



Charleston Board of Zoning Appeals

AGENDA

8:30 a.m., Thursday, March 25, 2021

Join via internet at:

<https://us02web.zoom.us/j/82745242374?pwd=ZGs5QTNYN2RHMSthMDduTy8yV3F1Zz09>

Or call: 312-626-6799 or 929-436-2866 or 346-248-7799

Webinar ID: 827 4524 2374

Password: 968609

I. Items for Review

VAR-21-2992

Application of West Virginia Health Right requesting a parking variance in order to expand the health care facility on the property located at **1520 Washington Street, East.**

CUP-21-0210

Application of West Virginia Health Right requesting a conditional use permit in order to establish restricted accessory parking areas on the properties located at **1521 & 1523 Jackson Street.**

CUP-21-0211

Application of Patrick McMullen requesting a conditional use permit in order to serve alcoholic beverages accessory to a restaurant and golf simulator on the property located at **1022 Bridge Road.**

CUP-18-0177

Request for Extension

Application of Dustan Tanner on behalf of The Bullock Distillery LLC for a conditional use permit in order to operate a distillery selling alcoholic beverages for off-premise consumption on the property located at **121 West Washington Street.**

II. Approval of minutes for the March 11, 2021 hearing.



**Board of Zoning Appeals
PUBLIC HEARING NOTICE**

Until further notice, BZA hearings will be accessible via Zoom.

Case Descriptions

VAR-21-2992: Application of West Virginia Health Right requesting a parking variance in order to expand the health care facility on the property located at **1520 Washington Street, East.**

CUP-21-0210: Application of West Virginia Health Right requesting a conditional use permit in order to establish restricted accessory parking areas on the properties located at **1521 & 1523 Jackson Street.**

The file (including the application, site plan and other supporting documentation) is available for your inspection online at <https://charlestonwv.civicclerk.com/>. If you have questions, email lori.brannon@cityofcharleston.org or call 304-348-8105.

Hearing Details

WHEN: 8:30 a.m.
Thursday, March 25, 2021

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Webinar ID: 827 4524 2374
Password: 968609

Public Participation

Anyone who wishes to comment on the case described above is encouraged to do so in one of the following ways:

1. Send a written statement to lori.brannon@cityofcharleston.org. These statements will become a part of the record and will be shared with members of the Board prior to the hearing.
2. Speak directly to the Board by joining the meeting via Zoom using the details listed above. ***Please provide your name and the phone number or e-mail address you'll be using to join the hearing to lori.brannon@cityofcharleston.org by 5 pm on Tuesday, March 23, 2021.***

As a matter of general policy these proceedings will not be transcribed by the Board. Anyone wishing a legal transcript must provide a court reporter at his/her own expense.

 Board of Zoning Appeals
Application for Variance

BZA # _____

Hearing Date: _____

Applicant Information	Property Information
Name: West Virginia Health Right	Address: 1520 Washington St. E - Charleston, WV 25311
Address: 1520 Washington St. E - Charleston, WV 25311	Tax Map and Parcel: 2-156 thru 20-158 20-139 & 20-140
Phone: (304) 414-5930	Zoning District: CVD - Corridor Village District
Agent Name, Address and Phone Number: (if other than applicant) ZMM Architects and Engineers 222 Lee St. W - Charleston, WV 25302 (304) 342-0159	Property Owner and Mailing Address: (if other than applicant)

INSTRUCTIONS: This application must be typed or legibly printed and filed with the Planning Department in person or by mail to 915 Quarrier Street, Suite 1 Charleston, WV 25301. The following items must accompany this application:

1. a site plan drawn to scale;
2. a list of the owners, with their mailing addresses, of the properties within a 100 foot radius of the property for which the variance is being sought; and
3. \$125.00 filing fee in the form of cash, personal check or money order made payable to the City of Charleston.

You are also encouraged to submit any additional information, including photographs, elevations, testimonials or other documentation which may support your application. You or your representative must be present at the scheduled public hearing in order to present your request and answer questions.

THE PLANNING DEPARTMENT WILL NOT ACCEPT INCOMPLETE APPLICATIONS.

A variance is a method by which a property owner receives permission to vary from the development standards established in the Zoning Ordinance governing such matters as building location, building dimensions, setback requirements, placement and quantity of parking, landscaping, signage, and other features included in site design. **Please describe your variance request.**

A parking variance for 28 spaces. 14,400 SF existing + 16,800 SF new = 31,200 total SF divided 200 = 156 Required. One-hundred twenty-eight (128) total parking spaces are provided. This includes sixteen (16) parking spaces shared with the Pentacostal Holiness Church.

Applicable Section(s) of the Zoning Ordinance Table 23-060-01.01 Minimum Parking Space Requirements (per gross floor area)

Please describe the proposed work to be done on the property. The existing 2-story, WV Health Right facility – which has been in operation in this location for more than 20 years - will be expanded by 16,800 SF. The existing parking area will be expanded by 61 parking spaces to support the new three-story addition. The variance is required to support the total area of the expanded building. A new 6'-0" tall decorative aluminum fence will be constructed surrounding the new parking expansion.

IMPORTANT: According to Section 8A of the Code of the State of West Virginia and Section 29-040 of the City of Charleston's Zoning Ordinance, the Board of Zoning Appeals may grant a variance if and only if **ALL** of the following four criteria can be satisfied:

- 1.) The variance, if granted, will not adversely affect the public health, safety and welfare or the rights of adjacent property owners or residents; and,
- 2.) The variance arises from special conditions or attributes which pertain to the property for which a variance is being sought and which were not created by the person or entity seeking the variance; and,
- 3.) The variance, if granted, would eliminate an unnecessary hardship and permit a reasonable use of the land; and,
- 4.) The variance, if granted, will allow the intent of the Zoning Ordinance to be observed and substantial justice done.

