

**Mr. Cary Lindsey
106 1/2 Granite Avenue
Richmond, Virginia 23226**

July 12, 2016

Mark A. Olinger, Director
Department of Planning and
Development Review
900 E. Broad St., Room 511
Richmond, Virginia 23219

Re: Westhampton LLC Project

Dear Mr. Olinger:

The DuretteCrump law firm has been engaged to represent me and many of my neighbors in opposition to approval of a special use permit for the Westhampton LLC Project. At our request, DuretteCrump have prepared a legal opinion that addresses the mistaken premises on which your staff is recommending approval of this permit. A copy of that opinion is attached for your review. It is our hope that, after review of this opinion, you and your staff will change its recommendation accordingly.

Please contact me if you and/or other City staff wish to discuss this matter further.

Sincerely,


CARY LINDSEY

cc: Chairman, City Planning Commission
Members, City Planning Commission
Mayor and Members, Richmond City Council
Richmond City Attorney

Nicholas H. Mueller
Direct Dial 804.916.6585
nmueller@durrettecrump.com

July 11, 2016

Mr. Cary Lindsey
Save Libbie and Grove
106-1/2 Granite Avenue
Richmond, Virginia 23226

Re: Westhampton LLC Project
Application for Special Use Permit
5702 & 5706 Grove Avenue
Tax Parcels W0200112016 & W0200112014

Dear Mr. Lindsey:

This law firm has been engaged to represent (i) you and (ii) others as members of the unincorporated association, "Save Libbie and Grove" in opposition to the development project planned for 5702 & 5706 Grove Avenue ("Project"), due to your concerns about the Project's height, overall scale and incompatibility with the existing neighborhood. The parcels on which the Project would be built are zoned UB-PO1, which limits building heights to twenty-eight (28) feet. The developers of the Project have applied for a special use permit ("SUP") to build the Project to a design height of three stories, or approximately forty-two (42) feet.

The City Planning Staff appear to have recommended approval of this SUP, based in part on changes made in 2012 to the City's Master Plan. You suggest that reliance on the 2012 changes to the City's Master Plan is erroneous, and now ask for our legal opinion on that question.

Issue: Do the 2012 changes to the Master Plan apply to the parcels on which the Project would be sited?

Applicable Law. Chapter 17 of the City of Richmond's Charter is entitled "Planning, Zoning and Subdivision Control." Under Section 17.01, City Council is granted "the power to adopt by ordinance a master plan for the physical development of the city to promote health, safety, morals, comfort, prosperity and general welfare." Section 17.02 ordains that there shall be a Planning Commission, and under Section 17.04, the Commission is given the duty to make and adopt the master plan. Under Section 17.06, the adoption by the Commission of the master plan, or any part or amendment thereof, shall be by resolution that "refers expressly to the maps and descriptive matter and other matter intended by the commission to form the whole or part of the plan adopted." Neither the plan nor any changes shall become effective until approved by City Council.

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Scope of 2012 Changes to Master Plan. The Planning Commission adopted a resolution dated November 21, 2011 (“Resolution”), a copy of which is attached as “Exhibit 1,” approving amendments to the City’s 2000-2020 Master Plan for the Libbie/Grove and Libbie/Patterson Service Areas. Although the Master Plan addresses the Libbie/Grove area, the Resolution makes clear that only a portion of that Master Plan was being amended. Specifically, the Resolution states that the affected area is that “generally bounded by Park Avenue to the north, *York Road to the south*, Maple Avenue to the west, and Dunbar Street to the east” (emphasis added). Part of the Libbie/Grove Service Area lies north of York Road, and thus is affected by the subject Master Plan changes. However, the parcels on which the Project would be built *lie wholly to the south of York Road* and thus are *not* affected by these changes.

City Council adopted Ord. No. 2012-8-15 on February 13, 2012, a copy of which is attached as “Exhibit 2,” approving the Planning Commission’s Resolution. Like the Resolution, the title of that Ordinance specifies the area affected as “generally bounded by Park Avenue to the north, *York Road to the south*, Maple Avenue to the west, and Dunbar Street to the east” (emphasis added).¹

Based on the foregoing facts, it is our opinion that the Resolution and Ordinance apply *solely to that area north of York Road*. The 2012 Master Plan changes do *not* apply to the parcels on which the Project would be located.

The “Community Commercial” Issue. The City Planning Staff points to a change made in the definition of “Community Commercial” as part of the said 2012 Master Plan amendments (language added by this amendment indicated by underlining):

Community Commercial

- Primary uses include office, retail, personal service and other commercial and service uses intended to provide the shopping and service needs of residents of a number of nearby neighborhoods or a section of the City. As compared to Neighborhood Commercial, this category includes a broader range of uses of greater scale and intensity, with greater vehicular access and orientation, but that are also compatible with nearby residential areas. Typical zoning classifications that may accommodate this land use category: B-2, UB and UB-2.

¹ *Every City document* we have inspected from this Master Plan amendment process that contains descriptions of the boundaries of the area implicated by the amendment *includes this same boundary language*. Even the language of the public surveys used to inform the adoption of the resolution and ordinance contains the same recitation of boundaries. Further, the First District Councilman who spearheaded this process has confirmed that it was intended to affect only parcels located *north* of York Road.

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It is undisputed that the site of the Project, as well as other real estate parcels along Grove Avenue between Libbie and Granite Avenues (as well as some along Patterson Avenue in the specified area), are classified as Community Commercial.

The City Planning Staff point to this amendment as authorization to import the more liberal (and potentially more obtrusive) Zoning Ordinance limitations of UB-2 zoning to the parcels on which the Project lies. Among these imported more liberal limitations would be allowing buildings to reach three stories in height.

This is an improper reading of the plain language of this term. On its face, this Master Plan provision states that the listed primary uses may be accommodated by any of the three listed classifications. This provision cannot reasonably be read to suggest that a Zoning Ordinance limitation (*e.g.*, building height, applicable in one of the listed zoning classifications) can be imported and applied to parcels in another of the listed classifications. Such a reading would effectively *change* the underlying zoning of such parcels. Thus, it is our opinion that reliance on this amendment to the Master Plan to authorize the three-story Project is erroneous. Moreover, this argument is moot; as discussed above, these Master Plan amendments apply only to properties north of York Road and so are not available to the parcels on which the Project would lie *even if* their proposed reading of this term were correct.

Finally, we conclude that, if such a special use permit is granted, a declaratory judgment action would lie in a court of competent jurisdiction under Va. Code § 8.01-184 to set aside a special use permit decision premised upon the City Planning Staff's erroneous interpretation.

Sincerely,



Nicholas H. Mueller

NHM/rww
Enclosure.



CITY OF RICHMOND
PLANNING COMMISSION



November 21, 2011

**RESOLUTION OF THE CITY OF RICHMOND PLANNING COMMISSION
TO ADOPT AN AMENDMENT TO THE MASTER PLAN
OF THE CITY OF RICHMOND**

WHEREAS, The City Planning Commission adopted a *Master Plan* on November 6, 2000; and the City Council approved said *Master Plan* by Ordinance 2000-371-01-11 on January 8, 2001; and

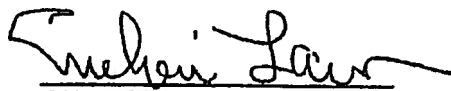
WHEREAS, for certain properties in the Patterson/Libble/Grove area, generally bounded by Park Avenue to the north, York Road to the south, Maple Avenue to west, and Dunbar Street to the east in the Far West Planning District, the *Master Plan* Land Use Plan identifies Single-Family (low density), Public & Open Space, Community Commercial, and Transitional Office areas; and


WHEREAS, circumstances and conditions for certain properties within Patterson/Libble/Grove area have changed, resulting in numerous special use permits, vacant buildings, and economic development opportunities, and as a result thereof the City Planning Commission conducted a public hearing on October 17, 2011 for the purpose of receiving public comments relative to a proposed amendment to the *Master Plan*, said amendment being the change of land use designation as displayed on the attached map dated November 2011, and titled "Libble/Grove/Patterson Master Plan Amendments" ; and

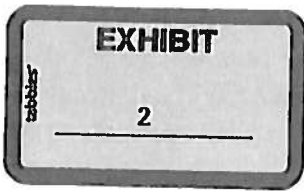
WHEREAS, the changes to these land uses specifically being; (1) from Transitional Office to Mixed Use, (2) from Single-Family (low density) to Mixed Use, (3) from Community Commercial to Transitional Office, and (4) from Public & Open Space to Public and Open Space in combination with Mixed Use

WHEREAS, the City Planning Commission has reviewed the proposed amendment and taken into consideration comments received at its public hearing; and

NOW, THEREFORE BE IT RESOLVED, that the City Planning Commission hereby adopts the above described amendment to the *Master Plan* as displayed on the "Libble/Grove/Patterson Master Plan Amendments" map and associated narrative.


CHAIRMAN


SECRETARY



INTRODUCED: January 23, 2012

AN ORDINANCE No. 2012-8-15

To approve an amendment to the Master Plan for the City of Richmond, which Master Plan was adopted by the City Planning Commission on Nov. 6, 2000, and approved by the City Council by Ord. No. 2000-371-2001-11 on Jan. 8, 2001, for the purpose of changing designations on the Land Use Plan for the Patterson/Libbie/Grove area generally bounded by Park Avenue to the north, York Road to the south, Maple Avenue to west and Dunbar Street to the east.

Patron – Mr. Tyler

Approved as to form and legality
by the City Attorney

PUBLIC HEARING: February 13, 2012 AT 6 P.M.

WHEREAS, the City Planning Commission (the "Commission") approved and certified a Master Plan for the City of Richmond on November 6, 2000; and

WHEREAS, by Ordinance No. 2000-371-2001-11, adopted January 8, 2001, the Council of the City of Richmond approved a Master Plan for the City of Richmond pursuant to a request by the Commission that the Council adopt such Master Plan; and

WHEREAS, the Commission held a public hearing on November 21, 2011, for the purpose of receiving public comments relative to a proposed amendment to the Master Plan, which amendment is shown on the maps entitled "Existing Master Plan Land Use

AYES: 9 NOES: 0 ABSTAIN: _____

ADOPTED: Feb. 13, 2012 REJECTED: _____ STRICKEN: _____

Recommendation” and “Proposed Master Plan Land Use Recommendation, Libbie/Grove/Patterson Master Plan Amendments,” dated November 2011, and the documents entitled “2011 Proposed Amendments to the 2001 Richmond Master Plan Regarding Libbie/Grove and Libbie/Patterson Service Centers” and “Proposed Amendment to the Richmond Master Plan 2000-2020,” copies of which are attached to this ordinance; and

WHEREAS, by a resolution dated November 21, 2011, a copy of which is attached to this ordinance, the Commission adopted the proposed amendments; and

WHEREAS, it is the consensus of the Council that it is in the best interest of the City that the Council, for and on the behalf of the City of Richmond, consent to and approve this amendment to the Master Plan;

NOW, THEREFORE,

THE CITY OF RICHMOND HEREBY ORDAINS:

§ 1. That the amendment to the Master Plan, as shown on the maps entitled “Existing Master Plan Land Use Recommendation” and “Proposed Master Plan Land Use Recommendation, Libbie/Grove/Patterson Master Plan Amendments,” dated November 2011, and the documents entitled “2011 Proposed Amendments to the 2001 Richmond Master Plan Regarding Libbie/Grove and Libbie/Patterson Service Centers” and “Proposed Amendment to the Richmond Master Plan 2000-2020,” copies of which are attached to this ordinance, as adopted by the City Planning Commission at its meeting on November 21, 2011, be and is hereby approved as set out in its resolution of that date.

§ 2. This ordinance shall be in force and effect upon adoption.

A TRUE COPY:
TESTE:



City Clerk

Ebinger, Matthew J. - PDR

From: Laura Dehait [lauradehait@yahoo.com]
Sent: Sunday, July 10, 2016 9:10 AM
To: Ebinger, Matthew J. - PDR
Subject: Libbie and Grove

As someone who lives extremely close to Libbie and Grove. I am writing to express my concern regarding the pending development of Libbie and Grove. I feel that allowing a three story building in our quaint neighborhood would alter the landscape negatively and turn our neighborhood into another overdeveloped eyesore like Short Pump. Parking and the increased traffic would also be an issue. I feel that the traffic study did not take into account the nuances of our neighborhood with the increased traffic patterns of St. Chris and St. Catherine's. I welcome any development that is within the current 28' allowance.

Thank you so much for your consideration.

Laura Dehait
509 Henri Road

Ebinger, Matthew J. - PDR

From: Julie Phillips Drechsler [jrp8m@yahoo.com]
Sent: Friday, June 10, 2016 4:08 PM
To: Ebinger, Matthew J. - PDR; Olinger, Mark A. - PDR; Baliles, Jonathan T. - Council Member
Subject: Westhampton LLC SUP

Gentlemen,

I am writing, once again, to ask that you deny the Westhampton LLC request for an SUP. While my underlying objection to everything is the height, as it changes the scale and character of our neighborhood, and continues to set a precedent to do so for subsequent development, today I'll focus on parking.

Planning justifies the 3-story request with the recently added UB-2 zoning reference in the master plan. The master plan ALSO says that the pattern of development (PRIOR to Tiber and Chadwick) was appropriate and should have remained. So while I disagree with the application of the UB2 reference, if we go along, we need to consider what else accompanies UB-2 zoning besides added height. Parking. While the property is subject to a parking overlay, the zoning code states that parking overlays are intended to complement the lower parking demand associated with our UB zoning. Ironically, given that I counted 128 cars parked in the Westhampton lot on a Thursday mid-afternoon in JUNE, and 112 on a Tuesday in May, I'm not sure I would say we actually have a lower parking demand. These numbers are real life.. what is happening NOW, before any additional development.

Regardless, for apartments in UB2 (with the taller height and greater density), the parking requirements double. For restaurants, the parking requirements are triple. If our area were actually zoned UB-2 to allow 3 story bldgs, Westhampton would be required to have almost 160 parking spaces. More than exists in the entire current lot! And, that calculation for this project in UB-2 assumes that Taste Unlimited is retail. With Taste counted as restaurant space in a three story UB2 bldg, the total project parking requirement nears 200 spaces. It seems like we're trying to justify the 3-story height of a UB2 bldg without the corresponding parking requirements, at the expense of everyone else, and are cherry picking from the regulations, resulting in spot planning without respect for the holistic vision.

We're all eager to support the new tenants on floors one and two, as we do our current commercial neighbors, but the criteria for the SUP haven't been met. Listen to the people who live here now about their experiences with accidents, parking, and traffic issues. ANY added density, even with a third floor of apartments, will negatively impact the parking and traffic in our area. Not just because of the additional cars it brings, but for the precedent it sets for the future (and please don't tell me it won't because Chadwick and Tiber and being used to justify Westhampton LLC). Even the development at 28 feet is going to be a negative impact on parking that I'm not sure can be resolved. PLEASE don't make it worse and approve additional development beyond 28ft. Focus your efforts on fixing the traffic and parking issues we have at 28ft and maintain the character of our neighborhood. A third floor benefits ONLY the developers. By proposing a development out of scale for the neighborhood, the parking problem is being pushed onto the residents, the existing businesses and the patrons of the area.

Julie Drechsler
Tuckahoe Blvd.

Ebinger, Matthew J. - PDR

From: Betsy Gardner [betsygzgardner@verizon.net]
Sent: Saturday, July 09, 2016 5:00 PM
To: Baliles, Jonathan T. - Council Member; Ebinger, Matthew J. - PDR; Olinger, Mark A. - PDR
Subject: Westhampton LLC Project at Libbie and Grove

Messrs. Baliles, Ebinger and Olinger,

I am writing to ask you to **adamantly reject** the proposed Special Use Permit for the Westhampton on Grove development at 5702-5706 Grove Avenue. I have been a resident of the Westhampton neighborhood for over 18 yrs and frequently visit the shops and restaurants at Libbie & Grove. The developers say they are bringing complimentary businesses and restaurants that will add to the character of Libbie & Grove. Not so. **In the name of profit they aim to forever change the character of this neighborhood for the worse.**

It is my understanding that this modification from existing zoning that the developers are asking for is to increase the height of the two proposed buildings from 28 feet to 39 & 38 feet respectively. **Why do you continue to allow SUPs for increasing height, density and furthermore exacerbating parking and traffic issues? You are the stewards of the growth of our city...not the over development to for the profit of a few.** Crowded around this area are dense neighborhoods that cannot bear what this will bring in terms of congestion. Please look at the bigger picture of issues this will bring.

They say that all proposed uses in the project and parking meet existing zoning. **The math is poor at best with the salon eating at least a third or more of the available parking and the the restaurants the rest.** Cars seeking parking will go to the surrounding streets increasing traffic and taking residents spaces. By your own numbers barely enough parking is given to the residential units. **Furthermore, granting a small exception on height for a third story seems to me NOT WORTH the precedent this will set.** The developers owning the properties across the street will rightfully expect the same or more. And how could you refuse? Do you want to be known as the guys who turned Libbie and Grove into ShortPump in town?

They say while parking and traffic are legitimate concerns that this neighborhood and the City need to continue to work on together, "it is not the responsibility of a single property owner to solve the entire neighborhood's challenges"... especially when the proposed development meets existing City requirements for parking (which as mentioned is incredibly inadequate). This is laughable. **A take the money and run attitude that shows there is no**

consideration of the surrounding neighborhoods. They want to play that they are a good neighbor but thumb their noses to say "we did our part....tough sh!t to the rest of you".

It would be an enormous MISTAKE for the City and its residents if the Special Use Permit were approved and a loud minority of developers, residents who work with them and other outsiders rule the day. Your constituents when looking at how this process has evolved already feel jaded. Please don't confirm why they feel so.

Please DO NOT support the Special Use Permit application for Westhampton, LLC.

Sincerely,

Elizabeth Zacharias Gardner
11 Albemarle Avenue
Stonewall Court

Ebinger, Matthew J. - PDR

From: Katrina Parkinson [katrinaparkinson@yahoo.com]
Sent: Saturday, July 09, 2016 12:25 PM
To: Ebinger, Matthew J. - PDR
Subject: Libbie Grove

Mathew, please oppose the SUP. I support building no more than 28 feet. Listen to the citizens, not the greedy developers. I believe that if the SUP passes, it could backfire on the merchants. Many individuals are now refusing to shop Libbie/Grove.

Katrina Parkinson
Realtor
McGurn Company
804.387.6098

Ebinger, Matthew J. - PDR

From: Mike Lennon [mlen26@yahoo.com]
Sent: Wednesday, July 06, 2016 5:49 PM
To: Ebinger, Matthew J. - PDR
Subject: Opposition to the Proposed SUP For the Westhampton Theater

Mr. Ebinger,

I am writing to voice my opposition to the revised proposed SUP for the Westhampton Theater property at the intersection of Libbie and Grove Aves. I live two blocks from the intersection, and have two small children. I am concerned with the traffic as it already exists - and increasing capacity by placing highly trafficked businesses such as Taste Unlimited, will only add to the existing challenge. Exiting the Glenburnie neighborhood can be challenging throughout the day, not just at school pick up/drop off times.

Furthermore, adding capacity while simultaneously decreasing parking seems absurd. Three stories does seem a bit much for the block, even with the offset. I realize that 'the genie may out of the bottle' regarding height, with the Chadwick renovation - but my opinion is that one bad decision should not beget another

I realize there are all sorts of opinions on the project, but the SUP process is designed to protect the taxpayers that live closest to the area of proposed change.

I hope that my work schedule allows me to attend the upcoming hearing, but I wanted to write to ensure that my voice is also heard.

Thanks,

Mike Lennon
5502 Bewdley Rd

Ebinger, Matthew J. - PDR

From: Betsy Gardner [betsygzgardner@verizon.net]
Sent: Wednesday, June 29, 2016 9:37 AM
To: Ebinger, Matthew J. - PDR; Olinger, Mark A. - PDR; Baliles, Jonathan T. - Council Member
Subject: Fw: Westhampton on Grove Project - Meeting Follow up

Good morning,

I think when I last checked on this the weekend was approaching and I had received an out-of-office reply. I do want to follow up on the below question of if the VHB has something date stamped that shows the actual time and date of their traffic study. The current information provided showing a study was done on what appears to be one day is substandard given that it does not include other peak times that would definitely involve more pedestrian and carpool traffic. I also feel the timing gives less accurate detail due to one of the schools having Xterm that week which would have diminished traffic for them. If it were only one day and only in the evening, this study is beyond incomplete and offers and incredibly false sense what auto and pedestrian traffic truly are.

Also, the study involving York and Libbie is even more concerning. This is one of the most convoluted intersections involved here given it is not a straight path to cross Libbie when you use York. There are definitely a higher amount of pedestrians crossing here during peak times of the day (not the limited evening hours the VDH included...peak times are after schools let out) which is incredibly concerning. I don't think the study even remotely captures the volumes correctly given the time frame used. Having such false information to rely on where kids are concerned is almost disturbing that they would gloss over it.

