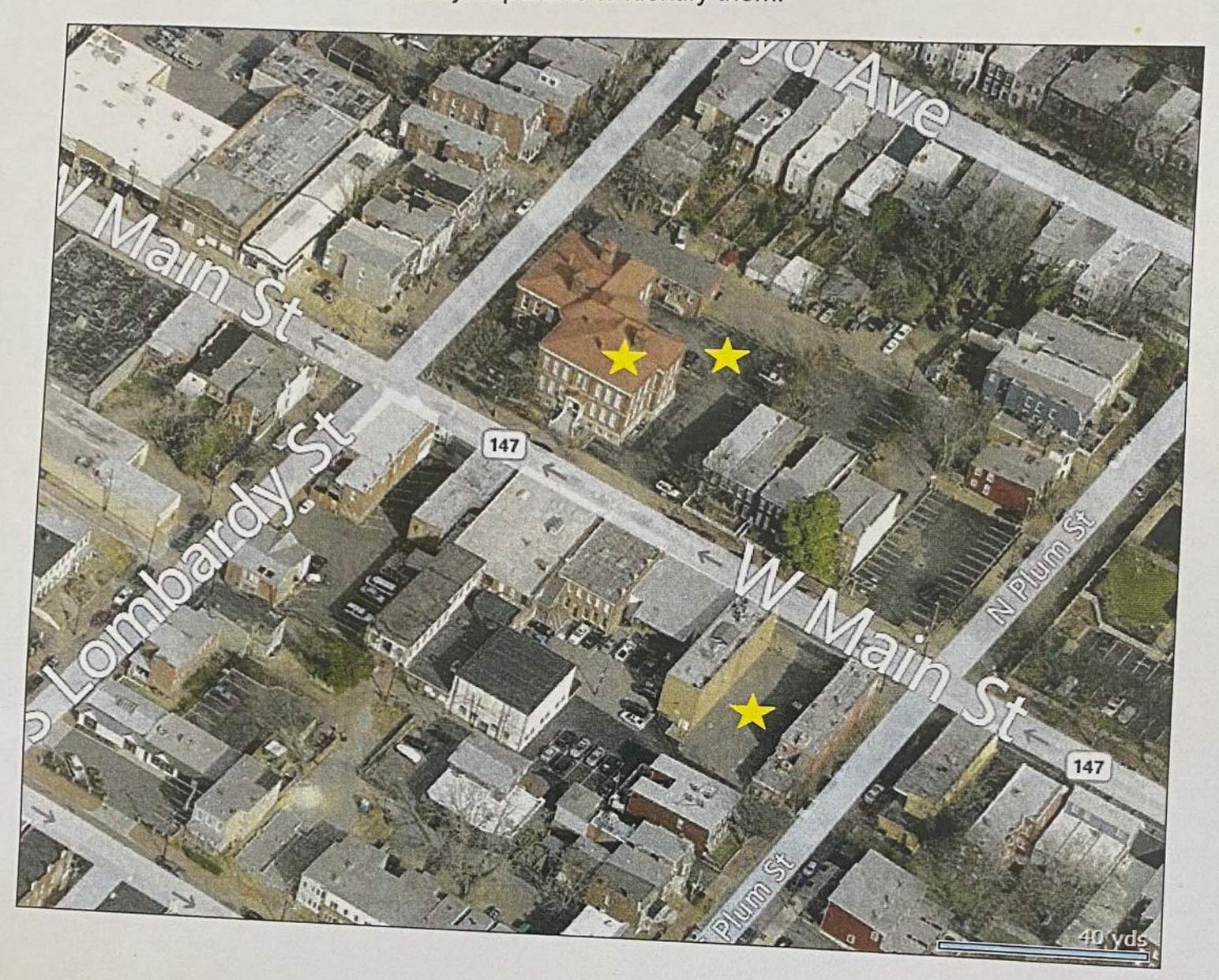
Subject Office

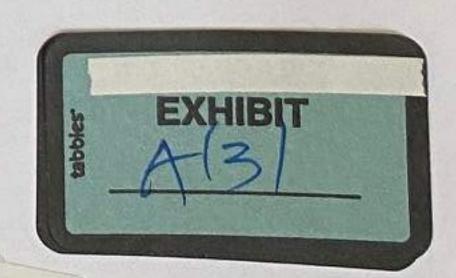


Bird's Eye View

Tab I≪—— Q

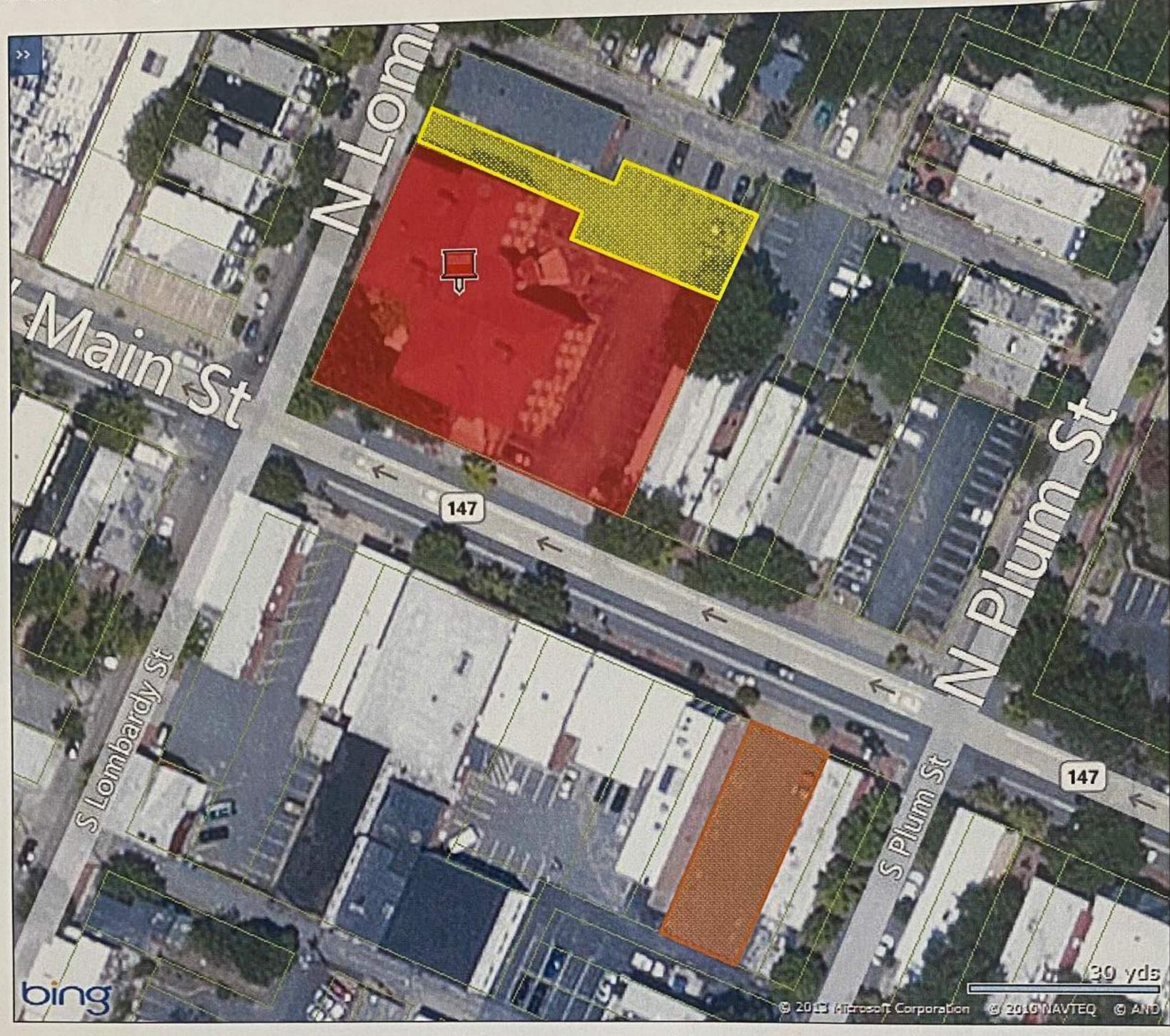
Stars have been placed on the subject parcels to identify them.





9

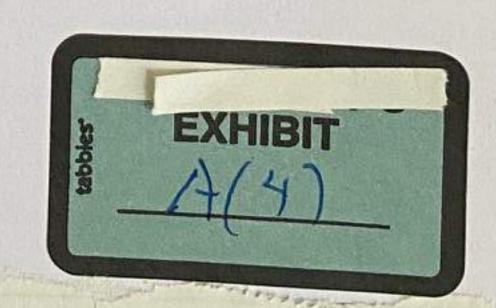
Parcel Map

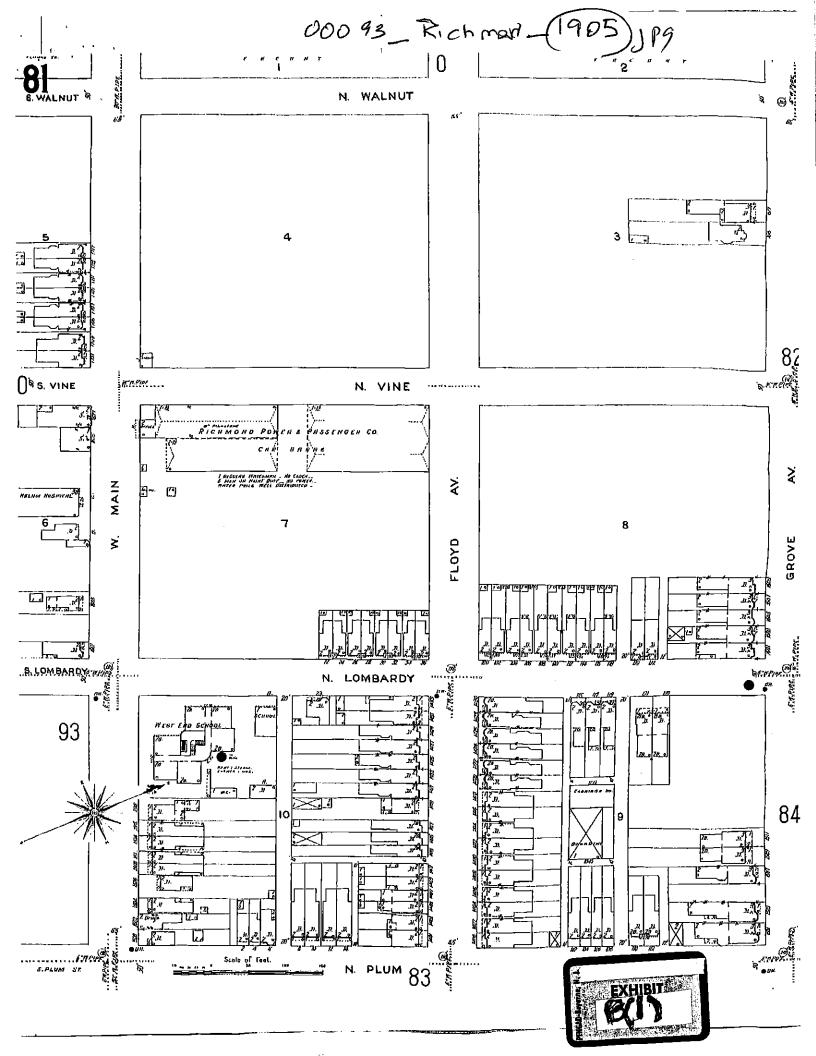


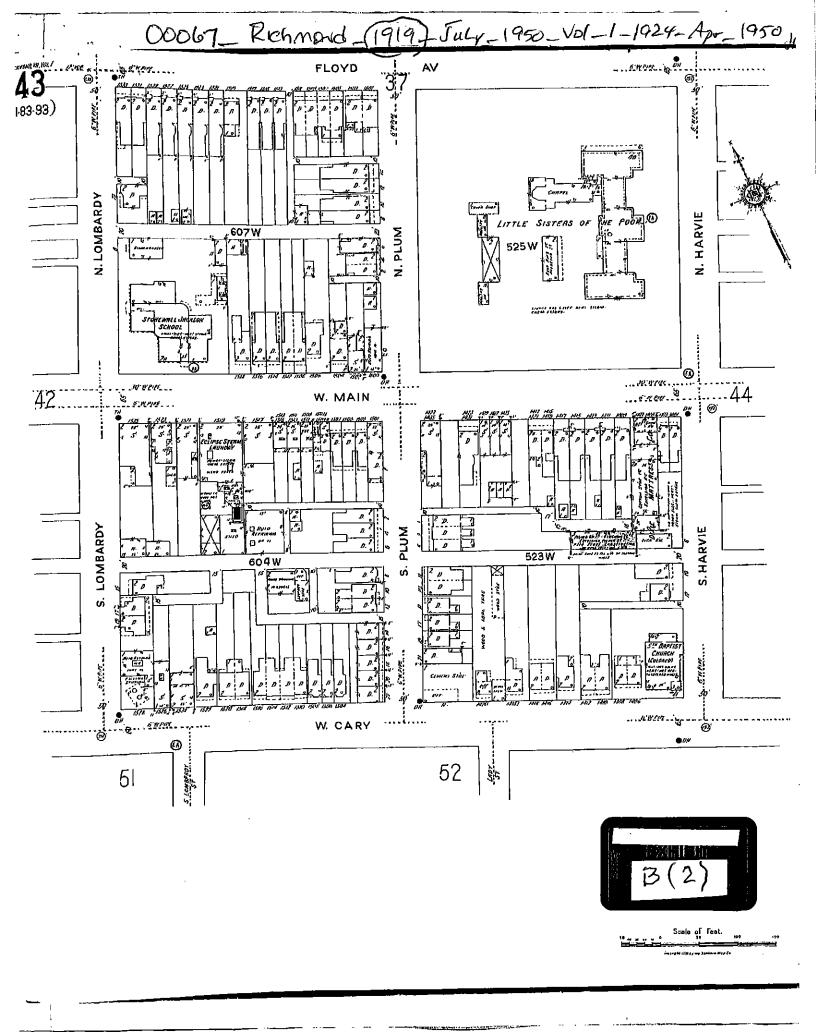
The RED corner parcel is the office property. 1520 W. Main Street W0000607037

