

## **Ebinger, Matthew J. - PDR**

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**From:** Charles Pool <Charles\_Pool@msn.com>  
**Sent:** Saturday, July 18, 2020 3:40 PM  
**To:** Ebinger, Matthew J. - PDR  
**Cc:** Lynch, Stephanie A. - City Council Office; Robins, Amy E. - City Council Office; Robertson, Ellen F. - City Council; Lenora Reid - Acting CAO; Todd Woodson; Scott Burger; Jennifer Hancock; Bryan Clark Green  
**Subject:** Comment for July 20th planning commission  
**Attachments:** OHHIC letter to planning commission 20 July 2020.pdf

**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.

Dear Mr. Ebinger, Because of the pandemic and because I have limited internet access, please read the attached letter as a comment to the Planning Commission regarding CPRC 2020.033. Thanks! Charles

To: Richmond City Planning Commission  
From: Oregon Hill Home Improvement Council  
Re: Opposition to CPRC 2020.033: intent to amend the B-3 General Business District  
Date: July20, 2020

Dear Members of the Richmond City Planning Commission,

**On behalf of the Oregon Hill Home Improvement Council, which owns the anti-slavery landmark Jacob House at 619 West Cary Street within the B-3 zoning, we strongly object to and oppose the process and substance of CPRC.2020.033.** This resolution declares an intent to amend the B-3 General Business District in response to City Council Resolution 2018-R081.

### **Strong objections to process:**

The Oregon Hill Home Improvement Council (OHHIC), which owns 619 West Cary Street within the affected B-3 zoning, did not receive sufficient legal notice of this hearing as required by city code Sec.30-1120. Since OHHIC did not receive adequate legal notice of the hearing, we can assume that the hundreds of other property owners in the B-3 districts throughout Richmond did not receive proper notice. We also can assume that the hundreds of property owners adjacent to the B-3 districts throughout Richmond did not receive proper notice of these substantial zoning changes.

The substantial changes to the B-3 zoning proposed in the CPRC.2020.033 are far beyond the scope of a simple amendment to the B-3 zoning and instead constitute a fundamental rezoning without the legally required due process as mandated in the city code. Every aspect of the B-3 zoning, including permitted principal uses, building height, parking, signage, and plan of development requirements would be changed by this so called "amendment." These fundamental zoning changes must be made through a legal public rezoning procedure and not through an "amendment" with no public input.

CPCR.2020.033 would in most cases double the permitted building height within the B-3 zoning district by allowing an inappropriate building height of seven stories. CPCR.2020.033 would result in fundamental changes to the principal permitted uses, allowing breweries, dwelling units of any kind, small manufacturing uses, and parking decks as principal primary uses. This doubled permitted building height and radically new principal permitted uses constitute a *de facto* change of zoning while avoiding the due process of rezoning procedures legally required by the city code. This “amendment” would actually create a bizarre new “Business” zoning in which a business function is not required as a principal primary use (since dwelling units of any kind would be permitted as a principal primary use).

City Council Resolution 2018-R081 recommended studying the rezoning of areas within B-3 zoning. But contrary to this Council resolution, CPCR.2020.033 makes fundamental rezoning changes by amendment without appropriately involving the public in the legally required rezoning process. Rezoning by amendment fiat without involving or informing the affected property owners and eliminating public input from the rezoning process is not in the spirit or intention of the City Council Resolution 2018-R081.

Contrary to the staff report, the proposed fundamental changes in height limits and permitted functions in the B-3 zoning are certainly not consistent with the 2001 Master Plan or the draft Richmond 300 plan for the structure and function in the Oregon Hill neighborhood. We take strong exception to the staff report, which incorrectly states that, “The amendments are consistent with the 2001 Master Plan and the Richmond 300 plan, for which there has been extensive public engagement.” First of all the Richmond 300 plan has yet to be approved by the Richmond City Council. Secondly, nowhere in the 2001 Master Plan is any discussion of increasing the height limits and permitted uses within the B-3 zoning.