1.) If granted, your variance must not adversely affect the public health, safety and welfare or the rights of adjacent property owners or residents. For example, public safety cannot be compromised by limiting access for emergency vehicles, and neighboring property owners must not be hindered in the use their properties in any manner permitted in the Zoning Ordinance. If your variance request is granted, how will others in the area be affected? The proposed development will be limited to the rear portions of the residential properties identified. Adjacent property owners will still have access to the rear of their properties through the existing alley on each side of WV Health Right. Emergency vehicles will still have access to the alleys as well as the front sides via Jackson Street.

2.) Your request must arise from special conditions or attributes which pertain to the subject property and which you did not create. The size, shape and topography of your lot are examples of the physical conditions which may satisfy this criterion. In comparison with other properties in the vicinity and under the same zoning regulations, what is unusual or different about the subject property? As noted above, WV Health Right has existed in this location since 2000 with the amount of parking currently provided (which is lower than required Zoning Ordinance). Adequate parking is being provided to support the addition. The unique mission of WV Health Right, which is WV's Premier Free and Charitable Clinic, does not require the same volume of parking as other commercial healthcare providers. A large number of the patients visiting WV Health Right walk or use public transportation. WV Health Right is trying to accommodate an increased need for their services in a manner that most positively impacts the existing neighborhood by allowing the residential homes facing Jackson Street to remain.

3.) **An unnecessary hardship is neither personal nor financial in nature.** In this application, an unnecessary hardship is a problem created by some feature of the land which prevents the owner from making reasonable use of the property as permitted by the Zoning Ordinance. The following three questions help to determine if there is an unnecessary hardship with regard to your property.

Without a variance, are you deprived of all beneficial use of your land? Without the variance WV Health Right does not have the ability to expand their existing building (or services) within the confines of the existing or available property. Measures have been already been taken to purchase all adjacent commercial property available along West Washington Street. Additionally, as noted above, adequate parking is being provided for the addition to support Health Right's needs. The existing structure has operated with the available parking for more than 20 years.

Is your situation due to unique circumstances that are not shared by other land in the district? WV Health Right has been in the same location on Charleston's East End since 2000 providing a caring environment and quality comprehensive primary and specialty care to a number of uninsured, underinsured, and medically underserved West Virginians. Keeping the facility in the same location is very important to those visiting WV Health Right. Without the ability to expand the parking, the facility is landlocked and cannot grow.

Would approval of your variance request alter the essential character of the surrounding neighborhood or community? With the proposed building expansion matching the existing building and taking place within the CVD, the character of

the commercial neighborhood will remain the same. The new parking is specifically being located in the rear portions of the residential properties to keep it hidden from Jackson Street. Arrangements are being made to sub-divide the parcels and sell the front lots to a local developer that intends to renovate the existing homes and rent to potential tenants keeping the character of the existing neighborhood and community.

4.) The general purpose and intent of the Zoning Ordinance of the City of Charleston is to protect and promote the public health, safety, convenience, morals and general welfare. For more specific information in regard to the scope and intent of the Zoning Ordinance, please see Section 1-020 as well as the section from which you are requesting this variance. Will approval of the variance allow the intent of the Zoning Ordinance to be observed? We believe the growth and development of the new WV Health Right addition and parking is in general accordance with the Charleston Comprehensive Plan as described in the Zoning Ordinance. Our proposed development protects the social and economic stability of the neighborhood by keeping WV Health Right in the same location as clients and customers have come to expect while preserving the residential aesthetic from Jackson Street.

Substantial justice is the idea that a standard of fairness has been satisfied according to the substance of the law. Does your variance request represent the least deviation from the Zoning Ordinance necessary to achieve an outcome that is fair to both you and to your community? Yes. WV Health Right is proposing the maximum number of parking spaces possible within the confines of the existing land available according to the Zoning Ordinance while trying to preserve the existing character of both the commercial and residential neighborhoods.

I hereby affirm that all of the statements and information contained in or filed with this application are true and correct to the best of my knowledge.

Signature

Date

Planning Department Use Only	
The following is a list of related cases:	
The following is a list of zoning ordinance violations, building code violations and enforcement actions relating to the subject property:	
Application reviewed by:	
Action: ☐ Approved ☐ Rejected	
If approved, were there any specific conditions or limitations imposed by the BZA?	
Planning Official Signature and Title	
Date	

 Board of Zoning Appeals
Application for Conditional Use Permit

CU # _____

Hearing Date: _____

Applicant Information	Property Information
Name: West Virginia Health Right	Address: 1521 & 1523 Jackson Street
Address: 1520 Washington St. E - Charleston, WV 25311	Tax Map and Parcel: 20-139 & 20-140
Phone: (304) 414-5930	Zoning District: R-6
Agent Name, Address and Phone Number: (if other than applicant) ZMM Architects and Engineers 222 Lee St. W - Charleston, WV 25302 (304) 342-0159	Property Owner and Mailing Address: (if other than applicant)

IMPORTANT: This application must be typed or legibly printed and filed with the Planning Department in person or by mail to 915 Quarrier Street, Suite 1 Charleston, WV 25301. The following items must accompany this application: 1) a site plan drawn to scale; 2) a list of the owners, with their mailing addresses, of the properties within a 250 foot radius of the property for which the variance is being sought; 3) \$125.00 filing fee in the form of a check or money order made payable to the City of Charleston. You are also encouraged to submit any additional information, including photographs, elevations, testimonials or other documentation, which may support your application. You or your representative must be present at the scheduled public hearing in order to present your request and answer questions. THE PLANNING DEPARTMENT WILL NOT ACCEPT ANY INCOMPLETE APPLICATIONS.

Please describe the proposed use. Include information such as the activities to be conducted on the site, hours these activities will be conducted, and any other data pertinent to the proposed use. If the proposed use is a business, please attach a list of the officers and their contact information. At the rear of the existing residential properties a new lot will be constructed for 56 spaces for parking automobiles used by employees, clients or customers working at or visiting the WV Health Right facility. This will be in addition to the 57 existing spaces and 16 spaces shared with the adjacent church. Parking lot hours will be between 8:00am-5:00pm Monday-Friday. Arrangements are being made to sub-divide the parcels and sell the front lots to a local developer that intends to renovate the existing homes and rent to potential tenants keeping the character of the existing neighborhood and community.

