

Watson, David F. - PDR

From: Bernard Fields <bafields2@gmail.com>
Sent: Wednesday, September 28, 2022 5:30 PM
To: PDR Land Use Admin; Lynch, Stephanie A. - City Council Office; Robins, Amy E. - City Council Office; Watson, David F. - PDR
Subject: RE: Opposition to Ordinance No. 2022-268 - Special Use Permit for 401 S Stafford

CAUTION: This message is from an external sender - Do not open attachments or click links unless you recognize the sender's address and know the content is safe.

Planning Commission Members and Councilmember Lynch,

I am a resident of the Greater Richmond Region and often visit the City to see friends and family, attend events, shop, and dine. I spend time in the Byrd Park neighborhood and am familiar with the property at 401 S Stafford Ave. I am writing to oppose the proposed Special Use Permit (SUP) for the property because it will negatively impact nearby residents and property owners. I believe the Planning Commission should only recommend approval of the proposed SUP with conditions to:

1. Keep all commercial activity within the walls of the building. An outdoor dining area will disrupt nearby residents’ tranquility and privacy, and outdoor dining is not necessary to allow a commercial use at the property.
2. Locate service areas in the rear or basement of the property in order to maintain the streetscape of Idlewood Ave and to not be a nuisance to neighbors.
3. Prohibit alcohol sales and consumption. Published research shows that alcohol outlets lead to an increase in crime that in turn leads to a decrease in property values. Nearby residents should not be subjected to a zoning change that will put them in danger or negatively affect their property values.

Thank you for considering my perspective,

Bernard Fields
804-651-0103
bafields2@gmail.com

Watson, David F. - PDR

From: Hunter Merrill <huntermerrill@icloud.com>
Sent: Thursday, September 22, 2022 8:29 PM
To: PDR Land Use Admin; Lynch, Stephanie A. - City Council Office; Robins, Amy E. - City Council Office; Watson, David F. - PDR
Subject: Opposition to Ordinance No. 2022-268 - Special Use Permit for 401 S Stafford Ave

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Thank you for considering my perspective,

Hunter Merrill
5403303833
Huntermerrill@icloud.com

Watson, David F. - PDR

From: amber burkhardt <burkhardtas@yahoo.com>
Sent: Monday, September 26, 2022 10:35 AM
To: PDR Land Use Admin; Lynch, Stephanie A. - City Council Office; Robins, Amy E. - City Council Office; Watson, David F. - PDR
Subject: Special Use Permit (SUP) for 401 S Stafford Ave (Ordinance No. 2022-268

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I have resided in Byrd Park for 20 years and live at 405 South Stafford Ave. My property lies just 40 feet from 401 S Stafford Ave, and I will be negatively impacted by the proposed zoning changes on the property. My family owned a small corner cafe in the Museum district for many years and I am extremely familiar with the negative impacts this causes on a residential neighborhood. While the amended application limiting the SUP is an improvement, I still strongly oppose this current SUP for many reasons.

1. Any zoning approval should require that all commercial activity remains within the walls of the building. An outdoor dining area will significantly disrupt nearby residents’ tranquility and privacy and is not necessary to allow a restaurant at the property. Personally, I strongly oppose outdoor dining and alcohol consumption 41 feet from my bedroom window as these activities with diminish the tranquil of my home and surrounding immediate neighbors.

Outdoor seating for service or consumption of food and beverages by patrons is generally not consistent with a residential neighborhood. Current city ordinance states that “no deck, patio, terrace or other area outside a completely enclosed building and used for the service or accommodation of patrons shall be situated within 100 feet of any property in an R district other than the R-63 district.” This zoning requirement protects residents’ quiet enjoyment of their homes without undue noise or an undue invasion of privacy. Thus, the proposed patio area for dining is a major deviation from existing zoning ordinances and practices and should not be permitted within an R-6 zoned area.

2. The approval of alcohol sales on and off the premises should be prohibited. This will cause an increase in crime and lower property values. Alcohol sales are a nuance to residential neighborhoods.

Denying the sale of alcohol would help further reduce criminal activity and maintain a quiet and calmer living environment for the residents. Currently, construction is underway one block east at 2202 Idlewood Ave to renovate a previously existing market which will provide alcohol sales. Two establishments selling alcohol within one block is saturating our residential neighborhood and is unwanted and unnecessary.

3. The use of outside service areas should be confined to the basement or the rear of the building. If not, it would cause unsightly street views, disruption and problems for the residents of this area. A service yard abutting the sidewalk in the building’s yard facing Idlewood Ave will degrade the streetscape and be a nuisance to neighbors. There will be an increase in rodents/vermin as a result. There is already a problem with various pests at Fountain Lake and I am concerned that these vermin will move over to the restaurant area.

I want to voice my concerns and my objections over the current Special Use Permit. As it stands, it would only cause undue problems and issues for the residents that reside within the immediate area. The current proposed use would certainly be detrimental to the safety, health, morals and general welfare of the community, and therefore would not be permitted under the City’s Charter.

