

## Saunders, Richard L. - PDR

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**From:** Erin <ehjordaneh@gmail.com>  
**Sent:** Tuesday, October 26, 2021 10:04 AM  
**To:** PDR Land Use Admin  
**Subject:** Objections to Special Use Permit 111B North Lombardy Ordinance No. 2021-299

**CAUTION:** This message is from an external sender - Do not open attachments or click links unless you recognize the sender's address and know the content is safe.

Please include this email as part of the November 1st Planning Commission Meeting:

As a ten year resident of the Fan I strongly object to the proposed special use permit for 111 B North Lombardy Street.

Adding a business that will operate as a bar is not in the best interest of our community. Light pollution, noise, extra trash, safety, and parking will all be greatly impacted by allowing this bar to open.

111 B North Lombardy has never been a restaurant or operated with an ABC license. This space does not have a working kitchen nor should it be retrofitted to add a kitchen. In the June 3, 2021 BizSense article, Ms. Hopkins bragged about the ease of Virginia liquor laws. "Hopkins said Virginia's liquor laws are actually more favorable than New York's for someone who wants to sell wine for both on- and off-premise consumption." "In New York you can't have an on-off (premise) liquor license, so we couldn't open a bottle and sell a glass." Since this publication she has remarked that she is not opening a bar, but she is proposing to sell alcohol by the glass. Granting her a special use permit will also allow her to sell other types of alcohol. In addition this special use permit will go with the building, allowing future patrons to operate a bar. This is not the correct use for this residential space!

Bars typically have loud drunken patrons who will disturb the citizens of this block. We have had to endure unruly patrons before from now closed Baja Bean and I am not willing to have this directly across from my home.

Additional lights from the establishment will shine into my house my living room and bedroom causing excessive light. Citizens have the right to a sense of peace even in urban environments.

Why is the zoning commission and the city council willing to allow a bar to operate in an area that is zoned for less intensive use? I am sickened to see that a push for tax revenue is being pressured over the interests of the citizens who live on the street.

The street parking is severely limited on Lombardy, adding a bar business will hinder our already tight parking spaces. This street unfairly is zoned for Fan parking permits zone 1 and 2. When VCU is in session it is nearly impossible to find parking on North Lombardy. Additional people will only make this worse. Delivery trucks will also hinder the flow of traffic, blocking one side of the street. North Lombardy already endures speeding vehicles, poor drainage and lack of pedestrian right away. I've seen too many traffic and pedestrian accidents in this neighborhood.

I urge the zoning commission to take all of these factors into account and to stand on the side of citizens, not business.

Best regards,

Erin Jordan  
106 North Lombardy Street  
Richmond Virginia 23220

## Saunders, Richard L. - PDR

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**From:** Erin <ehjordaneh@gmail.com>  
**Sent:** Sunday, June 27, 2021 1:45 PM  
**To:** PDR Land Use Admin  
**Cc:** Jordan, Katherine - City Council  
**Subject:** Stop special use permit for 111 B North Lombardy Street

CAUTION: This message is from an external sender - Do not open attachments or click links unless you recognize the sender's address and know the content is safe.

It has been brought to my attention that Celladora Wines is applying for a special use permit from the city to operate a wine bar and wine shop at 111 B North Lombardy Street.

This location is directly across the street from my home. I have numerous objections to opening a bar in this residential block. Parking is limited to one side of the street, but is open to zone 1 and 2 Fan residents to park. There is a 1 hour limit on parking near the laundry mat, this already limits spaces. I am concerned about the noise, light and garbage pollution from a 16 seat establishment. The noise of additional patrons will directly impact my health and quality of life. I can see the building from my living room and bedroom. The tenant claims that it is not her intention to open a wine bar, but by serving patrons glasses of wine with very limited food that is essentially what she is creating, a bar. Intoxicated people make excessive noise. I'm concerned about the possibility of outdoor seating, creating congestion on sidewalks and noise. Lights from the establishment will also be visible in my home. All of these factors will strongly diminish my quality of life, my peace. I've lived in the Fan for ten years. Have seen tenants come and go, but I will not sit idly by and let a wine bar open across from my home.

Please stop this permit and put the quality of life of your citizens above profit.

Erin Jordan  
106 North Lombardy St.