Applicable Section(s) of the Zoning Ordinance 3-050 Permitted Land Use Table, 6-061 Permitted and Accessory Uses, 23-060-05 Restricted Accessory Parking Lot Standards

Does the proposed use comply with the conditions set forth in the Zoning Ordinance? Yes. The Zoning Ordinance states that a Restricted Accessory Parking Lot is allowed as a conditional use under the R-6 Medium Density Residential District according to the Permitted Land Use Table 3-050, and an adjacent church already has a parking lot that extends from Washington Street to Jackson Street.

Please describe any proposed work to be done on the property. We propose to demolish the existing apartment buildings, garages, etc. that are built on the rear portions of the residential properties and perform the necessary site work to install required underground utilities. A new parking lot containing 56 spaces will be constructed and surfaced with asphalt paving and required parking lot lighting. A new 6'-0" tall decorative aluminum fence will be constructed surrounding the new parking expansion.

If your request for a conditional use permit is granted, how will others in the area be affected? The City of Charleston will have a larger, updated facility in WV Health Right that will be in a much greater position to provide a caring environment and provide quality comprehensive primary and specialty care to a number of uninsured, underinsured, and medically underserved West Virginians.

Will your request devalue the property of others in the vicinity by altering land use characteristics or diminishing the marketable value of adjacent land and structures or increasing congestion on public streets? No. The request will not alter the land use characteristics and will preserve existing development patterns in the neighborhood.

*Please note that one national real estate company has determined home prices in zip code 25311 have decreased 2.4% over the past 12 months. They also predict that home values in the East End will decrease approximately 2.3% over the next 12 months. Generally, homes on Jackson Street are valued at 14.2% lower than the median home in the East End.

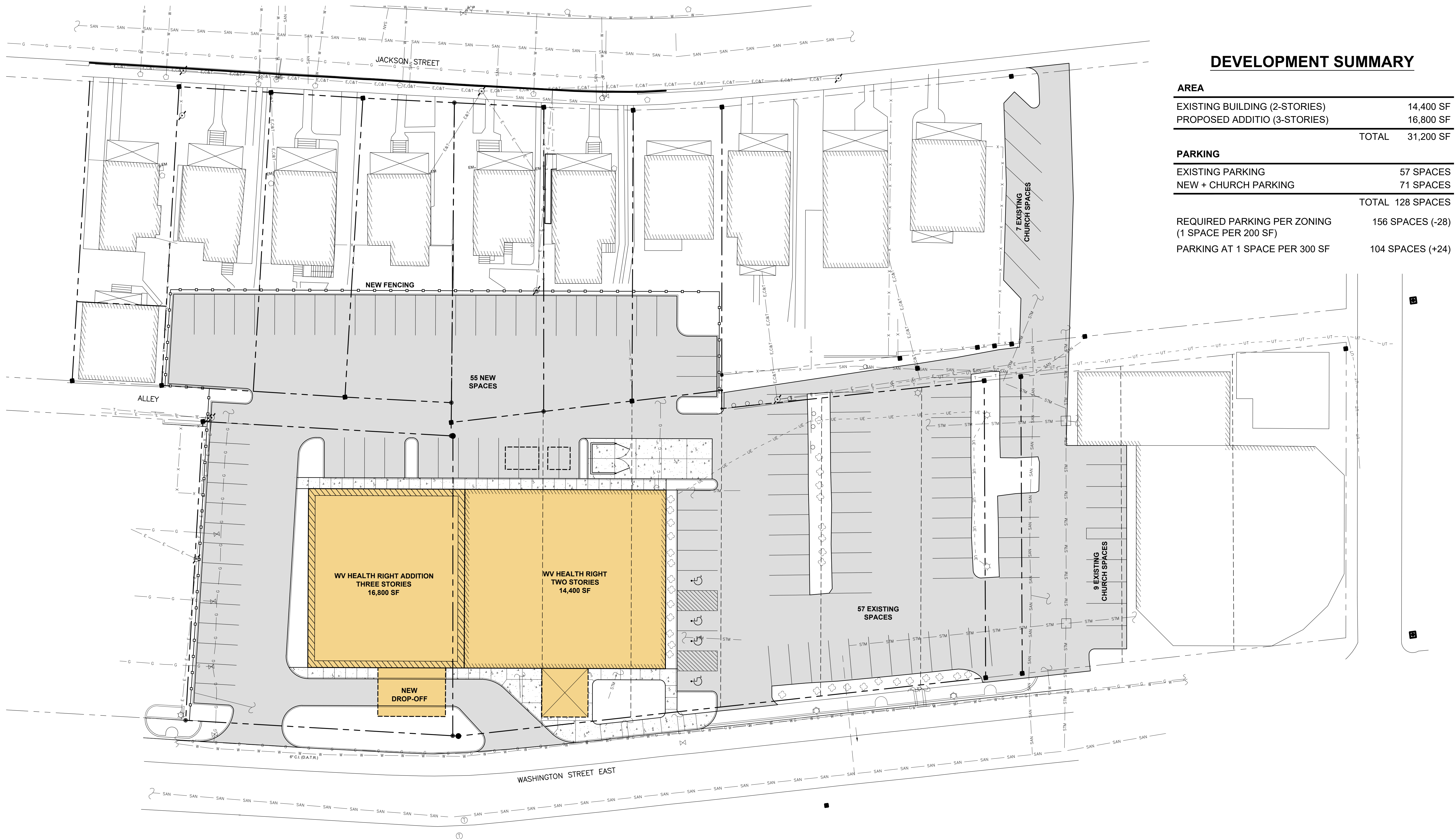
Is your request consistent with the purposes and intent of the Zoning Ordinance of the City of Charleston? _____
We believe the growth and development of the new WV Health Right addition and parking is in general accordance with the Charleston Comprehensive Plan as described in the Zoning Ordinance. Our proposed development protects the social and economic stability of the neighborhood by keeping WV Health Right in the same location as clients and customers have come to expect while preserving the residential aesthetic from Jackson Street.