At no time were the affected property owners, the Oregon Hill Home Improvement Council, or the Oregon Hill Neighborhood Association consulted or informed regarding the proposed fundamental changes to our zoning. These substantial changes constitute a *de facto* rezoning of a portion of the Oregon Hill Historic District without our knowledge or consent. We have been in close contact with the city regarding land use issues, and there has been no mention of these proposed changes to the zoning within the Oregon Hill Historic District. This zoning “amendment” amounts to an “end run” around the city’s legal rezoning requirements.

The City of Richmond planning department is well aware that the Oregon Hill neighborhood has worked for many years on changing the B-3 zoning in the Cary Street corridor in Oregon Hill to the appropriate UB zoning. Except for Oregon Hill, most all of West Cary Street between Belvidere and Arthur Ashe Boulevard was changed to the UB zoning. It is appalling that while ignoring our ongoing request for the UB zoning, the planning department would place on the agenda without our knowledge fundamental adverse changes to our Cary Street zoning.

The “Location” section of the staff report for CPCR.2020.033 does not even mention Oregon Hill as an area with B-3 zoning. It references B-3 zoning on Midlothian Turnpike, Hull Street, and Jefferson Davis Highway. There are vastly different conditions in these areas from the Oregon Hill Historic District. Oregon Hill is not even referenced as a location affected by the B-3 “amendments.” A legitimate rezoning process would allow each area to adopt appropriate zoning for the area.

The “Public Engagement” section of the staff report for CPCR.2020.033 does not include any public meetings in advance of the planning commission hearing or conversations with the impacted Oregon Hill neighborhood. This is a public planning process at its worst.

**Strong objections to substance:**

The proposed seven story building height within the B-3 zoning is absolutely inappropriate for the Oregon Hill Historic District. We have been working with VCU to insure that their buildings across Cary Street from the Oregon Hill Historic District do not exceed 3-4 stories.

OHHIC's Jacob House within the B-3 zoning and 99% of the other contributing structures to the Oregon Hill Historic District are two stories in height. In the strongest terms, we reject and object to the proposed upward change in allowable building height to seven stories that would dwarf our historic district. The offensive proposal would effectively allow double the 35 foot building height limit under current B-3 rules in most cases.

The proposed changes in permitted principal use function within the B-3 zoning by adding breweries, dwelling units of any kind, small manufacturing uses, and parking decks are absolutely inappropriate for the Oregon Hill Historic District. It was not that long ago that our City Councilman successfully introduced legislation to amend the B-3 zoning to remove parking decks as a permitted principal use.

It is appalling that the city would consider foisting these inappropriate permitted principal uses on the neighborhood without even consulting the affected community. Coupled with the proposed seven story building height, these inappropriate permitted principal use functions would result in a devastating impact to the historic fabric of the 19<sup>th</sup> century Oregon Hill neighborhood.

### **Conclusion:**

In conclusion, we ask that you withdraw and reject CPR.2020.033 for which we received inadequate notice:

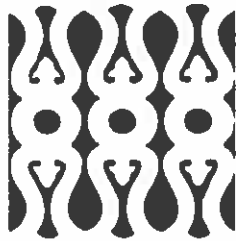
- We strongly object to the process and substance of the proposed fundamental changes to the B-3 zoning in the Oregon Hill Historic District without any neighborhood involvement.
- We strongly object to the proposed change to the building height limit to allow up to seven stories within the B-3 zoning.
- We strongly object to the proposed changes in permitted principal use function within the B-3 zoning by adding breweries, dwelling units of any kind, small manufacturing uses, and parking decks.
- We strongly object to these fundamental and substantial changes to our B-3 zoning without the legally required rezoning due process as mandated in the city code.

Thank you for your consideration on this important issue.

Sincerely,

Charles Pool

Board Member  
Oregon Hill Home Improvement Council  
619 West Cary Street  
Richmond, VA 23220



## *Oregon Hill Home Improvement Council, Inc.*

*619 West Cary Street, Richmond, Virginia 23220*

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To: Richmond City Planning Commission  
From: Oregon Hill Home Improvement Council  
Re: Opposition to CPR.2020.033: intent to amend the B-3 General Business District  
Date: July20, 2020

Dear Members of the Richmond City Planning Commission,

On behalf of the Oregon Hill Home Improvement Council, which owns the anti-slavery landmark Jacob House at 619 West Cary Street within the B-3 zoning, we strongly object to and oppose the process and substance of CPR.2020.033. This resolution declares an intent to amend the B-3 General Business District in response to City Council Resolution 2018-R081.