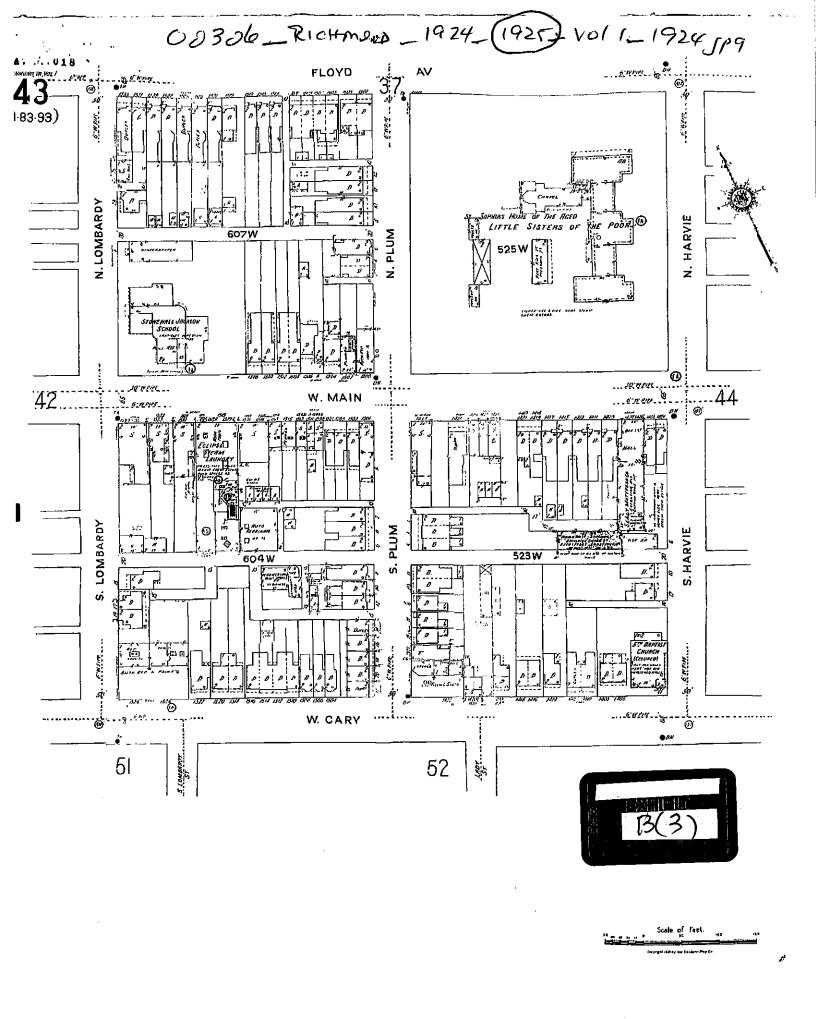
The YELLOW parcel is the adjoining parking lot. 1 N. Lombardy Street W0000607036

The ORANGE parcel is the independent parking lot. 1505 W. Main Street W0000604013









State of Virginia,

City of Lynchburg, to-wit:

I, Virginia P. Auspact, a Botary Public for the aforesaid, in the State of Virginia, do certify that Laura Coleman Figgatt, whose name is signed to the within writing, bearing date on the 14th day of April, 1925, has acknowledged the some before me in my City aforesaid.

> Given under my hand this 20th day of April, 1926. My commission expires 2nd day of October, 1927. Virginia F.Auspact, Y.P.

City of Richmond, to-wit:

In the Office of the Court of Chancery for mid City, the 2nd day of May, 1925.

This deed was presented, amount the Certificates amexed, admitted to record at 12:00 o'elook M.

Tonto:

Chas. D. Saville . Clerk.

8

Gilliam &hus.

to-5 .6.8.

The City of Rickmond, Va.,

5-2-25.**≸**88

This Deed, made this First day of Mayin the year One Thousand Mine Hundred and Twenty-five between Annie D.Gilliam and Robert W.Gilliam, her husband, of the City of Richmond, Virginia, parties of the first part, and The City of Richmond, Virginia, party of the second part.

Witnesseth: That in consideration of the sum of Five Thousand and Rev. Stamp : \$5.00 Cancelled Bo/100 Dollars, the said parties of the first part do grant unto the said party of the second part, with general warranty.

> All that lot of land, with all improvements thereon, lying and being in the City on Richmond, Yirginia, known as No. 1518 West Main Street, and bounded nd described as follows:

Commencing on the North line of Main Street One Hundred and Forty-two [142] Feet, One (1") Inch East of Lombardy Street; thence running Eastwardly along the North line of Main Street and fronting thereon Twenty-eight (28') Rest, Seven (7") Inches; thence running back Morthwardly, between parallel lines, One Hundred and Seventy-nine (179') Feet, Nine (9') Inches, to an alley Twenty (20') feet wide.

Being the same real estate conveyed to the said Annie D.Gillism by deed from Teresa B. Magelsman and John B. Magelsman, her husband, dated March 26th, 1920, and recorded in the Clerk's Office of Richmond Chancery Court in D.B. 260-B, page 412.

The said Annie D.Gilliam covenants that she has the right to convey the said land to the party of the second part; that she has done no sot to encumber the said land; that the party of the second part shall have quiet possession of said land, free from all encumbrances, and that they, the said parties of the first part, will execute such further assurance of the said land as may be requisite.

Witness the following signatures and scalar

Annie D.Gilliam

(Sea)

Robert W. Cillian

(80al)

State of Virginia,

dity of Richmond, to-wit:

I, W.T.R. Morris, a Notary Public for the City aforesaid in the State of Virginia, do dertify that Annie D. Gilliam and Robert W. Gilliam, her husband, whose names are signed to the within writing, bearing date on the First day of Lay, 1925, have acknowledged the mame before me in my City aforesaid.

Given under my hand this lat day of May,1925.

My commission expires the 25th day of March,1927.

T.T.R.Morris.N.P.

City of Richmond, te-wit:

In the Office of the Court of Chancery for said City, the 2nd day of May, 1926.

This deed was presented, and, with the Certificate annexed, admitted to record at 12:10 o'clock P.M.

Teste:

Chaq.O.Saville,Clerk.

Garante

Bellevue Park, Inc.

c. This Deed, made this 18th day of April, Mineteen Munured and Twentyfive, by and between Bellevue Park, Incorporated a corporation duly chartered and

existing under the laws of the State of Virginia, party of the first part, and E.W.Evane of the same City and State, party of the second part.

Rev.Stamps \$6.50 Cancelled

to-B.A.S.

5-2-25. #89

Eyane.

Dollars and other good and valuable considerations, the said party of the first part doth hereby grant and convey unto the mid party of the second part, with General Warranty, the following property, to-wit:

BU Gvand

All that certain lot, piece or parcel of land in the City of Richmond, Virginia.on the northern line of Lakeview Avenue between Davis and Stafford Avenue, and described as follows: Beginning at a point on the northern line of Lakeview Avenue at a point thereon distant onehundred and ninety-five (195') feet westwardly from the western line of Stafford Avenue, and thence extending westwardly along and fronting on the northern line of Lakeview Avenue forty-nine feet two inches (49'2°) thence from said front extending back northwardly at right angles between parallel lines, the western line being a 17 ft. alley, one hundred and twenty (120') feet to an alley seventeen feet wide. Being part of the land conveyed to Bellevue Fark, Inc., by deed from Verdie B. Pollock, widow of Gilbert K. Pollock, deceased, in her own right and as Executrix and Trustee of the last will am tertament of Gilbert K. Pollock, deceased, and American Trust Company, of the City of michmond, Ya., as Executor and Trustee of the last will and testament of Gilbert K. Pollock, deceased, dated September 4, 1924, and recorded in the clerk's office of the Chameery Court of the

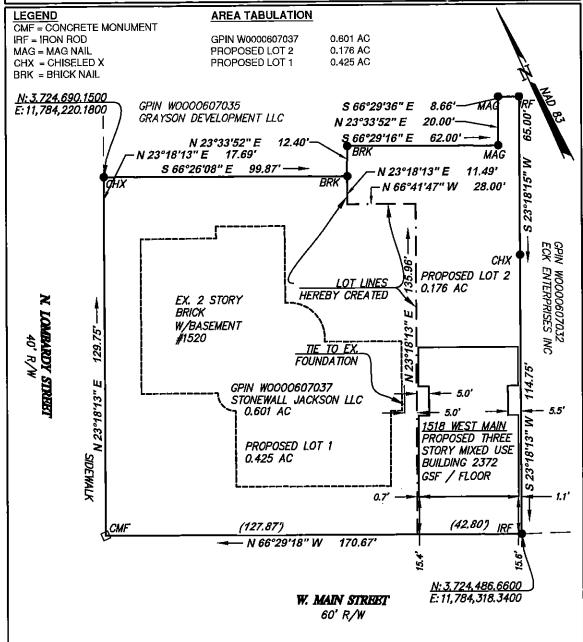
TAX #: W0000607037 ADDRESS: 1520 W. MAIN ST OWNER: STONEWALL JACKSON LLC

LEGAL REF. : INST, 200011532

DRAWN BY:MGM CHECKED: JCG W.O. #:20-5037 SCALE: 1" = 30" DATE: 28 AUGUST 2020

LOT SPLIT 1520 W. MAIN STREET







GENERAL NOTES:

1. THIS PLAT WAS PREPARED WITHOUT THE BENEFIT OF A TITLE REPORT AND IS SUBJECT THERETO. THEREFORE, THERE MAY EXIST ENCUMBRANCES WHICH AFFECT THE PROPERTY NOT SHOWN HEREON.

2. THE SUBJECT PROPERTY IS WITHIN THE LIMITS OF FLOOD ZONE "X"AS SHOWN ON THE FEMA F.I.R.M. #5101290037D WITH AN EFFECTIVE DATE OF APRIL 2, 2009. THIS DETERMINATION IS BASED ON SAID MAP AND HAS NOT BEEN VERIFIED BY ACTUAL FIELD ELEVATIONS.



DESIGN GROUP

ENGINEERS • SURVEYORS
PLANNERS • LANDSCAPE ARCHITECTS

2122 Carolina Ave, SW Roanoke, VA 24014 Ph: 540-387-1153

www.parkerdg.com

1915-B W. Cary Richmond, VA 2 Phone: 804-358-



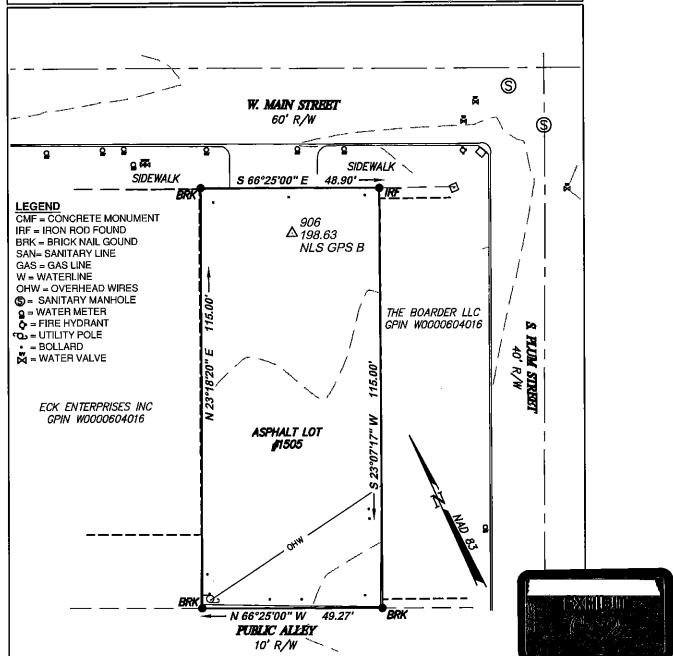
TAX #: W0000604013 ADDRESS:1505 W. MAIN ST

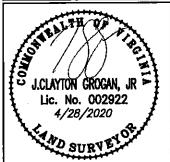
OWNER: STONEWALL JACKSON LLC LEGAL REF. ; INST. 050006265

DRAWN BY:MGM **CHECKED: JCG** W.O. #:20-5036 SCALE: 1" = 20' **DATE: 27 APRIL 2020**

PHYSICAL IMPROVEMENT SURVEY 1505 W. MAIN STREET

RICHMOND, VIRGINIA

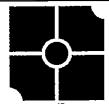




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1915-B W. Cary Street Richmond, VA 23220 Phone: 804-358-2947

See PLANE 4 SETS



DEPARTMENT OF
PLANNING AND DEVELOPMENT REVIEW
COMMISSION OF ARCHITECTURAL REVIEW

April 3, 2013

Stonewall Jackson, LLC 1520 W. Main Street Richmond, VA 23220

Dear Applicant:

RE:

Application No. 12-107 1520 W. Main Street

The enclosed certificate has been issued with copies to the Commissioner of Buildings. Also enclosed is a copy of the December 11, 2012, meeting minutes regarding your application.

Kind regards,

Catherine Easterling, Secretary

Commission of Architectural Review

CLE/tmr Enclosures





Commission of Architectural Review

CITY OF RICHMOND

900 EAST BROAD STREET RICHMOND VIRGINIA 23219 (804) 646-6335

CERTIFICATE OF APPROPRIATENESS

This certificate is issued pursuant to Chapter 114, Article IX, Division 4 of the Richmond City Code (Old and Historic Districts) to the applicant:

> Stonewall Jackson, LLC 1520 W. Main Street Richmond, VA 23220

For the property at: 1520 W. Main Street

with respect to the exterior architectural features as described in the application for this certificate and the information and plans filed with the application for this property, pursuant to the following resolution adopted by the Commission of Architectural Review and recorded in the minutes of the Commission:

RESOLUTION:

WHEREAS, the applicant proposes to replace an existing deck and pavilion with

new pergola and patio bar, and

WHEREAS, the applicant shall return to Commission staff for review and approval of the paint color for the new pergola, the color and material of the awnings, a brick and mortar sample, and details for the bar structure, and

WHEREAS, the application is approved as submitted,

NOW, THEREFORE, LET IT BE RESOLVED that the Commission approves the work as being in conformity with the intent of Division 4 Section 114-930 of the

Richmond City Code.

The applicant shall comply with all City Codes in the execution of this project. The certificate shall be valid for a period of one year from the date of issuance.

Catherine Easterling, Secretary Commission of Architectural Review

Catherine L. Easterling

CLE/tmr **Enclosures**

Date of Issuance: December 11, 2012

Document Date:

April 3, 2013

Certificate No.

12-107

<u>Application No. 12-107</u> (Stonewall Jackson, LLC) 1520 W. Main Street

There being no Commission discussion, this item was approved as submitted. The staff report reflects the Commission's reasons for consent agenda approval. Mr. Andrews introduced a motion to approve Application No. 12-107 for the reasons stated in the staff report as being consistent with the guidelines in the *Richmond Old and Historic Districts Handbook and Design Review Guidelines*. Mr. Yates seconded the motion, and it passed 9-0-0.

RESOLUTION:

WHEREAS, the applicant proposes to replace an existing deck

and pavilion with new pergola and patio bar, and

WHEREAS, the applicant shall return to Commission staff for review and approval of the paint color for the new pergola, the color and material of the awnings, a brick and mortar sample, and

details for the bar structure, and

WHEREAS, the application is approved as submitted,

NOW, THEREFORE, LET IT BE RESOLVED that the Commission

approves the work as being in conformity with the intent of Division 4 Section 114-930 of the Richmond City Code.