I hereby affirm that all of the statements and information contained in or filed with this application are true and correct to the best of my knowledge.

Signature

Date

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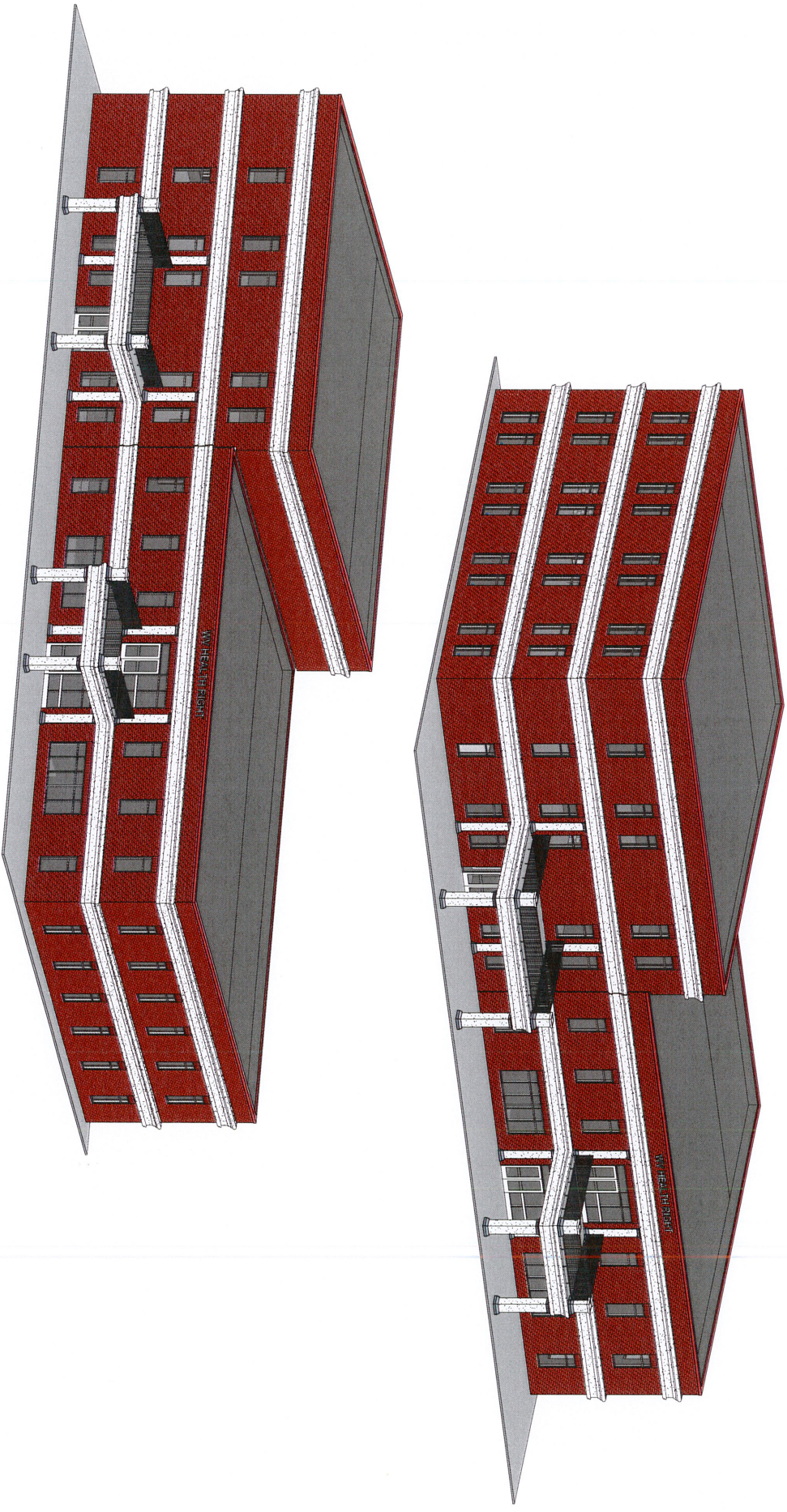
DEVELOPMENT SUMMARY

AREA	
EXISTING BUILDING (2-STORIES)	14,400 SF
PROPOSED ADDITIO (3-STORIES)	16,800 SF
TOTAL	31,200 SF
PARKING	
EXISTING PARKING	57 SPACES
NEW + CHURCH PARKING	71 SPACES
TOTAL	128 SPACES
REQUIRED PARKING PER ZONING (1 SPACE PER 200 SF)	156 SPACES (-28)
PARKING AT 1 SPACE PER 300 SF	104 SPACES (+24)



