



PARK AND DAVIS
HOMEOWNER
ASSOCIATION

601 N Davis Ave
Richmond Virginia, 23220

October 29, 2020

To: City Planning Commission Chair, Mr. Rodney Poole
City Planning Commissioners, Mr. Melvin Law, Vice Chair; Mr. John "Jack" Thompson; Ms. Lenora Reid, Acting Chief Administrative Officer; Ms. Ellen Robertson, City Council Representative; Ms. Elizabeth Greenfield; Mr. Max Hepp-Buchanan; Mr. David Johannas; Mr. Vic Murthy

Cc: Ms. Kim Gray, City Council Representative, Second District

Subject: Branch Museum of Architecture and Design SUP amendment

Summary: We are **opposed** to the proposed amendments

Our condo building is across the street from the Branch House's backyard. This part of the neighborhood was designed to be residential and is zoned as such. We do not believe it is acceptable to change the Branch House into an event hall, instead of primarily a small house museum. As such, we are opposed to the proposed amendments to the existing SUP.

We can usually hear the Branch House events inside our own homes, even indoor Branch events with the windows/doors shut. The "reception events" (weddings mainly) are the most impactful in terms of noise, as there is often (happy) screaming/yelling at these events and quite loud music. The current prevailing SUP allows for 12 of these "reception events" per year; this SUP amendment would allow for up to 105 reception events. It also increases the max attendance from 150 to 300 attendees and allows the events to go later in evenings. This would mean we would potentially have to hear loud weddings/events and not have peaceful enjoyment of our homes for close to 1/3 of the year. This is a ***dramatic*** increase from the Branch.

We are also concerned that the SUP amendment will weaken the parking protections in the original SUP. With the increase in number of events, and the language changed to "Best Efforts" at providing parking for large events if the adjacent church lot is unavailable, we fear that all of the street parking will be taken up by these Branch events. This drastically changes our current situation as we do not have off-street parking. Parking is possible where we live because of the requirement that the Branch Museum post "Resident-only" parking signs and mainly park in the church lot. The availability of parking was an important factor when many of us purchased our condos; this SUP change will endanger that.

Finally, we are not members of the Monument Avenue Preservation Society (MAPS), so any covenant with them to manage the Branch House events would not include us. We would have no say in how the peace and quiet in our homes is enforced and managed. We want official city zoning to protect our interests, not an amorphous covenant of which we are of no part.

We understand the Branch House is having financial difficulties brought on by what will hopefully be a temporary disruption due to the coronavirus pandemic. We also understand the long-term financial strain of repairing and maintaining the Branch House. The Branch House has been a valuable neighbor and we are willing to work with it to find a reasonable compromise, not the extraordinary transformation the proposed SUP represents, that brings it more financial stability and also protects our residential enjoyment of our homes.

We urge you to not pass this SUP amendment in its current form to allow us (and our fellow neighbors) to engage in a reasonable discussion with the Branch House to work towards a reasonable compromise.

Sincerely,
Park and Davis Homeowners Association

Ebinger, Matthew J. - PDR

From: Eric Holzwarth <holzwarth.barash@gmail.com>
Sent: Thursday, October 29, 2020 5:06 PM
To: Brown, Jonathan W. - PDR
Cc: Ebinger, Matthew J. - PDR
Subject: Planning and Dev - Center for Architecture

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October 29, 2020

Mr. Jonathan Brown
Richmond Planning and Development Review

Dear Mr. Brown,

I have reviewed ORDINANCE No. 2020- 226 which proposes changes to the rules under which 2501 Monument Avenue, the Virginia Center for Architecture, operates, and I write to oppose the changes.

I live at 2416 Park Avenue, just around the corner from the Center. While I appreciate its contributions to our cultural life, I do not want to see an increase in special events (weddings, receptions, and the like) hosted by the Center. They are not directly related to the cultural mission for which the city authorized the Center, and will create a significant burden on those of us living in the neighborhood, as we are forced to accommodate increased traffic, noises litter, and other serious inconvenience. We are happy with the Center as it now operates, but do not wish to suffer the consequences of these additional events which are unrelated to the Architecture arts, however they may be desirable by the center.

Cordially,

Eric Holzwarth
** ** *

Eric Holzwarth
2416 Park Ave. #6
Richmond, VA 23220
holzwarth.barash@gmail.com

From: jenny price <jennyprice_1@hotmail.com>
Sent: Thursday, October 29, 2020 3:03 PM
To: Brown, Jonathan W. - PDR
Subject: Branch House

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.

2416 Park Avenue Unit 1
Richmond Virginia, 23220

October 29, 2020

To: City Planning Commission Chair, Mr. Rodney Poole
City Planning Commissioners, Mr. Melvin Law, Vice Chair; Mr. John "Jack" Thompson; Ms. Lenora Reid, Acting Chief Administrative Officer; Ms. Ellen Robertson, City Council Representative; Ms. Elizabeth Greenfield; Mr. Max Hepp-Buchanan; Mr. David Johannas; Mr. Vic Murthy
Cc: Ms. Kim Gray, City Council Representative, Second District
Subject: Branch Museum of Architecture and Design SUP amendment

Summary: I am opposed to the proposed amendments

I live on (or near) the perimeter of the Branch House (BH) property and I did not learn of the possible zoning change until the signs went up just a little over a week ago. On Tuesday October 20, 2020, I learned that the property owner organized a Zoom meeting (by invitation) to explain the proposed changes but I was unable to join it. From what I have heard, the meeting was not very productive in terms of informing the perimeter neighbors about how the proposed changes will impact their neighborhood.

My opposition to the proposed changes includes the following considerations:

1. The increase in regulated events from 52 to 105.
2. The increase in reception events (the most disruptive type of event for the neighborhood) from 12 to possibly 105.
3. The increase in the maximum attendance limit from 150 to 300.
4. The shift of the process for changing the event regulations from one based on the City zoning laws, to one based on a covenant between the BH and Monument Avenue Preservation Society (Maps). I have no affiliation with Maps.