### **Strong objections to process:**

The Oregon Hill Home Improvement Council (OHHIC), which owns 619 West Cary Street within the affected B-3 zoning, did not receive sufficient legal notice of this hearing as required by city code Sec.30-1120. Since OHHIC did not receive adequate legal notice of the hearing, we can assume that the hundreds of other property owners in the B-3 districts throughout Richmond did not receive proper notice. We also can assume that the hundreds of property owners adjacent to the B-3 districts throughout Richmond did not receive proper notice of these substantial zoning changes.

The substantial changes to the B-3 zoning proposed in the CPR.2020.033 are far beyond the scope of a simple amendment to the B-3 zoning and instead constitute a fundamental rezoning without the legally required due process as mandated in the city code. Every aspect of the B-3 zoning, including permitted principal uses, building height, parking, signage, and plan of development requirements would be changed by this so called "amendment." These fundamental zoning changes must be made through a legal public rezoning procedure and not through an "amendment" with no public input.

CPR.2020.033 would in most cases double the permitted building height within the B-3 zoning district by allowing an inappropriate building height of seven stories. CPR.2020.033 would result in fundamental changes to the principal permitted uses, allowing breweries, dwelling units of any kind, small manufacturing uses, and parking decks as principal primary uses. This doubled permitted building height and radically new principal permitted uses constitute a *de facto* change of zoning while avoiding the due process of rezoning procedures legally required by the city code. This "amendment" would actually create a bizarre new "Business" zoning in which a business function is not required as a principal primary use (since dwelling units of any kind would be permitted as a principal primary use).

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Contrary to the staff report, the proposed fundamental changes in height limits and permitted functions in the B-3 zoning are certainly not consistent with the 2001 Master Plan or the draft Richmond 300 plan for the structure and function in the Oregon Hill neighborhood. We take strong exception to the staff report, which incorrectly states that, "The amendments are consistent with the 2001 Master Plan and the Richmond 300 plan, for which there has been extensive public engagement." First of all the Richmond 300 plan has yet to be approved by the Richmond City Council. Secondly, nowhere in the 2001 Master Plan is any discussion of increasing the height limits and permitted uses within the B-3 zoning.

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### **Strong objections to substance:**

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OHHIC's Jacob House within the B-3 zoning and 99% of the other contributing structures to the Oregon Hill Historic District are two stories in height. In the strongest terms, we reject and object to the proposed upward change in allowable building height to seven stories that would dwarf our historic district. The offensive proposal would effectively allow double the 35 foot building height limit under current B-3 rules in most cases.

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It is appalling that the city would consider foisting these inappropriate permitted principal uses on the neighborhood without even consulting the affected community. Coupled with the proposed seven story building height, these inappropriate permitted principal use functions would result in a devastating impact to the historic fabric of the 19<sup>th</sup> century Oregon Hill neighborhood.

### **Conclusion:**

In conclusion, we ask that you withdraw and reject CPR.2020.033 for which we received inadequate notice:

- We strongly object to the process and substance of the proposed fundamental changes to the B-3 zoning in the Oregon Hill Historic District without any neighborhood involvement.
- We strongly object to the proposed change to the building height limit to allow up to seven stories within the B-3 zoning.
- We strongly object to the proposed changes in permitted principal use function within the B-3 zoning by adding breweries, dwelling units of any kind, small manufacturing uses, and parking decks.
- We strongly object to these fundamental and substantial changes to our B-3 zoning without the legally required rezoning due process as mandated in the city code.

Thank you for your consideration on this important issue.

Sincerely,

Charles Pool

Board Member  
Oregon Hill Home Improvement Council  
619 West Cary Street  
Richmond, VA 23220

## Ebinger, Matthew J. - PDR

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**From:** Alex M Foster <alex.foster017@gmail.com>  
**Sent:** Saturday, July 18, 2020 8:21 AM  
**To:** Ebinger, Matthew J. - PDR  
**Subject:** Monday's Meeting  
**Attachments:** icon.png

**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.

Dear Planning Commission,

I am in opposition to CPCR 2020-33 which will be heard on the regular agenda on the July session of the Planning Commission.

