

## **Considerations involving the proposed ordinances in relation to development by Fulton Hill Properties**

From: Steve Otto, 5114 Northampton St.  
January 4, 2015

### **Summary of concerns raised in staff reports:**

- Departs from Richmond's master plan
- Includes areas designated as public and open spaces
- Includes environmentally sensitive areas
- Prevents planned connections between public park spaces
- Increased density at odds with R-5 character of neighborhood (from 8.7 to 35 units per acre)
- Increased height at odds with R-5 character of neighborhood (from 35 to 65 feet)
- Proposed management of city street usage after privatization is not enforceable
- Parking spillover from increased density could affect neighboring properties
- Involves the loss of public athletic fields
- New special use permit for the school vacates the mitigation efforts negotiated previously

### **Not raised in staff reports but worth noting:**

Alongside parking, I have questions about the traffic flow corresponding to 266 (204 + 62) new households:

- Goddin Street, Northampton Street, and Carlisle Avenue are clearly not designed to absorb additional traffic.
- Access via Carlisle Avenue to Admiral Graveley Blvd. was not envisioned in the RRHA development of the Fulton Valley area.
- Property owners in the affected valley area, who purchased their properties under the constraints of the Master Plan, will be affected substantially.

Staff reports note "environmentally sensitive areas" within the building area. I also note:

- Possible geological concerns, and seek reassurance that the construction of these types of structures has accounted for the underlying unstable ground formation (historically subject to slippage and collapse).
- The extension of Northampton Street and adjacent parking will lie atop the historic Mt. Erin springs, which previously supplied water to neighboring areas. The known subterranean movement of ground water might raise additional construction concerns.

### **Re the current special use permit for Fulton School:**

- Neighborhood residents supported the current special use permit and negotiated the various considerations carefully with the developer and the Planning Department. The proposed special use revision abrogates these negotiations.

**Re the current forfeiture and closure of Carlisle Avenue:**

- Neighborhood residents supported this change in response to the difficulty of preventing trash dumping and the theft of cobblestones from the street. The proposed development, with its "eyes on the street," appears to resolve this difficulty and allow for the restoration to city control of this section of Carlisle Avenue.

**Re the neighborhood support cited for the proposed development:**

The Neighborhood Association voted at its April 2015 meeting to support the development. Preceding that vote, the neighborhood newsletter described the development as follows:

"The first phase of the project will be the new construction of approximately 200 apartments near the former School. The cobblestone portion of Carlisle Avenue will be restored, and the playing field at Goddin Street and Union Street will be improved. Parking for the apartments will be provided underneath the apartments. The second phase will be remodeling the school to better accommodate creative office and studio spaces."

I propose that this description is incomplete and somewhat misleading, and substantially affects how the Association's letter of support should be valued.

In Fall 2015, more detailed neighborhood presentations have prompted questions about the nature and design of the Project.

**Re alignment of Project with self-identified needs and goals of neighborhood residents:**

The most useful statement of residents' self-identified needs and goals is found in the June 2011 "Community Vision and Agreement" (69 pages) prepared after several years of extensive community discussions.

- With regard to housing, the concerns clearly focus on improving and maintaining existing housing stock.
- Nowhere does the report identify an interest in increasing residential density in order to spur retail development.
- Residents clearly prioritize increased connections between the lower valley and upper hill areas of the neighborhood (reduced/prevented by the proposed development).
- Residents clearly prioritize open spaces and access corridors connecting existing parks (reduced/prevented by the proposed development).

Favorite quotation from Community Vision document:

"Have the City and RRHA work with the community on what residents really need and want, rather than what they think people need"

**Re integration of Project into surrounding areas:**

- I note with dismay both the existing and proposed closure of city streets to private management. This is more characteristic of a gated community.
- Evidence of the "separation" approach is the placement of a private swimming pool (a community pool exists two blocks away).
- Evidence of the "separation" approach is the parking consideration for the possible "community" coffee shop: "Café customers and residents will share parking spaces, as the timeframe when the two user groups use the parking spaces is complimentary" (Special Use Permit Application, Fulton Hill Studios Renovation).