I request that the Planning Commission revise the current request for the Permit to make the area safer for the residents. I also request that Ms. Lynch, object to the current permit as it stands and to request changes in the Permit to prohibit alcohol sales, deny outdoor dining, and all outdoor service areas are confined to specific areas.

Thank you for considering my concerns and opposition regarding the Special Use Permit.

Amber Burkhardt
405 South Stafford Ave

Watson, David F. - PDR

From: Betsy Mccallon <betsymccallon@gmail.com>
Sent: Monday, September 26, 2022 12:57 PM
To: PDR Land Use Admin; Lynch, Stephanie A. - City Council Office; Robins, Amy E. - City Council Office; Watson, David F. - PDR
Subject: Opposition to Ordinance No. 2022-268 - Special Use Permit for 401 S Stafford Ave

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Planning Commission Members and Councilmember Lynch,

I periodically travel to the City of Richmond, specifically to the Byrd Park neighborhood, to visit friends that live very close to 401 S Stafford Ave. I am writing to oppose the proposed Special Use Permit (SUP) for the property because it will negatively impact my friends and their neighbors. I believe the Planning Commission should only recommend approval of the proposed SUP with conditions to:

1. Keep all commercial activity within the walls of the building. An outdoor dining area will disrupt nearby residents' tranquility and privacy, and outdoor dining is not necessary to allow a commercial use at the property.
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Thank you for considering my perspective.

Sincerely,
Betsy McCallon
betsymccallon@gmail.com

Watson, David F. - PDR

From: Chris Magee <cmagee2222@gmail.com>
Sent: Thursday, September 22, 2022 11:23 AM
To: PDR Land Use Admin; Lynch, Stephanie A. - City Council Office; Robins, Amy E. - City Council Office; Watson, David F. - PDR
Subject: Opposition to Ordinance No. 2022-268 - Special Use Permit for 401 S Stafford Ave

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Thank you for considering my perspective,

Chris Magee
804-937-4596
cmagee2222@gmail.com

Watson, David F. - PDR

From: Claire Wingfield <crwingfield@gmail.com>
Sent: Monday, September 26, 2022 3:20 PM
To: PDR Land Use Admin; Lynch, Stephanie A. - City Council Office; Robins, Amy E. - City Council Office; Watson, David F. - PDR
Subject: Opposition to Ordinance No. 2022-268 - Special Use Permit for 401 S Stafford Ave

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Appreciate your consideration.

Claire Wingfield
crwingfield@gmail.com
2027447485

CITY OF RICHMOND
ZONING ADMINISTRATION
900 E. BROAD STREET
CITY HALL ROOM 110
RICHMOND, VA 23219

MAY 31 2022

TO: William Davidson
Planning Supervisor/Zoning Admin.

FROM: Elaine Goodman

Re: Fraud, Violations, Portbery
Conspiracy Collusion

Subject: Byrd Park Civic League (BPCL)
Mark Baker, Baker Development
401 S. Stafford Ave. 23220

Please excuse the writing, the errors
and crudeness b/c my computer broke
and I have revised many times

Thx

Proximity & Logistics

The front doorway of 401 S. Stafford Ave. is angled between S. Stafford and Idlewood Ave. My house is 10 (ten) feet from the bldg. on Idlewood. My address is 2323 Idlewood Ave. The main full body and full side length brick wall is on Idlewood Ave. next to my house. A small portion of the cemented sidewalk (corner property) is next to the public sidewalk. The sidewalk is in front my house, and my front windows.

The frontyard and backyard is next to my house directly facing my side brick wall and windows and Idlewood Ave. The 2nd floor apt back porch extends almost into my bedroom windows at 7 (seven) feet away. The bldg is in a backwards "L" next to my house.

The bottom of this backwards "L" is next to my frontyard brick foundation, my back wall brick foundation. The front + back yards are combined and next to my house as you approach the bldg. In the yards are a basement exit, stairwell to basement, a boarded window & a 2nd floor back porch. All of the ground, and anything wanted there is next to me below my side windows, except the 2nd fl. apt. is almost into my house. Everything noise/sound and odors/smells negatively impact my house and my tranquility as it invades my windows inside my home.

The juxtaposition of 401 S. Stafford St. to 2323 Idlewood has been hell in the last couple decades.

Proximity Logistics Tradition

The proximity and logistics of 401 S. Stafford Ave. to 2323 Idlewood Ave. would probably fail the planning standards. The 1st fl. commercial and 2nd fl. apt. back porch section has caused one year of sleepless days + nights, and quiet. My family and I have lived here since 1958. For a long time there were no problems - and we experienced peace, quiet, and a homogenous environment. But with the change of owners became a change of decent times and everything got worst and worst, until residents suffered. Back in time, there were less people, less cars, less traffic and less trash/garbage. This neighborhood is experiencing the only good part of the tradition - that is - peace, quiet, and a homogenous neighborhood without problems. (This will change for the worst, if this SLP Applicant waives 59-00 because the city believed their lies and dishonesty, read next pages). Remember, it was a blessing anomaly from a power that allowed the City of Richmond to protect its residents 20+ years ago - do not falter - this was a blessing. We, the impacted residents do not want 401 S. Stafford, 1st floor re-opened as a restaurant.