Proposed Health Right Addition

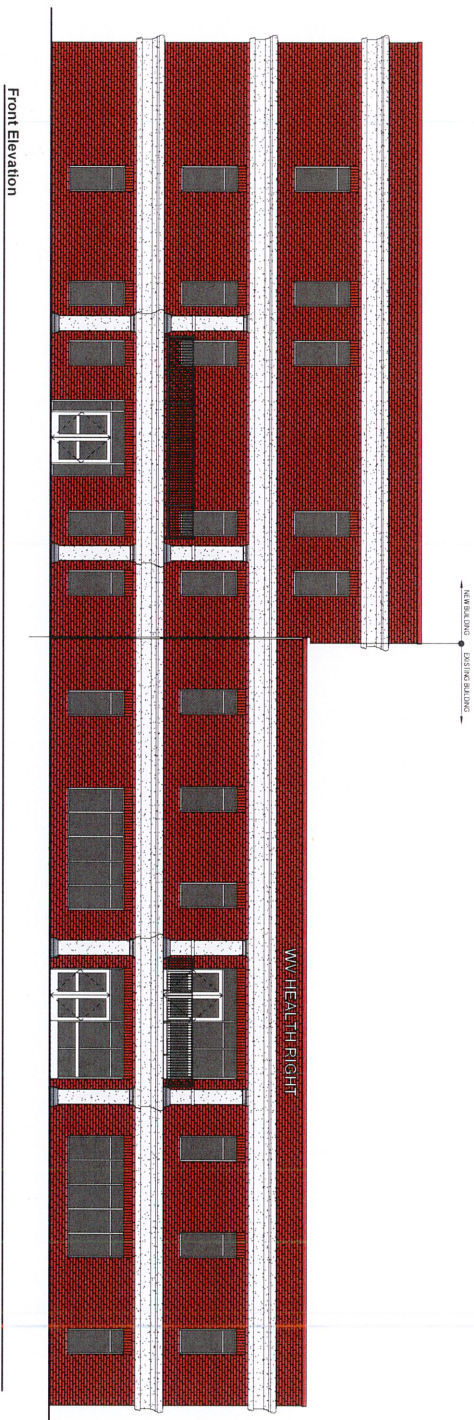
February 11, 2021



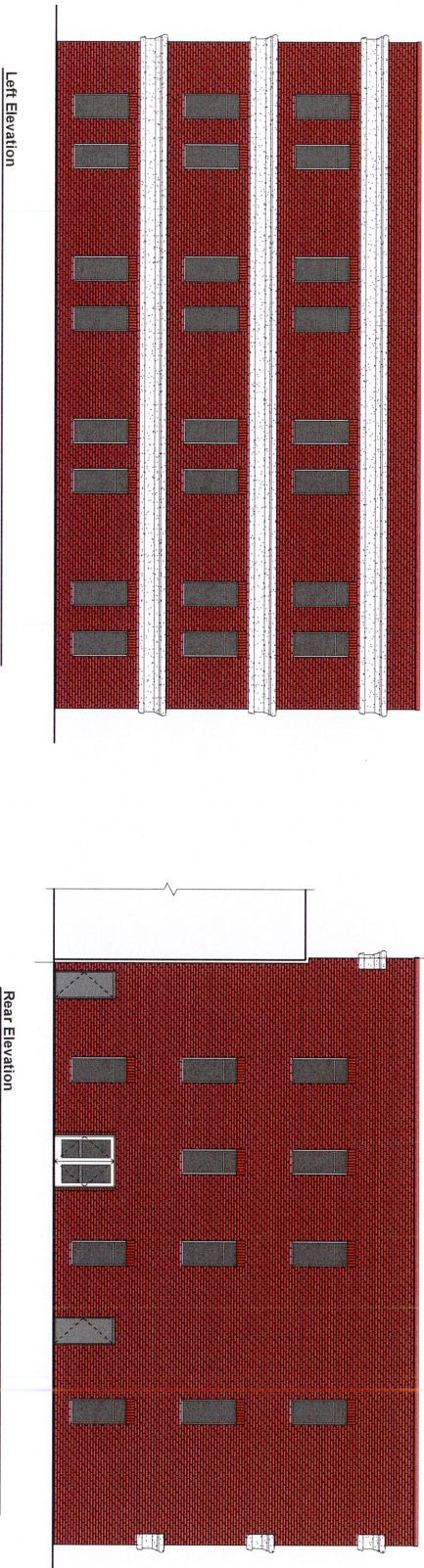
Proposed 3D Views

Proposed Health Right Addition

February 11, 2021



Front Elevation



Left Elevation

Rear Elevation

Proposed Elevations



Front of Property

Residence at 1521 Jackson Street – Charleston, WV



Rear of Property

Residence at 1521 Jackson Street – Charleston, WV



Front of Property

Residence at 1523 Jackson Street – Charleston, WV



Rear of Property

Residence at 1523 Jackson Street – Charleston, WV

March 20, 2021

Lori Brannon
Municipal Planning Commission
City of Charleston
916 Quarrier Street, Suite 1
Charleston, W 25301

Re: West Virginia Health Right applications for conditional use permit and variance

This letter is in opposition to West Virginia Health Right's applications for conditional use permit and zoning variance involving 1521 and 1523 Jackson Street.

Last fall, when Health Right sought the same thing for 1513, 1515, 1517, and 1519 Jackson Street, I wrote a letter in opposition. In that letter, I asked, "If the City of Charleston approves the current request, how long will it be before either Health Right or someone else will seek yet another?" Here we are a mere six months down the road, and Health Right once again is wanting to turn the back of two more Jackson Street lots into parking and again citing the conditional use permit that Abundant Life Ministries obtained for a lot in the same block of Jackson Street.

Health Right first sought a year ago to install a parking lot that would have destroyed four houses on Jackson Street. Having, I suppose, been guided by the City of Charleston to go back and ask for something that did not out-and-out call for tearing down the houses, with the help of the city, Health Right came back with the plan to subdivide the properties, sell the front halves, and turn the back halves into parking. Jackson Street residents put up a valiant fight but lost. Some of those residents no longer live on Jackson Street.

As far as those four houses are concerned, the last six months have not been kind. Two have suffered fires, one of which was so damaging that the house had to be torn down immediately. The other looks none too good from the street, begging the question of whether it can be salvaged.

What of the two subject properties? One was damaged by fire a few years ago and hasn't been habitable since. The former owner tried in vain to find a way to repair it at a price he could afford but ultimately was not successful. Health Right will, of course, sell off the subdivided parcels with houses, as they presumably have done with the other four, to someone who is interested in owning rental property, able to renovate more cheaply, and re-coup the cost through rental income. While I have nothing against renters, if these houses are occupied by transitory tenants with no interest in Jackson Street, a situation that seems to exist with the house on the other side of me, it will be of no benefit to the neighborhood.

As I look at Jackson Street today, I think of my grandparents, who bought the house in which I live more than eighty years ago. Then, it was a nice, safe neighborhood in which people could raise their children. Roosevelt Junior High was at the corner, and there were grocery stores a short distance away. Would my grandparents choose Jackson Street today? Of course not.