5. The elimination of virtually all of the protections in the current SUP designed to mitigate the high noise level associated with outdoor events.

The current SUP has worked fairly well over the past 7 years and I urge you to not support the new amendments.

Sincerely,

Mr. & Mrs. Andrew S. Price

Eric Smith
501 N Davis Ave
Richmond Virginia, 23220

October 30, 2020

To: City Planning Commission Chair, Mr. Rodney Poole

City Planning Commissioners, Mr. Melvin Law, Vice Chair; Mr. John “Jack” Thompson; Ms. Lenora Reid, Acting Chief Administrative Officer; Ms. Ellen Robertson, City Council Representative; Ms. Elizabeth Greenfield; Mr. Max Hepp-Buchanan; Mr. David Johannas; Mr. Vic Murthy

Cc: Ms. Kim Gray, City Council Representative, Second District

Subject: Branch Museum of Architecture and Design SUP amendment

Summary: I am **opposed** to the proposed amendments

I live on (or near) the perimeter of the Branch House (BH) property and I did not learn of the possible zoning change until neighbors alerted me last evening, 10/29/20.

My opposition to the proposed changes includes the following considerations:

1. The increase in regulated events from 52 to 105.
2. The increase in reception events (the most disruptive type of event for the neighborhood) from 12 to possibly 105.
3. The increase in the maximum attendance limit from 150 to 300.
4. The shift of the process for changing the event regulations from one based on the City zoning laws, to one based on a covenant between the BH and Monument Avenue Preservation Society (MAPS). I have no affiliation with MAPS.
5. The elimination of virtually all of the protections in the current SUP designed to mitigate the high noise level associated with outdoor events.

Comparison of Branch House SUP restrictions

Restrictions	2001 SUP	2013 SUP (Current Prevailing)	Proposed 2020 SUP
Number of un-regulated events per year	Unlimited museum events if held during museum hours	Unlimited museum events if attendance is less than 50	Unlimited museum or non-museum events if attendance is 75 or less

Maximum number of reception events	8	12	Not specified
Maximum number of museum events	18	48	Not specified
Number of regulated events Per Year	26	52	105
Number of events Permitted Per Week	No restriction	No restriction for reception events. No more than one event per week for museum events	No restriction for museum or non-museum events held between Thanksgiving and New Year. No more than 2 museum or non-museum events per week with attendance greater than 75
Max Attendance Limit	200	150	300
Noise Abatement	None	No amplified music, public address or loud speaker system for events held in the back yard. Doors and windows must be closed for indoor events with amplified music, public address or loud speaker system. No more than 2 events may involve the use of a tent in the back yard. No more than 4 events per year may be held outside the building. No more	For events in back yard no amplified music. There is no restriction on public address or loud speaker systems, the use of tents, the number of outside events or the number of people allowed at an outdoor event.

		than 150 people allowed at an outdoor event.	
Parking	On street or satellite parking	Adjacent FBC lot must be used for all events exceeding 50 people when available. When the FBC lot is unavailable, satellite parking must be provided.	Adjacent FBC lot must be used for all events exceeding 75 people when available. When FBC lot is unavailable, "best efforts" must be made to provide satellite parking.
Notice of an Event	No notice required	Notice of a regulated event must be provided on website.	No notice required.
Regulation	Prior approval of all regulated events must be obtained from the Zoning Administrator	Prior approval of all regulated events must be obtained from the Zoning Administrator	No prior approval is required
Process for changing event regulations	Specified by the city zoning laws	Specified by the city zoning laws	Specified in the Covenant between Maps and Branch. Changes to the Covenant are not subject to regulatory review

The current SUP has worked *fairly* well over the past 7 years and **I urge you to not support the new amendments.**

Sincerely,
Eric Smith

2338 Monument Avenue
Richmond Virginia, 23220

October 29, 2020

To: City Planning Commission Chair, Mr. Rodney Poole

City Planning Commissioners, Mr. Melvin Law, Vice Chair; Mr. John "Jack" Thompson; Ms. Lenora Reid, Acting Chief Administrative Officer; Ms. Ellen Robertson, City Council Representative; Ms. Elizabeth Greenfield; Mr. Max Hepp-Buchanan; Mr. David Johannas; Mr. Vic Murthy

Cc: Ms. Kimberly Gray, Second District City Council Representative, Mr. Mathew Ebinger, Principal Planner - Land Use Administration & Secretary to the Planning Commission

Subject: Branch Museum of Architecture and Design SUP amendment

Summary: I am **opposed** to the proposed 2020 amendments for the Branch Property SUP

This is the fourth SUP for the Branch House (BH) that the neighborhood has addressed in the past 23 years. I have been opposed to the previous three SUP's and am opposed to the current 2020 SUP amendments. I live in the second home on Monument Avenue on the North East side of the street, close to the Branch property.

Some of the reasons I am opposed are based on the following considerations

1. The parking problems that are associated with the Branch House events. We do not have off street parking and are impacted by these events when attendees park in front of our house and along our street.
2. The huge increase in regulated events from 52 to 105.
3. The increase in the most disruptive events, reception events, from 12 to possibly 105.
4. The increase in the maximum attendance limit from 150 to 300.
5. Events with 75 people or less are unlimited and the attendees at these events are not required to park in the FBC lot.
6. When the FBC lot's unavailable an event can still occur without required satellite parking
7. The shift in the process for changing the event regulations from one based on the City zoning laws to one based on a covenant between the Branch Museum and Monument Avenue Preservation Society (Maps).
8. The elimination of virtually all of the protections in the current SUP designed to mitigate the high noise level associated with outdoor events.
9. A Certificate of Zoning Compliance is no longer required for regulated events.