However I get that the issue here is not safety but to have the project approved and to move forward.

Again I urge that you reject the SUP for this project. The scope is beyond what the area can handle in traffic, parking and development. Please be what your job titles say you are....planners. Have the foresight to see the serious issues this will present and the future SUPs that will insist on approval because it was done before. Please don't make this your legacy.

Thank you for your time and consideration in this matter.

Sincerely,

Betsy

----- Forwarded Message -----

From: Betsy Gardner <betsygzgardner@verizon.net>
To: "Ebinger, Matthew J. - PDR" <Matthew.Ebinger@Richmondgov.com>
Cc: "Baliles, Jonathan T. - Council Member" <Jonathan.Baliles@richmondgov.com>; "Olinger, Mark A. - PDR" <Mark.Olinger@Richmondgov.com>
Sent: Thursday, June 9, 2016 3:53 PM
Subject: Re: Westhampton on Grove Project - Meeting Follow up

Thank you. That is still a date that will give less accurate data. It was a week that the Upper School of St. Christopher's was out for X-term when the majority of students do not go to campus and those who do are there on off hours. Is it possible that VHB has anything that can actually verify that exact date? Even a week late would place it during Spring Break which would make an even bigger difference.

Also, the language does seem misleading in the report. The comment that data was acquired during peak times "from the three subject intersections in March 2016" seems to imply that these surveys were done on multiple days. They only come from one day and one day that wouldn't be considered a normal traffic day with part of a school out. Furthermore, 5-6 pm is not the only peak time. From 7:30am to 9am and the hours after schools let out are not included yet would be impacted. These would be times of higher traffic and especially pedestrian movement which must be taken in to consideration. I don't see how this is a complete study. It definitely skews data that supports the developers who funded it.

Thank you for your time and consideration in this matter.

Betsy

From: "Ebinger, Matthew J. - PDR" <Matthew.Ebinger@Richmondgov.com>
To: Betsy Gardner <betsyzgardner@verizon.net>
Cc: "Baliles, Jonathan T. - Council Member" <Jonathan.Baliles@richmondgov.com>; "Olinger, Mark A. - PDR" <Mark.Olinger@Richmondgov.com>
Sent: Thursday, June 9, 2016 3:05 PM
Subject: RE: Westhampton on Grove Project - Meeting Follow up

I have been informed by VHB that the traffic counts were taken on March 1.

Matthew J. Ebinger, AICP

Senior Planner - Land Use Administration | Department of Planning & Development Review | City of Richmond |
Matthew.Ebinger@RichmondGov.com | 804-646-6308

From: Betsy Gardner [mailto:betsyzgardner@verizon.net]
Sent: Thursday, June 09, 2016 2:21 PM
To: Ebinger, Matthew J. - PDR; Olinger, Mark A. - PDR
Cc: Baliles, Jonathan T. - Council Member
Subject: Re: Westhampton on Grove Project - Meeting Follow up

Hi Matthew,

Thank you for your response. I do have one question that will matter in regards to that traffic study. When was it done specifically in March? I only saw it say March 2016 with no specifics....but I may have missed the date(s). This is important because at least 2 of the schools impacted by this were out on spring break for 6 of those days in March including another half day. There was also another day and a half around Easter weekend. (And St. Bridgets would have been out of schools the week after Easter or the week before) To run traffic studies during those times would definitely create bias on the data and create an illusion of less traffic than what is normal.

Thank you,
Betsy

From: "Ebinger, Matthew J. - PDR" <Matthew.Ebinger@Richmondgov.com>
To: Betsy Gardner <betsygzgardner@verizon.net>; "Olinger, Mark A. - PDR" <Mark.Olinger@Richmondgov.com>
Cc: "Baliles, Jonathan T. - Council Member" <Jonathan.Baliles@richmondgov.com>
Sent: Thursday, June 9, 2016 12:24 PM
Subject: RE: Westhampton on Grove Project - Meeting Follow up

Good Afternoon:

The traffic impact analysis is attached. Also, your correspondence will be included with the staff report that goes to the Planning Commission.

Matthew J. Ebinger, AICP

Senior Planner - Land Use Administration | Department of Planning & Development Review | City of Richmond |
Matthew.Ebinger@RichmondGov.com | 804-646-6308

From: Betsy Gardner [mailto:betsygzgardner@verizon.net]
Sent: Thursday, May 26, 2016 2:23 PM
To: Ebinger, Matthew J. - PDR; Olinger, Mark A. - PDR
Cc: Baliles, Jonathan T. - Council Member
Subject: Westhampton on Grove Project - Meeting Follow up

Good afternoon,

I attended the meeting last night and was disheartened over the continuing plans of the Westhampton LLC project. At this point there has been no solution offered to the traffic and parking issues that will be presented by this project. It was reiterated by their lawyer that they are within their rights and city guidelines and are fulfilling the requirements for parking with this project. This message continued as they were pressed on the parking issue to the point that it meant "we have our parking which is all that matters....tough luck to the rest of you".

Couple of bad jokes here....They have their "required" parking but not parking to meet the needs of these proposed businesses. Mango Salon itself will eat a third or more of the parking and the other 3 businesses will take the rest. That leaves almost nothing for the offices and residents above in their own building. Where will they go??

You still have Jack Browns, Starbucks, Grey Goat, Ice Cream Church, Continental and several businesses with similar parking needs. Yes, they existed and have made do. But the attitude that this project's parking "requirements" are met so the city and developer don't need to concern themselves over the rest is total BS. If you are City Planners you will end up contradicting your job titles. This is not planning. This is everyone patting themselves on the back for "meeting requirements" while the surrounding neighbors and businesses hold the bag (and I think I already told you what's in that "bag".)

There seems to have been a traffic study but the constituents have no further information on it. When was it done? By whom? What times of day? For the sake of transparency this needs to be made public.

And where was the parking study? Did it only apply to their building alone? We believed there should be something that should take in to consideration the needs of these businesses as a total and the surrounding businesses and neighborhood. Will the stress of the increased parking lead to the need to fan like permits? Are you ready for that?

Furthermore we need to not kid ourselves. As planners you are likely aware that developers now hold the properties across the street including the gas station and adjacent building. Permitting the full 3 stories for the Westhampton LLC and it's inadequate parking is now the precedent. They will argue that they should be allowed the same and to the same requirement standards on parking. You know...one space per 4 residential units, etc. Because residential parking should be played like musical chairs though the odds with musical chairs is better.

I'll apologize now for my snarkiness but I have lost faith in the process. City planners are supposed to have plans to better a community that is bettered by the development. This would not. To create parking and traffic issues that will escalate with further development is contradictory to your role. It's allowing the developers to take the money and run. And leaving the surrounding existing businesses and residents to pay the price. We already pay enough. Please...no more.

I ask you reconsider and truly look at the long term and short term impact of this approval. I support rehabilitating those buildings and creating mixed use but not at this cost.

Thank you,
Betsy Gardner

Ebinger, Matthew J. - PDR

From: Jacqueline Westfall [jtrading@comcast.net]
Sent: Saturday, June 25, 2016 1:16 PM
To: jonathan.bailes@richmondgov.com; Ebinger, Matthew J. - PDR
Subject: July 18 planning commission meeting

I wish to state my support again of development limited to 28' on Grove and Libbie , and am supporting a request to deny the Westhampton LLC SUP.

I am no stranger to economic development, having lived in Fredericksburg, Va prior to coming to Richmond. While there I was prominent in establishing a capital campaign to save downtown Fredericksburg. High density was discouraged and now the small city thrives. Look at the downtowns of Chapel Hill, NC and places like Birmingham, Michigan, they have maintained a village feel, through proper zoning.

As you know there are churches and schools in the Westhampton Area which increase traffic. The last thing we need in the 4 block area are apartments which will increase traffic and require permanent parking. As the developers well know, apartments require Only 1 parking space, but often are occupied by as many as five people. Parking and increased traffic are no pun, " An Accident waiting to happen".

I have lived in the Fan District, where I recently paid again to find parking in zone 1, where it most often is not available. People are moving to the county because of the parking problem, And the city loses tax revenue to the county. Henrico county is a tempting place to move, especially when residential property values Are lowered by overreach of inappropriate commercial development.

Let's work together to insure that Libbie and Grove provide 4 Blocks of low density 28 feet businesses which meet the needs of the surrounding residential communities, not the get rich quick Ideas of the developers. I am counting on the city to use wise Judgment and stick to the Master plan.

Sincerely,

Jacqueline S Westfall

Sent from my iPad

Ebinger, Matthew J. - PDR

From: Stephen P Long [splpaindoc@aol.com]
Sent: Tuesday, June 21, 2016 10:37 PM
To: Ebinger, Matthew J. - PDR; Baliles, Jonathan T. - Council Member
Subject: Save Libbie and Grove

Dear Sirs,

As a resident of Hampton Gardens, I urge you to keep the zoning as it is and has been historically in the Libbie and Grove business/residential district and NOT allow added heights to buildings as requested by current developers. It is unfortunate that the Chadwick property was allowed to exceed the height standards and that the John George Property was allowed as well. This is first and foremost an historic and primarily residential area. The current traffic situation (despite what an outdated and ill-developed parking/traffic study showed) is dangerous to the hundreds of children who travel that road area to and from St. Christopher's and St. Catherine's schools, as well as normal citizen drivers and pedestrians who live in the area. There is inadequate parking as it is, and more residential and business properties would eliminate current valuable parking and cause a demand exceeding supply. As the group of taxpayers compromising the largest amount of taxes for the city (23226 and 23221) I urge you to hear what your constituents--your voters--are saying and that is to not allow any changes in building codes and to not allow any more variances. Keep our neighborhood as it is and was intended to be.

Sincerely,

Stephen P and Georganne W Long
Greenway Lane

Ebinger, Matthew J. - PDR

From: William A. Young, Jr. [talksntotems@msn.com]
Sent: Tuesday, June 21, 2016 11:12 AM
To: Baliles, Jonathan T. - Council Member; Ebinger, Matthew J. - PDR; Olinger, Mark A. - PDR; Rodney@thewiltonco.com
Subject: Opposition to Westhampton, LLC SUP

Gentlemen:

I am a native Richmonder and a longtime resident of Tuckahoe Terrace. I am strongly opposed to Westhampton LLC's application for a special use permit (SUP) to redevelop Nos. 5702 and 5706 Grove Avenue. I oppose the application for many reasons, including the following:

The small scale shops at Libbie & Grove are located in a UB District where building height is limited to 28 feet. Some of the buildings are two stories high, but many of them are only one story high. The zoning is designed to protect and preserve the small scale character of the village. Every new building is supposed to be "compatible" with the existing structures. Westhampton LLC's proposal to erect two three story buildings over 40' each is obviously not compatible with the small scale shops. The high rises will dwarf their neighbors.

A critical legal issue is at stake. The City Planning Staff has directed Westhampton LLC to apply for three stories on the basis of the 2012 amendment to the Master Plan. However, the 2012 Amendment does not apply to the village at Libbie & Grove. The preamble language of the amendment describes the affected area to be changed as "bounded on the south by York Road." York Road is one block north of Grove Avenue and runs parallel to it. The Save Libbie & Grove Association has made the Planning Staff aware of its misapplication of the amendment, but the staff takes the position that the 2012 amendment applies to the village at Libbie & Grove, and, therefore, developers may erect three story buildings in it.

If the SUP is granted, it will cause considerable traffic and parking problems. The proposed two restaurants, business offices, and apartments will bring many more cars to the area. There will be no place for anyone else to park except in the adjoining residential neighborhoods. There is already too much traffic in the village area. The cut through streets of Maple, Libbie, and Granite will be overwhelmed.

The City planners need to consider the effect of other proposed projects that will have a direct effect upon the small scale village at Libbie & Grove. St. Catherine's School, St. Christopher's School, St. Bridget's School, and St. Mary's Hospital nursing school in the old Westhampton School building will all add to the mix of traffic and parking problems if their future plans are approved. The City needs to slow down in its granting of SUP's in the west end and look at the whole picture.

To make matters worse, other LLC developers now own the properties across the street from the Westhampton Theater. Their holdings extend from Libbie to Granite. How long will it be before they apply for special use permits to erect three story buildings with more apartments and retail? How much more traffic will they generate, and how many more parking spaces will they require? The small scale village at Libbie & Grove will rapidly disappear forever.

I sincerely hope that the application will be denied. Our residential neighborhoods do not need a little Manhattan at Libbie & Grove. We do not want to be Short Pumped!

William A. Young, Jr.
5405 Tuckahoe Avenue

Ebinger, Matthew J. - PDR

From: Karen M Biggs [yogib18@msn.com]
Sent: Monday, June 20, 2016 6:31 PM
To: Baliles, Jonathan T. - Council Member; Ebinger, Matthew J. - PDR
Subject: Libbie & Grove Ave SUP -limited to 28'

We would like to express our concern and opposition to the proposed waiver for the development at Libbie & Grove. We oppose the development for the follow reasons:

1) Size/scale, 2) inadequate public access (primarily parking and traffic), and 3) livability (noise and light pollution for those of us living closest to the buildings). Further, the proposed plan the changes the character of the neighborhood and is counter to both the legal zoning and the recently reviewed Richmond master plan. That part of Grove cannot and should not have that much in one tight space. Commuting in that area is already overcrowded. With school children walking or riding a bike in that area, the traffic congestion is already dangerous. There are 3 large schools and 2 churches within 1-3 blocks so there is constant activity with large groups moving around.

There's also a concern about de facto rezoning created through the (continued) use of special use permits to go around the long held zoning, when no circumstances have changed to warrant a zoning change. The Grove Ave blocks between Maple and Granite are already full and cannot handle additional development of that magnitude. To continue to add more in an already overcrowded corridor is irresponsible and will make that area inaccessible.

Perhaps further down Libbie in the Patterson area has better flow and space for more retail and residential spaces in a compact manner. There is more space for parking and better traffic/pedestrian flow.

We urge you to vote against the SUP.

Karen & Yogi Biggs
Greenway Lane

Ebinger, Matthew J. - PDR

From: Edward Addison [nedbun1967@verizon.net]
Sent: Monday, June 20, 2016 8:28 PM
To: Ebinger, Matthew J. - PDR
Subject: Libbie and Grove

Please help us preserve the character of a wonderful neighborhood by maintaining the present height limit of 28 feet. We all work hard to keep our homes up, and that's one of the things that make this neighborhood so great! We hope you can empathize with these objectives by doing the right thing by us.

Thanks for your careful review.

Sincerely, Edward C. Addison.

Sent from my iPad

Ebinger, Matthew J. - PDR

From: Patricia Young [beemaw@msn.com]
Sent: Friday, June 17, 2016 7:43 PM
To: Baliles, Jonathan T. - Council Member; Olinger, Mark A. - PDR; Ebinger, Matthew J. - PDR; Bridewell, Travis A. - DPW
Subject: Westhampton, LLC SUP application

Dear Gentleman,

As a long time resident of Tuckahoe Terrace, I would be writing to you for days if I were to discuss all of the reasons that I am opposed to the present SUP application by Westhampton, LLC. Today, however, I am going to address only three of these.

The City Code contains the following: Sec. 30-1050.1 ". . . The City Council may authorize the use of land, buildings and structures which do not conform to the regulations and restrictions prescribed for the district. . . whenever the Council finds that the proposed use will not:

- (1) Be detrimental to the safety, health, morals and general welfare of the community involved.
- (2) Tend to create congestion in streets, roads, alleys and other public ways and places in the area involved.

I contend that the Westhampton, LLC project will be detrimental to the morals and general welfare of the community involved and tend to create congestion in the streets in the area involved.

The original SUP was for 9 "luxury" condos. The present SUP is for 12 apartments. Yet, one of the developers, Jason Guillot, was quoted in the RDT on March 6, 2015 as saying,

"We are not interested in trying to propose a project that the neighborhood would not be happy with," Guillot said about the decision not to even consider apartments. "We will not go down that road."

As you may remember, when Scott Boyers applied for an SUP at the BP location, many neighbors were very much opposed to his plans because he was going to build apartments, not condos. I know first hand that university towns are notorious for having apartments rented by wealthy parents for their children in college.

These apartments that Westhampton, LLC says will be 1 and 2 bedrooms will be filled to the gills as college students want to move off campus. What will prevent a one bedroom apartment from having 4 or more students who will be dividing the cost? Then the 2 bedrooms might have 6 or more.

Obviously, Mr. Guillot realized when he made his statement on March 6, 2015 that the neighbors would have good reasons to oppose apartments!!! However, we continue to hear from him, "We have listened." This seems to be the by word of the developers on Grove as they were also spoken by the Chadwick condo developers!!!

I have been greatly concerned for some time about the "moral" health of Grove Avenue as it has acquired more bars. It is becoming a west end Shockoe Slip. Surely college renters are going to add to this mix!

I have first hand information of behavior in the present restaurants with bars on Grove Avenue of behavior that I do not want to witness and more importantly do not my teenage grandchildren to witness. Therefore, I no longer take them to eat on Grove, but go to restaurants without bars in Henrico. How much more immoral behavior will we have in the area if the apartments are filled with college aged students?

Secondly, the providing of only 1 parking place for every 4 apartments is absolutely ludicrous!!! Parking is already a problem in the area. I certainly hope that the renters will be made aware of the fact that they may arrive home from school or work only to find that they have to park in Glenburnie or Tuckahoe Terrace.

This brings me to my third point. When there are not enough parking spaces on Grove, patrons of the businesses and apartment tenants will come into our neighborhoods in even greater numbers than they do now. The lack of safety in our family oriented neighborhoods will be even more of an issue than it is now.

I beg you who are entrusted with protecting the citizens of Richmond to do just that. Between Westhampton, LLC, St. Catherine's new proposals, St. Mary's, and St. Bridget's plans, and no telling what may be coming on the south side of Grove between Libbie and Granite, the City planners need to take a time out and study what the full impact of all of these projects will be on the neighbors who bought in this area because they wanted a small scaled family oriented village nearby, not mixed use projects!!!

Thank you for your consideration.

Patricia C. Young
5405 Tuckahoe Avenue
Richmond, VA 23226

Ebinger, Matthew J. - PDR

From: Brooke Shafovaloff [brooke.friend@gmail.com]
Sent: Tuesday, June 14, 2016 8:41 PM
To: Baliles, Jonathan T. - Council Member; Ebinger, Matthew J. - PDR
Subject: In regards to Libby Grove

Dear Mr. Baliles and Mr. Ebinger:

I am resident of the Westhampton neighborhood. My daughter goes to school in our neighborhood. We like our neighborhood and support development at 28 ft. I humbly request that you deny Westhampton SUP.

--

Brooke Friend



R+F Independent Consultant

<https://bfriend.myrandf.com/>

804-499-0493

Ebinger, Matthew J. - PDR

From: Anne Daniel [anne.daniel@verizon.net]
Sent: Monday, June 13, 2016 10:59 AM
To: Bridewell, Travis A. - DPW
Cc: Olinger, Mark A. - PDR; Ebinger, Matthew J. - PDR; Baliles, Jonathan T. - Council Member
Subject: Traffic Study

Good morning,

I learned over the weekend that a traffic study was done. From what I understand, It was done on a Tuesday evening from 5pm to 6 pm.. exactly one hour.. on March 1 when many of the schools were out on spring break.No study should be valid if it is only done for one hour. It is a great way to skew results. I am writing this because I will not be able to attend the planning commission meeting on July 18, I will be out of the country.

At the meeting that was held in May at Mary Munford, I specifically addressed the fact that a traffic study should be done when all schools are in session and not when schools are out of session .There would be two different results if they were not done during schools sessions which is 9 months out of the year.

I find it hard to believe that anyone would think this is a valid study based on a one hour time frame which really is not even the height of the traffic time. Not taken when schools were is session and not over more than a one hour window which ironically is after most of the traffic disappears. Good to know there is not much traffic after 5pm.

My biggest concern is not looking at ALL the traffic issues associated with Libbie and Grove which is what I addressed to you all at the meeting in May. Please do a traffic study when schools are in session and utilize all cut throughs etc because some people avoid Libbie because it gets so backed up and then they cut through my neighborhood. I am personally not as concerned about parking because I can walk faster than driving to Libbie and Grove. It would be also helpful to figure out what will happen to parking in a 4 block area since you all seem to want to side with the developers. Now that both sides of the 4 block area are owned by developers who want to make it tall to generate more revenue for them is not keeping with the scale and character of the neighborhood. I am sure some of the investors do not even own residential property in the city. The scale and character of Libbie and Grove is very important to me as well as all the traffic issues that all the projects are going to generate. Why in the world is this 4 block area so important? It would seem there are other locations that this kind of development would fit better. Once all projects at Libbie and Grove get approved , then it will start coming down Granite, Maple, and much closer to all residential houses. There will end up being NO transition zone from commercial to residential. Awful..

Scale and character of the neighborhood will be forever changed.. so sad..