I recognize that neighborhoods change over time. New neighborhoods develop, and older ones may decay and die. Does the latter have to happen? No. However, I believe that the survival of these older neighborhoods is as much dependent on the commitment of larger civic and political entities as it is on the

residents themselves. Do I see that commitment? No. Jackson Street holds no interest to those entities. After all, according to Health Right's application, "one national real estate company" found that houses in the 25311 zip code (25311 actually includes far more than the East End downtown area) have declined in value. More relevant, "Generally, homes on Jackson Street are valued at 14.2% lower than the median home in the East End." To put it bluntly, Jackson Street and its residents are expendable.

Events of this past year clearly have shown the future of Jackson Street. A year ago, some of us had a modicum of hope that things still might be turned around. Six months ago, as we took on Goliath, we still hoped that maybe, just maybe, we could fend off those who would destroy us. Now, as I come down the street and see the devastation, the only thing that enters my mind is the phrase from Dante's *Divine Comedy*: "All hope abandon, ye who enter here."

Sincerely,

Mary Johnson
1525 Jackson Street
Charleston, WV 25311



**Board of Zoning Appeals
PUBLIC HEARING NOTICE**

Until further notice, BZA hearings will be accessible via Zoom.

Case Descriptions

CUP-21-0211: Application of Patrick McMullen requesting a conditional use permit in order to serve alcoholic beverages accessory to a restaurant and golf simulator on the property located at **1022 Bridge Road.**

The file (including the application, site plan and other supporting documentation) is available for your inspection online at <https://charlestonwv.civicclerk.com/>. If you have questions, email lori.brannon@cityofcharleston.org or call 304-348-8105.

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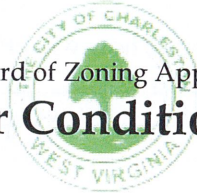
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Public Participation

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Board of Zoning Appeals

Application for Conditional Use Permit

CU # _____

Hearing Date: _____

Applicant Information	Property Information
Name: <u>McMulligan's LLC</u>	Address: <u>1022 Bridge Road</u>
Address: <u>1022 Bridge Rd. Chas. WV 25314</u>	Tax Map and Parcel: <u>Charleston WV 25314</u>
Phone: <u>(304) 550-3317</u>	Zoning District: _____
Agent Name, Address and Phone Number: (if other than applicant) <u>Patrick McMullen</u> <u>(same as above)</u>	Property Owner and Mailing Address: (if other than applicant) <u>1022 Bridge LLC</u> <u>839 Spring Road</u> <u>Charleston WV 25314</u>

info@mcnulligansgolf.com

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Please describe the proposed use. Include information such as the activities to be conducted on the site, hours these activities will be conducted, and any other data pertinent to the proposed use. If the proposed use is a business, please attach a list of the officers and their contact information.

Mixed use venue
featuring indoor golf simulator, food and beverage
service (including alcohol pending B2A approval and
licensure), art gallery and retail sales of art, golf
apparel, etc.

Applicable Section(s) of the Zoning Ordinance C-4

Does the proposed use comply with the conditions set forth in the Zoning Ordinance? Yes.

Please describe any proposed work to be done on the property. Removal of partition
walls, construction of indoor golf bay with
simulator, upgrade of electrical and plumbing as
needed for kitchen/food prep, bathrooms, etc.

If your request for a conditional use permit is granted, how will others in the area be affected? The
uses are consistent with other existing local
businesses and will complement those businesses
and the area.

Will your request devalue the property of others in the vicinity by altering land use characteristics or diminishing the marketable value of adjacent land and structures or increasing congestion on public streets? No.
Property values will remain the same or improve
due to improvements to the property and
complementary business use.

Is your request consistent with the purposes and intent of the Zoning Ordinance of the City of Charleston? Yes.

I hereby affirm that all of the statements and information contained in or filed with this application are true and correct to the best of my knowledge.

Will Miller

Signature

Date

Planning Department Use Only

The following is a list of related cases:

The following is a list of zoning ordinance violations, building code violations and enforcement actions relating to the subject property:

Application reviewed by:

Action: ☐ Approved ☐ Rejected

If approved, were there any specific conditions or limitations imposed by the BZA?

Planning Official Signature and Title

Date

From: **Marshall** marshall.mcmullen3317@gmail.com
Subject: **McMulligan's**
Date: **Feb 12, 2021 at 2:48:28 PM**
To: **dan@cityofcharleston.org**

This is submitted as an addendum to the Conditional Use Permit application filed by McMulligan's LLC with the City of Charleston Planning Department on February 11, 2021.

McMulligan's LLC will lease space at 1022A/C Bridge Road in Charleston. This mixed use venue will be an enhancement to the Bridge Road Shops area and the City overall.

The principal of McMulligan's is Patrick McMullen, a Charleston native and graduate of George Washington High School, Marshall University and the Golf Academy of America. Patrick has worked at golf courses in West Virginia, Maryland and Oregon, including as an assistant golf professional at Wakefield Valley in Westminster, Maryland and five years at Bandon Dunes Golf Resort in Bandon, Oregon, one of the world's largest and most renowned golf resorts featuring six courses and an array of facilities.

Through McMulligan's on Bridge Road, Patrick will combine his passion for golf with his desire to rejoin/join and enhance the Charleston social and business communities. Charleston's encouragement of young entrepreneurs to return to and remain in the city will ensure a bright future for all of us.

The unique feature of McMulligan's will be a state-of-the-art golf simulator that will be available for use by the entire Charleston community. Although there are facilities with golf simulators open to the public in other West Virginia cities, including Huntington, Morgantown and Beckley, only country clubs in the Charleston area (including the public Little Creek facility in South Charleston) offer this service. It is time that Charleston itself has such a facility.

Not only will indoor golf be available to the Charleston community generally, it will be available for instructional use and for training by all levels of players from beginners to professionals and everyone in between. School teams, players and coaches will be able to schedule sessions to develop their skills and practice

during inclement weather. The golf area and the food and beverage service area are connected by a hallway and there are separate entrances for use when needed so that the spaces can be used for different functions simultaneously by adults and minors.