The restrictions for the new proposed amendments would result in a significant increase in the land use intensity of the Branch House and adversely impact us at 2338 Monument Ave. For these reasons I **urge you to not support the new amendments.**

Sincerely,


Lee Cherry

2338 Monument Avenue
Richmond Virginia, 23220

October 29, 2020

To: City Planning Commission Chair, Mr. Rodney Poole

City Planning Commissioners, Mr. Melvin Law, Vice Chair; Mr. John "Jack" Thompson; Ms. Lenora Reid, Acting Chief Administrative Officer; Ms. Ellen Robertson, City Council Representative; Ms. Elizabeth Greenfield; Mr. Max Hepp-Buchanan; Mr. David Johannas; Mr. Vic Murthy

Cc: Ms. Kimberly Gray, Second District City Council Representative, Mr. Mathew Ebinger, Principal Planner - Land Use Administration & Secretary to the Planning Commission

Subject: Branch Museum of Architecture and Design SUP amendment

Summary: I am **opposed** to the proposed 2020 amendments for the Branch Property SUP

This is the fourth SUP for the Branch House (BH) that the neighborhood has addressed in the past 23 years. I have been opposed to the previous three SUP's and am opposed to the current 2020 SUP amendments. I live in the second home on Monument Avenue on the North East side of the street, close to the Branch property.

Some of the reasons I am opposed are based on the following considerations

1. The parking problems that are associated with the Branch House events. We do not have off street parking and are impacted by these events when attendees park in front of our house and along our street.
2. The huge increase in regulated events from 52 to 105.
3. The increase in the most disruptive events, reception events, from 12 to possibly 105.
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5. Events with 75 people or less are unlimited and the attendees at these events are not required to park in the FBC lot.
6. When the FBC lot's unavailable an event can still occur without required satellite parking
7. The shift in the process for changing the event regulations from one based on the City zoning laws to one based on a covenant between the Branch Museum and Monument Avenue Preservation Society (Maps).
8. The elimination of virtually all of the protections in the current SUP designed to mitigate the high noise level associated with outdoor events.
9. A Certificate of Zoning Compliance is no longer required for regulated events.

The restrictions for the new proposed amendments would result in a significant increase in the land use intensity of the Branch House and adversely impact us at 2338 Monument Ave. For these reasons **I urge you to not support the new amendments.**

Sincerely,


Betie Cherry

From: gunlicks2505@yahoo.com
Sent: Friday, October 30, 2020 4:10 PM
To: Addison, Andreas D. - City Council; Gray, Kimberly B. - City Council; Hilbert, Chris A. - City Council; Larson, Kristen N. - City Council; Lynch, Stephanie A. - City Council Office; Robertson, Ellen F. - City Council; Newbille, Cynthia I. - City Council; Trammell, Reva M. - City Council; Jones, Michael J. - City Council; Wagner, Daniel M. - City Council Office; Bieber, Craig K. - City Council Office; Townes, Lisa F. - City Council Office; Bond, Aaron A. - City Council; Robins, Amy E. - City Council Office; Floyd, Tavares M. - City Council; Patterson, Samuel - City Council Office; Bishop, Richard K. - City Council Office; Morris, Summer A. - City Council; Rodney@thewiltonco.com; lawmanchem@yahoo.com; jackthompson1@verizon.net; Reid, Lenora G. - DCAO Of Finance And Administration; Robertson, Ellen F. - City Council; egreenfield@rarealtors.com; max.hepp.buchanan@gmail.com; dave@johannasdesign.com; Brown, Jonathan W. - PDR; murthyvg@gmail.com; Ebinger, Matthew J. - PDR
Subject: OPPOSING OF THE SUP FOR BRANCH HOUSE

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Lars Gunlicks
2505 Park Ave
Richmond Virginia, 23220

October 28, 2020

To: City Planning Commission Chair, Mr. Rodney Poole

City Planning Commissioners, Mr. Melvin Law,
Vice Chair; Mr. John "Jack" Thompson;
Ms. Lenora Reid, Acting Chief Administrative Officer;
Ms. Ellen Robertson, City Council Representative;
Ms. Elizabeth Greenfield;
Mr. Max Hepp-Buchanan;
Mr. David Johannas;
Mr. Vic Murthy
Cc: Ms. Kim Gray, City Council Representative, Second District

Subject: Branch Museum of Architecture and Design SUP amendment

I am opposed to the proposed amendments

I live directly facing the garden of the Branch House (BH) property and I did not learn of the possible zoning change until the signs went up just a little over a week ago.

I just received a certified letter this week regarding the planning commission meeting on Monday Nov. 2.

How is it possible to not have informed the surrounding neighbors who will be directly impacted during all this time? It does not show good faith. How can you move ahead with us not being informed?

My opposition to the proposed changes includes the following considerations:

1. The increase in regulated events from 52 to 105.
2. The increase in reception events (the most disruptive type of event for the neighborhood) from 12 to possibly 105.
3. The increase in the maximum attendance limit from 150 to 300.
4. The shift of the process for changing the event regulations from one based on the City zoning laws, to one based on a covenant between the BH and Monument Avenue Preservation Society which I have no affiliation with Maps
5. The elimination of virtually all of the protections in the current SUP designed to mitigate the high noise level associated with outdoor events.

The current SUP has worked fairly well over the past 7 years for the neighborhood and the BH and I urge you to not support the new amendments. It will cause disruption that is not necessary.

Sincerely,

Lars Gunlicks

Susan Delgado
2505 Park Ave
Richmond Virginia, 23220

October 29, 2020

To: City Planning Commission Chair, Mr. Rodney Poole
City Planning Commissioners, Mr. Melvin Law, Vice Chair; Mr. John "Jack" Thompson;
Ms. Lenora Reid, Acting Chief Administrative Officer;
Ms. Ellen Robertson, City Council Representative;
Ms. Elizabeth Greenfield; Mr. Max Hepp-Buchanan;
Mr. David Johannas; Mr. Vic Murthy
Cc: Ms. Kim Gray, City Council Representative, Second District

Subject: Branch Museum of Architecture and Design SUP amendment
2020-226 Special Use permit for 2505 Monument Ave.