Oregon Hill has been trying to save the historic houses and storefronts only to be threaten again and again. This area is my home and has been one of most important cultural and historical neighborhoods in Richmond. I beg of you to not over commercialize this beautiful community.

I am outraged by this last minute change in the agenda. It is absolutely disgusting. I can promise you that it does not go unnoticed and reflects very poorly on the whole City government.

Do the right thing and prioritize the people who live in Oregon Hill and the history this area holds within the city— over VCU and estimated "profit".

This neighborhood is a gem and adds much more value than another student high rise.

Thank you for your time and this consideration,

Alex Foster



### Address not found

Your message wasn't delivered to [matthew.ebinger@richmond.gov](mailto:matthew.ebinger@richmond.gov) because the domain [richmond.gov](http://richmond.gov) couldn't be found. Check for typos or unnecessary spaces and try again.

**Ebinger, Matthew J. - PDR**

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**From:** Matt Q. Public <mattqpublic@hotmail.com>  
**Sent:** Friday, July 17, 2020 8:32 PM  
**To:** Ebinger, Matthew J. - PDR  
**Cc:** Lynch, Stephanie A. - City Council Office; Robins, Amy E. - City Council Office  
**Subject:** Opposition to CPR 2020-33

**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.

Dear Planning Commission

I am in opposition to CPR 2020-33 which will be heard on the regular agenda on the July session of the Planning Commission.

The entire Cary Street Corridor from S Cherry St to Belvidere St and back south to the alley is zoned B3. This area is a gateway to the Oregon Hill Historic District, listed on both the State and Federal Registers of Historic Places.

I am outraged by this last minute change in the agenda. It is absolutely disgusting. I can promise you that it does not go unnoticed and reflects very poorly on the whole City government.

The neighborhood has been trying to save the historic houses and storefronts on this corridor for decades only to be thwarted by shameful treachery again and again.

--Matt Siegel



## **Ebinger, Matthew J. - PDR**

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**From:** Charles Woodson <candylandmusic@earthlink.net>  
**Sent:** Friday, July 17, 2020 6:33 PM  
**To:** Ebinger, Matthew J. - PDR  
**Cc:** Robins, Amy E. - City Council Office; Lynch, Stephanie A. - City Council Office  
**Subject:** Comment for planning commission

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Dear Planning Commission

I am in opposition to CPR 2020-33 which will be heard on the regular agenda on the July session of the Planning Commission.

The entire Cary Street Corridor from S Cherry St to Belvidere St and back south to the alley is zoned B3. This area is a gateway to the Oregon Hill Historic District, listed on both the State and Federal Registers of Historic Places.

"Redefining" the B3 zoning to allow "any dwelling use up to seven stories" and removing the requirement for ground level business as well as allowing a parking garage as a principle use is incompatible with the pedestrian oriented area and could have a negative impact on property values in Oregon Hill. We have requested the appropriate rezoning of this B3 area to a designation complimenting the neighborhood for two decades.

I respectfully request that our planning commissioners vote no on this CPR 2020-33 resolution and rezone any appropriate B3 area by taking the time to fully discern the needs of the affected communities. Less height and more community relevant development are most important to us. Parking garages within our historic district are grossly inappropriate.

Thank you,

Charles T Woodson, President  
Oregon Hill Neighborhood Association.

Sent from my iPhone

**Ebinger, Matthew J. - PDR**

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**From:** Phaedra Hise <phaedrahise@gmail.com>  
**Sent:** Sunday, July 19, 2020 8:42 PM  
**To:** Ebinger, Matthew J. - PDR; Lynch, Stephanie A. - City Council Office; Amy Ciarametaro  
**Subject:** CPR 2020-33

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 in opposition, and appalled that this vote has been added last minute to tomorrow's agenda without sufficient time for education and discussion in the neighborhoods it affects. As a longtime resident of Oregon Hill, I and my neighbors work hard to preserve the livable characteristics of this historic neighborhood, and we expect the same consideration that our city extends to the Fan (where I lived previously) and Church Hill. Instead, we are consistently ignored and railroaded.