VOTE:

Affirmative:

Andrews, Bilder, Elmes, Green, Johannas,

Pearsall, Sadler, Wimmer and Yates

Negative:

None

Abstain:

None



Commission of Architectural Review Submission Application

City of Richmond, Room 510 - City Hall 900 East Broad Street, Richmond, Virginia 23219 PHONE (804) 646-6335 FAX (804) 646-5789

12 COPIES OF SUPPORTING DOCUMENTATION A	RE REQUIRED FOR PRO	CESSING YOUR SUBMISSION			
LOCATION OF WORK: 1520 W Main St	treet	DATE: 11/15/12			
OWNER'S NAME: Stonewall Jacks AND ADDRESS: 1520 W. Main St. CITY, STATE AND ZIPCODE Richmond,	reet	TEL NO. <u>804-359-6062</u> EMAIL: jconrad@theconradfirm.com			
ARCHITECT/CONTRACTOR'S NAME: John AND ADDRESS: 1520 W. Main St CITY, STATE AND ZIPCODE Richmond, Would you like to receive your staff report via email?	Conrad reet VA23220	TEL NO <u>804-359-6062</u> EMAIL: <u>same</u>			
REQUEST FOR CONCEPTUAL REVIE I hereby request Conceptual Review under the provential	visions of Chapter 114, Article pelow in accordance with m	ESS Chapter 114 Addicte IX Division 4 (Old and			
I hereby make application for the issuance of a certificate under the provisions of chapter from the proposal outlined below in accordance with plans and specifications accompanying this application. DETAILED DESCRIPTION OF PROPOSED WORK (Required): STATE HOW THE DESIGN REVIEW GUIDELINES INFORM THE DESIGN OF THE WORK PROPOSED. (Include additional sheets of description if necessary, and 12 copies of artwork helpful in describing the project. See instruction sheet for requirements.)					
See a	attached.	11/15/12			
Signature of Owner or Authorized Name of Owner or Authorized Agent (please	T T	Conrad			
(Space below for staff use only)	· · · · · · · · · · · · · · · · · ·				
Received by Commission Secretary	APPLICATIO				
DATE	SCHEDULED	FOR			

Note: CAR reviews all applications on a case-by-case basis.

Attachment to Stonewall Jackson LLC's Application for Certificate of Appropriateness

Description of Proposed Work

The work proposed represents no increase in the current seating capacity of this outdoor eating area. For existing conditions, see the prior plans of existing improvements, Exhibit No. 1 (A and B) and existing photos attached as Exhibit No. 2 (A-K). The sole purpose of the proposed work is not to increase the current seating capacity, but to improve the existing courtyard structures in order to make them more attractive and compatible to the architecture of the primary structure.

This proposed work includes:

- 1. Demolition of the existing awning superstructure, wooden pavilion and wooden deck.
- 2. Installation of brick pavers over the existing concrete deck and site of the former wooden deck.
- 3. Construction of a new pergola and patio bar or pavilion according to the attached plans, Exhibit No. 3. In addition, a metal standing seam roof will be constructed on top of the triangular patio bar or pavilion pergola and a retractable awning will be mounted on top of the pergola. The attached plans, Exhibit No. 3, do not illustrate the fact that the metal roof over the patio bar will be designed and constructed to circumvent the existing tree that is located in the middle of the patio bar. All means and methods will be undertaken to safeguard this tree. Also, see sample pictures of pergola awning attached as Exhibit No. 3(A).
- 4. Replacement of the same new awning material over existing canopy structure located over entry staircase to basement.
- 5. Installation of two sets of screening fences, each consisting of two six foot by four foot, 36" tall iron fence sections around two groupings of AC compressors in the courtyard, and installation of iron railings along the basement entry stairway to courtyard in order to replace the exiting wooden railings, as shown in Exhibits No. 4 (A, B and C).
- Removal of existing hollies along Lombardy and Main Streets fence and replacement with otto luyken laurels between existing crepe myrtle trees as well as additional landscaping.

Statement of Compliance with Design Review Guidelines

The Design Review Guidelines support the covering of the existing concrete deck with brick pavers, the replacement of the awning superstructure, which consists of a proliferation of unpainted metal poles and a wooden deck, which is raised 24" off the ground and extends a total of 59" off the ground, and the existing pavilion, which is approximately 12 feet tall and is approximately 400 square feet, with a brick deck which will cover the existing concrete deck and the area currently occupied by the wooden deck, as well as a pavilion and pergola structure, with a retractable awning mounted on top of the pergola.

The new brick deck will be located at ground level, 59 inches lower than the existing wooden deck. The proposed patio bar is much smaller and less obtrusive than the existing pavilion building The proposed pergola has been designed to cover essentially the same foot print as the exiting awning structures, concrete deck, and wooden deck.

Unlike the existing courtyard improvements, the proposed work will include designs and materials which are compatible with the architecture of the primary structure. Moreover, the proposed pavilion and pergola structures will not only be more attractive, but less visible from the street and from the residences located along Lombardy Street.

Lowering the customer seating from the existing wooden deck to the ground level, reducing the size of the pavilion and altering the design and materials of the awning superstructure will make the proposed improvements much less visible from the street.

Materials List

- brick pavers
- 6" x 6" x 16" pine posts
- 6" x 6" x 16" pine pergola trusses
- 6" x 6" x 16" pine pergola trusses
- 2 x 4's, 2 x 6:s and miscellaneous materials for pavilion base cabinet
- cold and hot water lines for pavilion
- electrical lines for pavilion and pergola
- ceiling fans and lights for pergola (combination)
- 36" iron fence for basement entry steps and AC compressors
- miscellaneous landscaping materials
- new Baja sign
- awning materials for entry door canopy
- retractable awning for pergola
- metal roof

owner:
stonewall pictors we rethered, va 23236
project:
garden safe.
address:
1520 west main street rethered, va 23220
date: issue:
11.13.2012 revisions
11.16.2012 revisions
11.16.2012 revisions

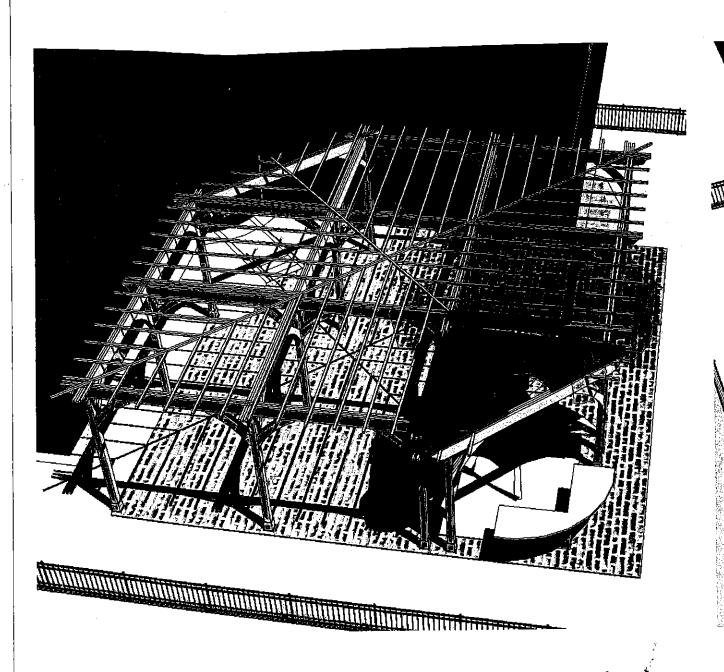
1520 W. Main Street #201A Richmond, VA 23720

804.586.2355 ph 856.202.1614 fx

P.O. Box 7175 Richmond, VA 23221

RIC design build

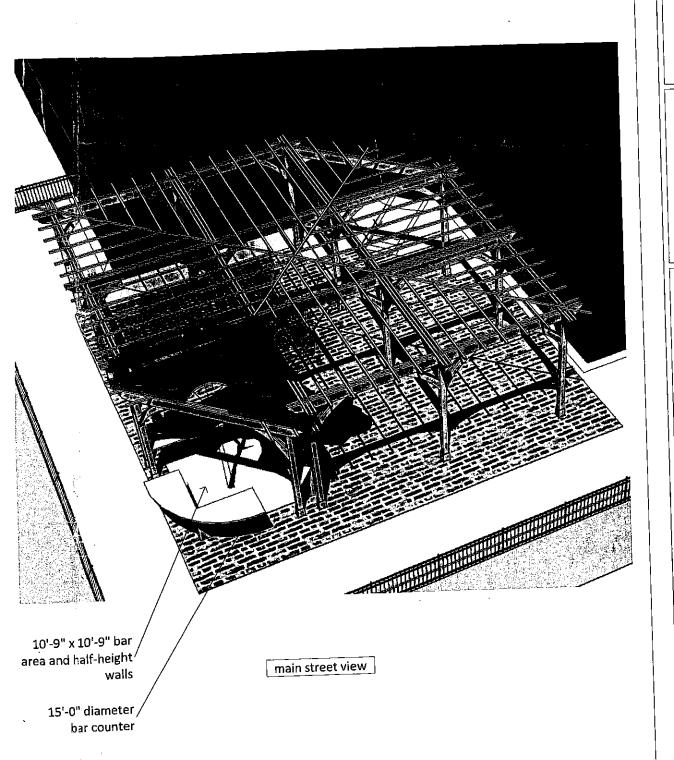




lombardy avenue view

10'-9" x 1 area and ha

> 15'-0" ba



BOO

RIC design build

P.O. Box 7175 Richmond, VA 23221

1520 W. Main Street #201A Richmond, VA 23220

> 804.986.2355 ph 866.202.1614 fx

> > owner;

stonewali jackson lic 204 w. hilicrest ave richmond, va 23236

> project: garden cafe

> > address:

1520 west main street richmond, va 23220

aerial views

date: issue:

11.13.2012 review

11.15.2012 C.A.R.

11.15.2012 revisions

11.16.2012 revisions

A7

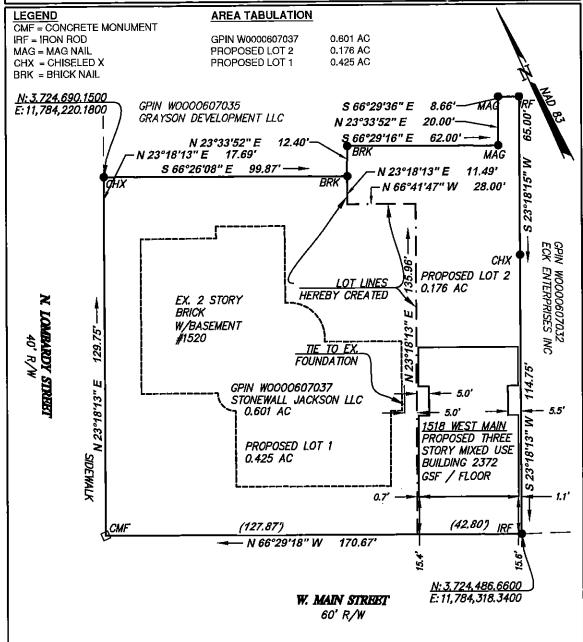
TAX #: W0000607037 ADDRESS: 1520 W. MAIN ST OWNER: STONEWALL JACKSON LLC

LEGAL REF. : INST, 200011532

DRAWN BY:MGM CHECKED: JCG W.O. #:20-5037 SCALE: 1" = 30" DATE: 28 AUGUST 2020

LOT SPLIT 1520 W. MAIN STREET







GENERAL NOTES:

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DESIGN GROUP

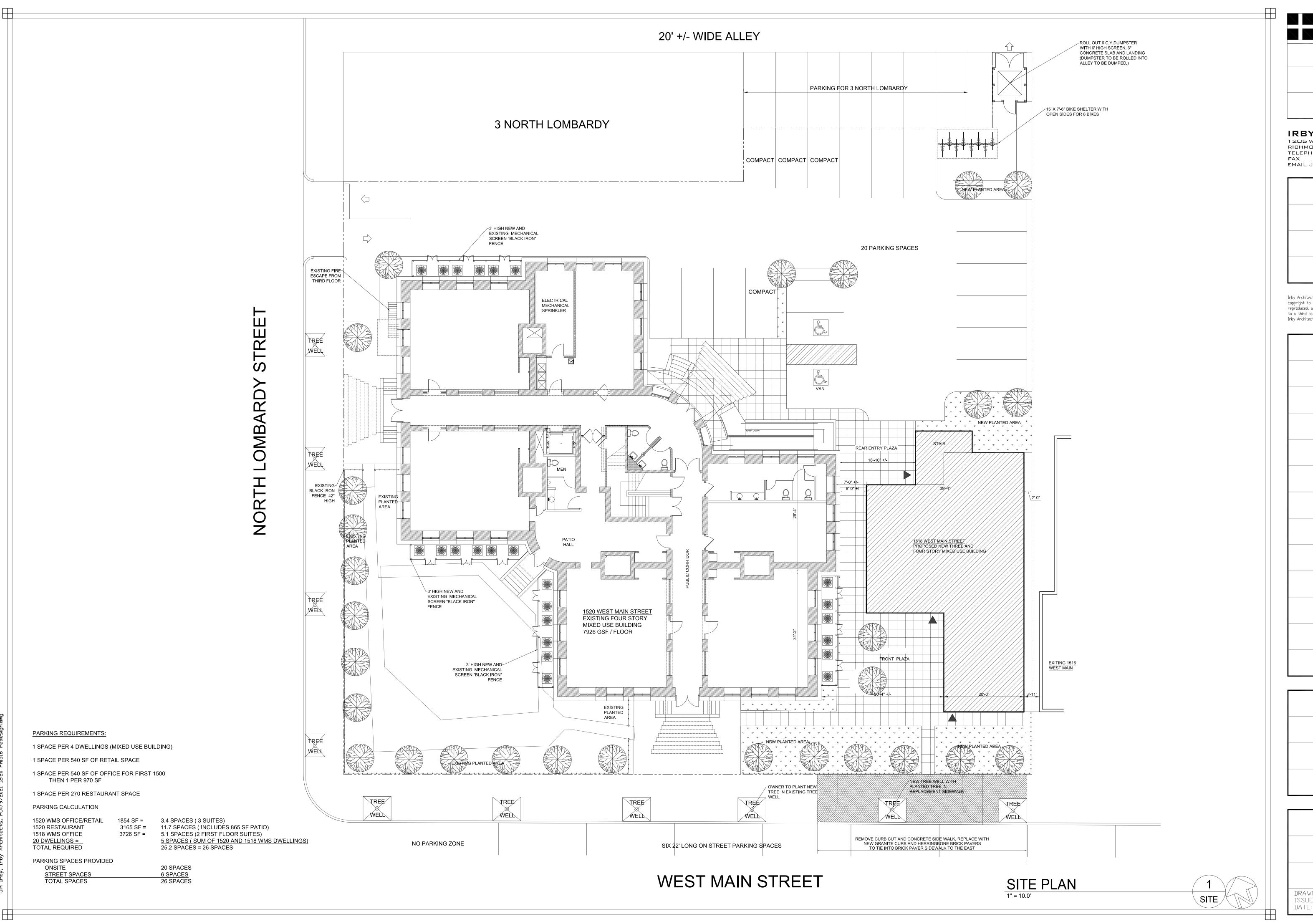
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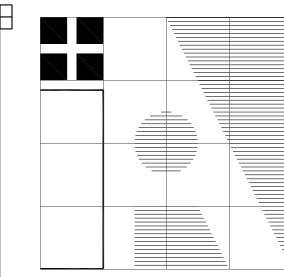
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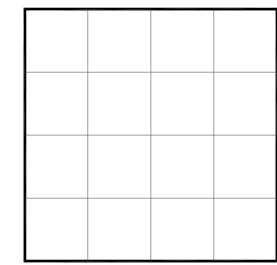
www.parkerdg.com