Where do I begin? I have been an owner at 2505 Park Ave since 1992. I directly face the gardens of the Branch House (BH).

Through the years I have been involved in writing letters to help establish the current SUP. It provided an agreement with the BH and the neighborhood which has been working well.

I am very surprised that I was not informed until mid October of any possible zoning changes for the BH. I saw a small sign placed across the street from my house saying of a rezoning change. I understood from a neighbor that a meeting was to be scheduled on Zoom call for October 20th. I was not able to attend due to the short notice. I did just receive at the beginning of this week - Oct 26th a certified letter regarding the planning meeting on Monday Nov. 2. This was the first correspondence from the BH. My understanding now is that the Branch house has been working on this for many months.

My first comments are this is not enough time to be prepared for the changes that are being proposed and to allow the neighbors opinions .It appears that the BH corresponded with MAPS and not the other neighbors. How is this correct or being a good neighbor to those around you? It seems to me this was done with no consideration of the people who are directly impacted.

I have lived in this house, seen so many changes in this neighborhood, married and now have 2 children. We are all impacted in many ways. Since the pandemic, i am now working virtually most of the time in my front rooms. My children that attend RPS middles schools are in the home working since March as well.In the past 3 weeks we have experienced loud opera in the garden (interrupting our schooling and conference calls) and a wedding that was rowdy till the late hours last Sat evening. in the time of COVID it was more disturbing as most were not masked etc. Our front rooms that face the garden are our bedrooms and workspaces- to be able to be in our home and have music and noise overtake our conversations and activities is an unpleasant and unwelcome disruption. It is different to know of events and be prepared but these past 3 events were louder than we have experienced with amplified music which is not following the current SUP rules.

Parking is another issue- we do not have any garages to our house on these blocks. We park and have to unload our children, groceries, etc. We do not want to have to park in other areas when events are happening because the BH is proposing to have so many more events and attendance. We want our families to feel safe. In the years prior to this current SUP, we would have drunk people from the events on our stoops with no regard to our homes. This is not kind, or safe for our families as well. We are all trying to be neighborly however by doing this behind

our backs with no notice to the neighbors on Park and Davis and continuing to have disregard to our homes is not an acceptable situation for the neighbors.

In addition to a year of a pandemic, disruptions to our work and schools, protests up and down Park and Davis for over a month in May and some starting again and now a proposal of so many events, amplified music, 3rd party usage, etc. it seems to be just wrong.

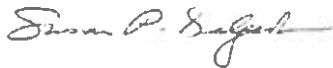
My opposition to the proposed changes includes the following considerations:

- The increase in regulated events from 52 to 105.
- The increase in reception events (the most disruptive type of event for the neighborhood) from 12 to possibly 105.
- The increase in the maximum attendance limit from 150 to 300. (parking and noise issues)
- The shift of the process for changing the event regulations from one based on the City zoning laws, to one based on a covenant between the BH and Monument Avenue Preservation Society (Maps). I have no affiliation with Maps. (They are not impacted as they do not face the events or hear the noise)
- The elimination of virtually all of the protections in the current SUP designed to mitigate the high noise level associated with outdoor events.(i had to call 311 the other day for the noise)

The current SUP worked since 2013. We as neighbors had worked together with the BH to help make it workable for all. We were excited about the idea of a museum in our neighborhood bringing culture to this area.

Today and moving forward we ask you to not support the new amendments that disregard our neighborhood and will cause more disruption for the citizens.

Thank you for our attention to this matter,



Susan P. Delgado

2509 Park Ave.
Richmond Virginia, 23220

October 26, 2020

To: City Planning Commission Chair, Mr. Rodney Poole

City Planning Commissioners, Mr. Melvin Law, Vice Chair; Mr. John “Jack” Thompson; Ms. Lenora Reid, Acting Chief Administrative Officer; Ms. Ellen Robertson, City Council Representative; Ms. Elizabeth Greenfield; Mr. Max Hepp-Buchanan; Mr. David Johannas; Mr. Vic Murthy

Cc: Ms. Kimberly Gray, Second District City Council Representative

Subject: Branch Museum of Architecture and Design SUP amendment

Summary: I am **opposed** to the proposed amendments

This is the fourth SUP for the Branch House (BH) that I have been involved with in the past 23 years. I have put together a history of my experience with SUPs for the BH in a separate section of this letter. This section of my letter also includes a table that compares the major restrictions included in the various SUPs that have been proposed for the property.

My opposition to the proposed changes is based, in part, on the following considerations:

1. The definition of the term “Events” in the covenant is ambiguous in that it does not explicitly include museum accessory events along with special events (reception events, weddings, meetings or other gatherings). As a result, the event restrictions in the covenant would apply only to the special events and not museum accessory events. For an SUP that authorizes a museum use, this means that museum accessory events, and their numbers, would be unregulated (see Land Use Administration notes from the Enforcement Meeting held on Nov 15, 2012).
2. The increase in regulated events from 52 to 105.
3. The increase in reception events (the most disruptive type of event for the neighborhood) from 12 to possibly 105.
4. The increase in the maximum attendance limit from 150 to 300.
5. The shift in the process for changing the event regulations from one based on the City zoning laws to one based on a covenant between the BH and Monument Avenue Preservation Society (Maps). I have no affiliation with Maps.
6. The elimination of virtually all of the protections in the current SUP designed to mitigate the high noise level associated with outdoor events.