- sent from the microchip implanted in my forearm

PhaedraHise.com (she/her)  
804-342-2372

**Check out Richmond's growing literary community at James River Writers**

## **Ebinger, Matthew J. - PDR**

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**From:** Justin Liang <liangdj@mymail.vcu.edu>  
**Sent:** Sunday, July 19, 2020 10:28 AM  
**To:** Ebinger, Matthew J. - PDR  
**Cc:** Lynch, Stephanie A. - City Council Office  
**Subject:** Opposition to CPR.2020.033

**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.

Good morning,

I am writing to raise my concern and disappointment regarding CPR.2020.033 (<https://richmondva.legistar.com/LegislationDetail.aspx?ID=4593218&GUID=782E1065-55B9-4A3B-8379-45BD89AAE196>) which will be heard on the regular agenda on the July session of the Planning Commission.

The entire Cary Street Corridor from S Cherry St to Belvidere St including some back alley is zoned B3. Resolution 2020.033 declares an intent to amend the B-3 General Business District in response to City Council Resolution 2018-R081. The substantial changes to the B-3 zoning proposed in the CPR.2020.033 are far beyond the scope of a simple amendment to the B-3 zoning and instead constitute a fundamental rezoning without the legally required due process as mandated in the city code. CPR.2020.033 would in most cases double the permitted building height within the B-3 zoning district by allowing an inappropriate building height of seven stories. Every aspect of the B-3 zoning, including permitted principal uses, building height, parking, signage, and plan of development requirements would be changed by this so called "amendment."

This area is a gateway to the Oregon Hill Historic District, listed on both the State and Federal Registers of Historic Places.



**Justin Liang**

**Ebinger, Matthew J. - PDR**

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**From:** Harrison Moenich <harrisonmoenich@mac.com>  
**Sent:** Saturday, July 18, 2020 8:54 AM  
**To:** Ebinger, Matthew J. - PDR  
**Subject:** cpcr-2020-33

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.

Dear Planning Commission,

I am in opposition to CPCR 2020-33 which will be heard on the regular agenda on the July session of the Planning Commission.

The entire Cary Street Corridor from S Cherry St to Belvidere St and back south to the alley is zoned B3. This area is a gateway to the Oregon Hill Historic District, listed on both the State and Federal Registers of Historic Places.

The neighborhood has been trying to save the historic houses and storefronts only to be threaten again and again. The toll road stamped out a huge chunk of Oregon Hill, the Bluffs are closing in from the south and VCU continues to push and take over instead of blending with the city's culture and architecture. Oregon Hill has been one of most important cultural neighborhoods in Richmond- many bands, artists, and musicians who have shaped richmond as an arts and culture city have origins in Oregon Hill or current reside hill. I beg of your to not over commercialize the beautiful thing we have going here!

I am outraged by this last minute change in the agenda. It is absolutely disgusting. I can promise you that it does not go unnoticed and reflects very poorly on the whole City government.

Do the right thing, prioritizes the people in the placed you are trying to change.

Harrison Moenich  
Oregon Hill Resident

**Ebinger, Matthew J. - PDR**

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**From:** Nava Levenson <nava.levenson@gmail.com>  
**Sent:** Saturday, July 18, 2020 7:14 AM  
**To:** Ebinger, Matthew J. - PDR  
**Subject:** This is in regard to CPR 2020-33

**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.

Dear Planning Commission,

I am in opposition to CPR 2020-33 which will be heard on the regular agenda on the July session of the Planning Commission.

The entire Cary Street Corridor from S Cherry St to Belvidere St and back south to the alley is zoned B3. This area is a gateway to the Oregon Hill Historic District, listed on both the State and Federal Registers of Historic Places.

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I am outraged by this last minute change in the agenda. It is absolutely disgusting. I can promise you that it does not go unnoticed and reflects very poorly on the whole City government.

Do the right thing, properties the people in the place you are trying to change.

-Sent on the Go-

Nava Levenson  
www.navalevenson.com | 804.426.5707  
BFA | James Madison University '17

## **Ebinger, Matthew J. - PDR**

---

**From:** Scott Burger <scottburger@mac.com>  
**Sent:** Friday, July 17, 2020 6:41 PM  
**To:** Ebinger, Matthew J. - PDR  
**Cc:** Robins, Amy E. - City Council Office; Lynch, Stephanie A. - City Council Office  
**Subject:** Comment for planning commission

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The neighborhood has been trying to save the historic houses and storefronts on this corridor for decades only to be thwarted by shameful treachery again and again.