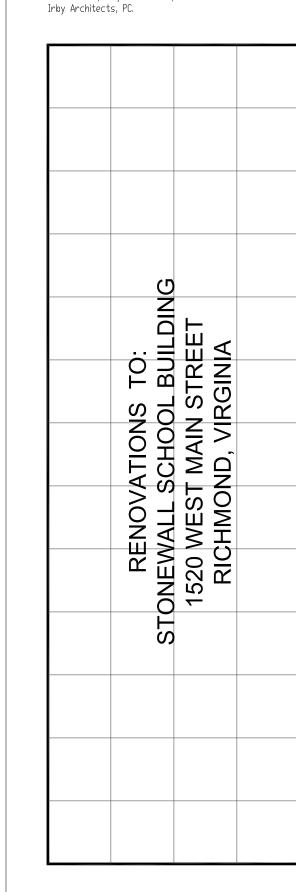
1915-B W. Cary Richmond, VA 2 Phone: 804-358-

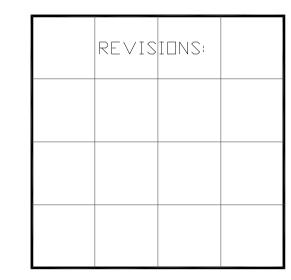


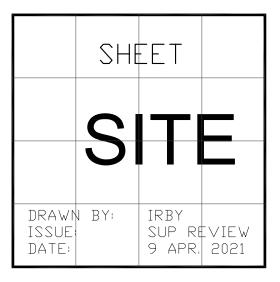


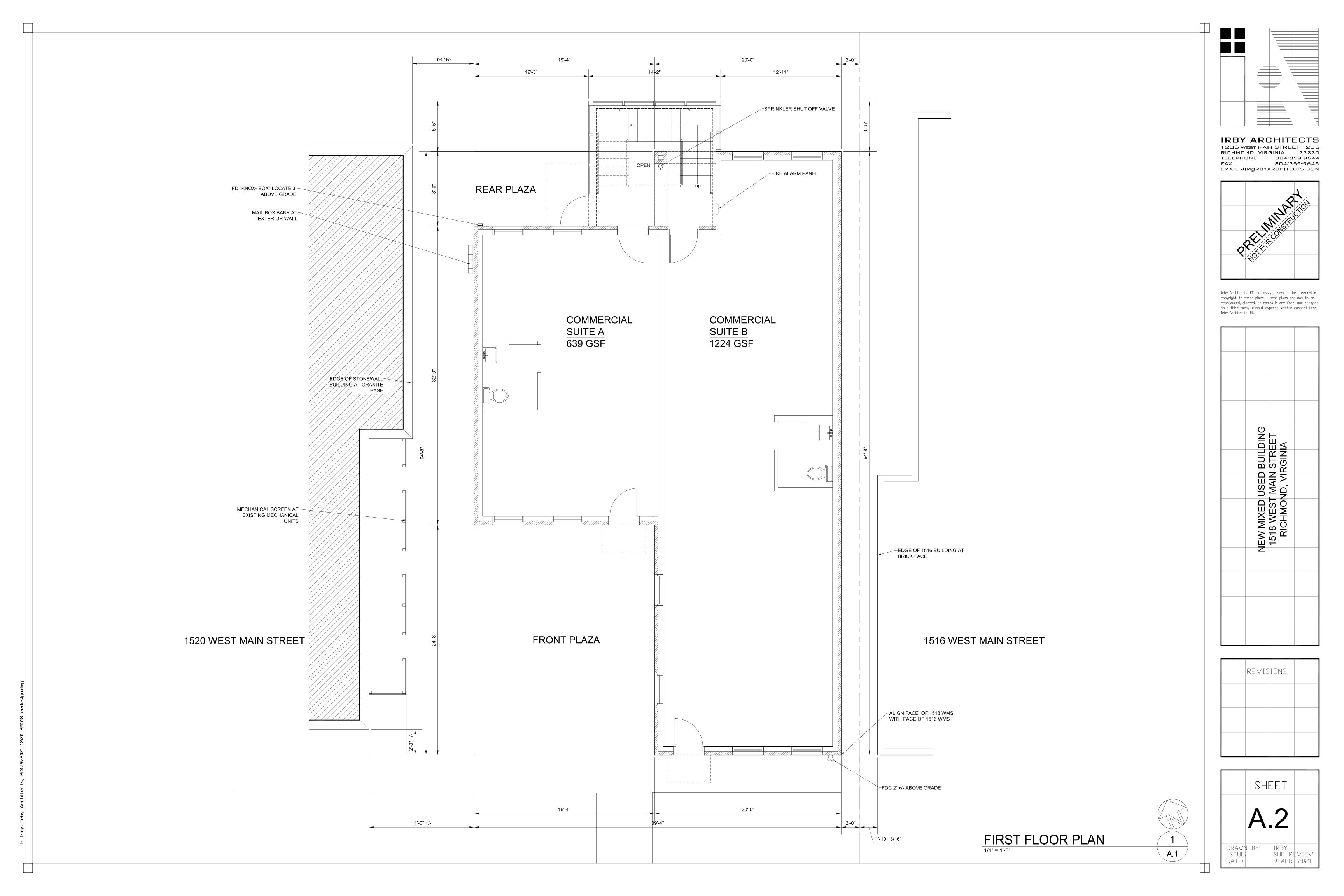


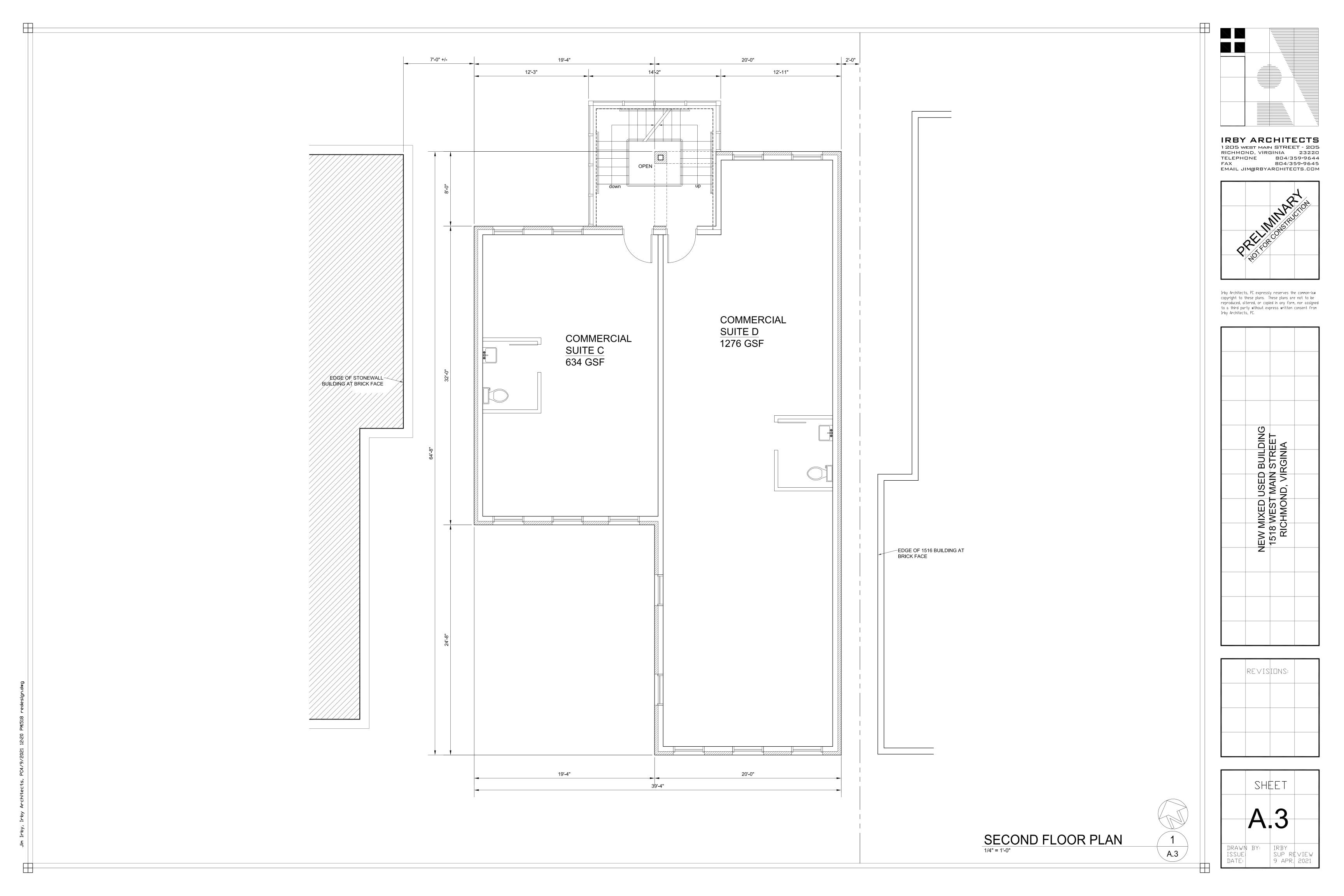


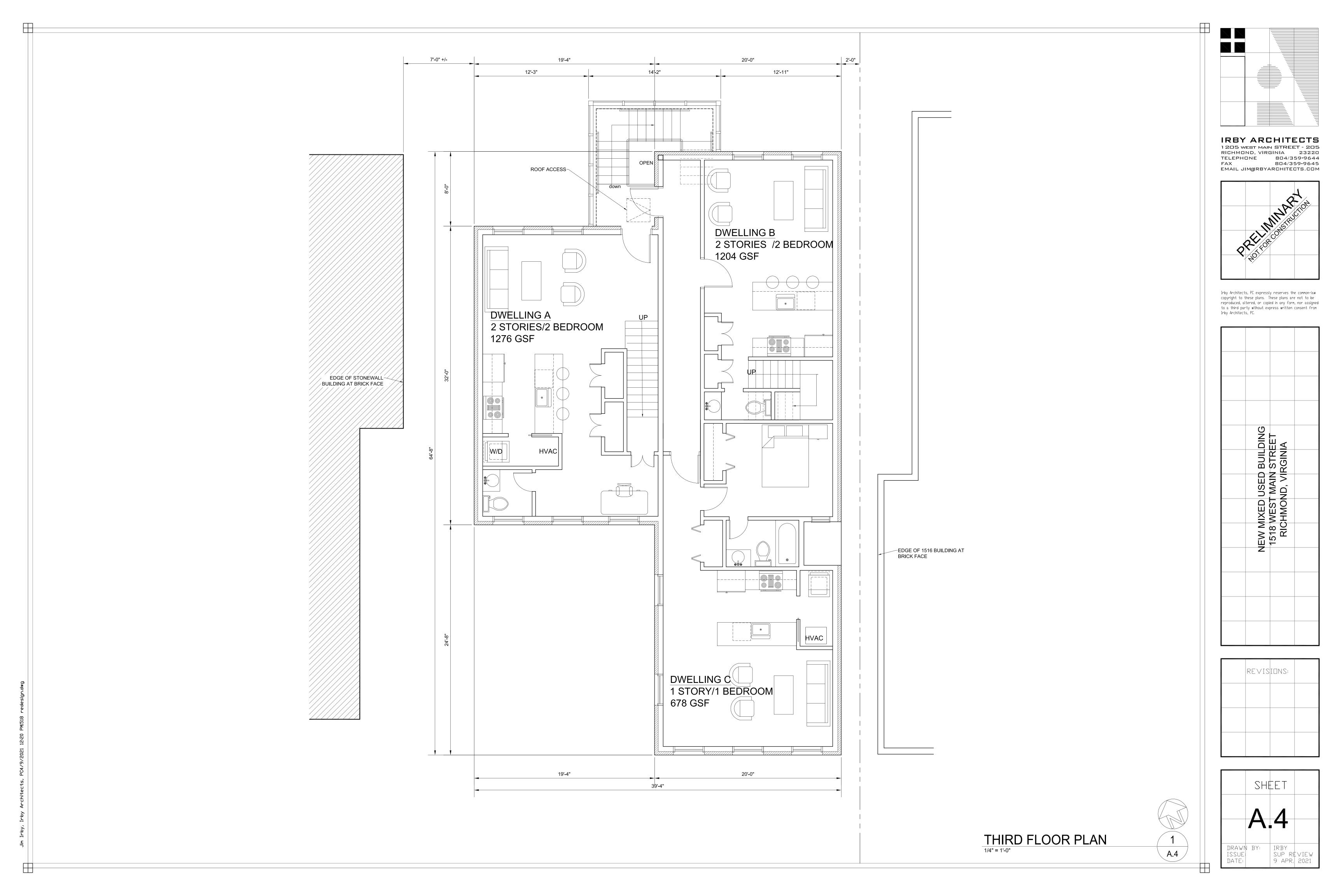


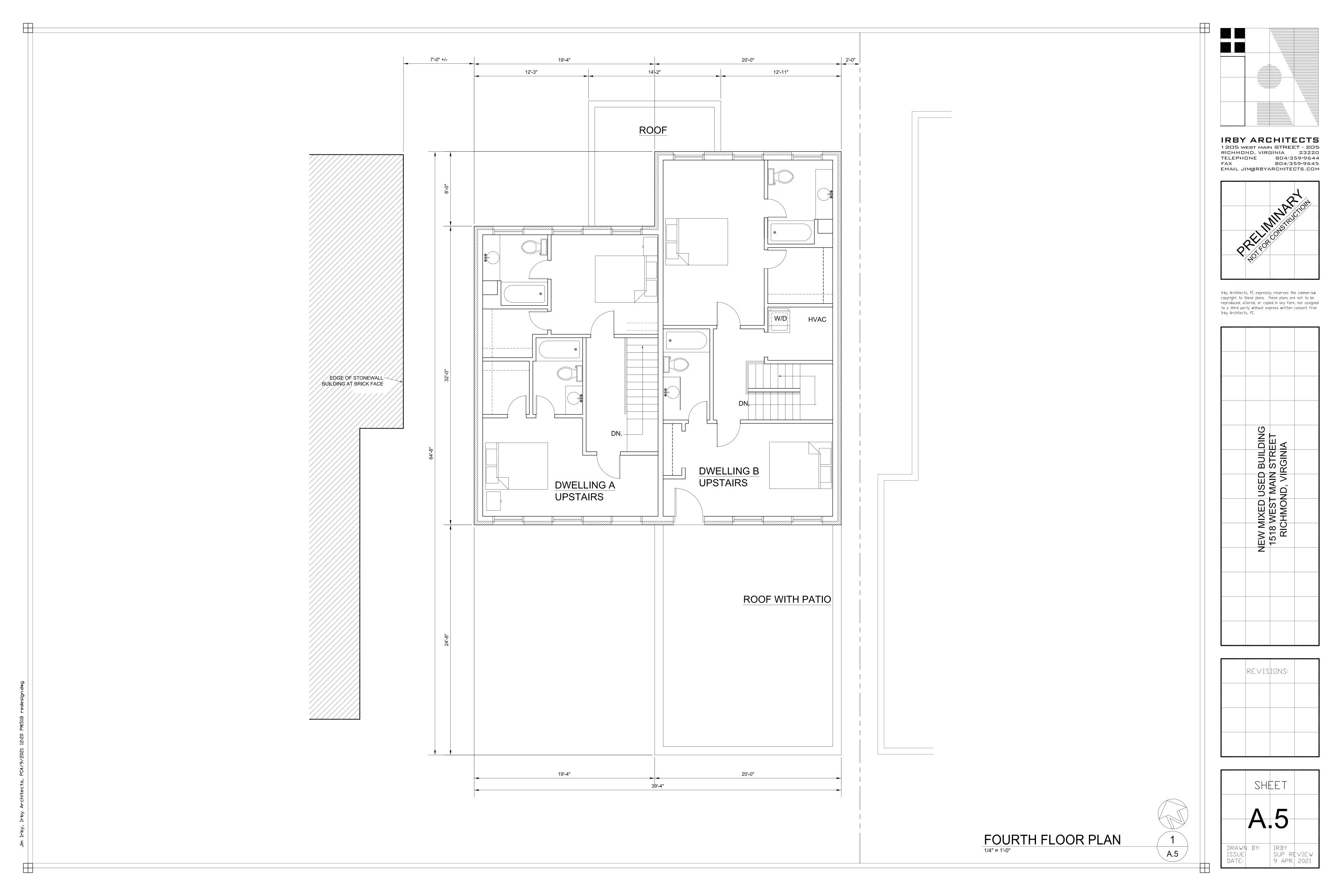


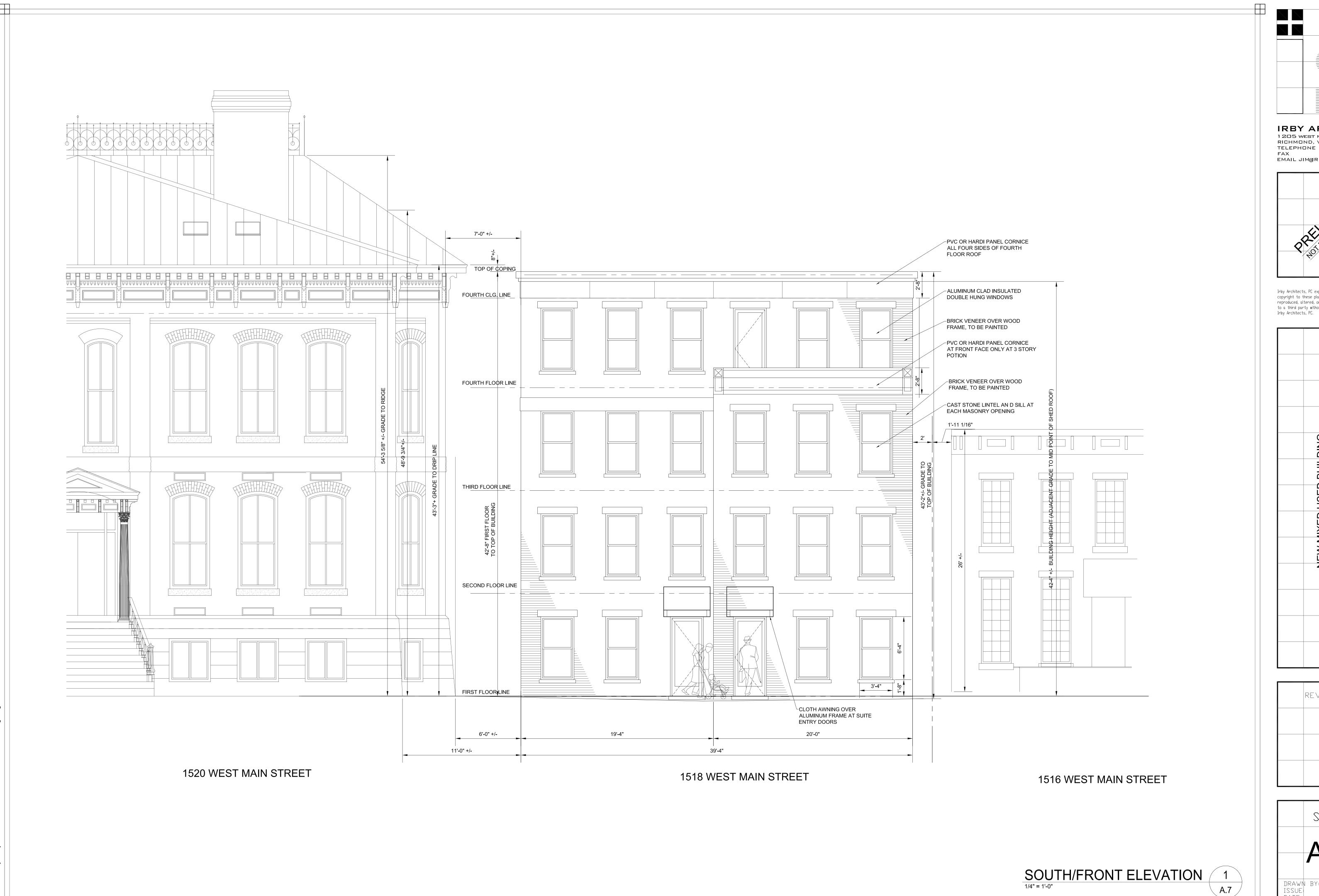


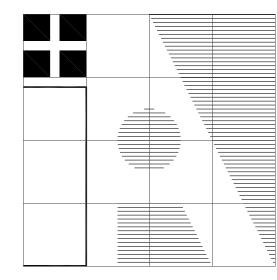


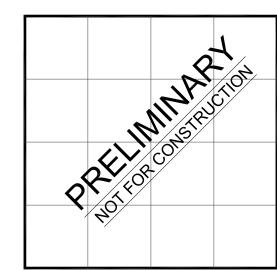


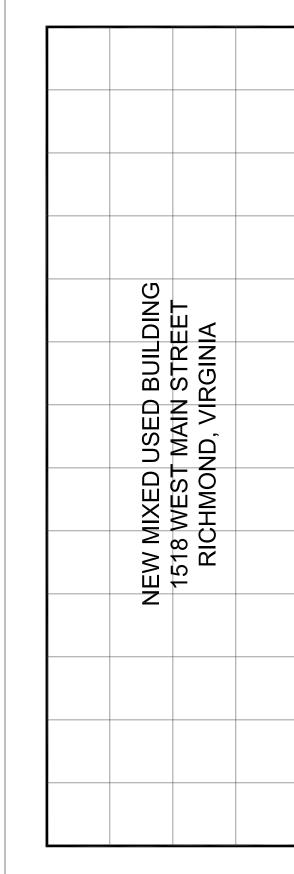