Look at the whole picture of all the plans in the works.. the 4 block area of Libbie and Grove, St Cats, St Chris, St Mary's, St Bridgets.. everything that will happen in the next few years. How is all the construction going to affect the neighbors and the businesses that are already in place. It should be called Nightmare on Libbie and Grove.

Anne Daniel
Seneca Road.

Ebinger, Matthew J. - PDR

From: Stuart Carter [stuartscarter@gmail.com]
Sent: Tuesday, May 31, 2016 8:12 AM
To: Olinger, Mark A. - PDR
Cc: Baliles, Jonathan T. - Council Member; Ebinger, Matthew J. - PDR
Subject: 5702 & 5706 Grove Ave. SUP - 2012 MP Amendment
Attachments: Ordinance No. 2012-8-15 Boundary Documents.pdf

Follow Up Flag: Follow up
Due By: Wednesday, June 22, 2016 3:30 PM
Flag Status: Flagged

Dear Mr. Olinger:

I attended the community meeting at Mary Munford last Wednesday night regarding the Westhampton LLC SUP proposal for properties on Grove Avenue. I wanted to follow up with you on the issue I raised about the February 2012 Master Plan amendment.

I attended community meetings in 2010 and 2011 to discuss the future of the Patterson-Libbie-Grove area including zoning and land use. Recommendations for Grove Avenue were not addressed and the discussions primarily involved Libbie Avenue. I understand that you were not yet with the City when many of these meetings took place.

Grove Avenue was not included in Ordinance No. 2012-8-15. Language in the Ordinance and supporting documents (attached) clearly delineates the boundary "York Road to the south" and therefore does not include Grove Avenue. Had planning staff and Council intended for the amendment to include Grove Avenue, they would simply have listed "Grove Avenue to the south." Participants in the process, like me, and including commercial developers, agreed that changes to Grove Avenue were not "on the table" (see last attached document from a developer and Grove Avenue property owner confirming this information). And, finally, no notice was given of any intent to make changes south of York Road.

Sincerely,
Stuart Stringfellow Carter

C: The Honorable Jonathan Baliles
Mr. Matthew Ebinger

INTRODUCED: January 23, 2012

AN ORDINANCE No. 2012-8-15

To approve an amendment to the Master Plan for the City of Richmond, which Master Plan was adopted by the City Planning Commission on Nov. 6, 2000, and approved by the City Council by Ord. No. 2000-371-2001-11 on Jan. 8, 2001, for the purpose of changing designations on the Land Use Plan for the Patterson/Libbie/Grove area generally bounded by Park Avenue to the north, York Road to the south, Maple Avenue to west and Dunbar Street to the east.

Patron – Mr. Tyler

Approved as to form and legality
by the City Attorney

PUBLIC HEARING: February 13, 2012 AT 6 P.M.

WHEREAS, the City Planning Commission (the “Commission”) approved and certified a Master Plan for the City of Richmond on November 6, 2000; and

WHEREAS, by Ordinance No. 2000-371-2001-11, adopted January 8, 2001, the Council of the City of Richmond approved a Master Plan for the City of Richmond pursuant to a request by the Commission that the Council adopt such Master Plan; and

WHEREAS, the Commission held a public hearing on November 21, 2011, for the purpose of receiving public comments relative to a proposed amendment to the Master Plan, which amendment is shown on the maps entitled “Existing Master Plan Land Use

AYES: 9 NOES: 0 ABSTAIN: _____

ADOPTED: Feb. 13, 2012 REJECTED: _____ STRICKEN: _____



City of Richmond, Virginia City Council

MEETING SUMMARY

From

Monday, January 23, 2012

City Council will hold a Public Hearing on the following Ordinance and Resolution on Monday, February 13, 2012 at 6:00 PM:

1. **Ord. No. 2012-8** (Patron: Mr. Tyler) - To approve an amendment to the Master Plan for the City of Richmond, which Master Plan was adopted by the City Planning Commission on Nov. 6, 2000, and approved by the City Council by Ord. No. 2000-371-2001-11 on Jan. 8, 2001, for the purpose of changing designations on the Land Use Plan for the Patterson/Libbie/Grove area generally bounded by Park Avenue to the north, **York Road to the south**, Maple Avenue to the west and Dunbar Street to the east. (COMMITTEE: Organizational Development, Monday, February 6, 2012, 5:00 p.m.)
2. **Res. No. 2012-R4** (Patron: Ms. Newbille) - To approve an expenditure in the amount of \$1,500.00 from the Council Districts Funds for the Seventh District to make a donation to the East District Family Resource Center for the Camp Diva Annual Date with Dad Dinner (\$1,000.00) and for Parent Resource Network parenting events (\$500.00).

City Council will hold a Public Hearing on the following Ordinances on Monday, February 27, 2012 at 6:00 PM:

3. **Ord. No. 2012-9** (Patron: Mayor Jones) - To authorize the Chief Administrative Officer, on behalf of the City of Richmond, to execute a Project Agreement for Use of Commonwealth Transportation Funds –Fiscal Year 2012 between the City of Richmond and the Virginia Department of Rail and Public Transportation for the purpose of granting the City \$100,000 for the purpose of continuing the City of Richmond Employee Trip Reduction Program. (COMMITTEE: Finance and Economic Development, Thursday, February 16, 2012, 3:00 p.m.)



Richmond City Council

The Voice of the People

Richmond, Virginia

Office of the Council Chief of Staff

Ordinance/Resolution Request

TO Allen Jackson, Richmond City Attorney
Richmond Office of the City Attorney

THROUGH Lou Brown All, Council Chief of Staff *LBA*

FROM Marianne G. Pitts, Council Liaison/Council Policy Analyst *M.G.P.*
Richmond City Council
Office of the Council Chief of Staff

COPY Bruce W. Tyler, 1st District Councilmember

DATE January 20, 2012

PAGE/s 1 of 22

TITLE Amendment to the Far West Planning District Land Use Map and associated narrative for certain properties in the Libble/Grove/Patterson area

This is a request for the drafting of an Ordinance Resolution

REQUESTING COUNCILMEMBER/PATRON

Bruce W. Tyler

SUGGESTED STANDING COMMITTEE

Waiver Requested

ORDINANCE/RESOLUTION SUMMARY

An ordinance is requested to approve an amendment to the Master Plan for the City of Richmond, adopted by the City Planning Commission on November 6, 2000, and approved by the City Council by Ordinance No. 2000-371-2001-11 on January 8, 2001, for the purpose of changing the Far West Planning District Land Use Map and associated narrative for certain properties located in the Libble/Grove/Patterson area, generally bounded by Park Avenue to the north, York Road to the south, Maple Avenue to west, and Dunbar Street to the east.

BACKGROUND

This proposed Master Plan Amendment was initiated at the request of Councilman Tyler, the City Council member representing this area of the City.

On March 20, 2010, a visioning and charrette open house, sponsored by Councilman Tyler, was undertaken to begin discussions on the future of Libble, Patterson, and the Grove Avenue corridor, including the Westhampton School site.

On May 25, 2010, results from the March 2010 meeting were presented at a community meeting sponsored by Councilman Tyler, resulting in Planning and Development staff being instructed to initiate a Master Plan study for the area.

From September 2010 thru the end of 2010, planning staff undertook an existing conditions study of the area that included:

- Mapping and analyzing existing conditions that included land use.



CITY OF RICHMOND
PLANNING COMMISSION

November 22, 2011

To the Honorable Council of the
City of Richmond, Virginia

At its meeting of November 21, 2011, the Planning Commission voted (4-2) to APPROVE of:

Resolution:

To adopt amendments to the City's 2000-2020 Master Plan for the Libbie/Grove and Libbie/Patterson area. *Council District 1*

Summary dates:

Planning Commission public hearing:	November 21, 2011
Proposed Council paper Introduction:	January 9, 2012
Proposed City Council public hearing:	February 13, 2012

Summary facts:

I. LOCATION

Libbie/Grove/Patterson area

II. PURPOSE

To adopt amendments to the Far West Planning District Land Use Map and associated narrative for certain properties in the Libbie/Grove/Patterson area.

III. SUMMARY & RECOMMENDATION

The Resolution that was approved by the Planning Commission revised a portion of the City's Master Plan Far West Planning District Land Use Map and associated narrative in the Libbie/Grove/Patterson area that is generally bounded by Park Avenue to the north, York Road to the south, Maple Avenue to west, and Dunbar Street to the east. The proposed amendments in this area would affect approximately 76 properties.

The current Master Plan recommends single-family low-density residential and transitional office uses along Libbie Avenue between York Road and Kensington Avenue. The existing Master Plan also does not support expansion of the current service areas. In addition, the Master Plan designates the entire Westhampton School property as public and open space.

This proposed Master Plan Amendment was initiated at the request of Councilman Tyler, the City Council member representing this area of the City. Reasons indicating a need for amendments to the Master Plan included the prevalence of special use permits within the study area, particularly along Libbie Avenue, and the desire to see land use recommendations that more appropriately reflected the pattern of development.

On March 20, 2010, a visioning and charrette open house, sponsored by Councilman Tyler, was undertaken to begin discussions on the future of Libbie, Patterson, and the Grove Avenue corridor, including the Westhampton School site.



CITY OF RICHMOND

PLANNING COMMISSION

November 21, 2011

**RESOLUTION OF THE CITY OF RICHMOND PLANNING COMMISSION
TO ADOPT AN AMENDMENT TO THE *MASTER PLAN*
OF THE CITY OF RICHMOND**

WHEREAS, The City Planning Commission adopted a *Master Plan* on November 6, 2000; and the City Council approved said *Master Plan* by Ordinance 2000-371-01-11 on January 8, 2001; and

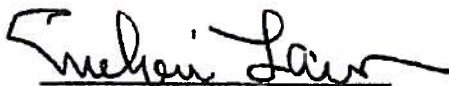
WHEREAS, for certain properties in the Patterson/Libble/Grove area, generally bounded by Park Avenue to the north, York Road to the south, Maple Avenue to west, and Dunbar Street to the east in the Far West Planning District, the *Master Plan* Land Use Plan identifies Single-Family (low density), Public & Open Space, Community Commercial, and Transitional Office areas; and

WHEREAS, circumstances and conditions for certain properties within Patterson/Libble/Grove area have changed, resulting in numerous special use permits, vacant buildings, and economic development opportunities, and as a result thereof the City Planning Commission conducted a public hearing on October 17, 2011 for the purpose of receiving public comments relative to a proposed amendment to the *Master Plan*, said amendment being the change of land use designation as displayed on the attached map dated November 2011, and titled "Libble/Grove/Patterson Master Plan Amendments" ; and

WHEREAS, the changes to these land uses specifically being; (1) from Transitional Office to Mixed Use, (2) from Single-Family (low density) to Mixed Use, (3) from Community Commercial to Transitional Office, and (4) from Public & Open Space to Public and Open Space in combination with Mixed Use

WHEREAS, the City Planning Commission has reviewed the proposed amendment and taken into consideration comments received at its public hearing; and

NOW, THEREFORE BE IT RESOLVED, that the City Planning Commission hereby adopts the above described amendment to the *Master Plan* as displayed on the "Libble/Grove/Patterson Master Plan Amendments" map and associated narrative.


CHAIRMAN


SECRETARY

Thompson, Daniel W. - PDR

From: Boyers, Scott (scott.boyers@cbre.com)
Sent: Sunday, November 10, 2013 12:38 PM
To: Thompson, Daniel W. - PDR
Cc: Olinger, Mark A. - PDR; Bailles, Jonathan T. - Council Member; Bruce Tyler
Subject: Chadwick's SUP Comment Letter Errors
Attachments: ExcerptFromLGP MasterPlan Questionnaire.pdf; Chadwicks SUP Planning Cimmission Letter.pdf

Wily: In reading over the materials for the Chadwick's SUP meeting on Nov 20th, I saw the Comment Letter from Planning Staff regarding the application. There is, as I see it, a significant misstatement of fact as a premise for Staff's opinion on the project. I have copied the Comment Letter and highlighted the sentences that I believe are not factual, and are leading staff to inaccurate conclusions as they consider this type of SUP.

The statements highlighted say that the "vast majority of residents, property owners, and business owners voiced their satisfaction regarding the current pattern of development for the area". That is not a factual statement. As an interested party to the Master Plan discussions, and an active supporter of the Master Plan process, I attended and actively participated in all the neighborhood meetings convened thanks to Bruce Tyler and Planning Staff. Libbie & Grove was specifically excluded from that overall discussion. In fact, for the most part so was Patterson & Libbie. The above statement of "satisfaction" is simply not true, there was no such survey for opinion on those Community Commercial Districts. Consequently those discussions of heights and densities have yet to be held, and remain questionable in the Master Plan implementation as presented by Staff.

I have also attached the survey questionnaire that was circulated and responses given by participants at the second of the Master Plan meetings. The locations that were selected for survey by Staff were "Libbie Avenue between York Avenue and Kensington Avenue" and "Patterson Avenue between Westview Avenue and Dunbar Street". Most of us in the neighborhood have no idea where Dunbar Street is, so I took it as mostly representative of Patterson Avenue, up through the Community Commercial District. Take it as you will, it clearly shows an acceptance by the attendants of the Master Plan meetings for a type of development that is not being represented by Staff. In no part of that discussion was there any expression of satisfaction for status quo for Libbie & Grove, the question was simply not asked.

I ask that Planning Staff correct its assumptions in responding to SUP applicants. The votes by the neighborhood have already been taken including those neighbors that were motivated enough to attend the Master Planning meetings, and express their opinions. We should not be throwing away the work that has been done by interested residents in favor of a revote by people who were not interested enough to attend and be heard in the first place.

Thanks,

Scott Boyers

Scott Boyers | Vice President
CBRE Richmond Multi-Housing Investment Properties
6641 West Broad Street, Suite 101 | Richmond, VA 23230
T +1 804 237-8081 | F +1 804 320 4839 | C +1 804 837 5768
scott.boyers@cbre.com | www.cbre.com/scott.boyers

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11/11/20 3

Ebinger, Matthew J. - PDR

From: Anne Daniel [anne.daniel@verizon.net]
Sent: Tuesday, May 31, 2016 9:15 AM
To: Ebinger, Matthew J. - PDR; Olinger, Mark A. - PDR
Subject: SUP for Westhampton LLC

First off thank you for the meeting last Wednesday.

I am still very concerned regarding how the Westhampton LLC still not regarding the scale and character of the neighborhood. They still could have a Taste Unlimited and Tazzos kitchen with a 2 story(28 feet) building. There will be more than enough density with these two restaurants compared to the theater. The buildings will be there and the tenants will change over time. Why not make the buildings closest to the neighbors only 2 stories. If they are planning to take the Westhampton down, they could even make that 2 stories. Make the new building 28 feet from the tallest point of the structure, don't add more square footage. This is only a 4 block area. It is going to overpower the area.

I do not see a need for apartments at Libbie and Grove because the closest neighborhoods do not want apartments. Specifically quoted from previous article and with apartments there will be more traffic and parking issues. Plus because the rents will be high, there will be significantly more than one person per apartment unit. Same with condos. Does there really need to be that many apartments and condos surrounding Libbie and Grove. Without the infrastructure or thoughts of future developments this will be awful.

When the original SUP was presented, it said that parking and traffic study needed to be done. I am sure the developers waited from the February 16 admission because now if they do a parking and traffic study schools are out and many many folks disappear from Richmond on the weekends. So now if they did their parking and traffic study, it would be fine because everyone is gone. I would postpone the meeting on July 18. Have them do a traffic and parking study when schools and people are back from vacation. Or if they did their parking study during the private schools spring break that would not be consistent with the other 9 months of the year. Also I cannot tell that they even considered how delivery trucks for the restaurants are going to be able to progress rapidly and efficiently. Normally when I go to University of Richmond it takes less than 10 minutes. When school is in session, it can take a much longer than that because of all the traffic volume around the schools. Sometimes as much as 30 minutes. Sometimes quicker to walk..

Planning staff needs to address all the projects that are on going. If this is looked a piece meal, Libbie and Grove will be a chaotic mess. Not enough infrastructure to make all the projects work. Would it not be nice for all the projects to work in harmony instead of just looking at individual projects. How are the sewers going to handle all the extra people? How are the closest neighbors going to deal with traffic going through our streets in Tuckahoe Terrace to get around everything that will be in progress up there.

Many people are on vacation in July. I would like the planning commission to change it to the fall instead of in the middle of the summer when a lot of folks are not available. Or have you all already approved this and the Wednesday night meeting was just to make the closest neighborhoods from feeling left out? There are lots of signs that support existing zoning. Taller is not always better. Changes are inevitable but all the projects need to be taken into account as well as addressing where are all the people going to park that show up in these new restaurants which are very very busy in other locations.

Anne Daniel
Seneca Road

Ebinger, Matthew J. - PDR

From: Greg Lucyk [gglucy@comcast.net]
Sent: Tuesday, May 31, 2016 6:04 PM
To: Olinger, Mark A. - PDR
Cc: Baliles, Jonathan T. - Council Member; Ebinger, Matthew J. - PDR
Subject: Westhampton/Long and Foster SUP Application
Attachments: SLGMaryMunford.5.25.16.docx

Dear Mr. Olinger,

I attended the public meeting at Mary Munford last Wednesday on the Westhampton, LLC Special Use Permit application and made a few remarks. I thank you for your participation and for providing an opportunity for us to present our views. I had a prepared written statement to present but due to the time constraints, I was not able to address all of the points in my remarks. Accordingly, I have attached a copy of my written statement to this message and would appreciate if you would review the same and make it part of the record in this matter.

In addition, coming into that meeting I had concerns about the increased traffic, parking and congestion that would be occasioned by the proposed development. In my view, the comments from the developer's counsel confirmed the worst. The existing parking lots behind the theater and alongside Long and Foster provide parking spaces for 150 vehicles and this already is not enough. Employees and patrons of the Blue Goat, Continental and other businesses often must park along Grove Avenue and on our neighborhood streets. We now know the developers will eliminate all 150 public spaces and replace this with 111 private spaces in a fenced, gated lot, with one entrance to the lot on Granite and one exit out York Road to Libbie. Now add hundreds of new employees, patrons, office workers and tenants from the development, and delivery trucks that must double-park on Grove to serve the restaurants. Congestion and gridlock will overwhelm Libbie Avenue, Grove at Granite, and our neighborhoods.

This parking plan is based on faulty assumptions (i.e., the tenants will all be "young professionals" who will not be there during the day), is poorly thought out, and is grossly inadequate. Traffic and parking issues were anticipated by the DPW and Planning staff, and I understand that is why the developers were directed by the staff to submit with their application "a circulation and parking study for the area to ensure we have the best plan." However, the developers did not submit a parking plan, and the only reason given by their counsel is that it was "unnecessary." This is arrogance and ignores the staff's clear and unequivocal direction. Whatever the reason, without the study, the application is incomplete, and it would be an abuse of discretion to let the plan go forward on this inadequate record. Accordingly, I ask that consideration of the application be postponed pending completion of the circulation and parking study. The filing of the ordinance later this month should be postponed, and the hearings set before the Planning Commission and City Council on July 18th and July 25th should be taken off the docket.

Further, I would like to get a copy of the "traffic study" that the developer's counsel referred to at the hearing. I want to see the data providing the basis for their conclusions about the impact of the development on traffic, and especially whether the entrance and exit patterns from their parking plan are factored into the results. Please let me know how I can get a complete copy of the study. If you wish me to file an FOIA request, I will be happy to do so. Traffic is a grave concern for those of us residing so close to this proposed development. I just returned to my home office desk from watching the clean-up of another accident at Grove and Granite at 4:15 pm today. A sedan heading south on Granite was crossing and attempting to turn left onto Grove. The driver's vision was obstructed by parked cars and traffic backed up on Grove. The driver pulled out into the path of an oncoming motorcycle heading west of Grove. The motorcycle broadsided the sedan, and the motorcycle operator was injured. He was taken away on a stretcher in an ambulance. I spoke to two young ladies at the scene who came from the newly opened Engel and Volkers real estate office on Grove. I asked if they witnessed the accident. They said no, but they heard it. Both said they hear that all the time since opening the office - screech and crash, screech and crash. "This intersection is very dangerous and someone is going to get killed if they don't do something about it." Imagine this intersection with even more line of sight obstructions, and all those new employees, patrons, office workers and tenants trying to get into that single gated

entrance. This proposal is nowhere near ready for implementation, and further study with specific recommendations must be undertaken before any consideration of approval.

Please let me know if you have questions or need additional information. I look forward to hearing from you on my inquiries at your earliest opportunity. Thank you for your attention to this correspondence.

Gregory Lucyk
300 Seneca Road
Richmond, VA 23226
804.920.7031
gg!lucy@comcast.net

SAVE LIBBIE AND GROVE – Mary Munford Remarks prepared by Gregory Lucyk

My wife and I live on Seneca road in Glenburnie. Our home is situated about 100 yards from this development. If you look out the back window on the second floor of our home, you can see the theater façade looming up in the sky. We are truly “Ground Zero” for this project. What they do up there could have a significant impact on our quality of life and property values.