The restrictions for the new proposed amendments would result in a significant increase in the land use intensity of the BH and adversely impact the neighbors who live on the

perimeter of the property. For these reasons **I urge you to not support the new amendments.**

Sincerely,

David Porter

A Brief History of the Recent SUP's related to the Branch House Property

For several years the Branch House (BH) was owned by Robert Pogue who operated an insurance business in the house. At some point in the mid 90's Mr. Pogue decided to let his son rent a portion of the house for office and Christmas parties. In time, the frequency and size of these third-party reception events increased dramatically and became very disruptive to the neighborhood, especially for the neighbors who lived behind the Branch Museum on Park Avenue and Davis Avenue.

During this period, a member of the Planning Commission who happened to live a short distance away on Monument Ave. alerted the City Zoning Office of the ongoing zoning infractions. To continue the third-party reception use Mr. Pogue was required to file for an SUP. This SUP was overwhelmingly rejected in 1997 by the neighborhood, the City Staff, the Planning Commission and the City Council. At the time Tim Kaine was the 2nd District City Council representative and was very responsive to the concerns of the neighbors.

In the early 2000s the Virginia Foundation for Architecture (VFA) decided to purchase the Branch House with the intent of establishing a museum for architecture *with events*. Because the BH property was zoned as R6 residential (with a non-conforming office use), the Zoning Administrator required the property owner to file for an SUP. This SUP eventually became the 2001 SUP.

Just prior to the October 22, 2001 vote on the 2001 SUP, several neighbors who lived on the perimeter of the BH property (the perimeter neighbors) met at 2509 Park Ave. to discuss their concerns regarding the pending SUP with then City Councilman for the Second District, William Pantele. Mr. Pantele left this meeting stating that he would not support the SUP unless the neighbors could craft amendments to address their concerns. Ultimately, the neighbors agreed to support the 2001 SUP on the condition that the sponsors of the SUP would amend the SUP immediately subsequent to its approval and incorporate certain restrictions recommended by the perimeter neighbors and MAPS. This unusual procedure for amending the SUP was adopted because Bill yielded to the tremendous pressure placed on him by the sponsors of the SUP to bring it forward for a vote so they could proceed with the closing on the purchase of the house. They never closed on the house until 2003.

One key amendment included in the agreement between the neighbors and the sponsors of the SUP was designed to prohibit third party rental reception use of the property. Unfortunately, the language for the amendment banning third party reception use proved to be unacceptable to the City legal staff. As a result, the amended paper (referred to as the SUPA) continued to allow for third party reception use. A small reduction in the number of events (22 events from 26) was included in the SUPA, as requested by the neighbors.

On November 2, 2001, shortly after the 2001 SUP was approved, the sponsors of the SUP hosted a large party at the BH where they failed to provide many of the protections for the neighborhood included in the SUP. To worsen matters, the sponsors of the SUP were insensitive to the issues later raised by neighbors regarding the November 2, 2001 party. In response, Councilman Pantele repeatedly postponed the vote on the SUPA. He also initiated a series of discussions with the sponsors of the SUP and the perimeter neighbors in an effort to craft amendments to the 2001 SUP that more fully addressed the concerns of the perimeter neighbors. After thirteen months of negotiations involving hundreds of man-hours with the City Staff, Councilman Pantele and the neighbors, a new SUP emerged. This new amended SUP for the Branch House was referred to as the 2001 Pantele SUP.

On November 25, 2002, hours before a scheduled vote by City Council on the 2001 Pantele SUP, the VCA withdrew its request to amend the 2001 SUP. As a result, the 2001 Pantele SUP was never brought forward for a vote. **The sponsors of the SUP failed to fulfill their obligation to amend the original SUP based upon the 2001 agreement with the neighbors.** In addition, third party rental receptions at the Branch House became commonplace and many were very disruptive to the perimeter neighbors.

Circumstances changed in 2012 after the First Baptist Church (FBC) agreed to amend the SUP governing their parking lot adjacent to the BH property for the purpose of allowing the BH to use the FBC lot when it was not in use by the FBC. This change allowed the VFA to incorporate the lot as part of their obligation to provide parking for SUP events. These new circumstances prompted the VFA to begin working on amending the 2001 SUP.

The perimeter neighbors were not made aware of the property owner's plans to amend the 2001 SUP until the middle of September of 2012 when signs were posted around the neighborhood advertising the pending zoning change. In early October of 2012 the perimeter neighbors were given their first and only opportunity to express their concerns to the property owner regarding the proposed changes to the 2001 SUP. These concerns included: how best to incentivize event guest to use the FBC lot, the failure of the satellite parking system, noise related to outdoor events, enforcement, lack of supervision during events, neighborhood congestion associated with the increase in event intensity, etc. Our efforts to negotiate meaningful changes with the property owner were not successful.

On October 31, 2012 the Planning Commission met to discuss the amendments to the 2001 SUP. At this meeting we raised two very significant issues. The first issue dealt with enforcement. In the absence of an independent zoning enforcement officer at each event, compliance with the event restrictions was achieved only through a self-policing complaint driven mechanism. This approach is inherently problematic.

The other major issue discussed in the October 31, 2012 meeting dealt with the definition of the permitted events. The perimeter neighbors had decided they were willing to accept the burden of a museum with events provided there was a benefit in return. This benefit was supposed to take the form of the **cultural benefit** provided to the community as a whole in the form of museum exhibitions, lectures on architecture and other activities adjunct to the museum. However, with the event definition in the 2001 SUP there was no guarantee that events of this type would occur. As a result, it was possible under the amended SUP that the use of the property would more closely resemble a reception and fund-raising facility for the benefit of the property owner rather than a museum for architecture. Moreover, there was some discussion as to whether the Zoning Administrator believed that because the 2001 SUP authorized the museum use, museum events held during the permitted museum hours could not be regulated.

In response to the issues discussed in the October 31, 2012 meeting, the Commission postponed a vote on the proposed amendments and directed a representative of the perimeter neighbors and a representative of the property owner to meet with the Zoning Administrator to clarify the interpretation of the event definition and to try and resolve the enforcement issues. This meeting took place on November 15, 2012. In this meeting the Zoning Administrator affirmed his belief that given the event definition in the 2001 SUP, museum events would not be regulated if held during normal museum hours. He also clarified that the proposed amendments for the 2013 SUP would be no less problematic in terms of enforcement than the provisions in the 2001 SUP.