<https://www.oregonhill.net/2020/07/17/city-planners-scheme-a-last-minute-end-run-around-citizens/>

Please make this ENTIRE comment available in the public record.

Sincerely,  
Scott Burger  
612 S. Laurel Street  
Richmond VA 23220

## **Ebinger, Matthew J. - PDR**

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**From:** Bryan Clark Green <bryancgreen@gmail.com>  
**Sent:** Monday, July 20, 2020 9:22 AM  
**To:** Robins, Amy E. - City Council Office; Lynch, Stephanie A. - City Council Office; Ebinger, Matthew J. - PDR; Jones, Michael J. - City Council  
**Cc:** Todd Woodson  
**Subject:** Objection to Planning Commission CPR 2020.033  
**Attachments:** Green to Planning Commission\_20 July 2020.pdf

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Dear Mr. Ebinger,

Please accept this letter of objection to CPR 2020.033, on today's Planning Commission agenda.

I also wish to speak to this paper during the meeting, if it is required to register in advance.

Thanks,  
Bryan

Bryan Clark Green  
420 South Pine Street  
Richmond, VA 23220  
[bryancgreen@gmail.com](mailto:bryancgreen@gmail.com)



Bryan Clark Green  
Joanna Wilson Green  
420 South Pine Street  
Richmond, VA 23220  
[bryancgreen@gmail.com](mailto:bryancgreen@gmail.com)

Mr. Matthew Ebinger  
Richmond City Planning Commission  
900 East Broad Street  
Richmond, VA 23220  
[matthew.ebinger@richmondgov.com](mailto:matthew.ebinger@richmondgov.com)

20 July 2020

Re: Opposition to CPRC 2020.033: intent to amend the B-3 General Business District

Dear Members of the Richmond City Planning Commission:

We write in strong opposition to CPRC 2020.033.

CPRC was introduced in a last minute, Friday afternoon Planning Commission agenda change for its Monday meeting on 20 July 2020. This was, at best, one business day before the Planning Commission's next meeting, leaving little time for Richmond citizens to notice the change, let alone provide public comment before the 10:00 am cutoff Monday morning. In doing so, the Planning Commission has effectively foreclosed on City residents' right to carefully review and formally comment on a change that may have a significant effect on Richmond's most iconic residential/business corridors.

Further, there is a serious disjuncture between the way in which the amendment is presented and its actual substance. The proposal is presented as a technical amendment to B-3, in response to City Council Resolution 2018-R801 which was designed to address Councilmember Michael Jones' laudable efforts to address specific issues in that area raised by his constituents. CR2018-R801 recommends a rezoning of specific areas within B-3 following careful study of the effects of proposed changes upon these areas, as documented by Councilmember Jones' meetings with his constituents.

Instead, what CPRC 2020.033 does, in the guise of a technical amendment, is produce a fundamental rezoning of every B-3 district in the City of Richmond, without holding a single public hearing on the matter or following any of the due process requirements set forth in City Code. CPRC 2020.033 calls for fundamental changes to virtually every aspect of B-3, affecting hundreds of buildings and thousands of residents, and arrives at Planning Commission without a single direct notice to any affected property owner. Every defining aspect of B-3 is changed, including the permitted principal uses, building height, parking, signage, and plan of development requirements. Where CR2018-R801 calls for specific rezoning, CPRC 2020.033 substitutes a sweeping redefinition of B-3 in its entirety, with no public input or notice.

Even the staff report that accompanied the Planning Commission agenda describes the impact as south of the James (portions of Midlothian Turnpike, Hull Street, and Jefferson Davis Highway) continuing the false narrative of a limited, technical amendment. The largest B-3 district in the City of Richmond - West Broad Street between I-95 to the east and Willow Lawn to the west - is unmentioned in the staff report. Nor does it mention the portion of Cary Street located within the Oregon Hill Historic District, a densely-settled residential neighborhood. As written, CRPC 2020.033 would allow the introduction of seven-story buildings,

including parking decks, into a historic neighborhood composed of two-story single-family dwellings, again with no notice to the owners or residents of these buildings.