At the outset, please understand that we are not opposed to development. We welcome improving and bringing new business into our urban village corridor. Our concern is and always has been the developers’ demand to pursue building heights that far exceed the 28 foot height limit required by the existing zoning ordinance. We only wish to “save existing zoning.” The first “Special Use Permit” (SUP) proposal filed by these developers in December sought an exception to build a massive, 64 foot, four-story building stretching from the Theater all the way down to Granite Avenue. The City Planning staff wisely recommended against this proposal because it would change “the scale and character” of our urban village. The new SUP proposal, filed on May 11th, is not much better, and in some respects is worse.

The new SUP calls for two three-story buildings, nearly 50,000 total square feet, again stretching from the theater down to Granite. The new buildings would be 40 feet high (compared to 32 feet for the existing theater and 17 feet for the Long and Foster building). This is a dramatic departure from the reasonable requirements of the zoning ordinance, and WILL change the scale and character of the neighborhood.

In addition to the sheer size of this project, with five retail/restaurant spaces on the first floor, four large offices on the second floor, and 12 apartments (NOT “high-end condos” as originally promised) on the third floor, it will add many more people, cars and congestion to our neighborhood. Please note the following additional concerns:

Parking – Parking has become a serious problem for our area. Many employees and patrons of the existing businesses already are forced to park along Grove Avenue as far down as Seneca Road, and on both sides of Granite Avenue. This is so even though there are currently a total of 150 *public* access parking spaces in the lot behind the theater, and in the small parking lot alongside the Long and Foster building. The SUP proposes to eliminate all 150 public parking spaces, and replace them with 111 *private* parking spaces in a fenced in lot – a total loss of parking for existing business customers and employees. And the number of access points for parking, which now is five, on Granite, Grove, Libbie and York – will be reduced to one gated entry on Granite, and one gated exit on York. In addition, the proposal allows only three parking spaces for twelve apartments with 16 bedrooms. If couples rent those apartments, that could mean 25-30 additional vehicles. Where will those tenants park? And how many additional employees will four retail/restaurants business and four large offices bring in? 70? 80? They could take up most of the spaces alone not to mention dozens that will be required for customers. In sum, parking for the proposed development is grossly inadequate. This huge project creates too much congestion, with too many people and too many vehicles. It will impose an even greater burden on our neighborhoods, and it should be scaled back.

Traffic - Likewise is a serious concern, and the inevitable increase in traffic occasioned by the addition of five retail units, four offices and twelve apartments will adversely impact the general welfare and safety of our Glenburnie community. All of us, over the years, have observed a significant increase in traffic congestion and motor vehicle accidents. There is much more "cut-through" traffic between Patterson and Grove from motorists seeking to avoid the congestion on Libbie. Moreover, the intersection at Granite and Grove has become downright dangerous. For drivers on Granite, due to very poor line of sight, it is already difficult to see oncoming traffic heading east on Grove. Imagine how hard it will be to see oncoming traffic with cars parked on Grove where the Long and Foster parking entrance is now located, and a new structure extending all the way to the street. Traffic congestion and lack of adequate vision will only become worse with this project, and this already dangerous intersection will be even more so.

Quality of Life – We have been fortunate living here in Glenburnie, close to the conveniences of the urban village, but relatively unencumbered by excessive noise, light or extreme congestion. At this time, the shopping district shuts down after hours. It is peaceful and quiet. That will change if this project is approved, especially with noise and light pollution from the proposed rooftop apartments. First, the sky will be lit up at night with multiple lights from those rental units, and halogen spotlights on their outdoor patios. And make no mistake about it, these will become nighttime "party patios," with loud voices and music, all of which will come through loud and clear into our second floor bedroom windows. That will put an end to the quiet charm of our Glenburnie neighborhood.

There is no good reason to change the whole character of this vibrant, unique neighborhood by allowing sweeping exceptions to long-existing building codes. This is all too much, and all happening too fast. These developers, like most, are only concerned about their return on investment, and will push the envelope as far as possible. As residents, we rely on the protections and the limitations of our zoning ordinances to ensure our neighborhoods remain safe and livable. And we count on our planning administrators and elected officials to uphold these reasonable community expectations. For all these reasons, we ask that the SUP be denied, and the developers be directed to further revise their plans to decrease the height and density of the structures to a level more compatible with existing zoning.

Ebinger, Matthew J. - PDR

From: Betsy Gardner [betsygzgardner@verizon.net]
Sent: Thursday, May 26, 2016 2:23 PM
To: Ebinger, Matthew J. - PDR; Olinger, Mark A. - PDR
Cc: Baliles, Jonathan T. - Council Member
Subject: Westhampton on Grove Project - Meeting Follow up

Good afternoon,

I attended the meeting last night and was disheartened over the continuing plans of the Westhampton LLC project. At this point there has been no solution offered to the traffic and parking issues that will be presented by this project. It was reiterated by their lawyer that they are within their rights and city guidelines and are fulfilling the requirements for parking with this project. This message continued as they were pressed on the parking issue to the point that it meant "we have our parking which is all that matters....tough luck to the rest of you".

Couple of bad jokes here....They have their "required" parking but not parking to meet the needs of these proposed businesses. Mango Salon itself will eat a third or more of the parking and the other 3 businesses will take the rest. That leaves almost nothing for the offices and residents above in their own building. Where will they go??

You still have Jack Browns, Starbucks, Grey Goat, Ice Cream Church, Continental and several businesses with similar parking needs. Yes, they existed and have made do. But the attitude that this project's parking "requirements" are met so the city and developer don't need to concern themselves over the rest is total BS. If you are City Planners you will end up contradicting your job titles. This is not planning. This is everyone patting themselves on the back for "meeting requirements" while the surrounding neighbors and businesses hold the bag (and I think I already told you what's in that "bag".)

There seems to have been a traffic study but the constituents have no further information on it. When was it done? By whom? What times of day? For the sake of transparency this needs to be made public.

And where was the parking study? Did it only apply to their building alone? We believed there should be something that should take in to consideration the needs of these businesses as a total and the surrounding businesses and neighborhood. Will the stress of the increased parking lead to the need to fan like permits? Are you ready for that?

Furthermore we need to not kid ourselves. As planners you are likely aware that developers now hold the properties across the street including the gas station and adjacent building. Permitting the full 3 stories for the Westhampton LLC and it's inadequate parking is now the precedent. They will argue that they should be allowed the same and to the same requirement standards on parking. You know...one space per 4 residential units, etc. Because residential parking should be played like musical chairs though the odds with musical chairs is better.

I'll apologize now for my snarkiness but I have lost faith in the process. City planners are supposed to have plans to better a community that is bettered by the development. This would not. To create parking and traffic issues that will escalate with further development

is contradictory to your role. It's allowing the developers to take the money and run. And leaving the surrounding existing businesses and residents to pay the price. We already pay enough. Please...no more.

I ask you reconsider and truly look at the long term and short term impact of this approval. I support rehabilitating those buildings and creating mixed use but not at this cost.

Thank you,
Betsy Gardner

Ebinger, Matthew J. - PDR

From: Julia Dillon [julia313@verizon.net]
Sent: Wednesday, May 25, 2016 1:01 PM
To: Baliles, Jonathan T. - Council Member; Ebinger, Matthew J. - PDR
Subject: Westhampton Development at Grove and Granite

I will be unable to attend the Public Meeting at Mary Munford tonight but I want to voice my opposition to the latest proposed development by Westhampton, LLC. Although I am not opposed to development, I have a number of serious concerns regarding this particular proposal. They are: (1) building heights far exceeding the existing required zoning ordinances (2) Lack of Parking (3) Increase in traffic for an already very busy small area (3) change in the character of our neighborhoods surrounding this area.

I hope you will listen closely tonight to those who will expand on my reasons for opposing this project as it stands. We do not want to turn into a Carytown.

Julia Dillon
100 Granite Avenue
Richmond, Va. 23226
julia313@verizon.net

Ebinger, Matthew J. - PDR

From: Rodney Jefferson [rjefferson@littlescholarsllc.com]
Sent: Wednesday, May 25, 2016 9:01 AM
To: Baliles, Jonathan T. - Council Member; Ebinger, Matthew J. - PDR
Subject: Westhampton Development

Mr. Baliles and Mr. Ebinger,

I live on N. Wilton Road in walking distance to the proposed development at Granite and Grove. My family walks to the local restaurants and shops on a weekly basis and my children frequently walk home from their respective schools passing Granite and Grove on their way home.

I have serious concerns about pedestrian safety in this area. I feel this area is already unsafe for pedestrians and the proposed development will make the current safety issue much worse.

Regardless of whether the development is approved, the following should be considered.

1. Extend the 25 mph speed limit further east on Grove by at least a quarter of a mile. Cars headed west are coming in to the curve near Granite at an unsafe speed. Cars headed east are accelerating out of the curve at an unsafe speed.
2. Ask Richmond Police to set up radar in this area. Police never monitor the traffic in this area but their presence would slow down dangerous cars.
3. Install a major crosswalk at, or just east, of Granite and Grove. The new crosswalk should be well marked and clearly visible to all.

Thank you for considering these important measures to improve the safety of our citizens.

Regards,

Rodney A. Jefferson

Ebinger, Matthew J. - PDR

From: Burton Kunz [burtjk@yahoo.com]
Sent: Wednesday, May 25, 2016 5:48 PM
To: Ebinger, Matthew J. - PDR
Subject: Libbie & Grove Development

Dear Mr. Ebinger,

While I understand that some re-purposing is needed to keep the Shops at Libbie and Grove viable, the proposed elimination of public parking places will harm not help the existing businesses. I have noticed that on weekends cars are parking in the adjoining streets with the current number of public parking stalls. Years ago the city of Richmond had to take down the mall downtown which failed in part because of insufficient parking. It would be a shame to make the same mistake in the Libbie and Grove area.

As presently proposed I am opposed to the proposed development and I can not support the proposed special use permit. If the proposed project can provide additional public parking then it would create a case for approval. I can be reached by phone 804-763-9630 or by email

burtjk@yahoo.com.

Sincerely,

Burton J Kunz
404 Seneca Road
Richmond, VA 23226

Ebinger, Matthew J. - PDR

From: Anne Daniel [anne.daniel@verizon.net]
Sent: Wednesday, May 25, 2016 9:35 AM
To: Baliles, Jonathan T. - Council Member; Olinger, Mark A. - PDR; Ebinger, Matthew J. - PDR
Subject: I DO NOT support Westhampton on Grove!

TERRIBLE... See you all tonight.

Ebinger, Matthew J. - PDR

From: Betsy Gardner [betsyzgardner@verizon.net]
Sent: Saturday, May 21, 2016 2:35 PM
To: Ebinger, Matthew J. - PDR
Subject: Development of the Libbie & Grove area -

Dear Matthew,

I urge you once more to deny the SUP for the Westhampton on Grove project. Thought the new set of plans have reduced the height to what looks like a better compromise, there are several issues not addressed.

PARKING:

In the plans I counted 103 parking places that still don't meet requirement of 111 that in itself look like bad math. There are 12 residential units and only 3 "required" parking places. 19 allowed for the restaurant and another 92 for the commercial which would include a busy restaurant-like establishment Taste Unlimited. The surrounding area can't support what will be parking overflow from these businesses. And no one has talked about the existing 3 restaurants, Starbucks, Ice Cream parlor and assorted retail that have seriously unmet parking needs.

With a lack of parking, we can expect endless circling cars seeking parking on street or other. Traffic on this block is already dicey at prime times of the day. It will soon become seriously worse pushing cars into surrounding neighborhoods to avoid it or find parking. The walk-able allure of this area will be shot. Pedestrians who will try to avoid driving will have to still dodge cars making quick turns and trying to jockey for spaces.

PEDESTRIANS:

Speaking of Pedestrians, this is a highly trafficked area for students going to and from school. The increase of traffic volume will further increase risk for any walking or biking children and adults.

OVERDEVELOPMENT:

To allow this you are breaking the seal. 3 stories at the height of almost 44 feet is almost double the existing 28 feet currently allowed. Slick developers with well crafted renderings duped neighbors to thinking the Tiber on Libbie and the Chadwick building would blend in with the surrounding area. There is serious "buyers remorse" for neighbors who now live with those building now.

Allow this and the new owners of the properties across the street will not only want the same but higher. And how could you deny them? You let Westhampton do it. The entire character of this block will be gone.

AND MORE PARKING ISSUES...

If the 2 parcels mentioned above get their 3 stories or more, what was already ridiculously figured parking will become a joke. There is no way to create more out of what currently exists unless someone want to spring for a deck. Neighborhood streets will be used and

residents will pay the price. More traffic, more endless circling of blocks looking for parking. This area cannot bear the increased need from this or future developments.

I truly beg you do not approve this. This is such a historic, unique corridor in Richmond. People love it because it's not Short Pump...it's rather eclectic and diverse in it's stores, restaurants and structures. Sure, develop and improve what is there but within the existing 28 ft standard. It can be done....please hold them to it.

Thank you for your consideration....
Betsy Gardner

Ebinger, Matthew J. - PDR

From: Betty Dobbie [bettybeach51@gmail.com]
Sent: Friday, May 20, 2016 11:59 AM
To: Baliles, Jonathan T. - Council Member; Ebinger, Matthew J. - PDR
Cc: amesrussell@verizon.net; WGS4155@aol.com
Subject: In support of Save Libbie and Grove!

Dear Councilman Baliles and Mr. Ebinger:

I live in the Westwood area along Libbie Avenue, and consider the Shops on the Avenues to be my go-to destination for dining, entertainment, and shopping. While I happen to live in a sliver of Henrico County surrounded by the city, I nevertheless consider myself to be a *Richmonder*, born and bred, and I deeply value my community. I have followed the news coverage of the various plans for redevelopment of the 5700 block of Grove Avenue with distress and alarm. There is no good reason to change the whole character of this vibrant, unique, "very Richmond" neighborhood by changing long-existing building codes. I urge you to ***reject*** the Special Use Permit Application submitted by Westhampton LLC seeking an exemption from the standard zoning height of 28 feet.

I plan to attend the May 25th meeting at Mary Munford Elementary School.

Sincerely,

Betty Dobbie
5801 S. Crestwood Avenue
Richmond VA 23226

Ebinger, Matthew J. - PDR

From: Baliles, Jonathan T. - Council Member
Sent: Friday, May 20, 2016 11:11 AM
To: 'Lucy Tillou'
Cc: Ebinger, Matthew J. - PDR; Wong, Yueh (Eli) H. - City Council Liaison
Subject: RE: Libbe and Grove

Thanks Lucy. I have copied Matthew Ebinger in Planning to add your letter to the project file.

Hope to see you at the meeting next week.

Jon

From: Lucy Tillou [mailto:lucytillou@gmail.com]
Sent: Thursday, May 19, 2016 2:05 PM
To: Baliles, Jonathan T. - Council Member
Subject: Libbe and Grove

Councilman Baliles,

I am writing in regards to the proposed zoning changes for the Libbie and Grove area. I grew up in Glenburnie, just down the street from the proposed area, and plan to move back to the area in the next couple of years. I can't imagine how much more congested and unsightly the area will become with the proposed developments. With three schools in the area, the size and scale of the current commercial space is just right. An increase to that commercial space and/or the addition of apartments or condominiums would very much detract from the character and charm of the area. Please do not approve the new zoning changes. It will have a great negative impact on a great area.

Sincerely,
Lucy Tillou

Ebinger, Matthew J. - PDR

From: Anne Daniel [anne.daniel@verizon.net]
Sent: Friday, May 20, 2016 10:35 AM
To: Ebinger, Matthew J. - PDR
Subject: Grove Avenue and Beyond.

Good Morning, Mr. Ebinger,

I am very concerned with the "New" SUP that was submitted by the Westhampton Developers. My biggest concern is the scale and character of the neighborhood is never going to be the same. Too tall buildings so very close to residential neighborhoods. And now looking at it with the apartments instead of condos is just ridiculous. One parking space for four apartments?? Also very difficult to tell how high is the highest point.. Wow.. still way way too tall! This enormous block will change the whole character and feel of the neighborhood. It will soon be like the St. Mary's sprawl.. Taking houses all the way down Libbie and Granite.. and it will just continue Then you add in all the projects with St. Cats, St Chris, St Bridgets... plus St Mary's.. What a crazy area we will have. No one will be able to walk anywhere or drive anywhere without sitting for a long time waiting on traffic. I only wish I had not been out of town and out of the country when Chadwicks got approved. Chadwick is 45 feet. Taller than 3 stories! Tiber is a disgrace to the SUP's which is why the existing zoning needs to be kept to 28 feet.. There are sure going to be many many empty tall buildings all around the area. Also add in Monument Square and Libbie Mill..

The planning commission needs to take into account all the different traffic studies on all the locations from St. Mary's over to Grove. Also someone should do a traffic study for all the cut through streets around Libbie. I understand that each developer is only responsible for their own portion of things but you all really need to look at what will happen with All the areas in relation to traffic and parking. Too many piece meal projects makes it look like traffic and parking would not be a problem. That is simply not true. IT is the whole area that is going to be changed forever. And will be way worse than Short Pump because this is just a 4 block area.. Why in the world would anyone think 3 or 4 story buildings reflect the same scale as 28 feet?

Sometimes I feel that the planning commission is not taking into account anything the neighbors want. I recently learned of the Westhampton Citizens Association is for this area. I have lived in this area since I graduated from Pharmacy school (1979) and never had heard of this association before. In fact, most are not from the direct neighboring areas. How is that possible that the commission would believe NON neighbors.. I am sure if something like this happened in their neighborhood there would be a problem.. Is it correct that the new board president works for the city? This to me seems to be a conflict of interest if you all are listening to all neighborhoods surrounding all the new developments and the WCA is only a very small percentage of closest neighbors.

Thank you,

Anne Daniel

Ebinger, Matthew J. - PDR

From: Kathy Watson [krwatson12@gmail.com]
Sent: Thursday, May 19, 2016 10:21 AM
To: Baliles, Jonathan T. - Council Member; Ebinger, Matthew J. - PDR
Subject: Westhampton on Grove

I plan to attend the meeting on Wednesday regarding the revised plans of 'Westhampton on Grove'. My guess is the meeting will be quite contentious between those for and against. For that reason, I would like to put some of my thoughts and concerns in writing to you before the meeting.

While the new plan is superior to the original plan, it still does not address many of the nearby residents' concerns. As a resident on the corner of Matoaka and Granite for 33 years, I have personally witnessed the increase in traffic and overflow parking in our area. I carefully choose what time of day I frequent the area for shopping, etc. because of the traffic, congestion and parking issues. Weather permitting, I almost always walk to most of the stores, but when dropping off large packages at the UPS store, buying groceries at Libbie Market, or shopping for clothing, it is not practical to walk when I will be burdened with large items coming or going. We keep hearing that the desire is for this to be a pedestrian shopping district but that just isn't enough justification for insufficient parking. The overflow parking on Granite is already a menace and unfair to the residents. It continues to get worse and Granite is simply not wide enough to accommodate much more traffic. The intersection at Grove and Granite is already extremely dangerous and a light is desperately needed there for safety and traffic congestion control. Cars literally fly around the blind corner heading east on Grove and cars also drive way too fast on Granite. A light at the intersection would at least help slow traffic down and help with the high congestion at many times day. With two schools located in the immediate area and many young children walking and crossing streets, safety should be a primary concern.

I am certainly not anti-development, but it must be done right. How can the city possibly justify adding more businesses and residences with insufficient parking? This is a recipe for failure. The developers say it is not cost effective for them to build more parking, so the city must step in and provide adequate parking if they approve these plans. There is a net decrease of parking spaces with the new plan and some of the older established businesses will not have access to these spaces which might drive them away. All of a sudden there isn't a market for condominiums? That should have been obvious months ago. Only 2 of the Chadwicks condominiums are sold, and let's not even get started on the debacle of the Tiber! With apartments in the new plans, I suppose the idea is to attract U of R students. That is not exactly the clientele that residents desire. Also who will want to rent an apartment with only one designated parking space?

As usual, the new renderings look lovely, but close inspection of the corner rendering shows wide sidewalks and lovely grassy medians along the east side of Granite and also along Grove in the block before the development. Granite also looks wider in the renderings. Is that part of the developers' plan? I doubt it, and I certainly don't think it's part of the city's plan if they can't even put in a traffic light or provide adequate parking for the proposed new businesses and apartments.

In short, once again, these plans seem woefully inadequate in addressing the concerns of the nearby residents and parents of school children attending St. Christophers and St. Catherines.

Respectfully,
Katharine Watson
5507 Matoaka Road

Ebinger, Matthew J. - PDR

From: Lloyd Osgood [lloydosgood@gmail.com]
Sent: Sunday, April 03, 2016 4:05 PM
To: Ebinger, Matthew J. - PDR
Subject: Fwd: In support of existing zoning laws for Libbie Grove area

Dear Mr. Ebinger:

Please consider this a request for the City Planning office to maintain existing zoning requirements for the Libbie Grove area. I live four blocks from this charming district and have no desire to see three stories of building tower over me as I approach the area on Grove.