McMulligan's will also offer food and beverage (including adult beverages with Board of Zoning Appeals approval) not only for golfers but for the public at large. The Bridge Road Shops area is already a food and beverage destination, but McMulligan's offerings will complement and supplement what is already available. Currently there are two fine dining establishments and two pizza restaurants in the neighborhood, as well as a bakery and a coffee and gelato cafe. Another restaurant offers a variety of soups, sandwiches, etc. but closes in mid-afternoon. Although the menu is not yet finalized, McMulligan's will provide new casual dining options including in the evening that will add to the variety of offerings in the area, and customer input as to menu offerings will be given great weight.

The beverage component is key to the financial success

of any food establishment. McMulligan's provision of beverages including alcoholic beverages is no exception. The location, size and nature of McMulligan's operations should allay any concerns about serving alcoholic beverages. The square footage of the facility is limited as is evident from the accompanying proposed floor plan. In addition, it is divided into two separate spaces connected by a hallway, further limiting the number of customers in one space. The golf aspect is indoors only. Operations will be conducted at reasonable hours consistent with other neighboring establishments.

The entire facility fronts on Bridge Road. No operations are proposed for behind the building, and the sloped lot is not conducive to such. The building is on the largest of the row of lots that span from Bridge Road in the front to Glen Street in the rear. Most of the lot extends and slopes down from behind the building to Glen Street, separating the building from the residential neighborhood on the other side of Glen Street both in terms of distance and elevation. While the lot fronts Glen Street, the building is quite distant from it. The vacant portion of the lot includes a number of trees that provide a visual and noise buffer. McMulligan's wishes to include

an outdoor seating area adjacent to the building as has recently been done by other Bridge Road Shops establishments for the enjoyment of patrons in a healthy, open-air environment, weather permitting. McMulligan's will work with City authorities on a concept and design that will ensure this is only a positive enhancement that complies with all applicable standards and requirements.

McMulligan's is sensitive to residential neighborhood concerns and its operations will not adversely affect other properties, owners and renters. In fact, Patrick McMullen lives in the upstairs apartment above the business and is committed to maintaining a quality living environment in the neighborhood. The diversity of offerings in Charleston's vital Bridge Road Shops area will only be enhanced and business synergy will improve.

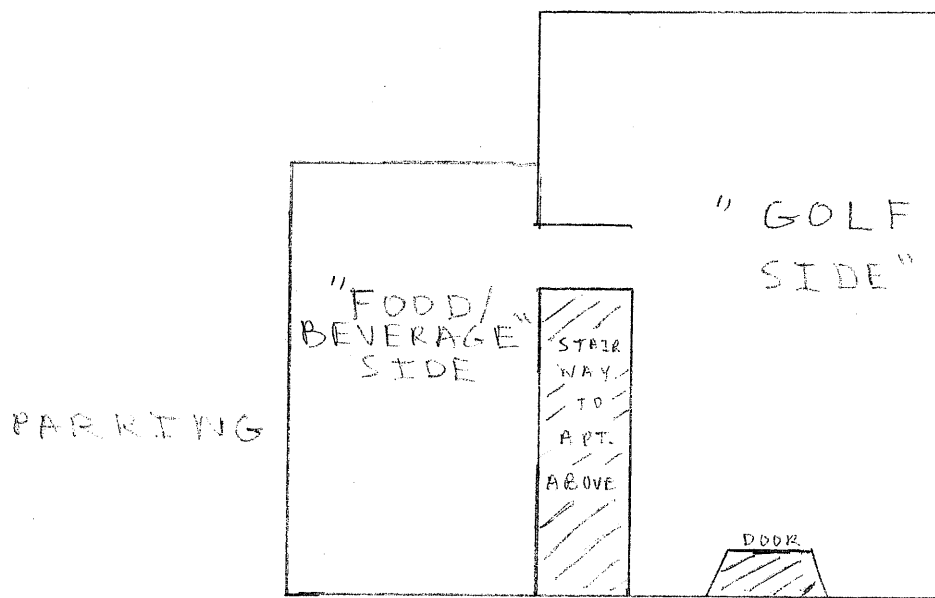
McMulligan's will also include passive operations that will add to the local shopping experience while creating no negative impacts. Retail sales of golf apparel and related items will be featured. The space will also serve as a gallery for the works of local artist Betty McMullen and other guest artists to be exhibited and available for purchase. McMulligan's will provide something for

everyone, from indoor golf to food and drink, from a relaxed shopping environment to a visual art experience. Patrick McMullen wants the entire Charleston community to come and enjoy its offerings and help build back Charleston and the Bridge Road Shops area after a uniquely challenging time in 2020-21.

Sent from my iPhone

FLOOR PLAN OVERVIEW

(PRELIMINARY - SUBJECT TO ADJUSTMENT)



EACH "□" = @ 2' X 2' (4 SQ. FT.)