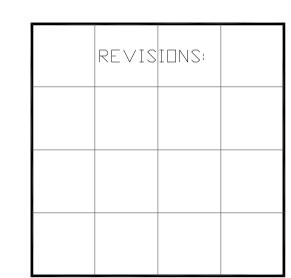


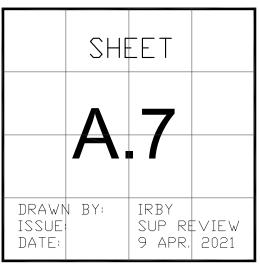






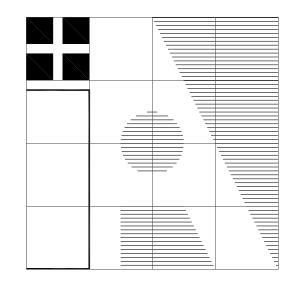


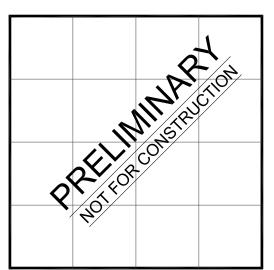


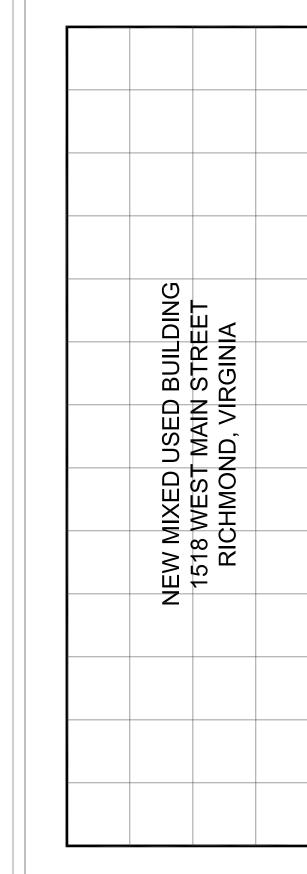


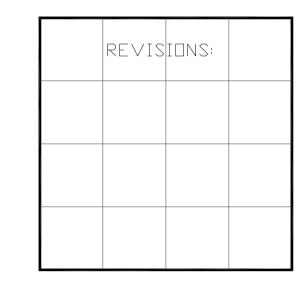


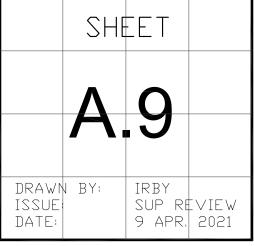


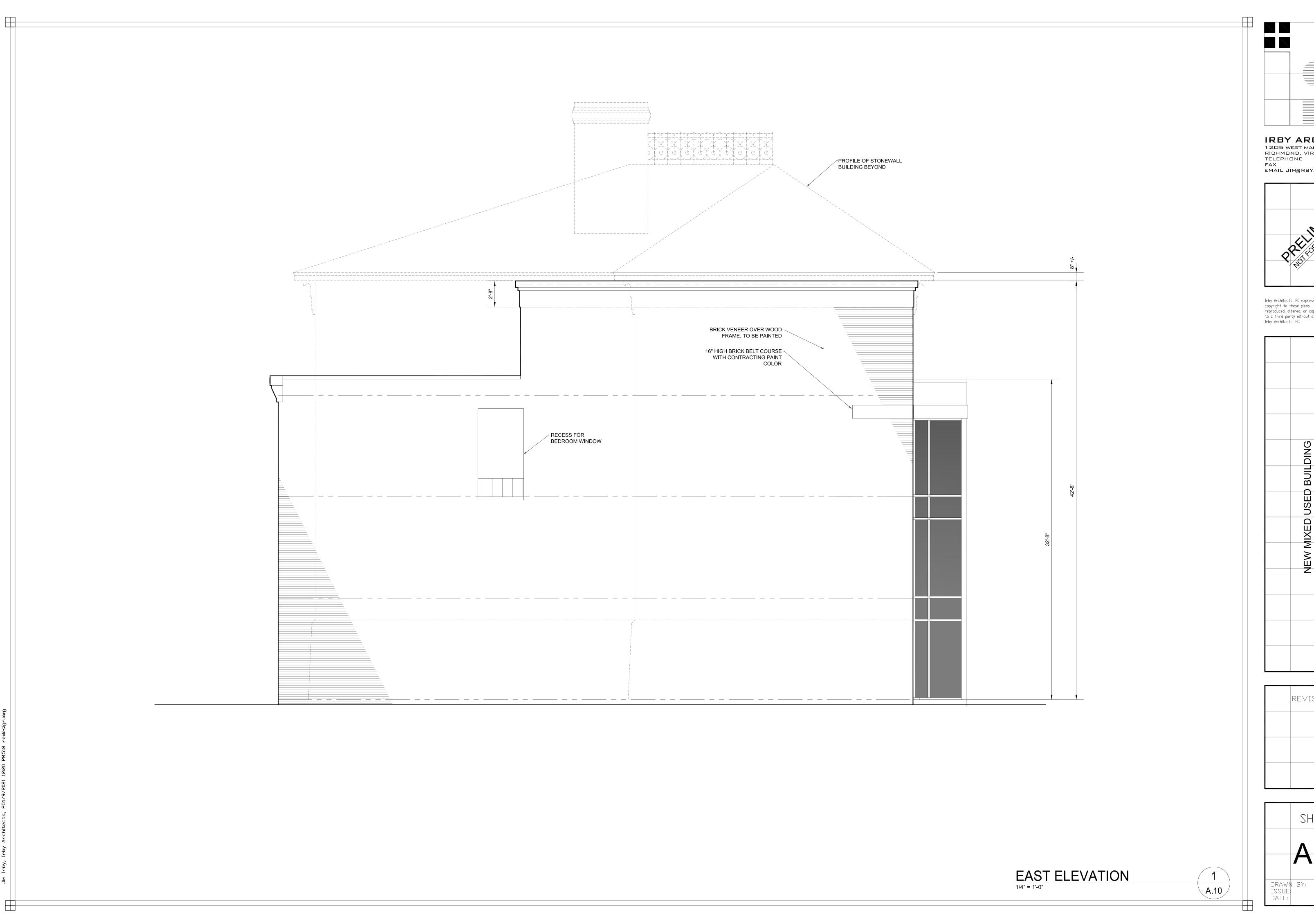


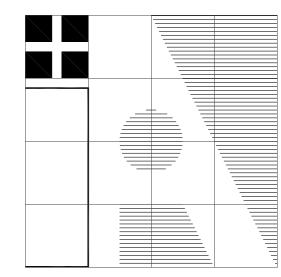


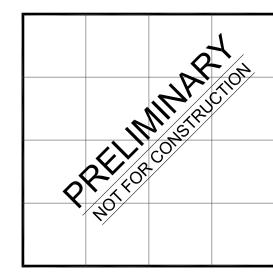


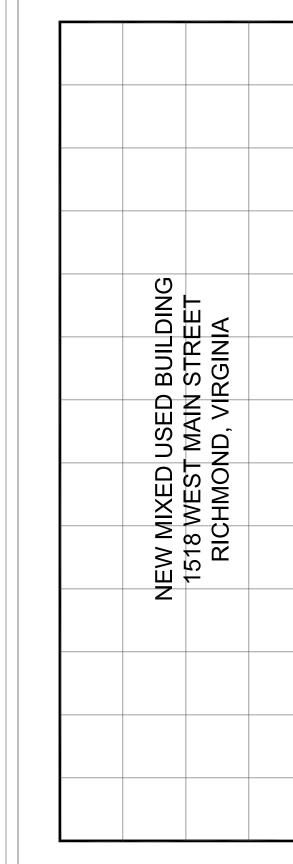


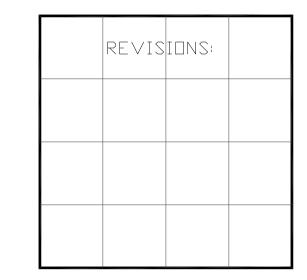