The Planning Commission met again on December 3, 2012 to further consider the proposed amendments to the 2001 SUP. In this meeting the perimeter neighbors presented the results from a comparison of the banquet licenses issued by the Virginia State ABC Board for reception events held at the BH and Certificate of Zoning Compliances (CZC's) issued for the property during 2012. This comparison indicated that CZC's were not obtained for all of the reception events and there were more receptions held than permitted by the 2001 SUP. Through the discussion of these results, it became clear that this type of comparison could provide an independent mechanism to police the annual limit placed on reception events. The perimeter neighbors also presented evidence that some of the reception events held at the BH were extremely disruptive.

The Planning Commission did not vote to approve the proposed amendments at the December 3, 2012 meeting. Instead they directed the property owner to amend their proposal to clarify the event definition so as to make clear what constituted a

regulated event and to incorporate the requirement that when an ABC license is issued for an event a copy is included with the CZC application. The Planning Commission also requested the property owner to consider the reasonable event restrictions suggested by the perimeter neighbors. Almost eight months later, after countless discussions involving the property owner, the perimeter neighbors and the staff from the Land Use Administration, the 2001 SUP was amended and repealed on October 28, 2013 creating the 2013 SUP. **This is the prevailing ordinance.**

In March of 2020, the property owner once again decided to try and amend the BH SUP. The new amendments, if adopted, would create the 2020 SUP. These amendments are scheduled to go before the Planning Commission on November 2, 2020. The table below provides a comparison of the major restrictions between the 2001 SUP, 2013 SUP and the proposed 2020 SUP.

Comparison of Branch House SUP restrictions

Restrictions	2001 SUP	2013 SUP (Current Prevailing)	Proposed 2020 SUP
Number of un-regulated events per year	Unlimited museum events if held during museum hours	Unlimited museum events if held during museum hours and attendance is less than 50	Unlimited non-museum events if attendance is 75 or less. If museum events are excluded from the definition of "Events", possibly unlimited museum events
Maximum number of reception events	8	12	Not specified
Maximum number of museum events	18	48	Not specified
Number of regulated events Per Year	26	52	105
Number of events Permitted Per Week	No restriction	No restriction for reception events. No more than one event per week for museum events	No restriction for museum or non-museum events held between Thanksgiving and New Year. No

			more than 2 museum or non-museum events per week with attendance greater than 75
Max Attendance Limit	200	150	300
Noise Abatement	None	No amplified music, public address or loud speaker system for events held in the back yard. Doors and windows must be closed for indoor events with amplified music, public address or loud speaker system. No more than 2 events may involve the use of a tent in the back yard. No more than 4 events per year may be held outside the building. No more than 150 people allowed at an outdoor event.	For events in back yard no amplified music. There is no restriction on public address or loud speaker systems, the use of tents, the number of outside events or the number of people allowed at an outdoor event.
Parking	On street or satellite parking	Adjacent FBC lot must be used for all events exceeding 50 people when available. When the FBC lot is unavailable, satellite parking must be provided.	Adjacent FBC lot must be used for all events exceeding 75 people when available. When FBC lot is unavailable, "best efforts" must be made to provide satellite parking.
Notice of an Event	No notice required	Notice of a regulated event	No notice required.

		must be provided on website.	
Regulation	Prior approval of all regulated events must be obtained from the Zoning Administrator	Prior approval of all regulated events must be obtained from the Zoning Administrator	No prior approval is required
Process for changing event regulations	Specified by the city zoning laws	Specified by the city zoning laws	Specified in the Covenant between Maps and Branch. Changes to the Covenant are not subject to regulatory review

2509 Park Avenue
Richmond Virginia, 23220

October 27, 2020

To: City Planning Commission Chair, Mr. Rodney Poole

City Planning Commissioners, Mr. Melvin Law, Vice Chair; Mr. John "Jack" Thompson; Ms. Lenora Reid, Acting Chief Administrative Officer; Ms. Ellen Robertson, City Council Representative; Ms. Elizabeth Greenfield; Mr. Max Hepp-Buchanan; Mr. David Johannas; Mr. Vic Murthy

Cc: Ms. Kim Gray, Second District City Council Representative

Subject: Branch Museum of Architecture and Design SUP amendment

Summary: I am **opposed** to the 2020 SUP amendments for The Branch Museum

Residents on Park Avenue and Davis Avenue, the perimeter neighbors residing on the back side of the Branch Museum of Architecture and Design, first learned of the proposed SUP on Oct 15 when city zoning signs were placed around the property. This last-minute notification of a zoning change for the Branch property is a repeat of what occurred in 2012. The perimeter neighbors were left in the dark for months while Monument neighbors and MAPS began working with The Branch in March 2020 to develop the proposed amendments and the covenant. As was the case in 2012, the Branch administration and MAPS again showed little concern for, or interest in, input from the perimeter neighbors despite the fact that Park and Davis residents are disrupted by events at the Branch Museum. Monument Avenue neighbors are not disrupted by noise or other event activities held in the house and backyard, and most have no parking issues as they have off street parking. Sadly, fairness and transparency have not been the part of the normal and expected vetting process related to the last two Branch House SUPs.

Park and Davis residents have had little time to study, digest or evaluate the changes, as well as "meet" to discuss the impact of the amendments (more complicated by the pandemic). This is extremely unfortunate given that Park and Davis residents worked for months in 2012 and 2013, with The Branch Museum Director, to come to an agreeable compromise that resulted in the current successful 2013 SUP. In this regard, The Branch and MAPS have not been good neighbors. This has divided the neighborhood and greatly upset the perimeter residents. The Branch House neighbors have been forced to deal with four SUPs related to the property over the past 23 years.