Thank you for your consideration.

lloyd osgood
201 Tuckahoe Boulevard
Richmond, VA 23226

Ebinger, Matthew J. - PDR

From: Cherry Jones [cherryhjones@gmail.com]
Sent: Thursday, March 31, 2016 10:17 PM
To: Ebinger, Matthew J. - PDR
Subject: Fwd: Libbie Grove area

----- Forwarded message -----

From: **Cherry Jones** <cherryhjones@gmail.com>
Date: Wed, Mar 30, 2016 at 9:14 PM
Subject: Libbie Grove area
To: jonathan.baliles@richmondgov.com, matthew.ebinger@richmondgove.com
Cc: Gary Jones <gjones@saintstephensrichmond.net>

I live around the corner from the Westhampton Theater and am opposed to any building which might change the character of our neighborhood. Specifically, I oppose any building which is over the 28 feet height which is what is zoned for our small-scale neighborhood. I understand that there is a SUP for a 64 feet building.

Please do not support the Special Use Permit which would permit a taller building which goes against our current zoning.

Thank you

--
Cherry H. Jones
412 Maple Ave
23226

--
Cherry H. Jones

Ebinger, Matthew J. - PDR

From: Mamie Farley [mamiefarley@icloud.com]
Sent: Thursday, March 31, 2016 2:01 PM
To: Ebinger, Matthew J. - PDR
Subject: Libbie and Grove Zoning

Please help preserve our neighborhood by supporting the existing 28' zoning limitations!
Thank you!!

Libbie and Grove resident, Glenburnie, Mamie Farley

Ebinger, Matthew J. - PDR

From: Linda Gardner [lgg0928@aol.com]
Sent: Thursday, March 24, 2016 11:41 AM
To: Ebinger, Matthew J. - PDR
Subject: Save Libbie Grove

Mr. Ebinger,

My husband Roger and I have lived in Richmond for 27 years ... 2 years in the city, followed by 23 years in Henrico County, and now back to the city for the past 2 years. I LOVE living in the city because I embrace the character and charm of the older areas. Of course I know that things change and therefore I am not opposed to development in the Libbie Grove area; however, I am opposed to a change in zoning and to approval of the special use permit. We moved to Libbie Avenue from Short Pump as an effort to be in an area where in addition to a safe, friendly, walking environment, we could enjoy the beauty and quaintness of Libbie Grove - this is it's appeal!! I do support development, but I do not support a re-creation of Westbroad Village (high rise residential and retail) which is what I just left in Short Pump. I ask that you please consider keeping with the current height restrictions in the area and support current zoning. Thank you for your time and consideration in this manner.

Linda Gardner

15 Libbie Avenue

Ebinger, Matthew J. - PDR

From: Lynn Niese [lynn@onesouthrealty.com]
Sent: Wednesday, March 16, 2016 12:31 PM
To: Baliles, Jonathan T. - Council Member
Cc: Ebinger, Matthew J. - PDR; info@savelibbieandgrove.com
Subject: Save Libbie & Grove

Importance: High

Councilman Balilies: I live on Granite Avenue off Libbie & Grove and SUPPORT EXISTING ZONING. Thanks, Lynn Niese

Lynn Niese

Office Manager

One South Realty Group

2314 W. Main Street

Richmond, VA 23220

804.353.0009 (office)

804.353.0991 (fax)

lynn@onesouthrealty.com

Ebinger, Matthew J. - PDR

From: al@gallerya.biz
Sent: Tuesday, March 15, 2016 5:29 PM
To: Balilos, Jonathan T. - Council Member
Cc: Ebinger, Matthew J. - PDR
Subject: [FWD: RE: Frontal rendering of proposed Theatre Project within current zoning]

Dear Mr. Bailies and Mr. Ebinger,

My neighbor Catherine Whitham asked that I forward the attached email to the both of you. Thanks for your time and consideration.

Best regards,
Al Calderaro

Al Calderaro
Executive Producer
The Judge - A Documentary
Gallery A Productions, LLC
1313 E. Cary St., Suite A
Richmond, VA 23219
al@gallerya.biz
www.gallerya.biz
804-240-0787 (direct)

----- Original Message -----

Subject: RE: Frontal rendering of proposed Theatre Project within current zoning
From: <al@gallerya.biz>
Date: Tue, March 15, 2016 4:42 pm
To: "Catherine Whitham" <cwhitham@comcast.net>

Catherine,

Thanks for keeping us in the loop on this. I find it interesting that the City is even considering an SUP for this project. I remember the big meeting a few years back at St. Christopher's when the Planning Department representatives told the audience that one of the primary reasons for rezoning Libbie between Patterson and Grove was to avoid issuing SUPs in the future.

SUPs are in effect spot rezones, and are generally considered to be bad Planning practice. One of the reasons SUPs are granted is they act as a kind of stealth rezoning of an area without doing all the traffic, infrastructure and demographic studies that would be required of a comprehensive rezone. These studies are costly and time consuming and are also subject to extensive public review.

However, these are exactly the kind of studies that need to be done if you are going to rezone an area for a more intensive use. You need to know what the effects of the rezoning are likely to be, and also what kinds of infrastructure improvements are required to facilitate the projected development. Hopefully these studies will avoid the types of unintended consequences that can result from the intensified use, i. e., traffic spillover into the surrounding residential areas and greatly increased traffic congestion, etc.

The continued use of spot zoning avoids the kind of long range planning that would mitigate the potential negative impacts that could result from the over development of individual parcels within a relatively small area.

The City's Master Plan states in general terms the future of the Libbie/Grove area as follows:

• **Expansion of the Libbie/Grove Service Center**

Expansion of the Libbie/Grove Service Center should be limited to the area on the west side of Granite Avenue between Grove Avenue and York Street as shown on the Land Use Plan map. No new non-residential development should be allowed to expand into the residential neighborhoods east or west along Grove Avenue or north or south along Libbie Avenue, beyond the boundaries shown on the Land Use Plan map. Transitional office uses along the southern edge of the Service Center and at the intersection of Maple Avenue and York Road are intended to provide adequate buffering between adjacent residential uses and the commercial core of the Service Center.

It would seem that in keeping with its view of the area the City should undertake a comprehensive review of the existing zoning, including the types of studies outline above, to determine what changes, if any, should be made to the existing zoning and what types of infrastructure upgrades would be required for future development. It would probably also be wise to avoid the issuance of additional SUPs before such a review is completed.

Best regards,
Al

Al Calderaro
Executive Producer
The Judge - A Documentary
Gallery A Productions, LLC
1313 E. Cary St., Suite A
Richmond, VA 23219
al@gallerya.biz
www.gallerya.biz
804-240-0787 (direct)

----- Original Message -----

Subject: Frontal rendering of proposed Theatre Project within current zoning

From: "Catherine Whitham" <cwhitham@comcast.net>

Date: Mon, March 14, 2016 5:40 pm

To: "'Linda Easley'" <lkeasley@verizon.net>, "'Al Calderaro'" <al@galleryA.biz>, "'Bill Urban'" <>wgurban@gmail.com>, "'Lisa Caperton'" <locaperton@gmail.com>, "'Betsy Tyson'" <tysonb@stcva.org>, <Danpoppi@aol.com>, "'Cassandra Cossitt'" <cassandra.cossitt@unos.org>, "'Linda Joynes'" <ljoynes@verizon.net>, "'Edward Hettrick'" <edward.hettrick@comcast.net>, "'Ed and Knight Hill'" <knighted@verizon.net>, <norma.caruso@verizon.net>, <jlheim10@gmail.com>, "'Jill Gunter'" <jgunter1@mac.com>, "'Betsy Fralin'" <fralinbetsy@gmail.com>, "'Ethel Powell'" <ebp5502@aol.com>, "'Dixon Christian'" <dixonch@me.com>, "Kate Roy Christian" <kateroy@earthlink.net>, "Pat Ball" <jball11@verizon.net>, "Julia Dillon" <julia313@verizon.net>, "Cary Lindsey" <lindseych@msn.com>, "Donald Hill" <FAH2cats@aol.com>, " John Burgess" <A57270@aol.com>, "Kate Roy Christian" <kateroy@earthlink.net>, <judithcarpenter@mac.com>

Ebinger, Matthew J. - PDR

From: Sarah Wootton [swootton@me.com]
Sent: Saturday, March 12, 2016 2:34 PM
To: Ebinger, Matthew J. - PDR
Subject: Libbie and Grove

Dear Mr. Ebinger,

Thank you for your work for the city - it is appreciated!

I am writing to support the existing 28 feet zoning ordinance for the Libbie Grove neighborhood and to say that I hope the current proposal will be denied.

Thank you!

Sarah Wootton

Ebinger, Matthew J. - PDR

From: Cassandra Cossitt [mccossitt@gmail.com]
Sent: Thursday, March 10, 2016 11:27 AM
To: Ebinger, Matthew J. - PDR
Subject: Do Not Short Pump Libbie and Grove

Dear Mr. Ebinger,

I live just around the corner from the Westhampton Theater project and I join my neighbors opposing the Special Use Permit. Allowing three- or four-story heights on this block will destroy the increasingly rare small business character of the Grove Avenue corridor, while creating parking and traffic congestion that will threaten the peace and security of the adjacent residential areas. This SUP is not at all "special," and will pave the way for the BP Station and Muhleman properties developers to commit the same atrocities across the street.

Please do not "Short Pump" Libbie and Grove. Preserve the existing zoning and decline the SUP.

Thank you,

Cassandra Cossitt

20 Libbie Avenue

Richmond VA 23226

(804) 683 5653

Ebinger, Matthew J. - PDR

From: Elizabeth Williams [hattithurber@aol.com]
Sent: Thursday, March 10, 2016 7:21 PM
To: Baliles, Jonathan T. - Council Member; Ebinger, Matthew J. - PDR
Subject: Libbie and Grove

Gentlemen,

I oppose the grant of a SUP for the Westhampton project at Libbie and Grove. It will be difficult (to impossible) to deny future requests for SUPs that supercede the current height restrictions once this is approved. Already, construction of the Tiber and the expansion above Fraiche are out of proportion to the surrounding businesses and housing. The character of the area is threatened by these projects and granting yet another SUP will open the floodgates, permanently altering the character that the Master Plan very recently confirmed as appropriate for the area.

Thank you,
Elizabeth Williams

Ebinger, Matthew J. - PDR

From: J Heim [jlheim10@gmail.com]
Sent: Wednesday, March 09, 2016 8:01 PM
To: Ebinger, Matthew J. - PDR
Subject: Westhampton Theatre Project

Dear Mr. Ebinger --

I am writing to tell you my concern about the height of the proposed Westhampton Theatre Project. I believe the Times-Dispatch reported that your office also had concerns about the height and that the developer is expected to submit a revised proposal.

I do not oppose development at the Libbie and Grove Corner, but I am concerned that development beyond the 28-foot zoned height for commercial buildings will be detrimental to the landscape and ambience of the Corner and also to the surrounding residential community. I therefore urge you not to approve or recommend approval of any design that includes new construction exceeding the zoned height limit.

Thank you for your consideration.

Sincerely yours,

Joan Heim
804-285-0646

Ebinger, Matthew J. - PDR

From: Jordan Ball [jball11@verizon.net]
Sent: Wednesday, March 09, 2016 9:59 PM
To: Ebinger, Matthew J. - PDR
Subject: Libbie and Grove

The current zoning should be enforced and no special use permits granted.

Sent from my iPhone

Ebinger, Matthew J. - PDR

From: Catherine Whitham [cwhitham@comcast.net]
Sent: Monday, March 07, 2016 12:06 PM
To: Ebinger, Matthew J. - PDR
Subject: FW: Westhampton Theatre Project

From: Catherine Whitham [mailto:cwhitham@comcast.net]
Sent: Monday, March 7, 2016 12:05 PM
To: 'Baliles, Jonathan T. - Council Member'
Subject: Westhampton Theatre Project

Dear Jon and Matthew,

As the representative of the Westhampton Village Preservation Association (Maple to Granite Avenues and Cary to Grove) and 35 year resident of the neighborhood, I have been part of many SUPs as businesses have moved into former residences. The Theatre Project is shaping up to be a battle royal between those who want development to remain at existing two story zoning height and others willing to see something higher, as long as it is not too high.

When Jason Guillot first presented the Cametas plan, it was for three stories, and while many were not keen on increased height, people understood that for a developer to sink considerable money into drawings and a project, three stories, with residential on top, is a new model that should be considered. The problem is that Jason came back with a revised plan at four stories that everybody understands would be the beginning of a transformation at Grove and Libbie that would forever alter the village character of the area. If this plan is approved at four stories, there will be no turning back for the developers across the street who will argue that they need five stories because the parking must be underground.

I support development at Grove and Libbie, but I want to be on record as NOT being in support of anything above three stories. The Theatre Project as originally drawn was workable and Jason and company made design revisions to the first two stories that kept it from looking like CaryTown Place at Ellwood and Nansemond Streets. We applaud that willingness to make adjustments. However, the addition of the 4th story, allegedly because of the need to recoup costs from using top quality building materials that will ensure the building is there in 100 years is simply ridiculous. A quality project can be built with three stories and I hope City Planning will hold to this height. It is a middle ground that everybody can live with.

Sincerely,

Catherine Whitham
Representative, Westhampton Villlage Preservation Assoc
23 Libbie Avenue

Ebinger, Matthew J. - PDR

From: Ryan Keener [keener.ryan@gmail.com]
Sent: Monday, March 07, 2016 9:42 AM
To: Ebinger, Matthew J. - PDR
Subject: Libbie Grove Proposal

Mr. Ebinger,

I'd like to take this opportunity to voice my support for the existing 28 foot zoning ordinance for the Libbie-Grove neighborhood.

The character and charm of places like Libbie-Grove is what keeps my wife and I from moving to the county. We live at 4505 Hanover and love being able to walk to Libbie-Grove. While I'm for growth and development in most cases, I fear that the existing proposal will turn Libbie-Grove into a smaller version of West Broad Village which is extremely unappealing.

Thank you for your time and consideration.

Sincerely

--

Ryan A. Keener
804.314.2085
keener.ryan@gmail.com

Ebinger, Matthew J. - PDR

From: Linda Easley [lkeasley@verizon.net]
Sent: Monday, March 07, 2016 4:01 PM
To: Ebinger, Matthew J. - PDR
Subject: Save Libbie and Grove

I support the current zoning and maximum height limitation of 28 feet without any special use permits. I do not want to see another Downtown Short Pump on Grove Avenue. I've lived on Libbie for 33 years and have watched all the changes – some good, some not well thought out – please carefully consider all the long term results.

Linda Easley
804-282-7401
LKEasley@verizon.net

Ebinger, Matthew J. - PDR

From: Fred Wayne [buzzpalmore@gmail.com]
Sent: Sunday, March 06, 2016 8:17 PM
To: Ebinger, Matthew J. - PDR
Subject: Llbbie & Grove zoning

Dear Mr. Ebinger

I'd like to add my name to that list of owners who want to support the existing 28-foot zoning ordinance for this neighborhood.

Economic development and tax revenues are fine and dandy so long as they do not destroy the integrity of what we have. Many of us bought into this neighborhood because of the quality of life we currently enjoy. Once the decision is made to change the existing ordinance, we will never be able to undue the damage.

I hope we can count on your support.

Sincerely,
Frederick B. Wayne

Ebinger, Matthew J. - PDR

From: John Nestler [john.nestler@vcuhealth.org]
Sent: Sunday, March 06, 2016 7:34 PM
To: Ebinger, Matthew J. - PDR
Subject: Libbie and Grove

Dear Mr. Ebinger,

I live at 5800 Three Chopt Road.

I want you to know that I strongly support the existing 28 foot zoning ordinance for our neighborhood. I am very concerned and against the proposals to have a three-story buildings in the Libbie and Grove area.

Sincerely,

John Nestler

John E. Nestler, MD
William Branch Porter Professor of Medicine Chair, Department of Internal Medicine Virginia Commonwealth University POB 980663 Richmond, VA 23298-0663
Tel: 804-828-3389
Email: john.nestler@vcuhealth.org

Sent from my iPhoneNOTE: The information contained in this message may be privileged and confidential and protected from disclosure. If the reader of this message is not the intended recipient, you are hereby notified that any dissemination, distribution or copying of this communication is strictly prohibited. If you have received this communication in error, please notify us immediately by replying to the message and deleting it from your computer.

VCU Health System
<http://www.vcuhealth.org>

Ebinger, Matthew J. - PDR

From: Linda Nicholson [lindanicholson@comcast.net]
Sent: Sunday, March 06, 2016 7:12 PM
To: Ebinger, Matthew J. - PDR
Subject: Libbie and Grove

Dear Mr. Ebinger,

The Grove and Libbie area has always epitomized charm and graciousness. I've lived in Richmond all of my life (67 years) and am appalled that Westhampton LLC is selfishly considering destroying this neighborhood's beauty. Why allow this company to barge into this area and alienate everyone who lives there and who shops there? Please keep the building restrictions as they are presently written.

Sincerely,
Mrs. Linda Freeman

"Oh this learning, what a thing it is!" – The Taming of the Shrew

Ebinger, Matthew J. - PDR

From: Kevin McNeer [a_macnaughton@yahoo.com]
Sent: Friday, February 26, 2016 3:45 AM
To: Ebinger, Matthew J. - PDR
Subject: Libbie & Grove zoning

Dear Mr. Ebinger:

I am writing to express my support of the existing zoning policy at the Libbie and Grove intersection and opposition to the granting of any exceptions to the policy because of the damage it would do to the character, aesthetic and quality of life in that neighborhood.

Thanking you in advance for your consideration of this matter.

Sincerely,

Kevin McNeer
804 272 8451

Ebinger, Matthew J. - PDR

From: Anne Daniel [joyannedaniel@gmail.com]
Sent: Wednesday, February 24, 2016 11:41 AM
To: Ebinger, Matthew J. - PDR
Cc: Baliles, Jonathan T. - Council Member
Subject: Westhampton on Grove

I am still very concerned with the project on Grove Avenue. Thank you for not allowing 60 feet.. My biggest concern is the height really not what is in each building. I know that other areas like to go vertical and have condos at the top and stores and such on the bottom. My biggest issue is the height requirements. Chadwick looks huge.. for their 3 stories. I think the issue has become where do you count the height from.. the end of the floors or at the very top of the roof line. Because now Chadwicks with three stories is over 38 feet and is now at 45 feet.. TOO MUCH. So if the roof is large and tall then it makes the building look even more imposing. I have been driving around looking at new two story buildings.. One good example is the St Mary's guest house.. that looks tall and that is only two stories.Plus it has a considerable setback and a much wider street. The new bank on Patterson is two stories and that looks huge.. so make something on GROVE with 3 stories that is going to be totally out of scale as well as much taller than current zoning of 28 feet. Other cities have utilized their old theaters for condos etc with stores on the bottom.. I googled old theaters and uses. Make the new buildings to the very top of the structure 28 feet and no more. Setting back on the top stories does nothing as far as the scale of the building at least from looking at the Tiber. Plus the Tiber is is a low spot. The biggest problem at Libbie and Grove is only a 4 block area.. Tall buildings look way out of scale. And just having lots of condos does that make any since either if all the stores close. I guess what is the purpose of tall buildings in a 4 block area except to permanently change the character and scale of a 4 block area that is close to many residential homes.

I am the second owner of my house on Seneca. So I have seen many changes since 1980. I usually walk to Libbie market due to all the parking and traffic. Just as fast to walk. I hope the traffic study is done when school is in session and not on spring break. Then it will be more accurate as to what really happens.

Anne Daniel

Begin forwarded message:

From: "Ebinger, Matthew J. - PDR" <Matthew.Ebinger@Richmondgov.com>
Subject: RE: Westhampton on Grove
Date: January 13, 2016 at 8:42:57 AM EST
To: "Anne Daniel" <anne.daniel@verizon.net>

Thank you for your email. It is being taken into consideration and will be included with the staff report that is sent to the Planning Commission prior to the public hearing.

Matthew J. Ebinger, AICP
Senior Planner - Land Use Administration | Department of Planning & Development Review | City of Richmond | Matthew.Ebinger@RichmondGov.com | 804-646-6308

-----Original Message-----

From: Anne Daniel [<mailto:anne.daniel@verizon.net>]

Sent: Tuesday, January 12, 2016 4:41 PM
To: Ebinger, Matthew J. - PDR
Subject: Westhampton on Grove

I am writing to you because I am concerned about the scale of the project around Libbie and Grove and how it will impact our homes on Seneca Road. I have been a resident of Seneca since 1981 and seen many changes over the years. The current zoning is for buildings with a maximum of 28 feet. I do not want to look out my back window and see many tall buildings. This is just a four block area that needs to stay in scale for the small area it is in. I am concerned about traffic and parking. Someone is concerned about traffic having 5 25 mph signs at the curve on Grove. Obviously there has been a problem with traffic there. Libbie Market had a policeman over the holidays to help direct traffic and that was not even when the schools were in session. Here are the current heights of Libbie and Grove Buildings:

Chadwick 44 feet.. it looks large now and over powers across the street.