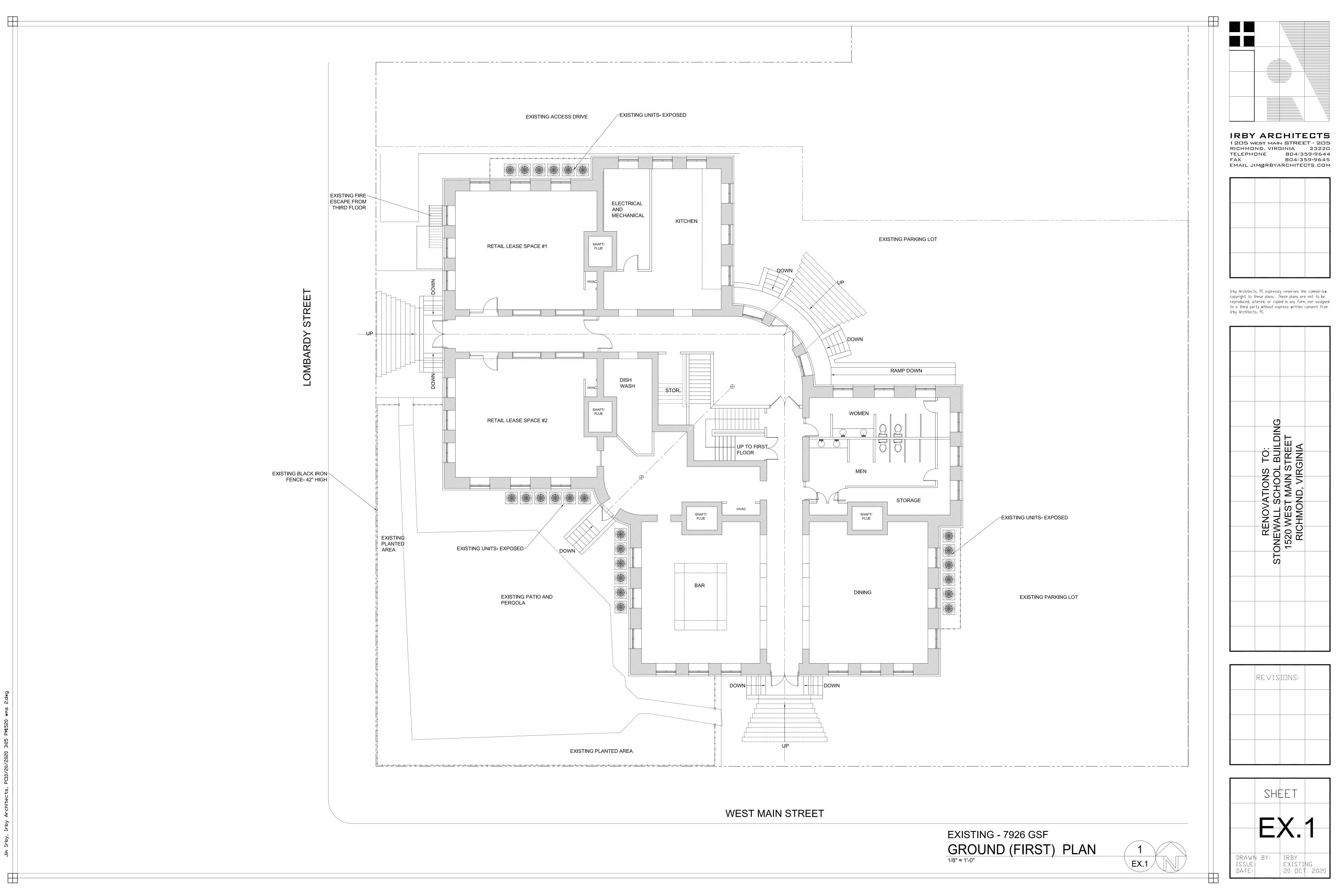




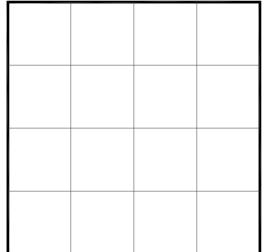




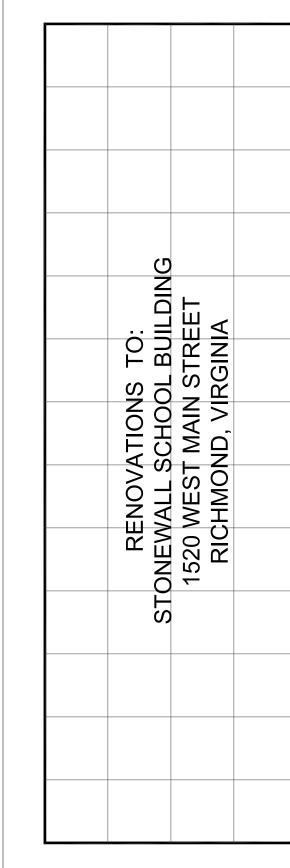


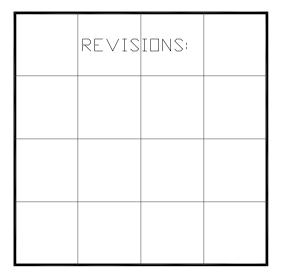


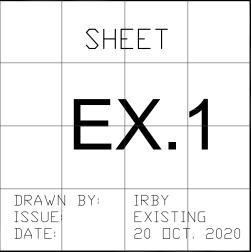
IRBY ARCHITECTS 1 205 WEST MAIN STREET - 205 RICHMOND, VIRGINIA 23220 TELEPHONE 804/359-9644

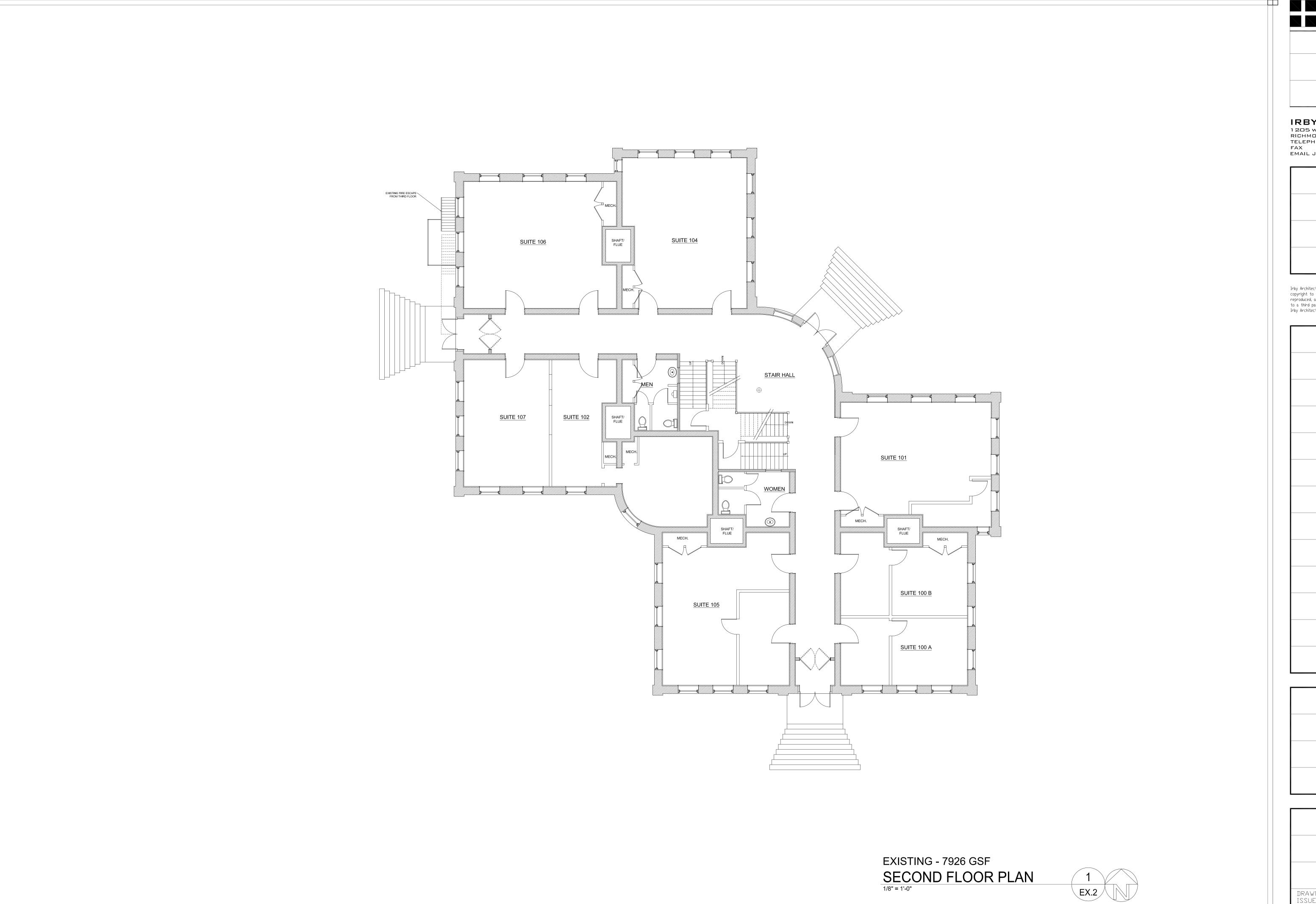


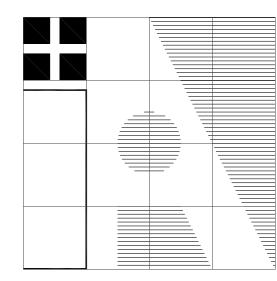
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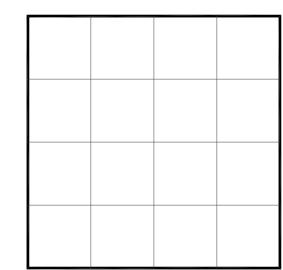