Monday, January 4th, 2016  
Planning Commission Meeting  
City Hall, 5th Floor Conference Room

Re: Fulton Hill Properties ordinances and requests for change in zoning for purpose of development (i.e. Studio Row)

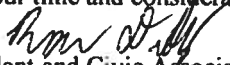
To whom it may concern,

I believe that the consideration of Ord. 2015-256 through Ord. 2015-259, as proposed by Fulton Hill Properties/Margaret Freund, should be postponed for the following reason:

1. The support from the community via the Civic Association, Executive Committee, and residents, was for a different proposal than what we see today in the form of Ord. 2015-256 through Ord. 2015-259. Thus, the Greater Fulton community needs a chance to discuss and evaluate the new proposal to see how it may benefit the community.
  - a. The letters of support and the vote in favor of the proposed development by the Civic Association and Executive Committee were for workforce housing, not market rate housing with minimal affordable and workforce housing as the proposal now offers.

The consideration of the aforementioned ordinances should also be postponed for the following reasons regarding claims about how the Studio Row development may benefit the community:

2. The developer's claims about senior housing are currently unclear and seem to be unsubstantiated.
  - a. There has been no community examination or evaluation regarding their claims about senior housing and integrating seniors into their planned community. This goes for the following issues concerning seniors and disabled individuals: affordability, access to amenities of the proposed development, access to the proposed development site and from the site to other parts of the neighborhood, and any initiatives regarding seniors that are mentioned in the LISC Community Vision and Agreement for the Greater Fulton Area.
  - b. My discussions with community seniors have revealed that several of them do not think this development is not affordable for them, it will not provide a preferable form of housing to them, and they are not sure how the development will accommodate their needs.
3. Any claims made about how the development will bring desired amenities into the neighborhood, such as a grocery store, sidewalks, a school, etc., are not substantiated.
  - a. No evaluation of these claims has been performed -- they are merely speculative.
  - b. The most accessible and viable locations for a grocery store or a school in the neighborhood has been taken by recent developments by Stone Brewing and the Villas at Rockett's Landing (actually located in Fulton/Fulton Bottom, not Rockett's Landing).
4. It is unclear how the development fits the Housing, Physical Infrastructure, and Culture/Parks/Programs initiatives identified in the LISC Community Vision and Agreement for the Greater Fulton area.
  - a. The report identifies that evaluations should be done regarding several of the above mentioned initiatives. Such evaluations have yet to be done, thus making it unclear as how the proposed Studio Row development would satisfy the initiatives.

Thank you for your time and consideration,  
Ryan Duffy   
Fulton Hill Resident and Civic Association Member

**From:** [Jay Epstein](#)  
**To:** [Markham, Lory P. - PDR](#)  
**Subject:** RE: Fulton Hill Development Proposal  
**Date:** Monday, January 04, 2016 9:34:56 AM

---

Lory here are my questions and concerns

My name is Jay Epstein. I am the developer and builder of Fulton Village that included 62 single family homes that were sold as a mixed income development thru Richmond Redevelopment and Housing. I am now building the remaining 45 single family homes known as the Villas at Rockets Landing. I started this development 9 years ago. The goal was to establish home ownership in a redevelopment area of Richmond designated as Fulton that is surrounded by rental apartments. We are in the process of building the final phase of market rate homes in Fulton priced from the \$230,000's to the \$280,000's.

As the city council looks at this development questions arise.

1. Does Fulton need additional apartments? I believe not we are saturated with apartments already in this area. **It would be better that this community had condos for sale that help to establish home ownership.**
2. How will the apartments be financed? **Will this community be a low income tax credit apartment complex financed by VHDA.** What assurances from the developer can be documented to prevent this from happening?

**Jay Epstein**  
**Developer/Builder**  
**Health E Community Enterprise of Va Inc**  
**264H McLaws Circle**  
**Williamsburg Virginia 23185**  
**757 592 4855**

---

**From:** Markham, Lory P. - PDR [mailto:Lory.Markham@richmondgov.com]  
**Sent:** Monday, December 28, 2015 12:32 PM  
**To:** Jay Epstein  
**Cc:** Thompson, Daniel W. - PDR  
**Subject:** Fulton Hill Development Proposal

Jay,

Here is a link to the ordinances regarding the performance agreement about the development proposal we discussed:

<https://richmondva.legistar.com/LegislationDetail.aspx?ID=2536640&GUID=8AE3A19D-9110-4D8D-BE90-CC39E2F18267&Options&Search>

There are other links on this page that will take you to the other five ordinances that relate to this development. Please let me know if you have any questions. If you would like to submit anything in writing to be considered by the Planning Commission, please send it to

me and I will make sure they receive it.

Thank you,  
Lory

---

Lory Markham  
(804) 646-6309  
City of Richmond  
Department of Planning and Development Review

[Land Use Administration](#)

[City Zoning Map](#)