Upon cursory inspection of the SUP it is evident that virtually all of the protections established for the perimeter neighbors on Park and Davis, intended to reduce the impact of the events, have been deleted. I have many issues about the SUP amendment but am extremely concerned about the following:

- Event numbers have more than doubled and all of the events can be third party events

- The events are not necessarily tied to the museum.
- The maximum number of attendees has doubled from 150 -300 and that number of attendees outside will be very disruptive
- An unlimited number of events can occur with 75 people or less in attendance
- Satellite parking is no longer required when the First Baptist Church lot is unavailable
- Noise abatement is totally and inadequately addressed
- The effective “resident parking only” signs required along Park and Davis streets during events are not required
- Any decisions regarding changes to the restrictions on events in the covenant are now up to MAPS and The Branch, as described in the covenant, so neither Park nor Davis residents have a voice related to future SUP amendments and there is no requirement to notify the residents most impacted
- Future amendments are automatically adopted if MAPS does not respond within 60 days of being notified of changes
- No city approval (CZC) is required for regulated events
- No prior notice of events is required to inform neighbors or zoning staff of any Branch Museum activity

This proposed amendment is alarming in many ways but, perhaps, what is most concerning is the change regarding the nature of the events proposed, which now can all be third party rental events versus Museum Accessory events to support the museum. It’s also disturbing to realize that the museum, which first opened in 2001, has been unable to garner, through membership sales, public and private friendships, and the philanthropic community, the necessary financial support to create a reserve to maintain the building without having to rely on intrusive third party events at the expense of perimeter neighbors. These reception events greatly disturb the peace and quiet in this congested, older residential neighborhood. The amendments proposed are unjust and inappropriate solutions to address the Branch Museum’s financial challenges. If Monument Ave. residents experienced what Park and Davis Ave. residents endure, I can assure you they would be in opposition to this amendment.

In today’s social climate, where exclusion is no longer acceptable and sensitivity to other’s needs and rights is front and center, the attitude demonstrated during this process, by the staff of The Branch Museum and MAPS is disturbing.

I am asking the Planning Commission to recognize the reasonable expectations of the perimeter neighbors and **oppose the SUP** amendments before you.

Sincerely yours,

Carol Sawyer

Sue Robertson
601 N Davis Ave, Apt 1
Richmond Virginia, 23220

October 28, 2020

To: City Planning Commission Chair, Mr. Rodney Poole

City Planning Commissioners, Mr. Melvin Law, Vice Chair; Mr. John "Jack" Thompson; Ms. Lenora Reid, Acting Chief Administrative Officer; Ms. Ellen Robertson, City Council Representative; Ms. Elizabeth Greenfield; Mr. Max Hepp-Buchanan; Mr. David Johannas; Mr. Vic Murthy

Cc: Ms. Kim Gray, City Council Representative, Second District

Subject: Branch Museum of Architecture and Design SUP amendment

Summary: I am opposed to the proposed amendments

I have lived in the Fan for close to fifty years and in a condo I own on N. Davis Ave across from the Branch House property for the past eleven years. I consider myself a good Fan resident and good neighbor to the Branch Museum. As a supporting member of five museums, I truly care about cultural life, art, and architecture.

Parking in our area on N. Davis Ave is already impacted by street closures and parking problems for Easter on Monument, the Christmas parade, the Marathon, the Monument Ave 10K, plus parking for weekly AA meetings and church activities. In the future, it is highly likely there will be additional development in the 2400 block of Park Ave on Mrs. Taylor's property leading to more parking issues. Under the current SUP, the Branch Museum puts "Resident Only Parking" signs in the 600 block of N. Davis and directs their guests to the First Baptist lot. This process has worked for the last seven years and has made parking possible for residents, protecting the immediate neighborhood from an onslaught of cars that it cannot absorb, as the number of resident cars from 601, 603, and 605 N. Davis plus nearby Park Avenue take all available spaces. Please continue to require that the Branch Museum put these signs up when there are events. Without the signs, the impact on our area will be hard to overstate.

It is not clear to me how the Monument Avenue Preservation Society (MAPS) will handle noise and parking situations. Most Monument Avenue neighbors have garages, so very limited street parking is not dangerous or inconvenient for them and not a MAPS focus. Our neighborhood does not belong to MAPS so our parking protection is not a priority.

With COVID, the election, and demonstrations, our neighborhood is under great stress. Due to COVID and short notice of the zoning hearing, we have been unable to meet, especially not with Kim Gray or the Fan District Association. Please allow more discussion to occur before a vote, especially as I understand this SUP would be transferable to a future owner or commercial developer.

Thank you,
Sue Robertson

From: thomashardage@verizon.net
To: [PDR Land Use Admin](#)
Subject: Ordinance No. 2020-226- Special Use Permit Amendment for 2501 Monument Avenue
Date: Tuesday, October 27, 2020 12:24:41 PM

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.

To whom it may Concern ;

I am opposed to any alteration or change in the present Special Use permit the Branch House presently has for the following reasons.

1. They fail to comply with their present permit except when it is convenient for them.
2. They were supposed to keep the effected neighbors informed of any variation in the present special use permit
3. They have been discussing the change with the monument avenue association since midyear and the people impacted by change found out about the request last week.
4. Parking is more of an issue now than before since more people are working from home.
5. Adding more events ,with larger numbers of people will only make matters worse , especially since they seldom comply with the present special use permit.
6. There is no defined method to enforce the old permit or a new addition.
7. The people on Monument Avenue are not impacted by this permit request and therefore should place no weight on this decision.
8. The addition of an apartment and another store seems only another way to make money . And opens the door for more residence. Who will monitor this .. Richmond city police.
9. In the past large gatherings were suppose to have a Branch House representative there...and yet that didn't stop the send off of many Chinese lanterns (BURNING) at one of the events. When reported to officials there... I was told I was wrong.. I must have miss saw these burning balloons.
10. Adding 2 feet to lights in the garden will add more light to the garden and more irritation to the home along Park Avenue.