Tiber estimated 50 feet.. so they set back the last floor.. does not help the scale of the building.

Westhampton Theater... is 37 feet.. and they want to go to 60 or 64 feet... on that whole side of Grove...

destroys the character and scale.. It is just 4 blocks..Even though they have put step backs in it is going to look massive.

BP station Proposed height 53 feet to top of the building and then going to 68 feet to the top of the decorative dome.(Thank you that was denied)

All of these buildings are going to have extra lights, problems with parking.. (where does everyone park from the other locations)..Then the cars will start parking down Granite and Seneca because there is not enough parking. That will affect my street and my property values. I really do not want to see buildings when I look out my back window..

Ebinger, Matthew J. - PDR

From: Drake Watson [jdwatson123@gmail.com]
Sent: Sunday, February 14, 2016 12:17 PM
To: Ebinger, Matthew J. - PDR
Subject: Special use Permit filed by Westhampton LLC for property located near Libbie and Grove

As an area resident, I respectfully request that you, along with the Councilman Baliles, Richmond City Council, DENY the above special use permit that exceeds current zoning building height requirements of 28 feet.

Allowing the proposed development would irreparably harm the small scale character and unique appeal of the neighborhood. Existing zoning laws protect just that.

Many thanks!

Drake Watson

Ebinger, Matthew J. - PDR

From: Mike Lennon [mlen26@yahoo.com]
Sent: Saturday, February 13, 2016 3:03 PM
To: Ebinger, Matthew J. - PDR
Subject: Westhampton SUP

Mr Ebinger,

As a resident of the Glenburnie neighborhood immediately adjoining Grove & Libbie Ave, I have strong reservations of the SUP proposed for the Westhampton theater property. Traffic & parking are already a major concern for those of us living close by, and I foresee that this plan would only make these issues a bigger problem. Traffic already 'decompresses' into our neighborhood, with people speeding down Wilton & Seneca to avoid the Grove & Libbie traffic.

Aesthetically, I am not a fan of the proposed renovation; I believe it to be out of character for the neighborhood. However, my biggest concern is traffic.

I urge your group to deny the SUP

Thank you,

Mike Lennon
5502 Bewdley Rd

Ebinger, Matthew J. - PDR

From: Betsy Gardner [betsygzgardner@verizon.net]
Sent: Friday, February 12, 2016 11:49 AM
To: Ebinger, Matthew J. - PDR
Subject: Please reject the SUP for the

Hello Matthew,

I am writing to express my concern over the changes proposed for the Grove and Libbie area that have been requested by Westhampton, LLC. The request to have a special use permit in order to build a 4 to 5 story structure is a bad idea that if approved would forever change the character of this residential area. The traffic and congestion that would come from this sort of development would be substantially increased in an area that already becomes choked during key school and work times including creating new hazards for student and other pedestrian traffic. (something they have not even fully addressed).

Parking in the area is already limited and would push onto surrounding residential streets. The proposed size itself is not in keeping with surrounding structures and would set a precedent that would lead to other over development around this block. Once it is done, it can't be undone. **Please please DO NOT support this special use permit for Westhampton LLC.**

Thank you for your time and consideration in this matter...

Sincerely,

Betsy Gardner

Ebinger, Matthew J. - PDR

From: Sean F [seanfinva@yahoo.com]
Sent: Tuesday, February 09, 2016 9:40 PM
To: Ebinger, Matthew J. - PDR
Subject: Oppose any special use permits for modifying Libbie and Grove building height/size

Mr. Ebinger:

I live in the Glenburnie neighborhood and am writing you to express my concern about proposed special use permits that would allow size changes to buildings in the Libbie and Grove neighborhood. I am opposed to any special use permits that allow exceptions to building height/size.

I urge you to support existing legal zoning for this area and not to support any special use permits that provide exceptions to the current zoning around building height and size.

Increasing the size of these buildings will negatively change the character of the neighborhood, increase traffic, and decrease livability for immediate neighbors. This area was not identified for changes to zoning in the city's master plan and no permits should be issued that modify building zoning related to height and size.

Thank you for your consideration and service to the City of Richmond.

Sincerely,

Sean Farmer
5508 Bewdley Road
Richmond VA 23226

Ebinger, Matthew J. - PDR

From: ashley.kuemmerle@yahoo.com
Sent: Tuesday, February 09, 2016 1:57 PM
To: Ebinger, Matthew J. - PDR
Subject: Libbie/Grove corridor support for existing zoning

Dear Matthew,

I live in the Libbie/Grove corridor and am writing to you regarding the development of the Libbie/Grove corridor. Specifically, I support the existing zoning and request that the special use permit (SUP) for the current Westhampton theater/Long and Foster building, etc. be denied.

I'm especially opposed to the size/scale of the project and deem that a master plan above two stories is unacceptable. I also worry about an increase in traffic, lack of accessible parking and negative impact on livability in the area. I have three young children. We enjoy outings in our neighborhood and bike rides along Libbie/Grove. Any large scale project, such as the one proposed, would have a negative impact on our ability to safely enjoy our neighborhood. As it stands already, we have an abundance of daily commuter traffic who regularly exceed posted speed limits and disregard our neighborhood stop signs.

Any change to existing zoning would irreversibly change the character of my neighborhood and is counter to both the legal zoning and the recently reviewed Richmond master plan, especially when no circumstances have changed to warrant a zoning change.

Thank you for your time and attention to this matter.

Sincerely,

Ashley Kuemmerle

Ashley Kuemmerle
5317 Tuckahoe Avenue
Richmond, VA 23226

Ebinger, Matthew J. - PDR

From: Bill Jones [woj3@erols.com]
Sent: Monday, February 08, 2016 1:00 PM
To: Ebinger, Matthew J. - PDR
Cc: Baliles, Jonathan T. - Council Member; Wong, Yueh (Eli) H. - City Council Liaison
Subject: Westhampton Theatre Development Proposal and SUP Request

Mr. Ebinger,

As a 40 year resident of the Libbie and Grove neighborhood, most recently in Maple Green, I must oppose the Westhampton Theatre SUP request as it's currently presented. While the architect's rendering is attractive and does present a suitable appearance for the area the resultant building mass would overwhelm to say the least. The perspective shown in the rendering does not truly present what one would see, or feel, from the south or east, let alone walking down the sidewalks of each side of Grove. The top of parapet (TOP) would be considerably above the TOP, including mansard, of the Cheswick addition current under construction with an SUP.

In addition,, I question the ability of the area to handle the dramatic traffic increase and parking needs...we are way beyond the reasonable limits of both with no end in sight even if this project does not proceed. Pedestrians must be considered rather than ignored (I have been trying to get crosswalks added and traffic-slowing measures implemented for years) and parking restrictions enforced.

Further, if the Westhampton is allowed to exceed the current zoning height I fear it would set a precedent for the buildings along the south side of Grove...some of which are owned by the same entities as Westhampton.

I urge you to DENY the SUP request as presented.

W. O. Jones, III
5811 Maple Green Circle
Richmond 23226

Ebinger, Matthew J. - PDR

From: Anne [anne.c.rider@gmail.com]
Sent: Monday, February 08, 2016 11:43 AM
To: Ebinger, Matthew J. - PDR
Subject: Support of Existing Zoning for the Libbie and Grove Corridor

Dear Mr. Ebinger-

I am writing to express my strong concerns over the proposed development of the Westhampton Theater area. I had an opportunity to attend one of the community meetings held by the developers. It is my belief that the proposed development will negatively impact the area in the increased congestion it will bring as well as inadequate parking for the businesses in the area. We moved to and remain in this area because of the large number of families and small children on our street. Parking for businesses for the Libbie and Grove shops is already inadequate and spilling onto our street. I fear that additional congestion will pose a danger to our children and the children who attend surrounding schools.

Thank you for your time and consideration. I hope that your recommendation will support existing zoning in the area.

Sincerely,
Anne Rider
120 Seneca

Ebinger, Matthew J. - PDR

From: Sharon Dion [sharondanna@yahoo.com]
Sent: Sunday, February 07, 2016 8:50 AM
To: Ebinger, Matthew J. - PDR
Subject: Libbie and Grove zoning

Hi Matthew,

I am a resident in Seneca Road, 2 blocks from the proposed expansion of the westhampton property. I am writing to ask your help in keeping the existing zoning, and not allowing the developers to increase two stories and to create a massive structure that will ruin our little community.

I absolutely support renovation on of the buildings, but those additional two stories will be disastrous -- as it is now, my backyard view which used to be trees is now the top of the new Chadwick's building. If the 4 stories of the westhampton goes through, those condos will be able to see right into my backyard. Our properties on Seneca, which are now hotly desired, will quickly become a major drawback for new buyers.

I think the plans for the 2-story to add restaurants and retail are just fine, even though I do think the additional traffic is something that still needs to be addressed.

Thanks so much for your consideration and for your hopeful support of keeping the building height at 28 feet.

Best,
Sharon Dion, Seneca road

Sent from my iPhone

Ebinger, Matthew J. - PDR

From: Guy Gorman [guy_gorman@hotmail.com]
Sent: Sunday, February 07, 2016 8:40 AM
To: Ebinger, Matthew J. - PDR
Subject: Libbie and Grove Zoning Enforcement

Mr. Ebinger,

I am writing to support enforcement of the existing zoning laws in the Libbie and Grove area. (Frankly, they should be enforced throughout the city!) Why have zoning laws if exceptions are made every time a developer wants to cash in on the appeal of our charming neighborhood? The loss of the Westhampton Theater is a huge blow for the area. An even bigger blow, though, would be the construction of a monstrosly huge condo building that transmogrifies our charming village into an urban cityscape. There is nothing wrong with an urban atmosphere, but there are plenty of appropriately zoned areas throughout the city where large condominiums benefit the community as a whole. That place is not Westhampton.

I appreciate your working to preserve the character of the Westhampton area. It's a place that brings joy to my heart as I bike to St. Stephens on a sunny Saturday morning. I want it to stay that way.

Sincerely,
Guy G. Gorman
105 Tempsford Lane
Richmond, VA 23226

804-202-1636

Ebinger, Matthew J. - PDR

From: Nicholas, Dan [DNicholas@rwbaird.com]
Sent: Friday, February 05, 2016 10:58 AM
To: Ebinger, Matthew J. - PDR
Subject: Support Existing Zoning at Libbie & Grove

Mr. Ebinger,

I wanted to contact you to voice my support for the existing zoning at Libbie & Grove and opposition to the requested SUP by Westhampton LLC. As a resident of the neighborhood, I believe the proposed development plan would negatively and permanently alter the Westhampton Village, as the scale of the project would greatly detract from the neighborhood from a traffic, noise, and aesthetic standpoint . Most importantly, the proposal stands in strict opposition to the existing zoning laws and the Richmond master plan; no circumstances have changed to warrant a zoning change and continually providing SUPs for projects to circumvent existing zoning sets a damaging precedent for our city. Westhampton is one of the most valued and treasured neighborhoods in the city of Richmond, and I believe we need to defend the existing zoning laws to keep it that way.

Thank you for letting me voice my thoughts and for your support in this matter.

Best regards,

Dan Nicholas
5504 Cary Street Road
Richmond VA 23226

Dan Nicholas, CFA
Equity Research Associate
Robert W. Baird & Co.
804-447-8020

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Ebinger, Matthew J. - PDR

From: Darlene Ogden [dogden@lawplc.com]
Sent: Thursday, February 04, 2016 9:45 AM
To: Ebinger, Matthew J. - PDR
Subject: re: SUP Libbie & Grove

Dear Mr. Ebinger,

I wanted to voice my opposition to the pending proposal by the Westhampton, LLC for a Special Use Permit. I am in support of the current height regulation of 28 feet, however, I want to make our neighborhood the best it can be but I just don't think this is the project for us. I was opposed to the BP project and feel if this project is allowed to move forward this will open up that scenario once again.

This is going to cause a parking and traffic nightmare in my opinion, not to mention the noise and unsightly. I could move to Short Pump and get the same look and feel with lower taxes but choose to stay in this small quaint neighborhood.

I ask for your support to keep our neighborhood relatively intact and oppose the SUP.

Regards,

Darlene Ogden
118 Granite Avenue
Richmond, VA 23226
804.314.2626

Ebinger, Matthew J. - PDR

From: Laura Hogan [blublusea@gmail.com]
Sent: Thursday, February 04, 2016 2:32 PM
To: Ebinger, Matthew J. - PDR; Baliles, Jonathan T. - Council Member
Subject: Libbie/Grove

I am writing to say that I support existing zoning and request that you deny the special use permit requested for the Libbie/Grove area. I dislike the size/scale of the proposed project and question the congestion that building up the area would create. Most of all, I did not choose this neighborhood to live somewhere that looks like Short Pump. This project would change the character of the neighborhood and is counter to both the legal zoning and the recently reviewed Richmond master plan. There's also a legal concern about de facto rezoning created through the (continued) use of special use permits to go around the long held zoning, when no circumstances have changed to warrant a zoning change. Please do not approve this zoning change.

Laura Hogan
5 River Road
Richmond, VA 23226

Ebinger, Matthew J. - PDR

From: Tom Wyllie [thwyllie@yahoo.com]
Sent: Wednesday, February 03, 2016 8:42 PM
To: Baliles, Jonathan T. - Council Member
Cc: Ebinger, Matthew J. - PDR
Subject: Westhampton Theatre

Hi Jon, I guess these builders like all "developers" have this need to develop something, anything. Guess the low interest environment is like viagra for builders. We are witnessing three blunders in progress. First, The Chadwick. It is a bit tall but its placement next to St. Catherine's diminishes the visual impact and the architectural facade seems in keeping with St. Catherine's facades. Second, the Tiber is a monstrosity with its Depression style, D.C., tacky brick. And one wonders its long term survival with Tiber Creek below and risk of subsidence. Third, Maple Ave. I forget who mentioned it some time ago as I only spoke in passing. The "compound" on Maple is built on the site of an old slave built brick well that supposedly has subsidence problems, and they also mentioned the presence of slave graves on that property. I know not the verity of that claim. But many builders do not care about aesthetics or history. They have to build, build, build.



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These neighborhoods mentioned above have a quaint Richmond character. These neighborhoods should be prized as Richmond and the country suffer the onslaught of homogenized architecture where all new buildings across the nation look like other buildings. Short Pump is a case in point. The 23226 neighborhood has a quaint "checker board" feel with a wide variety of homes. Starter homes on Granite up to Grove, Second homes up to Cary, and many nice architecturally significant houses on the river side of Cary.

No one can foretell the impact of the loss of the bungalow homes in 23226. As a student in New Orleans in the 1970s, the Garden District was a true checker board of several square blocks of nice homes followed by several square blocks of dilapidated shotguns inhabited by relatively poor people. All those houses have been whumped up and are an asset to that city's tax base today. Charlottesville, by chance of ownership, maintained some of the Corner from St. Paul's church to the Railroad bridge. Development past the railroad tracks in the 1970s, including the University Theatre was poorly thought out disaster.

There are a number of both practical and aesthetic problems to the Westhampton Theatre project which will diminish the character of my neighborhood.

One argument which I find wrong and overly convenient, is that the reconditioned property will make traffic more burdensome. School times at the Saints (Christopher, Catherine, and Bridgett) is a nightmare twice a day when school is in session. It can't be worse.

Some objections in no particular order:

1. The Westhampton Theatre parking lot is generally full all day long. It is an asset to all the current merchants at Westhampton. Should they lose this asset, they will likely suffer financially. The city

should build a garage to help these entrepreneurs. Maybe next to the fire station. Suntrust's lot is regularly used by merchant patrons.

2. Driving or riding a bike on Grove toward 3 Chopt, one rounds the curve and is welcomed by a vista of light. The added stories provide a mass as intimidating as a medieval fortress. And it withholds light from the lots on Granite and Seneca to the detriment of those property owners. The key word is Mass, Mass, Mass. Unsightly Mass.

3. A danger flag waved by the developer early on lies in their use of the word "try". As used in the phrase: we will "try" to preserve the theatre marquis. Like that will happen.

4. The building would be a nice concert venue along the likes of the Jefferson Theatre in Charlottesville or the venue in the Annapolis harbor district.

5. The omission of any plan to deal with the Continental in the middle of the reconditioning. There has to be a plan here. What is it?

6. By allowing the increased height, it opens up a can of worms. The BP wanted to build and their permit was denied. The Mulleman building will jump on the bandwagon. And with the cyclical nature of retail popularity as it shifts from entertainment to dining to sales, they will want to put in condos. A whole new micro climate will be created. This charming street will be lost. None of the developers live here.

7. You will need to install another traffic light at Granite and Grove because the line of sight is lost. Another stop light will increase traffic through Wilton and all the neighborhoods down to Stonewall Court.

8. I want to build a six story addition to my house; so I can see the river. It will be similar to those McMansions at the Outer Banks which demand an ocean view. I am in the middle of the woods; so who cares? I'm R-1. Everybody cares.

9. I would like to see Patterson Westhampton whumped up, but doubt the folks behind Kingsbury would be too excited.

As always, Tom Wyllie 282-0625

Ebinger, Matthew J. - PDR

From: Celie Gehring [celieg3@yahoo.com]
Sent: Tuesday, February 02, 2016 9:40 PM
To: Ebinger, Matthew J. - PDR
Subject: Save Libbie and Grove

Good evening. I'm writing to request your support in denying the SUP that would allow the Cametas family to build a 4 story massive building on the Westhampton Theatre property, continuing to Granite Ave. My family and I have lived at 5401 Tuckahoe Ave since 1982 and so enjoy and appreciate the more village feel of our area, which includes the Libbie & Grove area. While we are not opposed to change that brings in good quality new retail and restaurants, we cannot fathom the wisdom in allowing the construction of such a massive project that would tower above all adjoining and nearby buildings at 64' +/- . Truly this would be akin to constructing Short Pump on Grove and Granite...which, by the way, is a very small 2 lane residential street. The additional traffic really needs to be addressed, too, as does the lack of parking. Please try to drive South on Libbie between Patterson and Grove, as well as West on Grove toward Three Chopt, especially during peak times to see how difficult it is already to navigate these roads. There are a lot of children who walk to/from St Catherine's School and the extra traffic generated by all this proposed development will add to their safety issues in crossing at Libbie and Grove. The Tiber, on Libbie, should serve as a warning as to what NOT to be allowed to happen. It is my understanding that even that behemoth is shorter than what is proposed for the corner of the tiny 2 lane residential street and Grove.

I respectfully request your support in defeating the SUP that is in front of you. Those of us who cherish our neighborhood as a wonderful residential area with small scale retail truly appreciate your help. Thank you. Celia Gehring

Sent from my iPhone

Ebinger, Matthew J. - PDR

From: Mac Bates [Mac.Bates@colliers.com]
Sent: Monday, February 01, 2016 3:31 PM
To: Baliles, Jonathan T. - Council Member
Cc: Ebinger, Matthew J. - PDR
Subject: Proposed Development on Grove between Libbie & Granite
Attachments: image001.jpg

Good afternoon Mr. Baliles.

I live at 5402 Tuckahoe Avenue in the Tuckahoe Terrace section of Richmond's west end. I am writing to express my objection to the proposed special use permit that would allow the owner of the property on the north side of Grove Avenue between Libbie and Granite to build above the existing structures to a height of forty feet. I have lived in the area since 1978 and have enjoyed the "village" feel for that commercial strip. To allow the height to be raised to forty feet will begin the changing nature of the area. Earlier, a developer proposed a development on the gas station property that was to be four stories. That was turned down by the city planners. If he proposed development from the Theater through what is now Long and Foster is allowed to go forward, you can be assured that the gas station developer will come back with its plan.

When this proposal comes up for a vote, I ask that you speak in opposition to it and in favor of maintaining the current zoning regulations and then vote against it.

Thank you for your consideration. Give my best to your father.

Malcolm W. "Mac" Bates CPM
Director of Asset Management | Richmond & Norfolk
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Direct +1 804 591 2414 | Fax +1 804 782 1145
mac.bates@colliers.com

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Richmond, VA 23230 | United States
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Ebinger, Matthew J. - PDR

From: Yogi Biggs [yogib18@msn.com]
Sent: Friday, January 29, 2016 3:23 PM
To: Baliles, Jonathan T. - Council Member; Ebinger, Matthew J. - PDR
Subject: Libbie & Grove Ave SUP

We would like to express our concern and opposition to the proposed waiver for the development at Libbie & Grove. We oppose the development for the follow reasons:

1) Size/scale, 2) inadequate public access (primarily parking and traffic), and 3) livability (noise and light pollution for those of us living closest to the buildings). Further, the proposed plan the changes the character of the neighborhood and is counter to both the legal zoning and the recently reviewed Richmond master plan. That part of Grove cannot and should not have that much in one tight space. Commuting in that area is already over crowded. With school children walking or riding a bike in that area, the traffic congestion is already dangerous. There are 3 large school s and 2 churches within 1-3 blocks so there is constant activity with large groups moving around.

