

From: Donna Shropshire <donna.shropshire@gmail.com>
Sent: Monday, November 29, 2021 4:16 PM
To: Ebinger, Matthew J. - PDR; Brown, Jonathan W. - PDR; Addison, Andreas D. - City Council; Wagner, Daniel M. - City Council Office; MDA ZONING COMMITTEE; keheadley1@gmail.com
Cc: Elaine Kennedy; LINDA CROWDER
Subject: Sent On Behalf of Elaine Kennedy & Linda Crowder

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Elaine Kennedy
Linda Crowder
3416 Ellwood Avenue
Richmond, VA 23221
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DATE: November 29, 2021

RE: Proposed Request Special Use Permit and Zoning Variance
Dante DeCapri, aka In the Alley, LLC
3415-A Floyd Avenue

I would like to express my unmitigated **opposition** to Mr. DeCapri's intent to secure a Special Use Permit and Zoning Variance scheduled to be submitted to the City and MDA for its approval for a parcel of land between the alleys of the 3400 block of Floyd and Ellwood Avenues to be utilized as multi-family housing (3415-A Floyd Avenue). Not only will those adjacent property owners be adversely affected but there will be a "domino" affect for the surrounding streets, most specifically Ellwood, Floyd, Crenshaw, and Nansemond.

I have lived at my current residence for 25 years which, in my opinion, gives me an objective view of changes and improvements within the MDA. While I am receptive to progress, the variance requested by Mr. DeCapri will be detrimental to the neighborhood and serve as a negative precedent for other like properties. This proposed SUP appears to be a deliberate attempt to circumvent zoning code for the construction of new apartments. The SUP does not comply with Section 17.11 of the Charter of the City of Richmond (2020) in that it **IS** "detrimental to the safety, health, morals and general welfare of the community involved" **and** will creates hazards from fire, panic or other dangers, and cause overcrowding of land and cause an undue concentration of the existing population.

First of all, the designs submitted are in no way a reflection of what its outcome would actually be. I take exception to the letter from Mr. Mark J. Kronenthal of Roth Jackson Gibbons, Condlin, PLC, regarding his selective interpretation of the City's Master Land Use Plan. This Master Land Use Plan was designed as a **guideline** and not intended to be used to allow infill that would come at the expense of MDA residents, both from a livability and economic standpoint. For example, Mr. Kronenthal's letter stated that the "Richmond300 process has found that 'vacant parcels where there are no buildings on a lot ... may decrease the perception and actual safety of neighborhoods. Strategies to reduce the number of vacant buildings and parcels may increase the overall safety of neighborhoods". You can rest assured that currently this parcel is in absolutely no way unsafe. You can be sure, however, construction as presented in the SUP may undoubtedly create an *unsafe* environment. **As stated in the description of the**

Planning Commission's responsibilities, "The general purpose of the Plan is to guide and accomplish a coordinated and harmonious development of the City".

Additionally, Mr. Kronethal's letter stated that the SUP will not be "detrimental to the safety, health, morals and general welfare of the community involved". I most certainly take great exception to this statement. In response to the previous SUP submitted there were a multitude of negative issues raised by over fifty surrounding neighbors.

Despite Mr. Kronethal's letter, the SUP **will**, at a minimum,

- result in significant traffic impacts, etc.
- create hazards from fire, panic or other dangers
- overcrowd the land and cause an undue concentration of population
- adversely affect or interfere with conveniences and improvements or
- interfere with adequate light and air.

An on-site visit and discussion with the neighbors will most certainly share their opinions that the SUP does **not** comply with a multitude of regulations as stated in the City code too numerous to mention.

As per City code, such construction must have access frontage on a street. This plan is in direct non-compliance and would set a negative precedent which would undermine the entire purpose of the City's master plan.

First and foremost are the issues of safety. The alley behind Floyd entering from the Nansemond intersection is extremely narrow at its egress onto Crenshaw Avenue and would be virtually impossible for first responders the ability to navigate efficiently in the event of an emergency. Also, the alley behind the 3400 block of Ellwood lacks a usable egress onto Crenshaw because it "doglegs" and it is extremely difficult for small vehicles to exit. Presently vehicles including our trash and recycling trucks for the 3400 blocks of Floyd and Ellwood now have to back up all the way out onto Nansemond. The design submitted with the SUP is merely that---a design.

Parking is also a critical issue. In reality, the sketch provided for parking spaces is not adequate. Therefore, any of Mr. DeCapri's personal vehicles as well as any visitors would result in overflow to the surrounding streets which are already stretched beyond current limitations. The proposed parking looks "nice" on the plan but in reality, it is grossly insufficient and again, not in compliance with City code.

Next, the current City infrastructure is already beyond its maximum capacity. The current City budget cannot afford to maintain the streets nor its alleys. The sewer lines are already a constant source of problems for the citizens. With the development on the 3400 block of Ellwood (Fresh Market, Publix, etc.) the surrounding neighbors have noticed a significant decrease in water pressure for the residents. I myself had to spend thousands of dollars because of City problems and many of the surrounding neighbors have also incurred such expenses. Water run-off from building drainage would make our already limited alley access virtually impossible. The proposed development will **not** provide the City with revenue that it receives from private dwellings. In order to appease the request by one person, who is going to pay for all of the requirements for infrastructure? As a taxpayer, along with all the neighbors who previously signed a petition in opposition.

The footprint of the current design in itself presents a plethora of problems for the neighborhood. The majority of the surrounding homes on the four streets are attached which makes it necessary in many instances for repair persons to park temporarily in the alley. If this is not feasible, it creates an undue hardship on existing residents. The Planning Commission have a responsibility to ensure the safety and welfare of the homeowners. The SUP states that 4 dwelling units with at least 9 bedrooms will be jammed into a space that does **not** company with City code. To put it bluntly, it would be a nightmare and there would be **no** advantage to the City.

Another question brought up previously but never answered was, "if the proposed construction covers the entire footprint of the property, just how will this be physically done?" There is no space for large construction equipment, building supplies, deliveries, etc. without encroaching upon the rights of the current property owners. The architectural rendering in no way is reflective of the reality of the property.

There are a multitude of other issues that would make the construction detrimental to the well-being and quality of life for the current residents, i.e., **no property management**, and other inherent problems. Mr. DeCapri stated previously that he would be personally responsible for the maintenance and management. To the best of my knowledge Mr. DeCapri will be solely responsible for any proposed property and there are no "partners". Therefore, should Mr. DeCapri, for any reason, be unable to assume the responsibilities of construction, maintenance, etc., will our neighborhood be left with a half-built pile of construction rubble? What recourse would neighbors have should Mr. DeCapri start the project and stop "midstream"? While this might not be a code issue, there are several obvious reasons why this is a very realistic concern.

Another negative component to this problem is the adverse effect on neighborhood property values. Most of us have been long-time homeowners, paid our taxes, and enjoyed living here. However, this proposed development will most certainly have a negative impact on our property values. Consequently, if our property values go down, so do the taxes that we pay.

Most significantly, this proposed project is not complementary to the intent of the MDA. I do not oppose community improvements and development. However, in this situation, it would most certainly set a **negative precedent** and could happen in your own back yard. We have a very compatible, livable, neighborhood and would appreciate that it remains so.

I write this letter with great consternation because I am certain I, as well as our neighborhood, will suffer the consequences. However, I am willing to take a stand and I am sure that I speak on behalf of many.

Your consideration would be most appreciated.

Regards,

Elaine Kennedy

Linda Crowder