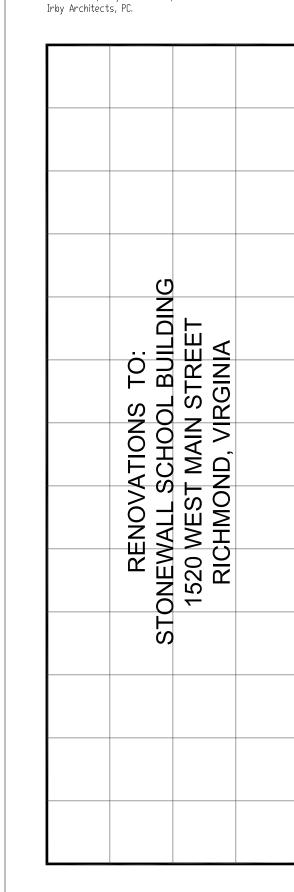


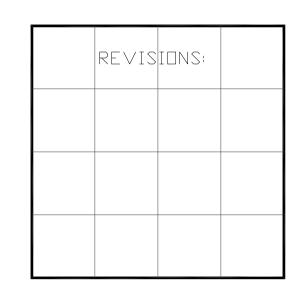


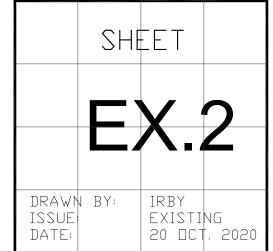




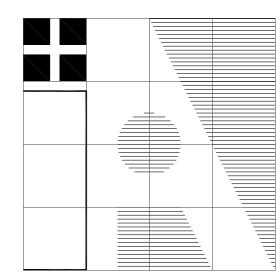


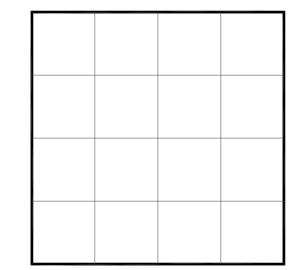


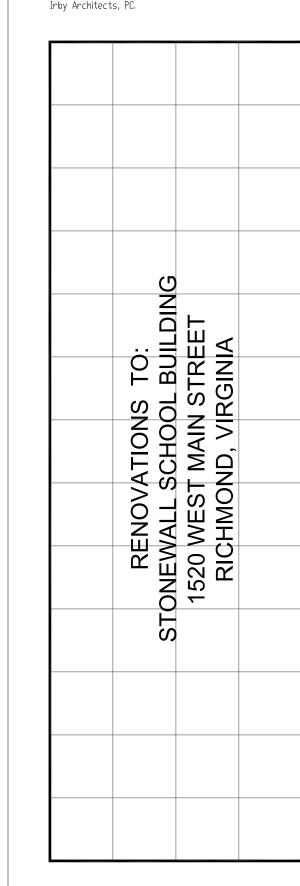


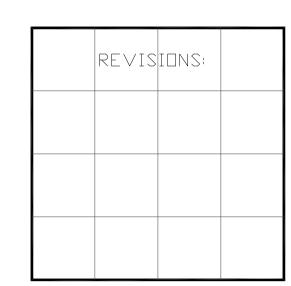




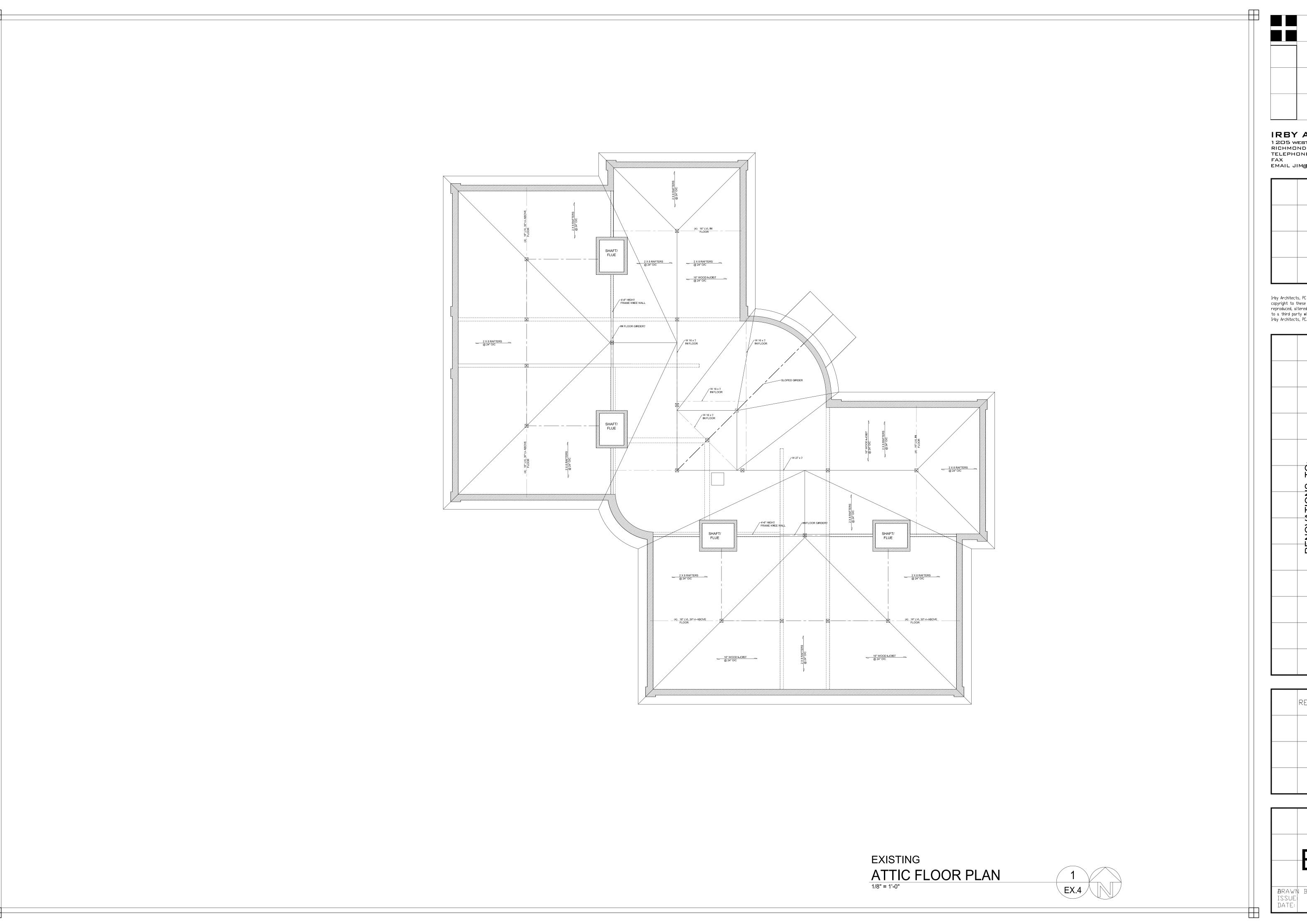


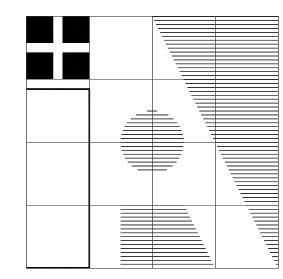


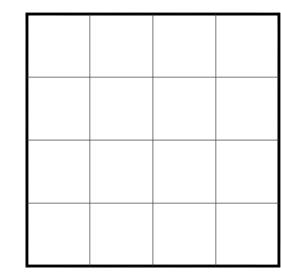


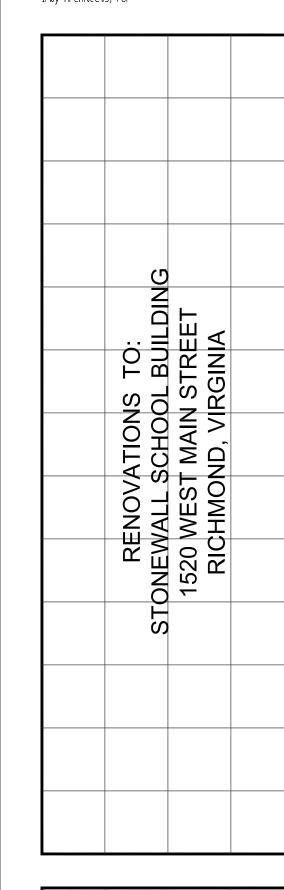


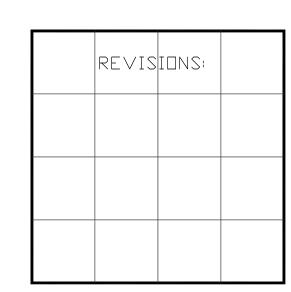






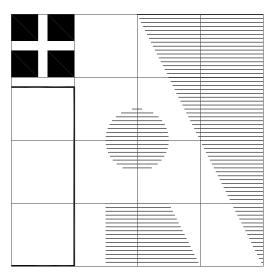


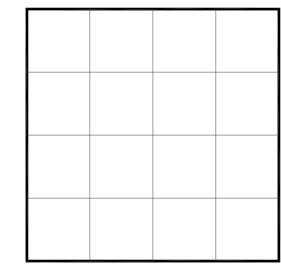


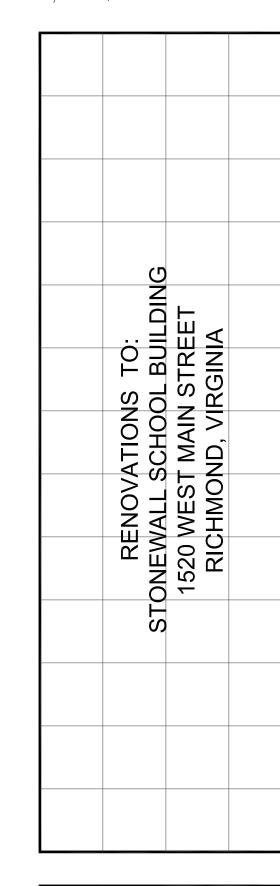


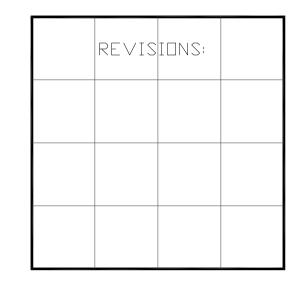


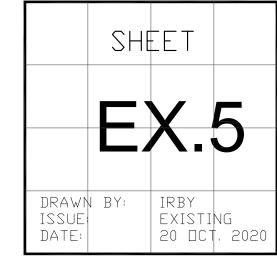


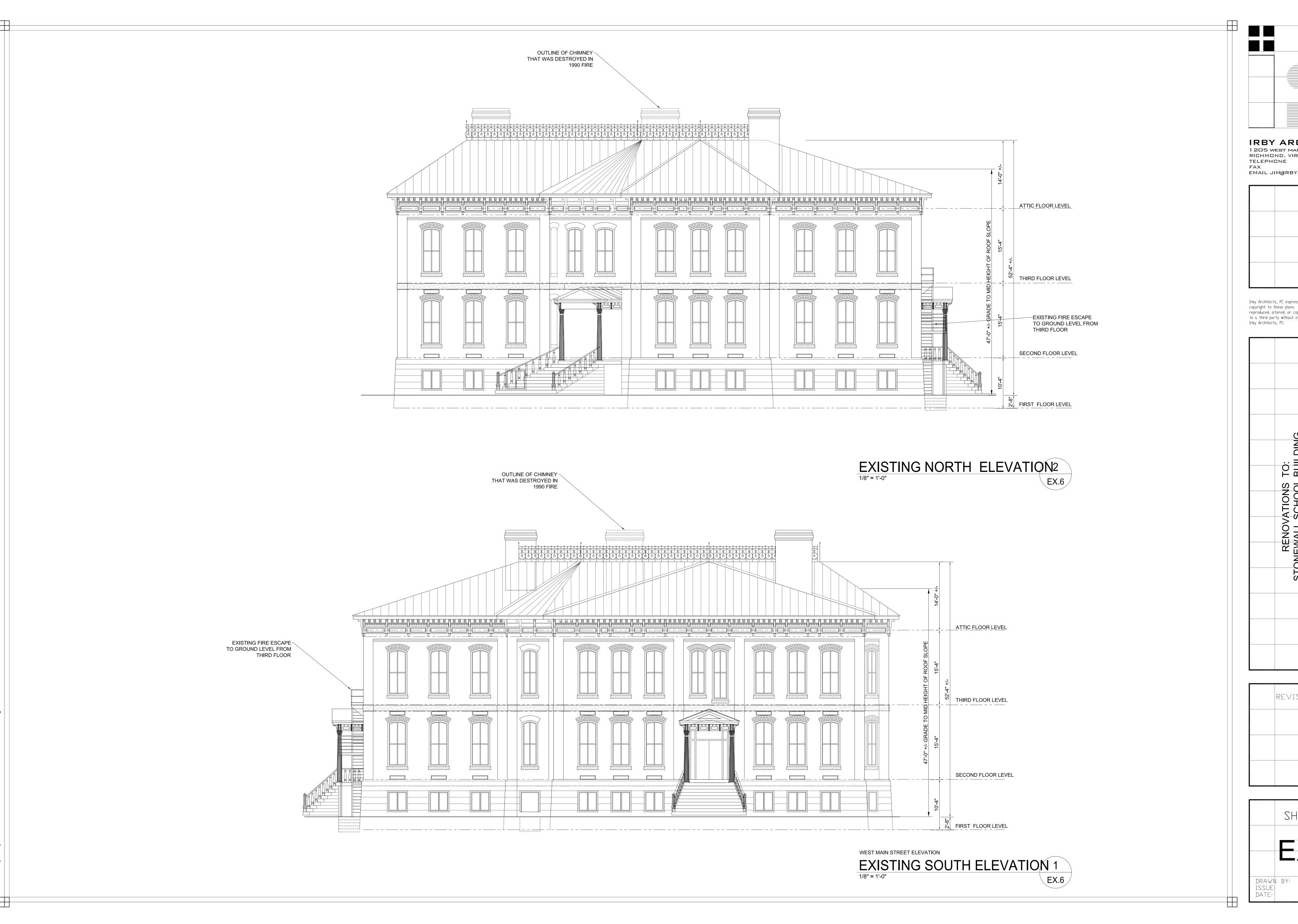


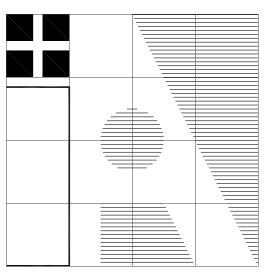


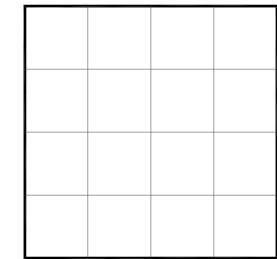


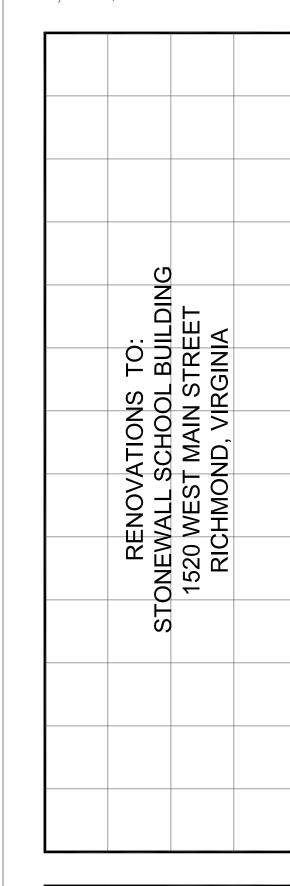


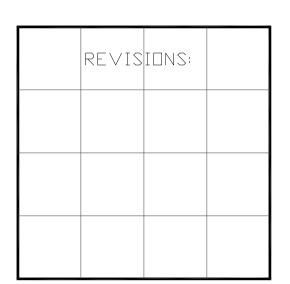