I feel the Branch House organization has been a poor neighbor at best and a irritation for the most part. There are several more people living along Park and Davis Avenue who feel as I do but are unaware of this proposal..I suggest the request be turned down or delayed .

Thank you for your consideration.
Thomas B. Hardage
2423 Park Avenue
Richmond VA 23220

thomashardage@verizon.net
804 380 8990

601 North Davis Avenue
Apartment 4
Richmond Virginia, 23220

October 25, 2020

To: City Planning Commission Chair, Mr. Rodney Poole

City Planning Commissioners, Mr. Melvin Law, Vice Chair; Mr. John "Jack" Thompson; Ms. Lenora Reid, Acting Chief Administrative Officer; Ms. Ellen Robertson, City Council Representative; Ms. Elizabeth Greenfield; Mr. Max Hepp-Buchanan; Mr. David Johannas; Mr. Vic Murthy

Cc: Ms. Kim Gray, City Council Representative, Second District

Subject: Branch Museum of Architecture and Design SUP amendment

Summary: I am opposed to the proposed amendments.

I moved to the area three years ago because it is a peaceful, scenic, safe and tranquil area and parking is relatively easy.

The proposed amendments will have a catastrophic impact on noise levels, particularly at night, create an impossible parking situation and may even encourage criminal predators to the area .

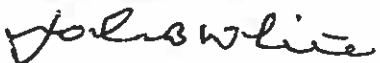
I live on the perimeter of the Branch House (BH) property and I did not learn of the possible zoning change until the signs went up just a little over a week ago.

My opposition to the proposed changes includes the following considerations:

1. The increase in regulated events from 52 to 105.
2. The increase in reception events (the most disruptive type of event for the neighborhood) from 12 to possibly 105.
3. The increase in the maximum attendance limit from 150 to 300.
4. The shift of the process for changing the event regulations from one based on the City zoning laws, to one based on a covenant between the BH and Monument Avenue Preservation Society (MAPS). I have no affiliation with MAPS.
5. The elimination of virtually all of the protections in the current SUP designed to mitigate the high noise level associated with outdoor events.

The current SUP has worked fairly well over the past 7 years and I urge you to not support the new amendments.

Sincerely,
John B White



Laura Friese
601 N Davis Ave, Apt 6
Richmond Virginia, 23220

October 28, 2020

To: City Planning Commission Chair, Mr. Rodney Poole

City Planning Commissioners, Mr. Melvin Law, Vice Chair; Mr. John “Jack” Thompson; Ms. Lenora Reid, Acting Chief Administrative Officer; Ms. Ellen Robertson, City Council Representative; Ms. Elizabeth Greenfield; Mr. Max Hepp-Buchanan; Mr. David Johannas; Mr. Vic Murthy

Cc: Ms. Kim Gray, City Council Representative, Second District

Subject: Branch Museum of Architecture and Design SUP amendment

Summary: I am **opposed** to the proposed amendments

One of the main reasons I fell in love with Richmond and decided to move here was its architecture, so it’s rather ironic that a small architecture museum is trying to make my home unlivable. I moved to Richmond 10 years ago; and finally bought my dream home in my dream neighborhood, the Fan, 2 years ago. I was moving from a much noisier, wilder part of the city, so I was extremely careful about selecting my place. I chose to buy in a quiet, residential part of the Fan, not on the Boulevard, Robinson, or Main Street. I was concerned about the Branch Museum, but I actually read the entire existing SUP, talked to residents, and even called the museum. I was reassured, AT EVERY STEP, that the number of events were strictly limited, with noise and parking restrictions. The last two years have been really nice in my place – a few annoying, loud Branch events, and some annoyance with the church on that corner, but generally a perfect slice of quiet Fan awesomeness.

This SUP amendment completely ruins the peace and tranquility of our residentially zoned area. The Branch Museum proposes doubling the attendance limits, going from 12 reception events (only 4 outside) to 105 (as many as they want outside), removing restrictions on outside tents and PA systems, extending museum hours until 10 pm on weekdays, and turning dedicated parking protections into “Best efforts” at providing parking. Is this a group acting as a cultural benefit, or a group looking to maximize funding? **I do not want to live next to what will essentially be a commercial event hall – would you?**

For me, it’s mainly the noise – I will freely admit I’m a homebody who works from home, and I hear everything – the set up banging during the day, the outside ceremony yelling and cheering, the music later in the evening, the people drunkenly leaving at the end – you hear every bit of it, **inside my home**. It’s not being kept from sleep that’s awful, it’s the fact that after a long day of work and/or stress, I can’t go home and enjoy my evening without the intrusion of other

people's events – people who don't live here, and are often celebrating once in a lifetime events. Being considerate of the people who live around here is the last thing on their minds.

I strongly believe the current SUP is already a compromise between a museum and a residential neighborhood. I want to say, if their museum is not profitable, well – that's on them. Maybe figure out a way to be a more compelling museum, instead of deciding to balance your finances through destroying your neighbor's enjoyment of their homes. That strikes me as so profoundly unfair and unneighborly. We ALREADY have compromised with you on events. Make it work as written.

In conclusion, I thought a main purpose of zoning was to provide stability, so you know what you're buying into, and what to expect. To drastically change the terms of the zoning, as this SUP amendment does, does not seem fair to us residents who made purchasing decisions with the understanding that the zoning protects us. Also, we found out about this when the zoning signs went up only about two weeks before the planning commission meeting. I received my certified letter from the city today – only five days before the commission meeting. This is incredibly rushed, and the Branch Museum has made no effort to include the neighbors who are impacted the most by this. Makes sense, since we're likely in opposition.

Please, please, please, from the bottom of my heart, do not pass this SUP amendment. **This is my very beloved home you would ruin if you do so.**

Regards,
Laura Friese