There's also a concern about de facto rezoning created through the (continued) use of special use permits to go around the long held zoning, when no circumstances have changed to warrant a zoning change. The Grove Ave blocks between Maple and Granite are already full and cannot handle additional development of that magnitude. To continue to add more in an already overcrowded corridor is irresponsible and will make that area unaccessible.

Perhaps further down Libbie in the Patterson area has better flow and space for more retail and residential spaces in a compact manner. There is more spa for parking and better traffic/pedestrian flow.

We urge you to vote against the SUP.

Karen & Yogi Biggs
Greenway Lane

Fumbled from my iPad

Ebinger, Matthew J. - PDR

From: Meghan Noggle [meghannoggle@yahoo.com]
Sent: Friday, January 29, 2016 9:47 PM
To: Ebinger, Matthew J. - PDR
Subject: please DENY special unit permit on Grove (near Libbie)

My family and I moved to Richmond almost three years ago. We could have chosen to live in a variety of places in and around this city, but we chose to buy a house just off of Grove Ave, on Stuart Ave, about .75 miles east of Libbie and Grove.

When considering this area during one of our house hunting trips from Georgia, our realtor gave us great advice, she told us to go see a movie at the movie theater on Grove, to see if we liked the area and the people who would be our neighbors. We loved it. We bought our house here and we still love it (well, we don't love the very small closets that come with our old, charming house!).

I am severely disappointed that the movie theater will be closing, but even more concerned about the plans for development. Please, please, please DENY special use permits for height extensions on Libbie and Grove. The addition to Chadwicks is terrible and I was very surprised to see it go up without knowing it was happening. My husband (I drew the straw to put the kids to bed!) has been to a public hearing regarding the new development and saw first hand their plans. We are not pleased. The proposed plan will greatly change the look of our charming business area. As it is now, this area looks well loved and long standing. It does not look like every other commercial center, which is a GREAT thing. It looks local, loved, and very charming! The proposed addition will make it look new, uninviting and commercialized. Everything we DO not want in our neighborhood. The height alone is very imposing, it will diminish the charm of everything in its shadow. Our area does not need more apartment buildings, we need to cling tightly to our charm and quaint-ness, it is what made us love this area from the very beginning. PLEASE do not let it be given away to the highest bidder without regard for the happiness of those of us who will living near to it.

Meghan Noggle
4704 Stuart Ave

Ebinger, Matthew J. - PDR

From: Kathy Watson [krwatson12@gmail.com]
Sent: Monday, January 25, 2016 11:12 AM
To: Ebinger, Matthew J. - PDR
Subject: Special use permit for Libbie Grove

Mr. Ebinger,

I am writing to express my concerns and displeasure with the request for a special use permit for the development of the Westhampton Theatre block of Grove Avenue. As a very interested and long term resident of Tuckahoe Terrace (since 1983), I have followed this process and attended the most recent meeting with the developers at St. Christopher's School. Nothing that was presented at the meeting inclined me to think this project is a good idea and only confirmed that the developers are out to make the largest profit possible. Their spin of course is that they are "doing the surrounding neighborhoods a favor by saving the facade of the theatre and using the best building materials available." In order to accomplish these goals and make the project "economically feasible" they must build four stories. It is not the neighbors' problem if the developers paid too much for the property to make a sizable profit building within the current zoning laws. Their assumption should not have been that a special use permit was a foregone conclusion. In addition, the saving of the theatre facade would be a nice touch, but certainly doesn't compensate for having a four story structure.

For many reasons, I am not in favor of the development based on the current renderings. Renderings can look beautiful and the finished project may not look anything like the renderings. A prime example is the Tiber on Libbie. It is an ongoing disaster and a huge eyesore. The renderings however, were quite nice. This proposed development goes against current zoning requirements which have been in place a long time (for good reason) and it also goes against the recently reviewed city master plan. The development will affect neighborhood morals, particularly people like me (on the corner of Matoaka and Granite) who will see the building from my front yard. The development will likely create more congestion, interfere with school traffic, and lead to more overflow parking into surrounding neighborhoods. If the SUP is approved for this development, the owners of the properties on the south side of Grove will likely follow suit and then this section of Grove will essentially be in a valley without adequate sunlight. This is not to mention how ridiculous the one story Continental Restaurant will look sandwiched in between two four story buildings.

The overflow parking on Granite and the traffic congestion is already of huge concern. There needs to be a light at the intersection of Granite and Grove for safety as well as traffic control. The 'no parking from here to the corner' signs on the south side of Granite are not placed nearly far enough from the corner. In addition, they are totally ignored and the offending motorists are NEVER ticketed so they continue to park there. Making a right hand turn onto Granite coming from the west is extremely dangerous with cars parked on either side of Granite. There is not space for two cars to pass and which could easily result in a head on collision. This happens to me almost on a daily basis as I turn onto Granite to get home multiple times each day. Making a right or left hand turn onto Grove from Granite (coming from the south) is also virtually impossible to do safely as well. In order to see around the cars parked along Grove you have to essentially pull into the intersection. Regardless of the development, this is a situation which needs immediate attention and should be remedied as soon as possible.

Thank you in advance for listening and taking seriously the concerns of the citizens in the neighborhoods surrounding this proposed development.

Sincerely,
Katharine Watson

5507 Matoaka Road
804-307-4063

Ebinger, Matthew J. - PDR

From: Kathryn Puritz [kathryn@wholemilk.com]
Sent: Thursday, January 21, 2016 10:46 AM
To: Ebinger, Matthew J. - PDR
Subject: Concerns over Development in the Libbie Grove area

Dear Matthew Ebinger,

I am writing to express my concerns over the development in the Libbie Grove community. As a nearby resident for 7 years, I support revitalization of the area, but think this can be done within the existing zoning regulations. 4-story buildings and the addition of so many condos is really excessive for this small area.

My primary concerns are over traffic, congestion and parking. This is a wonderful, pedestrian friendly area. Many school children and families use Grove Ave to access both the public and private schools in the area. I walked Grove Ave. to Mary Munford Elementary School almost every day for 5 years. Additional traffic will put lives at risk and deter pedestrians. Parking is already tight. Additional residents/businesses and reduced lot capacity will force people to circle the surrounding neighborhoods looking for spots, further endangering pedestrians. The traffic and additional people will create more noise pollution for residents nearby as well and detract from the overall experience and small-community feel of the area.

There are plenty of mixed-use developments going up around town in more suitable, underutilized areas. Why do we need to ruin an existing community known for its charm and neighborhood feel? I strongly oppose the SUP permitting and feel any development beyond the current 2-story scale will compromise the health and character of this area.

Thank you for taking my concerns under consideration.

Best Regards,
Kathryn H. Puritz

107 Burgoyne Road 23229
(Stonewall Court resident for 7 years)

Ebinger, Matthew J. - PDR

From: Jennifer Jenkins [jenkins.426@gmail.com]
Sent: Thursday, January 21, 2016 10:28 PM
To: Ebinger, Matthew J. - PDR
Subject: support existing zoning/ Deny SUPs

Mr Matthew Ebinger,

I am writing to voice my opposition to the Special Use Permits (SUPs) that are used to undermine current zoning. Specifically the SUP being considered in regards to the Westhampton Theater and State Farm Buildings on Grove Ave. I fully support the existing 28 ft zoning for the area, and support setting a precedent that going forward, existing zoning laws shall not be circumvented with the use of SUPs.

My name is Jennifer Jenkins and my husband Erik Stoermer and I live in the 4800 block of Hanover. We moved to this community about 4 years ago, and choose this specific location in part due to the friendly, local, and quaint atmosphere of the Libbie and Grove area. I run around this specific area on a regular basis and have been very disappointed by the recent SUPS that allowed the Tiber and the addition to the Chadwick building to happen. In my opinion, along with many others, I feel this negatively impacts the atmosphere, functionality, and value of this community.

Bigger is not always better, and actually these days it seems as though there is a shift in what is considered valuable. The McMansions and sprawling suburbs have lost their charm, Short Pump is congested and aggravating to navigate. The reason this neighborhood's home values have never decreased is due to the intangible atmosphere that it possesses. Key words such as; smaller, quality, walkability, local, community- these are what maintain it's value through generations. The Libbie and Grove area already has that in abundance. Large scale buildings that would obstruct the light, compromise the privacy of backyards, congest small streets and parking are not welcome here, and I would, argue will decrease the value and desirability of this neighborhood. I'm sure there is a 28ft plan for the Westhampton Theater and State Farm Buildings that would contribute to this wonderful community instead of undermine it.

Thank you for your time and consideration.

Jennifer Jenkins

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"The greatness of a nation and its moral progress can be judged by the way its animals are treated." - Mahatma Gandhi, Indian Statesman and Philosopher

Ebinger, Matthew J. - PDR

From: Stuart Carter [stuartscarter@gmail.com]
Sent: Wednesday, January 20, 2016 1:54 PM
To: Ebinger, Matthew J. - PDR
Subject: Fwd: Westhampton Theater and Long & Foster Development SUP

Dear Jon,

I am writing to communicate my concern regarding the Westhampton Theater – Long & Foster Special Use Permit (SUP) application. I am a part of a group of residents who believe the proposal is incompatible with the City's Master Plan for Libbie-Grove and is incompatible with the current zoning height restrictions which were adopted to help maintain the character of the area as a small scale commercial and shopping district. I am opposed to this SUP as submitted. Its construction would represent a fundamental change to the character of the Libbie-Grove shopping district.

The Libbie-Grove Master Plan was reviewed, updated and reaffirmed several years ago. At that time, I attended the city-led meetings (representing the Westview Civic Association). Zoning for the area was carefully examined and discussed in detail as part of the process.

- The organizing principle of this city group was “This lack of long-range planning has shown itself in excessive issuance of Special Use Permits and Variances, congestion, and a lack of infrastructure to meet the current needs and demands of the area.”
- On November 21, 2011, the Planning Commission held a public hearing and adopted several proposed amendments to the Master Plan for the Libbie/Grove & Libbie/Patterson Service areas.
- February 13, 2012, the City Council adopted amendments to the Master Plan for the Libbie/Grove Service Area.
- Grove Avenue parcels and Libbie Avenue parcels south of York Road were NOT proposed to be rezoned in this final Plan.
- Grove Avenue zoning was reaffirmed and validated and remained UB-PO1.

The determination was that the 28 foot maximum height for buildings was appropriate for Grove Avenue. Libbie-Grove residents and city planners supported that. Nothing has changed materially since that time that should in any way override or supersede the conclusions and results of that resident and city effort or City Council adoption of the Plan. All the work and time put in to the project by both residents and city staff was a good faith effort to insure that the character of the neighborhood was supported and enhanced and to prevent zoning through SUP.

Additional concerns about the proposed development are outlined below.

- The scale of the proposed buildings is not in keeping with the existing pattern of development in the area. A four story structure will dwarf surrounding buildings and completely change the character of the area.
- The structure will also have a negative impact on traffic safety at the Grove/Granite intersection as well as exacerbating the already very serious traffic congestion at Grove-Libbie. The parking problem resulting from the loss of de facto public parking (the parking lot Regal Cinemas has kindly shared) is completely unresolved by the development plan. The development's parking requirements are met, but the displaced parkers will absolutely be forced on to nearby neighborhood roads including Granite and Maple Avenues and Seneca and York Roads.
- Finally, the general welfare of nearby residents must be considered. These issues include a loss of privacy and sunlight, noise pollution and significant daily through-traffic in residential neighborhoods.

Thank you for your careful consideration of this important issue for our neighborhood.

Best regards,

Stuart Stringfellow Carter

Fergusson Road

Richmond, Virginia

Cc: Mr. Matthew Ebinger

Ebinger, Matthew J. - PDR

From: Julie Phillips Drechsler [jrp8m@yahoo.com]
Sent: Monday, January 18, 2016 11:03 AM
To: Ebinger, Matthew J. - PDR
Subject: Westhampton LLC SUP feedback

Hi Matthew,

I'm contacting you as a resident of Tuckahoe Blvd and a member of a larger group of neighbors who are concerned about the SUP submitted by Westhampton LLC for the redevelopment of the theatre block and its detrimental impact on both the commercial center and the surrounding residential area.

My husband and I moved to the neighborhood because we enjoy having a thriving commercial node within walking distance, but one that is complementary to the residential area. We are in support of development in the area (even though it, sadly, means losing our beloved theater), but not at the expense of the character of our neighborhood, of which scale is a critical piece. In fact, both the master plan and the developer's own architects identified our neighborhood as small-scale. Therefore, we request that the SUP be denied, and ask that the city support the existing two-story zoning and master plan recommendations for the area. Neither the zoning nor master plan were done without thoughtful consideration and it appears as though they're being discarded.

While we appreciate the developer's attempts to make the building facade more appealing with the 3rd and 4th floor setbacks, the fact remains that it would be a four story building, thereby changing the scale and character of the area. Additionally, we are concerned about what appears to be a pattern of continued attempts to circumvent the zoning regulations with the increase in SUP submission volume for our area over the last few years. We were encouraged with the denial of the BP submission, but both the Tiber and Chadwick concern us greatly, as, with their approval, the city is modifying the pattern of development for the area, something that was explicitly identified as a reason for denying the BP. We see no reason to stray further from the two-story regulations and recently reviewed master plan.

Thank you for managing the feedback!

Julie Drechsler

Ebinger, Matthew J. - PDR

From: Greg Lucyk [gglucy@comcast.net]
Sent: Monday, January 18, 2016 4:58 PM
To: Baliles, Jonathan T. - Council Member; Ebinger, Matthew J. - PDR
Subject: Westhampton/Long and Foster Special Use Permit (SUP)
Attachments: IMAG1201 (4).jpg

Dear Councilman Baliles,

My wife Genie and I live at 300 Seneca Road, on the corner of Grove and Seneca. We have been in this home since 1993. I am writing to express our concerns regarding the Westhampton/Long and Foster SUP proposal. Our property line is about 100 yards from the intersection at Grove and Granite, the site of building 2 of this project. Please look at the attached photograph taken from the patio outside the screen porch in our back yard. This might help you see how this project will adversely affect our property values and our lives. Notice the large brick wall in the photo rising above the rooftops of the converted residential offices on Grove Avenue. That is the Westhampton Theatre building wall. Now *double* in your mind the height of that brick wall to four stories. The resulting huge, sixty-plus foot monolithic structure, dwarfing the retail establishments and converted residential offices on Grove, is what the SUP would allow. Notice also the white facade in front of the brick wall. That is the side of the 17 foot one story Long and Foster building. Move the brick structure 50 yards closer to our home and beyond the edge of that white facade. That is where this towering building, taking up nearly half the block on Grove Avenue, will rise. This structure represents a fundamental change to the character of the Libbie-Grove shopping district. It is an egregious departure from the longstanding, reasonable requirements of the zoning ordinance and Master Plan, and is completely incompatible with the district's urban village design. It will be an eyesore to all of us on Seneca Road, filling up our sky with its massive facade, cookie cutter condominiums, rooftop air conditioning units and a parking access "skywalk." If the SUP is approved, this will be the disturbing view, from our backyard and second floor bedroom, for the rest of our lives.

In addition to the sheer size of this project, with five retail spaces on the first floor, two huge offices on the second floor, and nine large condominium units on the third and fourth floors, it will add many more people, cars and congestion to our neighborhood. I note the following additional concerns, all of which are detrimental to the safety and general welfare of our community, and standing alone are grounds to deny this SUP:

Parking/Traffic – Parking has become a serious problem for our neighborhood. Employees and patrons of the businesses in the district already are forced to park along Grove Avenue as far down as Seneca Road, including behind our home in the alley at Westview, and up and down both sides of Granite Avenue. This is so even though there are currently a total of 150 *public* access parking spaces in the parking lot behind the theater, in the small parking lot alongside the Long and Foster building, and in the alley next to the theater. The SUP proposes to eliminate these 150 public parking spaces, and replace them with 107 *private* parking surface spaces, and 26 underground exclusively condominium spaces. This is a net loss of 43 surface spaces, and a total loss of all 150 public spaces. The existing customers and employees will have to park somewhere, and that will impose an even greater burden on the surrounding neighborhoods. When the developers were told of this parking issue at a public meeting, they responded "that's not our problem." This reveals arrogance and a disregard for the well-being of the residents in the surrounding communities. And in fact, it is their problem, because unless and until this parking deficit is studied and addressed, the SUP should not issue.

Traffic likewise has become a serious concern for our community, and the inevitable increase in traffic occasioned by the addition of five retail units, two huge office buildings and nine condominium units will adversely impact the safety and general welfare of our Glenburnie residents and tend to create congestion in the streets, alleys and other public ways in the area. In the 23 years we have lived here, I have observed a significant increase in traffic congestion and motor vehicle accidents. Rush hour traffic backs up on Grove from the traffic light at Libbie all the way down past our home on Seneca Road. It oftentimes is nearly impossible to turn left onto Grove from Libbie without having to wait for two or three cycles of the traffic light. There is significant "cut through" traffic between Patterson and Grove on Granite Avenue, and Wilton Road in Glenburnie, from motorists seeking to avoid the congestion on Libbie Avenue. Furthermore, the intersection at Grove and Granite has become downright dangerous. It is already difficult to

see oncoming traffic heading east on Grove Avenue, and the added congestion and blind spots created by eliminating the entry and parking area at Long and Foster, and extending the new structure all the way to the street, will compound an already serious problem. There was a frightening three car accident at that intersection on the Wednesday before Christmas, no doubt caused by the congestion and lack of adequate vision. It will only become much worse with this project. It is imperative that the City undertake a comprehensive traffic study before moving forward this SUP.

Quality of Life: We have been very happy living here in Glenburnie, close to the conveniences of the urban village, but relatively unencumbered by excessive noise, light or extreme congestion. That will change if this project is approved. I have addressed increased congestion above, but also have grave concerns about the potential for noise and light pollution, especially from the proposed rooftop condominiums. At this time, the shopping district shuts down after hours. There are no bright lights, and the noise (mostly from music and voices at the Continental), buffered by the trees and buildings along Grove, is tolerable. As stated, that will change if this project is approved. First, the sky will be lit up at night, with multiple lights from two floors of condominium windows, and lithium spotlights dotting the "extensive terraces" providing "usable open space" for the condo owners. And make no mistake about it, these terraces will become party patios, with loud voices and music - not only in the daytime, but even late at night. As there is nothing to buffer the sound that high up, it will come through loud and clear into our second floor bedroom window. That will put an end to the quiet charm of our Glenburnie home.

Finally, I want to express my concerns about the conduct of the developers on this project. They claim in their Report the plan has been revised "multiple times" after numerous meetings with surrounding neighbors and businesses. Their revisions, however, have been cosmetic – changing facades and color schemes. They have *not* addressed any of the serious issues raised about congestion, parking, traffic and encroachment on the surrounding neighborhoods. In fact, they have said "that's not our problem." Also concerning is the apparent lack of transparency. They did not unveil their proposal for a 60 foot plus four-story massive structure until the 11th hour, just days before their December 2nd meeting at St. Christopher's and just a few short weeks before they filed their application for an SUP. Until then, their presentations to Westhampton Citizens and other groups outlined a three-story structure for the theatre with some sort of redevelopment of the Long and Foster building. Were they sandbagging about their intentions? Was this the plan to catch the residents off guard? Regardless, it has become clear that the developers are concerned only about their ROI, and have shown little regard for the impact of the project on the surrounding neighborhoods. As residents, we rely on the protections of the Master Plan and the limitations of our zoning ordinances to ensure our neighborhoods remain safe and livable. And we count on our planning administrators and elected officials to uphold these reasonable community expectations. For all these reasons, we ask that the SUP be denied, and the developers be encouraged to revise their plans to decrease the height and density of the structures to a level more consistent with those of existing buildings in the area.

Sincerely,

Gregory E. Lucyk
300 Seneca Road
Richmond, VA 23226
804.920.7031
gglucy@comcast.net



Ebinger, Matthew J. - PDR

From: Stephen Long [splpaindoc@aol.com]
Sent: Saturday, January 16, 2016 9:36 AM
To: Baliles, Jonathan T. - Council Member
Cc: Ebinger, Matthew J. - PDR
Subject: Deny Special Zoning at Libbie and Grove

Sirs,

As residents of Hampton Gardens, just several blocks east of Libbie and Grove We strongly urge you to DENY and vote AGAINST any zoning special use permits and zoning changes which are currently in front of you for the aforementioned development in this area. We DO NOT need more housing and higher structures and more traffic in this uniquely positioned special character West End neighborhood.

There is no need for a project of this size and scale, there is inadequate public access (primarily parking and traffic) and there will be more unneeded noise and light pollution.