Sent from my iPhone



October 28, 2021

Planning Commission  
City of Richmond  
via email [Richard.saunders@richmondgov.com](mailto:Richard.saunders@richmondgov.com)

RE: Ordinance No: 2021-299  
111 A North Lombardy Street  
Richmond, VA 23220

Members of the Planning Commission,

I own the corner property at 1530 Floyd Avenue and it adjoins the property at 111 N Lombardy, sharing road frontage on Lombardy Street. I resided there from 1973 until 1976. Since 1976, I have lived around the corner at 1501 Grove Avenue. So I am also a neighbor. I am opposed to granting a Special Use for a restaurant at 111 N Lombardy Street.

While the "PURPOSE" sounds innocuous enough, the clear intent is to circumvent the existing zoning and rezone permanently a non-conforming, low density commercial use into full-fledged B 1 Zoning. This proposed use in an already properly zoned B 1 District, in addition to numerous other requirements, would require a minimum of at least seven (7) parking spaces (one per 100 sq ft) as well as properly secured trash containers, neither of which are possible at 111 N Lombardy Street. The building sits on the lot lines and there are no legally available (i.e. not already assigned to a CO for a different property or legally allowed to be leased for a commercial establishment) parking spaces. As an aside, historically, any non-conforming commercial use that was not in use/service for 24 consecutive months expired and with it any grandfather for parking requirements. It is my understanding from neighbors that the hair salon has been out of business for significantly longer, regardless of whatever the lease term states. If that is asserted as inaccurate, then prudent verification would require affidavits from the previous tenant to that effect. In that situation alone, the parking requirement waiver would disappear.

Under "REASON" this use is not allowed in R 6 zoning. As a reminder, in R 6 zoning, you cannot have more than three unrelated occupants in a single-family property, so it is low density zoning. In this case, R 6 use is what should be encouraged and not B 1. More renovation of residential units provides increased real estate tax revenue that goes straight to the City's bottom line.

### RE/MAX COMMONWEALTH

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Under "BACKGROUND" again the previous use was low density, but this change has a different purpose. As stated, " In order to allow for more flexibility for future tenants, the special use permit ordinance would also allow any uses that are permitted within the B 1 Neighborhood Business District." Since when is the City of Richmond charged with the responsibility of unilaterally advancing the property value of an absentee landlord, who may or may not have made a wise investment, versus the property values of the adjacent homeowners? Just reading that statement alone means this is not about some quaint neighborhood wine bar. A section of the Richmond 300 is added here but is totally out of sync with the proposed use. It does mention "abutting the property as a "Major Mixed-Use Street" on the Street Typologies map." That is Main Street, not the next street which is actually Floyd Avenue, and is two blocks away, and the property is also two blocks from Binford School. It also mentions, without specifics, two other non-conforming commercial uses. First, a laundromat which has been there (an old grocery store) for at least 45 years. To my knowledge, nobody drives into the neighborhood to use the laundromat and "hang out". Using the logic advocated here, think of how large a restaurant that would become! The other use is 34 N Lombardy Street and, as I remember, it was granted an in-house jewelry production permit with no retail and no on site customers and occupies one half of the first floor of the building.

Now, to the Ordinance itself. This Special Use Permit is solely issued to the property owner (and conveys with the property) and grants them an unprecedented use for the future. While the face of the use is the wine bar, the reality is any restaurant that wants to stay open until 10 PM seven days a week with no parking and no live music (not an issue with 700 sq ft anyway) can use the space. Unless the current applicant's use takes priority, the applicant can change terms anytime the applicant wants. As I read the ABC application, it also allows the onsite and offsite sale/consumption of beer. In terms of ABC regulations, I am not sure of the occupancy limits and food/beverage ratios and whether that is feasible when the applicant represents that approximately 65% of the revenue will be generated by off premise wine sales. The application lists an address in the 2700 block of Hanover, but the little note passed around the neighborhood said the applicant was a neighbor, so I am not sure about the real status. While I believe the representations of the applicant as it pertains to the conditions that need to be responded to in any Special Use application are sincere, that will not control the actions of the patrons and the impact on extremely limited parking and the overall impact of serving alcohol. Economic realities will replace good intentions every time. In fact, I have yet to hear anyone in the neighborhood say we need another place serving beer and that is what could happen!