We summarize our objections to both process and substance below.

### Objections to CPRC.2020.033

- In spite of the Commission's misleading description, CPRC 2020.033 is no mere technical amendment. It is a fundamental redefinition of B-3 resulting in a rezoning, yet there has been no public notice or consultation, either through public hearings or direct notice to property owners.
- The proposed changes in B-3 are fundamental, and include changing the inherent character of B-3, including permitted principal uses, building height, parking, signage, and plan of development requirements, again without public input.
- CPRC 2020.033 would, in most cases, double the permitted building height of B-3 by allowing a building height of seven stories. This is a rezoning, not a technical amendment.
- CPRC 2020.033 would allow buildings of seven stories in a portion of the Oregon Hill Historic District, an area in which the overwhelming majority of buildings are two stories in height (with a 35-foot building height limit), further diminishing a historic neighborhood already greatly affected by insensitive development.
- CPRC 2020.033 makes fundamental changes to permitted uses, including making dwelling units of any kind, small manufacturing, breweries, and parking decks principal primary uses. Ironically, this would transform a business zoning class into one in which a business function is no longer required as a principal use.
- Although CR2018-R081 recommended studying the rezoning of areas within B-3, CPRC 2020.033 simply makes fundamental rezoning changes to all of B-3 by bureaucratic fiat, neither involving nor informing affected property owners.
- The CPRC 2020.033 staff report falsely asserts that the fundamental changes in building height are consistent with the 2001 Master Plan and the draft Richmond 300 plan. Nowhere in the 2001 Master Plan is there any discussion of increasing height limits or altering permitted uses within B-3. The Richmond 300 plan (with, as the staff refers to it, its "extensive public engagement") has not proposed this change to B-3. It has also never been approved by City Council. Just a week ago, representatives of the Richmond 300 planning process, including the Chair of the Planning Commission and the Director of Planning, met with representatives of the Oregon Hill Neighborhood Association. No one mentioned these pending sweeping changes to B-3 or their resulting impact upon the historic neighborhood.
- The location section of the CPRC 2020.033 staff report mentions only B-3 zoning on Midlothian Turnpike, Hull Street, and Jefferson Davis Highway. Nowhere does it mention the portion of Cary Street in Oregon Hill or the vast swath of West Broad Street, extending between 195 and Willow Lawn, that would be subject to the change.
- The public engagement section of the CPRC 2020.033 staff report mentions only meetings between Councilmember Jones and his constituents, and cannot document any other public engagement of any type, confirming that neither public meetings nor direct public notice was undertaken.

For these reasons we strongly object to CPRC 2020.033, as ask that Planning Commission either withdraw or reject the proposal. CPRC 2020.033 proposes fundamental changes to B-3 – including extending building height to seven stories and changing the principal uses from business to everything from residential use to parking decks – resulting effectively in a complete rezoning, without any public involvement or due process as mandated by City Code. We certainly support Councilmember Jones' efforts to respond to issues raised by his constituents. His efforts to improve these areas in the 9<sup>th</sup> District are laudable and benefit all citizens of Richmond. CPRC 2020.033 is not, however, the measured and appropriation action proposed in CR 2018-R081. It is a series of sweeping changes ushered in without public input, impacting areas far beyond the 9<sup>th</sup> Ward and giving developers free rein to profoundly and permanently change the character of Richmond's

busiest corridors. The proposed changes are so sweeping that, while retaining the designation "B-3", business is no longer a principal use. That alone should demonstrate that this is no mere last-minute technical update.

We ask that Planning Commission withdraw CPCR 2020.033 immediately, and that City Council look into how such a misleading resolution was presented by city staff to the Planning Commission. At a time when public faith in the City of Richmond is being tested on a daily basis, this last-minute introduction of a misleading resolution, in the absence of any meaningful public consultation, undermines citizen faith by demonstrating the City's willingness to avoid transparency and to present false narratives to the tax-paying public.

Sincerely,

Bryan Clark Green  
Joanna Wilson Green

Cc:

Ms. Stephanie Lynch, Councilmember, 5<sup>th</sup> District

Mr. Michael Jones, Councilmember, 9<sup>th</sup> District

Mr. Todd Woodson, President, Oregon Hill Neighborhood Association