FEB. 12, 2021

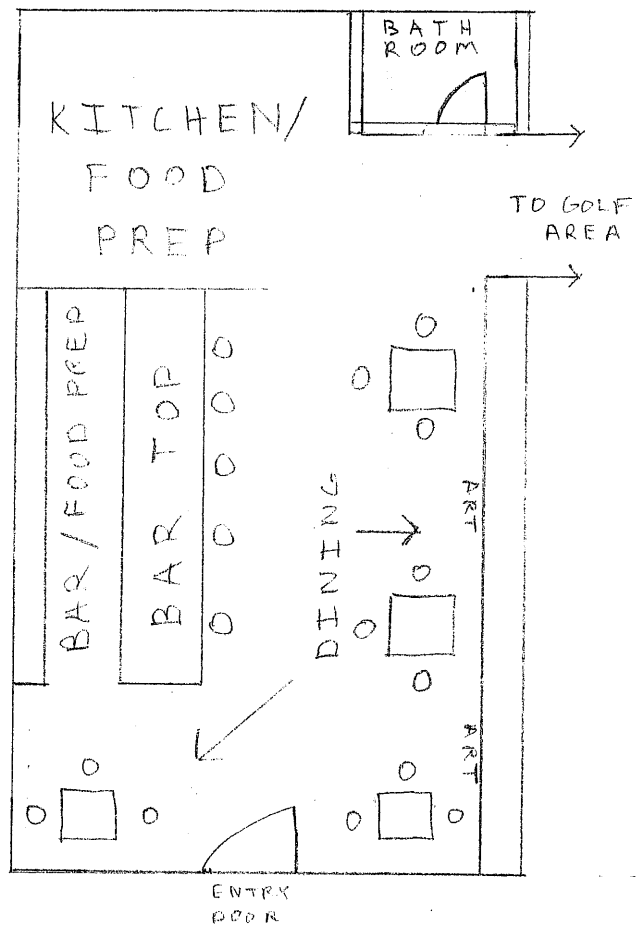
MCMULLIGAN'S

1022 BRIDGE ROAD
CHARLESTON WV

"FOOD/BEVERAGE"
SIDE

PARKING
LOT

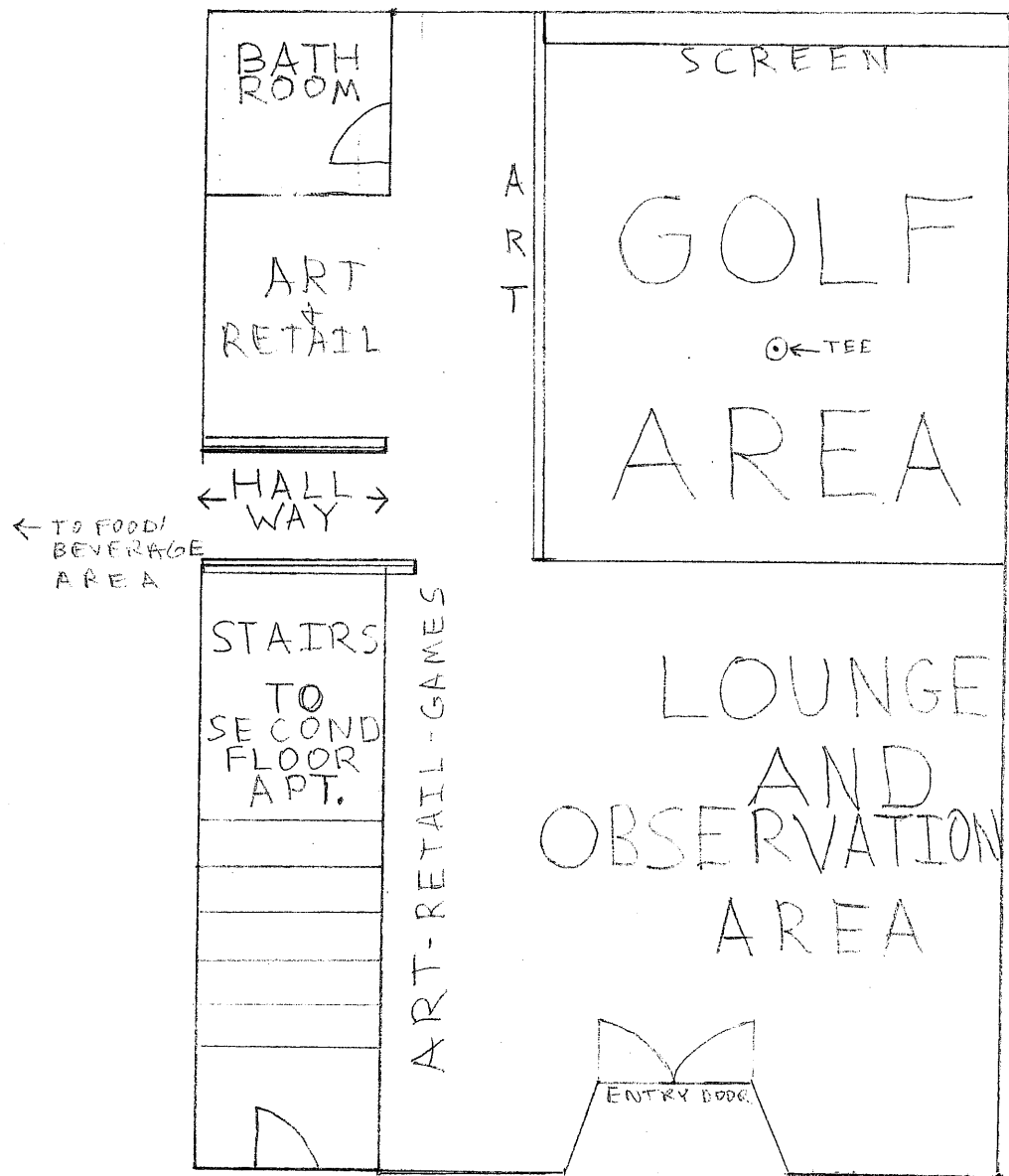
EACH "□" = 1 SQ. FT.
FEB. 12, 2021



M C MULLIGAN'S

1022 BRIDGE ROAD
CHARLESTON WV

"GOLF SIDE"



EACH "□" = 1 SQ. FT.

FEB. 12, 2021

M C MULLIGAN'S

1022 BRIDGE ROAD
CHARLESTON WV



**STATE OF WEST VIRGINIA
DEPARTMENT OF REVENUE
ALCOHOL BEVERAGE CONTROL ADMINISTRATION**

900 Pennsylvania Ave., 4th Floor
Charleston, West Virginia 25302

FREDRIC L. WOOTON
COMMISSIONER

DAVE HARDY
CABINET SECRETARY

March 17, 2021

VIA EMAIL

Lori Armstead Brannon
City of Charleston
Planning Department
915 Quarrier Street, Suite 1
Charleston, WV 25301

Re: FOIA Request

Dear Ms. Brannon:

This letter is in response to your FOIA request received by the WVABCA on March 16, 2021.

WVABCA staff have advised me of that Patrick N. McMullen is not listed on any current or pending license in the WVABCA system.

If you need further assistance, please contact me at (304) 356-5507.

Sincerely,

Anoop Bhasin
General Counsel