That block of Lombardy Street has one side of the street parking and the eight houses that front the even side between Floyd Avenue and the main alley going towards Grove Avenue do not have any off-street parking possible. Of the three houses on the odd side of Lombardy Street closest to the proposed restaurant, none of them have off street parking. While this is in the Fan Parking Zone (Both Zone 1 and Zone 2) so permits are needed, but they are not required Friday night and over the weekend. With both Zones applicable to Lombardy Street, the largest number of potential parking permits overlap, so parking is a premium.

There are other issues, such as renovation already commencing, and I am not sure under what Certificate of Occupancy the renovation is taking place. Hair Salon? Restaurant? I think there may be a fire code difference in terms of the ceiling and the stairwell to the second floor. I also understand that it is actually a Condominium and it would make sense to confirm that the Condominium Documents allow a retail establishment, restaurant and the sale/consumption of alcohol. As the owner of the adjoining building, I have concerns in the event there was a problem, and the insurance was not valid. If not permitted, it may void any insurance coverage. Along with parking, the location, type, and frequency of trash removal is a big concern. Vermin and rodents are already a constant concern in The Fan, and a restaurant is ideal for their appearance. Many restaurants are required to have dumpsters, etc to remediate this type of problem.

With all the existing properties zoned for this type of use nearby, there is no reason to impose this burden on the neighbors. From a neighbor's standpoint, in addition to quality of life, the biggest issue is the loss of value of their homes. I have sold real estate in The Fan since 1973 and consider myself well acquainted with and knowledgeable about market conditions and amenities. My sense is that if a restaurant is allowed at 111 N Lombardy Street, the value of the property nearby will drop significantly. For any one of the enumerated issues, approval of this Special Use is counter to the public good and public interest.

I strongly urge and request that the granting of a permanent restaurant use for this building be denied.

Respectfully,

A handwritten signature in black ink, appearing to read 'Thomas N Innes', written in a cursive style.

Thomas N Innes  
tom@tominnes.com  
Owner, RE/MAX Commonwealth  
Owner, 1530 Floyd Avenue  
Owner, 1501 Grove Avenue

CC: City Council Katherine Jordan  
Fan District President  
Fan District Zoning Chairman

## Saunders, Richard L. - PDR

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**From:** MARGARET FRIEDENBERG <mjfbberg@aol.com>  
**Sent:** Friday, October 29, 2021 11:13 AM  
**To:** PDR Land Use Admin  
**Subject:** Lombardy Street Proposal

CAUTION: This message is from an external sender - Do not open attachments or click links unless you recognize the sender's address and know the content is safe.

I am opposed to the proposed special use permit for 111B North Lombardy. It will disrupt the neighborhood and is unwarranted.

M. Friedenber

Sent from my iPhone

## Saunders, Richard L. - PDR

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**From:** Jason Mashburn <jason@creativedirect.net>  
**Sent:** Friday, October 29, 2021 3:50 PM  
**To:** PDR Land Use Admin  
**Subject:** Planning Commission Meeting

**CAUTION:** This message is from an external sender - Do not open attachments or click links unless you recognize the sender's address and know the content is safe.

Members of the planning Commission,

Please accept my comments as part of the November 1st Planning Commission Meeting.

I am the owner of 106 N. Lombardy - it is directly across the street from 111 N Lombardy. Me and my wife have owned and lived at this property since 2011. I am opposed to granting a Special Use permit for a restaurant at 111 N Lombardy.

### **LIMITED PARKING**

This property has always been a very small retail ( hair salon) or single occupant business for a number of reasons, one of which is the very limited parking available. I am fairly the certain the hair salon closed because a lot of their customers were constantly getting parking tickets and they couldn't accommodate them. Restaurants require a minimum amount of parking spots to attach to the business and there are none available.

### **BUSINESS ENCROACHMENT**

I am also opposed to this special use permit because it would allow for business encroachment on a residential portion of Lombardy. Since the ABC permit would convey with the property, it would be easy for it to turn into something else like a late night bar/restaurant in the future. This is harm our proaroty values and lower tax revenue to the city in the long run.

In short, with the potential of loud noises, outdoor gatherings, alcohol sales and taking up very limited parking, allowing this property to become a restaurant would be detrimental to the tranquility of our home.

### **PLENTY OF OTHER OPTIONS FOR THE BUSINESS OWNER**

There are plenty of other properties elsewhere available to rent that would not require a special use permit and encroach on a residential block.

For all the issues mentioned above, I strongly urge and request the granting of restaurant use for this property be denied.

Sincerely,



Jason Mashburn  
106 N Lombardy Street  
Richmond, VA 23220