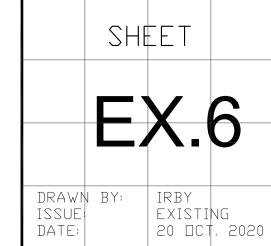


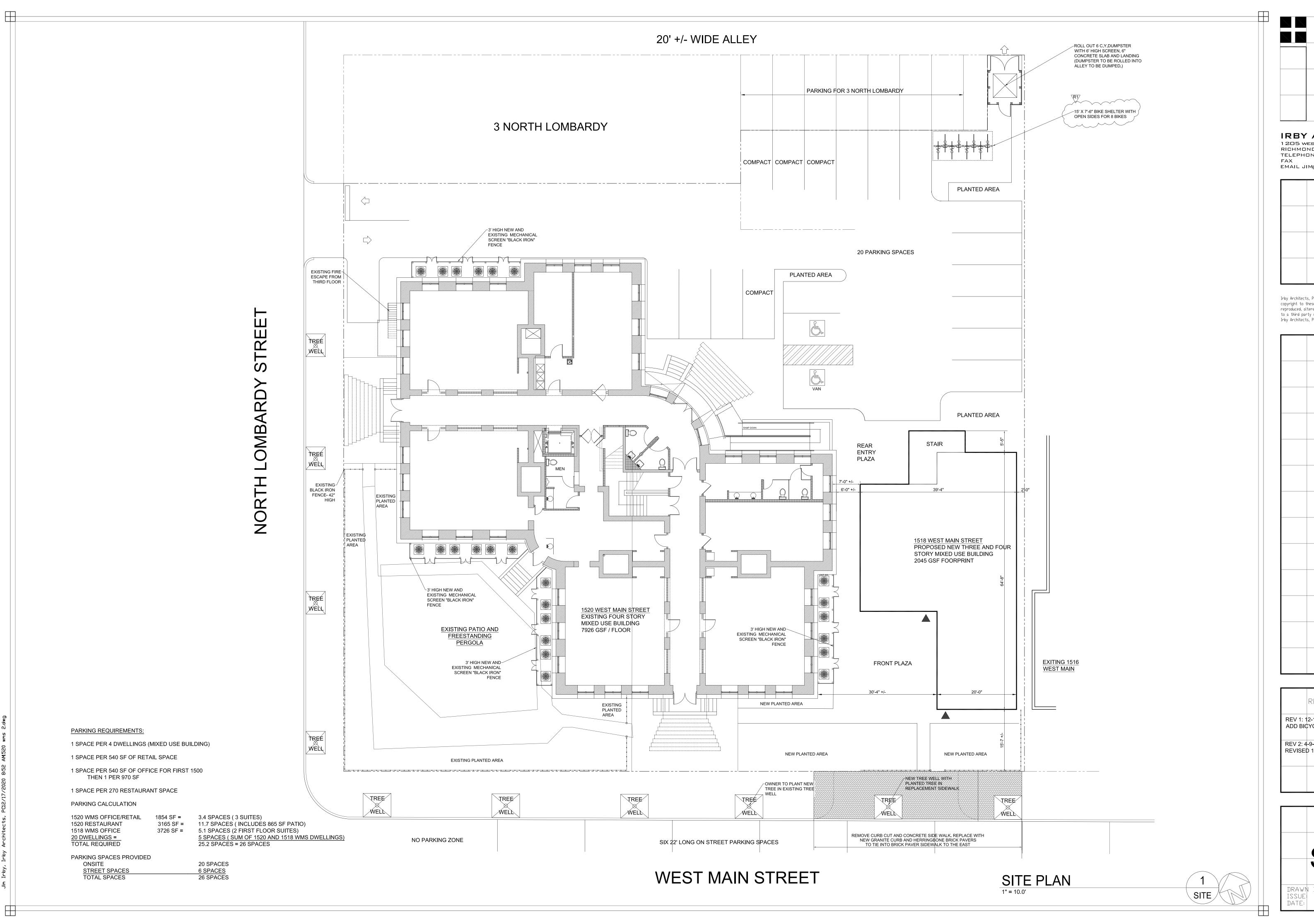


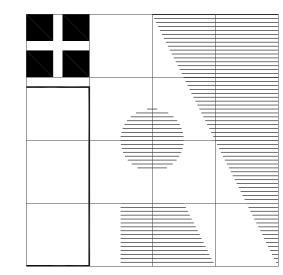


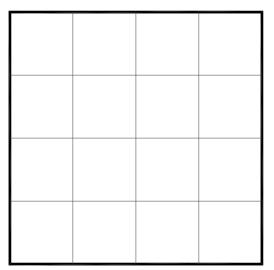


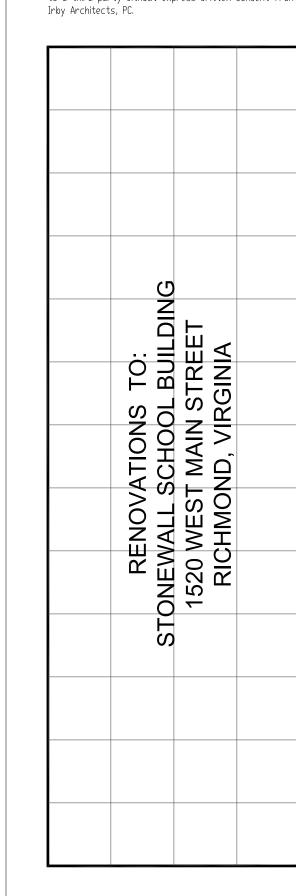


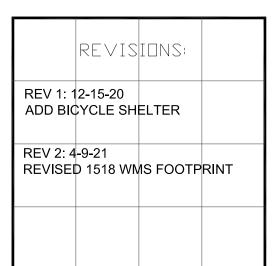




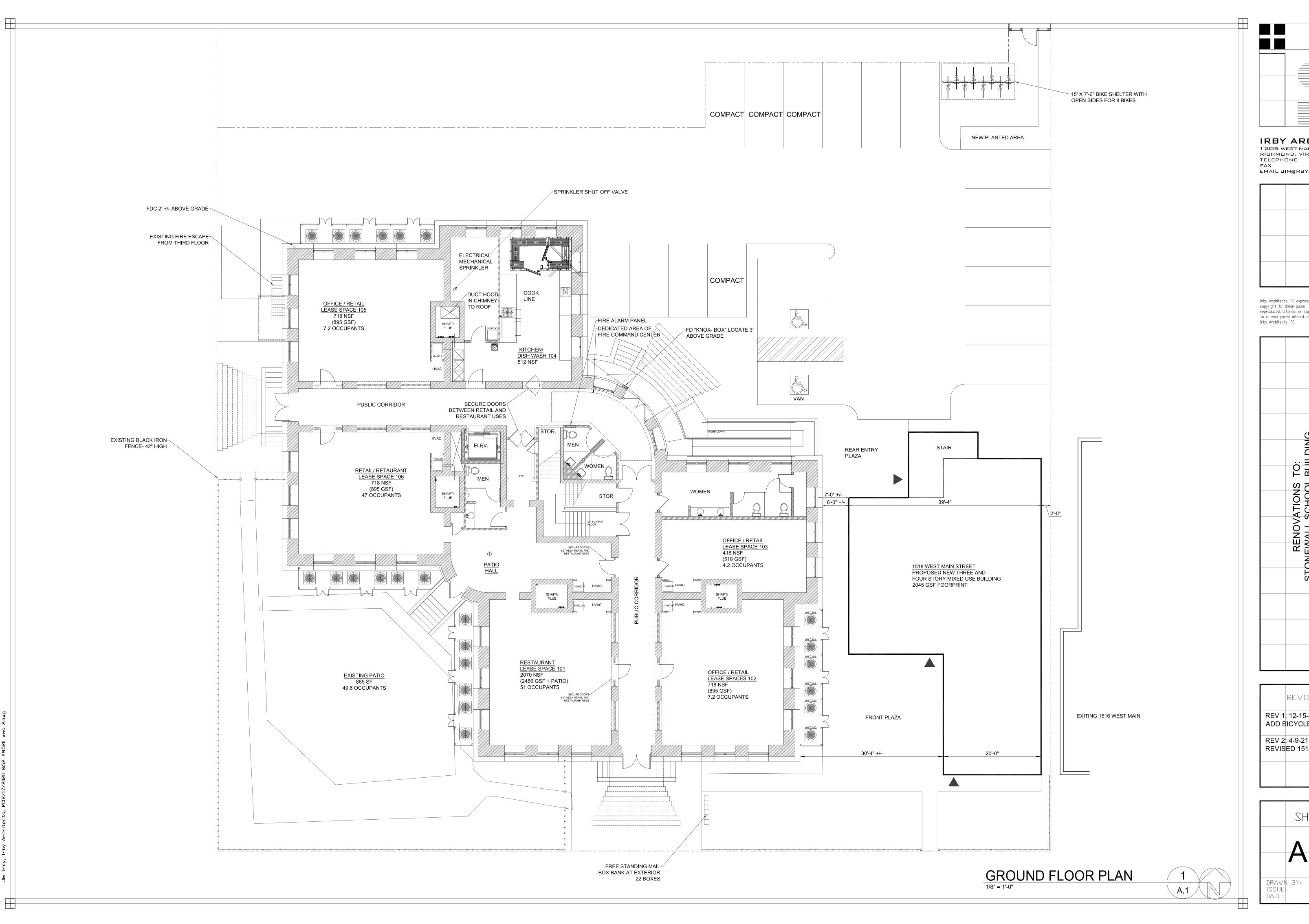


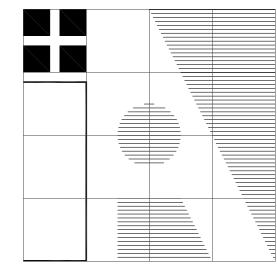


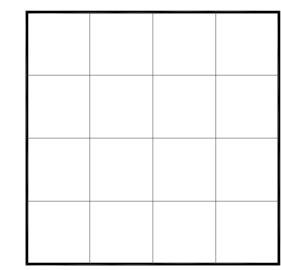




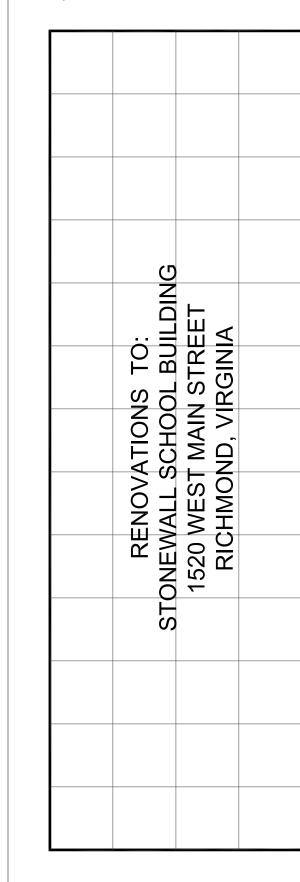




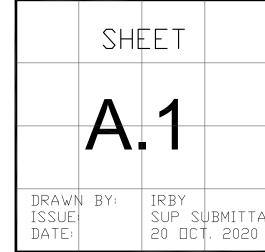


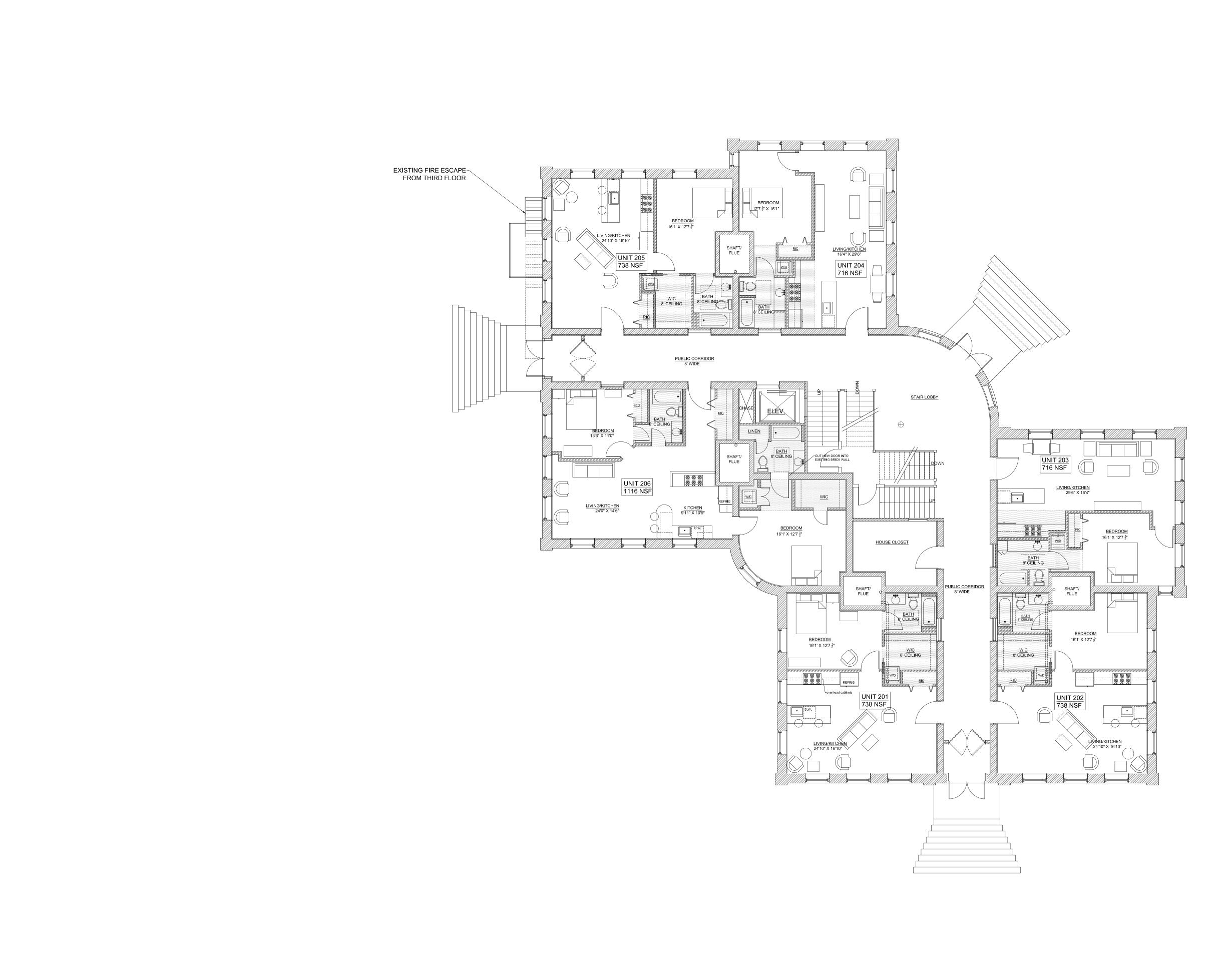


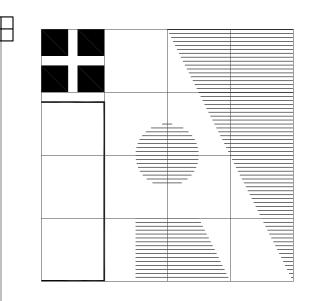
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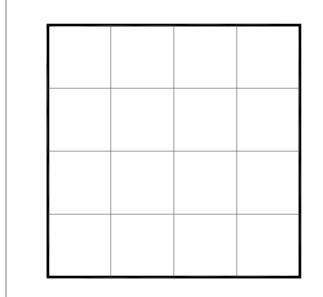


REVISIONS: REV 1 12-15-20 ADD BICYCLE SHELTER REV 2: 4-9-21 REVISED 1518 WMS FOOTPRINT

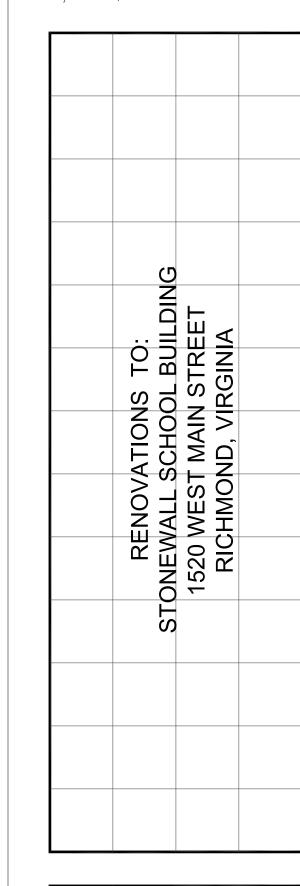


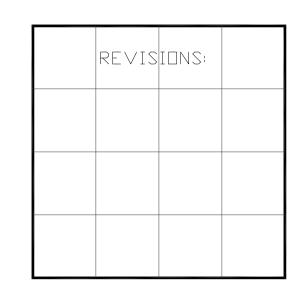


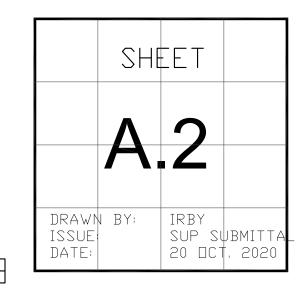




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PROPOSED- 7926 GSF SECOND FLOOR PLAN

1/8" = 1'-0"