Sincerely,

Stephen P Long MD
Georganne W Long MD
310 Greenway Lane

Ebinger, Matthew J. - PDR

From: bettie wood [bwood20@me.com]
Sent: Thursday, January 14, 2016 11:11 AM
To: Jonathan.balilies@richmondgov.com; Ebinger, Matthew J. - PDR
Subject: Westhampton Theater SUP

I am opposed to the Westhampton Theater SUP and believe it is out of character and scale for the neighborhood. I strongly support existing zoning for the Libbie-Grove area and a maximum building height of 28 feet...

Overflow parks already in my area for parking which is a problem today on the corner of Maple and York.

Sincerely,
Bettie Wood

Ebinger, Matthew J. - PDR

From: Buff [bratbizbaz@aol.com]
Sent: Wednesday, January 13, 2016 2:21 PM
To: Ebinger, Matthew J. - PDR
Subject: The Development of Westhampton Theatre and surrounding area

Dear Mr. Ebinger,

I am writing to you to express my concerns about the redevelopment of the Libbie and Grove corridor, specifically the Westhampton Theater Project. My husband Jarratt and I are long time residents of the Tuckahoe Terrace neighborhood, more specifically Tuckahoe Avenue, between Wilton and Granite. We are both in favor of the overall development in our area and are participating with a larger group of residents in support of such efforts.

We recognize the importance of maintaining and growing the vitality of the Libbie and Grove Corridor. However we strongly believe that the existing two story building guidelines are more than adequate to allow developers the leeway they need to build fiscally viable commercial / residential space in the area. It is paramount that we preserve the character of this special enclave within our city. The current SUP submitted for the Westhampton Theater project is of particular concern to me and my neighbors. While the setbacks on the upper floors are favorable, the fact remains that a four story building would be inconsistent with existing structures in the area. This fact has been stated repeatedly for other development in the area and again holds true in the case of the Westhampton Theater Project.

There is no doubt that redevelopment throughout the Libbie and Grove Corridor would be a benefit to the neighborhood and the City of Richmond, but it must be done responsibly. To that end, I must restate that it is paramount that the character and small scale nature of this wonderful neighborhood be preserved.

I thank you for your careful consideration of this matter.

Sincerely,

Laura B. Ramsey
5410 Tuckahoe Avenue

The Bizarre Bazaar®
P.O. Box 8330
Richmond, VA 23226
804-673-7015
www.thebizarrebazaar.com

Ebinger, Matthew J. - PDR

From: Elizabeth Skilling [eskilling@hccw.com]
Sent: Wednesday, January 13, 2016 11:17 AM
To: Ebinger, Matthew J. - PDR
Subject: Westhampton Theater Project
Attachments: image003.jpg

Mr. Ebinger:

I am a resident of the City and live in the Tuckahoe Terrace neighborhood. While I fully support development of and/or revitalization of the older buildings at Libbie and Grove, I have a number of concerns about the current Westhampton Theater Project SUP application.

1. The scale of the building is not in keeping with the existing pattern of development in the area. A four story structure will dwarf the surrounding buildings and completely change the character of the area. As I have watched the third story on the Chadwick project go up, I feel that a three story structure is also not in keeping with the existing patter of development. Keep in mind that the proposed Westhampton Theater project is much larger than the Chadwick and, in my view, three stories for a building of that scale will be much more obtrusive than the three stories at the Chadwick. The Tiber is another example – it is very out of place even further north on Libbie where there is much more “wide open space” than at the intersection of Grove and Libbie. Simply put, I don't want “Little Manhattan” at the intersection of Libbie and Grove.
2. The structure will have an adverse impact on safety at the intersection of Granite and Grove. The structure comes so close to Granite Avenue that it will essentially make that a “blind” intersection as you are headed south on Granite towards Grove. It is already difficult to cross Grove Avenue at that intersection and the presence of a large structure will make it far worse. Given the proximity of that intersection to the intersection of the light at Grove and Libbie and the number of cars that go through that area during peak hours, I don't think a traffic light at that intersection is an option. Let's face it, there is not a lot of open space in the area and no place to put additional roads to handle the congestion at peak times.
3. The structure will shift more of the parking burden to side streets like Granite Avenue. I understand that the footprint of the new structure will extend well into the existing parking lot of the Westhampton Theater. While the SUP may technically meet city parking requirements, as a practical matter, the Westhampton Theater lot has handled the overflow parking for the merchants and employees in the area for many years – for example, the employees of Mango (on the other side of Grove) currently park in the Westhampton lot. Cars will have to park somewhere and the streets around the proposed structure – one being Granite Avenue, is ill-equipped to handle the overflow.
4. Finally, I think the Libbie/Grove intersection presents unique safety issues because of its very close proximity to three private schools in the area. Having negotiated the car pool lines at two of those school over a period of 15 years, I can tell you that the additional congestion in the area that will inevitably be created if this project is approved will potentially affect the safety of the roughly 1800 children that walk to and from or are dropped off and picked up on a daily basis during the school year.

In the end, I would ask that your study committee recommend that whatever structure or project that is approved for the area be kept within the existing zoning allowance for two stories. Thank you for your consideration. Elizabeth Skilling



ELIZABETH S. SKILLING

eskillling@hccw.com | DIRECT 804.762.8016

Harman Claytor Corrigan & Wellman

Post Office Box 70280 | Richmond, VA 23255

4951 Lake Brook Dr. | Suite 100 | Glen Allen, VA 23060

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member of the harmonie group

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Ebinger, Matthew J. - PDR

From: Anne Daniel [anne.daniel@verizon.net]
Sent: Tuesday, January 12, 2016 4:41 PM
To: Ebinger, Matthew J. - PDR
Subject: Westhampton on Grove

I am writing to you because I am concerned about the scale of the project around Libbie and Grove and how it will impact our homes on Seneca Road. I have been a resident of Seneca since 1981 and seen many changes over the years. The current zoning is for buildings with a maximum of 28 feet. I do not want to look out my back window and see many tall buildings. This is just a four block area that needs to stay in scale for the small area it is in. I am concerned about traffic and parking. Someone is concerned about traffic having 5 25 mph signs at the curve on Grove. Obviously there has been a problem with traffic there. Libbie Market had a policeman over the holidays to help direct traffic and that was not even when the schools were in session.

Here are the current heights of Libbie and Grove Buildings:

Chadwick 44 feet.. it looks large now and over powers across the street.

Tiber estimated 50 feet.. so they set back the last floor.. does not help the scale of the building.

Westhampton Theater... is 37 feet.. and they want to go to 60 or 64 feet... on that whole side of Grove... destroys the character and scale.. It is just 4 blocks..Even though they have put step backs in it is going to look massive.

BP station Proposed height 53 feet to top of the building and then going to 68 feet to the top of the decorative dome.(Thank you that was denied)

All of these buildings are going to have extra lights, problems with parking.. (where does everyone park from the other locations)..Then the cars will start parking down Granite and Seneca because there is not enough parking. That will affect my street and my property values. I really do not want to see buildings when I look out my back window..

Ebinger, Matthew J. - PDR

From: Bonny Hamrick [demander@aol.com]
Sent: Sunday, January 10, 2016 9:35 AM
To: Ebinger, Matthew J. - PDR
Subject: Grove Avenue/ Westhampton/ long and foster project

Mr. Ebinger,

I welcome all ideas for development on Grove Avenue as I think it is a fun place to work, live and play. My main concern is the traffic congestion in this area. It is bad today and has been bad for many years and will not get any better with the progression of new buildings. This is not a developer issue but rather a City Issue. The area residents have pinned this problem onto the developer and have used the congestion problem to stop growth in the past years. This is a City Problem but as long as the problem can be made to look like it is the problem of someone else, the City can remain with its head in the sand and do nothing. In short, the City needs to step up and help solve problems of the congested area before this project becomes botched like the one that is currently at the BP station.

I have personally observed many accidents in this area and traffic backed up on Grove and Libbie for many blocks. It perplexes me why a traffic study and an in-depth review of this area has not already been addressed by the city. I had heard from Mr. Baliles twice in recent years that this was going to happen but I don't think it will. I think the developer will get approval, build the buildings and we are in for a big mess thanks to the city.

Thank you for your consideration.

Bonny Hamrick
Six Albemarle Avenue
Richmond, Virginia 23226

Ebinger, Matthew J. - PDR

From: Kelly Hayes [khayes109@icloud.com]
Sent: Thursday, January 07, 2016 12:37 PM
To: Ebinger, Matthew J. - PDR
Subject: Westhampton property theatre development

Dear Mr. Ebinger,

My name is Kelly Hayes and I reside at 5908 Three Chopt Road, three blocks from the intersection of Libbie and Grove Avenues. I am writing to express my concern and indeed disgust with the proposed development of the Westhampton Theatre property. I urge you to reject their application for a special use permit to build a structure that would be four stories tall and reach over 60 feet in height. The Urban Business zoning district does not permit that height. It is more than double the recommended height of 28 feet for the area. The proposed height is not in any way compatible with the The City of Richmond's Master plan adopted for the Libbie/Grove Avenue Corridor. Time and time again City Council, City Planners, and residents and neighboring businesses have expressed their support for the City's Master plan for the area and their desires to see it unchanged. Yet here we find ourselves again, considering another proposal by a developer to change zoning and that Master Plan. I recall both the BP development proposal of 2012 and the most recent Chadwick's building proposal currently under construction. The Westhampton Theatre Property's proposed height is not compatible with this Master Plan or past Planning Commission or City Council recommendations. It is not compatible with the current character and small scale of the neighborhood. It is not compatible with any building remotely near to it on Grove. It would tower over and intrude upon the one and two story residences which line up behind it on Seneca Avenue. Indeed, I would think that the lights and noise from the third and fourth floor condominiums and their outdoor terraces would prove to be nuisances for other residents living close by. As proposed, it would dwarf and completely encompass the neighboring Continental building. The development would literally swallow the existing one story restaurant. This is ludicrous from a design aesthetic! I can't imagine any architect or builder thinking that it would be acceptable to build a four story building on each side of a one story building and then put a bridge over the back of the smaller structure. The proposed 85,000 square foot development would be a behemoth in a neighborhood filled with small scale structures. It would dwarf in height, width, size and appearance any neighboring structures within blocks. It will ruin the cohesive nature currently found in the buildings lining Grove Avenue.

Perhaps just as damaging to the neighborhood as the sheer size of the project, is the fact that they intend to reduce available unrestricted parking in the area. The proposed structure plans to cover a crucial parking lot used by all the patrons of the more than thirty neighboring businesses. To add insult to injury, the developers also intend to take out of circulation an additional 100 plus parking spaces that have been used by the community for more than 20-30 years! To allow them to cover and restrict parking spaces in a high density area which, by the city's own admission has a lack of adequate parking, seems punitive for the residents and patrons of those businesses who use them on a daily basis. Where will the approximately 130 displaced parkers go? They will still continue to come to the area but will be forced to park in the surrounding residential areas, particularly streets such as Granite, Seneca, and Maple. This will place a hardship on these residents and clogging streets and place more stress on already clogged intersections.

The Westhampton Theatre Development development as proposed will be detrimental to existing residences and businesses. The Libbie and Grove neighborhood is a thriving residential, retail and commercial partnership which must be kept in balance. A development of this size and scope will destroy the character and balance of the neighborhood. If allowed, it could pave the way for future developments to do the same. I implore you to enforce current

zoning restrictions and follow the City of Richmond's Master Plan. These are laws and guidelines put in place by many to preserve the liveability of this unique and beloved neighborhood which is such an asset to the city. Thank you for your consideration,

Kelly Hayes

Ebinger, Matthew J. - PDR

From: don gehring [dcgehring@yahoo.com]
Sent: Thursday, January 07, 2016 5:05 PM
To: Baliles, Jonathan T. - Council Member
Cc: Ebinger, Matthew J. - PDR; Bridewell, Travis A. - DPW
Subject: Westhampton on Grove SUP Submittal

Jon,

As you may recall, my wife and I live at 5401 Tuckahoe Avenue and have been here since 1982 when we moved here for me to take a job with your Dad as Deputy Attorney General.

I'm writing to you to express my concerns regarding the Westhampton Theatre SUP submittal. I am part of a group of Libbie Grove neighborhood residents who believe the proposal is clearly incompatible with the City's Master Plan for the Libbie Grove district and is incompatible with the current zoning height restrictions which were adopted to help maintain the character of the area as a small scale commercial and shopping district. We are opposed to the proposal as submitted.

Our objections fall into several categories:

1. Size/scale. Much higher proposed building heights that would reach approximately 64 feet and would encompass the entire area from the theatre to Granite and Grove would dwarf remaining structures. This is completely incompatible with the existing pattern of development in the area. The new structure[s] with four stories would be more than twice as high as the current 28 foot height restriction would permit and the massing of the buildings would be overwhelming. [I have been told that the Long and Foster Building on the corner of Grove and Granite is 17 feet high. Contrast that with the height of the proposed buildings, and I think that's a good illustration of the massing scale shock that the neighborhood would experience. The height of the Chadwick project across Grove is also illustrative and that will not be as high as what's proposed for the theatre project from what I understand.]

It is also noteworthy that new development can be expected on the south side of Grove from Libbie to Granite at some point, and, while what happens with this proposal is not necessarily dispositive of decisions on that development, approval of this proposal would provide precedent which, from our perspective, would be highly undesirable.

2. Inadequate public access. Concerns here are with resulting inadequate parking and increased traffic congestion. While the developers may well have met legal requirements for their project, it appears there really is no question that the parking stock currently available behind the theatre will be taken offline to the general public. My understanding is that that involves more than 100 spaces. The developers have indicated that in their view resulting parking problems are the City's problem. Perhaps their proposal solves their parking problem, but it creates another one of greater proportion. So, if parking is the City's problem, how will the City address it? A parking study would be in order to quantify the problem. My guess is that there is no viable solution given space restrictions in the area. Jon, you indicated at the meeting at St. Christopher's in December that a City built deck is probably not a viable option. What would be? And, if there is not a viable plan to accommodate needed parking, how could anyone justify going forward with such a proposal?

As a corollary, the City should also undertake a traffic study. It is readily apparent that traffic congestion problems already exist at Libbie and Grove. If the study shows that the problems will be exacerbated, how would moving forward with the proposal be justified?

3. Light and noise issues. Some neighbors within several blocks of the project have expressed concerns about lights and potential noise from the condos on the third and fourth floors and their terraces. This presents new challenges for what has always been a quiet, predominantly residential, neighborhood.

I'm sure others could list more concerns. We are starting to get our arms around understanding the full ramifications of this proposal and how it will change our neighborhood if approved. I'm hopeful that I've been accurate in what I've said above and would welcome clarification if my understandings are incorrect.

Thanks for your consideration. We look forward to working with you on this proposal. Don Gehring

Ebinger, Matthew J. - PDR

From: Louise Bowles [louisebowles@verizon.net]
Sent: Thursday, January 07, 2016 10:10 PM
To: Baliles, Jonathan T. - Council Member; Ebinger, Matthew J. - PDR
Subject: Westhampton Theatre Development

Dear Mr. Baliles and Mr. Ebinger,

My family and I reside at 5504 Matoaka Road, at the corner of Matoaka Road and Granite Avenue, a block from the proposed Westhampton Theatre four story development. We have always referred to this area as "Mayberry" because of its quiet charm and easy access. In the last couple of years with the advent of new restaurants, parking has become a significant problem; many patrons illegally park on Granite Avenue and Grove Avenue causing impassable roads and gridlock. Our major concern with the proposed four story development is the parking and traffic congestion. Despite the fact that the developers believe that their plans for providing parking for their patrons satisfies their requirements, there is no denying that parking for the general public visiting the surrounding businesses and residences will be difficult, if not impossible. Granite Avenue is not wide enough to accommodate parking on both sides of the street. Traffic congestion is a concern which will result in neighborhood roads being used as "cut throughs;" especially during school mornings and afternoons.

Based on the foregoing, we strongly urge you to oppose the development of the Westhampton Theatre four story building and restrict the development to the two story height mandate.

Yours truly,

Louise and Russell Bowles

Ebinger, Matthew J. - PDR

From: Peter Breil [pbreil@windowgenie.com]
Sent: Wednesday, January 06, 2016 1:26 PM
To: Ebinger, Matthew J. - PDR
Subject: SUP - Westhampton Theater / Long & Foster building

Follow Up Flag: Follow up
Due By: Wednesday, January 06, 2016 6:00 PM
Flag Status: Flagged

Mr. Ebinger,

I am contacting you with regard to the special use permit for proposed development of the Westhampton Theater & Long & Foster building. I own and live in the first house on Granite Avenue south of Grove. The increased traffic that will result from the proposed development, and the increased demand for parking driven by patrons of other businesses who can no longer park in the Theater parking, are serious concerns for me. I reached out to Jonathan Baliles and Jason Guillot in early Dec. regarding these concerns. That email outlining my concerns and thoughts is attached below.

Thank you for your attention to this.

Thanks,
Peter Breil
125 Granite Ave

----- Forwarded message -----

From: Peter Breil <pbreil@windowgenie.com>
Date: Thu, Dec 3, 2015 at 10:58 AM
Subject: Traffic Improvements surrounding Westhampton development
To: Dave Gerstenmaier <dgerstenmaier@stewartinc.com>, "Baliles, Jonathan T. - Council Member" <jonathan.baliles@richmondgov.com>, jason.guillot@thalheimer.com, george.bolos@richmondgov.com, Patrick Heaney <pdheaney@yahoo.com>

Gentlemen,

I just attended both the Westhampton presentation at St. Christopher's, as well as today's Westhampton Merchants Association meeting, and would like to share some thoughts.

Traffic and residential parking in the area are two significant concerns that exist today, and will become more significant with the proposed development. Some examples of these concerns are:

- High speed traffic westbound on Grove approaching Granite, which usually (far) exceeds the posted 25-mph speed limit
- Traffic crossing Grove on Granite, where there have been numerous accidents
- High volumes of two way traffic on Granite, which is too narrow to permit parked cars plus two cars passing on opposite directions
- Through traffic on Granite Ave as a means of avoiding Libbie
- York Rd being treated as an alley / parking area

- Residential parking regularly being encroached on Granite due to local business parking demand
- Pedestrian traffic crossing Grove between Libbie and Granite with no crosswalks
- Difficulty turning westbound from Granite to Patterson

These are all existing issues that would be exacerbated by the proposed development.

I'd like to learn how to engage with the city to mitigate these issues. Perhaps naively, I believe there are several simple solutions, if we can get the city engaged. As a resident of Granite Ave, I've had a long time to observe traffic patterns, and would like to share my thoughts, and ask you how we can effectively engage with the city, whether it is through the Westhampton SUP process, the Westhampton Streetscape project, or other means.

My thoughts:

- Make Granite one way northbound from Cary to Patterson
- Install stop lights at Grove / Granite, and Patterson / Granite
- Segregate York Rd from the 7-Eleven parking lot and mark it clearly so that it is not mistaken to be an alley or 7-Eleven driveway
- Grant residential only parking to all residences on Granite between Matoaka and somewhere north of York Rd (perhaps with an opt-in or out) without going through the existing neighborhood residential parking process, which isn't appropriate to a single street area

I believe that these or similar steps could significantly improve traffic flow, vehicular and pedestrian safety and neighborhood livability, especially in light of the increased traffic that would come with new development.

- Jason - can suggestions such as these be incorporated into the SUP process?
- Dave - is the Streetscape project an appropriate channel for traffic ideas?
- Jon - Is there a way to get Traffic Engineering to seriously consider ideas for addressing these issues? What civic groups should be engaged?
- George - what other city channels could be utilized?

Thank you all for your consideration.

Pete Breil
125 Granite Ave
804-339-5520



Ebinger, Matthew J. - PDR

From: deutschrm@aol.com
Sent: Sunday, January 03, 2016 9:06 AM
To: Ebinger, Matthew J. - PDR
Subject: Westhampton Theatre

Good Morning Matthew,

My husband and I live in the 100 block of Seneca Road and wanted to express our concerns with the height of the building proposed at the Westhampton Theatre site.

Thank you

Mary Beth Deutsch

Ebinger, Matthew J. - PDR

From: Elspeth McClelland [esmc1234@aol.com]
Sent: Friday, January 01, 2016 8:43 AM
To: Ebinger, Matthew J. - PDR
Subject: Weasthampton Theatre renovation

I think the buildings are just too tall for the neighborhood. I think they should be only the existing height, particularly at the street level.

Elspeth (Beth) McClelland
esmc1234@aol.com

“ The safest place to be is in the middle of God’s plan.”

Ebinger, Matthew J. - PDR

From: Cheryl Hallman [hallman208@gmail.com]
Sent: Thursday, December 31, 2015 6:24 PM
To: Ebinger, Matthew J. - PDR
Subject: Special permit for Westhampton/ Grove/granite development

As a life long resident of Glenburnie /Tuckahoe Terrace. I am opposed to the four story height.

Please keep it at the present 2 story height.

Sincerely,
Cheryl Hallman

Sent from my iPad