We stand to return Resolution 59-00 and return our tranquility and protection.

This building started as a pharmacy, different type food places, real estate office, and up until mid 2021 - the owner had a successfully ran ice cream mfg until he went more according to witnesses. (Yes I heard noise from machines but was better than people and a glow of people + cars)

A. Fraud & Violations

1. For almost 2 (two) years, the 1st floor of 401 S. Stafford was rented to an Ice Cream Mfg. until the owner, David Zelman evicted the tenant in mid-summer 2021. Mark Baker of Baker Development sent a letter to some residents dated December 16, 2021. He falsely stated that the bldg was vacant since the 90's. He and a few I suppose were Byrd Park Civic League members continued with the situation that it did not matter. Two months later (so called), a neighbor challenged the statement and finally Baker conceded. * See letter enclosed. When I discovered the 1st floor would house a mfg company - I could not see. I visited City Hall at the Planning/Zoning Dept. and spoke to an official who confirmed the situation and he stated to me "give it a chance" - that only 1-2 occupants would be there. The owner, Zelman and the tenant business person fixed the basement and 1st fl to be compatible to produce bulk ice cream.

X David Zelman stated to me that he wanted an ice cream store. I told him "no" and thought it was a joke because I explained to him the horror story of a restaurant or service type food or alcohol.
2. A woman frequented the basement I witnessed for about a year - I asked Zelman if she was a tenant living in the basement, he stated she only stored her paintings there.

-4-

Fraud + Violations (cont'd)

3. The City of Richmond lists Bryds Nest Bldg LLC as owner of 401 S. Stafford Ave (though he stated only Bryd Nest LLC). Yet, the owner is David Zelman who owns New York Deli on Cary St, in Carytown. (Conflict of interest in light of Resolution 59-00). New York Deli's are close by and far, and Zelman might be LLC. Zelman has deliberately hidden his identity, agenda and intent behind LLC. Since 2016 he is documented as owning the building why now a restaurant - b/c there lies illegimate measures all around. He has never improved the building inside or outside until now after coming forth with wanting to waive a Resolution 59-00 which has protected this area for over 20 yrs. For all this times with tenants on the 2nd fl. - they have been horrible in behavior, loud and on the back porch all hours of night and early a.m., except pure murder.

I contacted City of Richmond to make a complaint. I was given the address for Bryd Nest LLC as 3213 Garrett St, 23221. About 2 weeks, the letter was returned to me after circulation and without a forwarding address stamped "Return to Sender". Later, after searching I discovered the address belonged to D. Zelman who had moved to Mechanicsville. But the street was James Dr, Richard D. Manson lives at 3100 Garrett St. No coincidence. Manson owned 401 S. Stafford about 1997 and he was horrible. He deliberately violated

3a. In July 14, 1997 Richard D. Manson violated rules' often, City gave a Stop Work Order. Then 8/1/97 Va. Dept of Alcohol Beverages Control (ABC) failed to wait to acquire a license before time. Zelman has acted the same way trying to rush a process by work inside and outside the building at 401 S. Stafford Ave. To date, each owner of 401 has only been concerned with profits at the expense of impacted and nearby residents, and each owner has gotten worse, that is the tradition, and that is exactly why the building should never be a restaurant again.

B. Richmond 300 Conspiracy

The owner/applicants of 401 S. Stafford Ave. has made a phony statement to improve the building, only because it was part of a plot to gain favor with the city and make other. David Zelman has owned this bldg. property for many years (2016) and only the belief and conspiratorial measures has he decided to improve the property "give him a restaurant or else". This man did not even care for the back yard (front yard) - nor have control over their tenants they selected. This block of Elderswood has never been brought - not even before 2308 a million dollar award runway house was built. It replaced a beautiful green house with 2 pine beautiful pine trees after city/state demolished the beautiful homes that were there for Hwy. 401 for years has

Richmond 300 Bribery (cont'd)

The only ~~delight~~ and I have pictures from the 90's to now (2022) to prove it. Do not pay for their building improvements with or by allowing them to ~~drive~~ the city with beauty and improving the area - a big lie, to waive Resolution 54-00 under disagreement.

A trick of bribery against the idea of Richmond 300. Why was the building 401 purchased? (I think I saw Richmond working on/ard).

C. Conspiracy Collusion

It was obvious that BPCL had a relationship with Mark Baker. That's the president and others were knowledgeable but those who just happen to hear about the meeting - like myself was green.

I was more upset because I realized that numerous residents impacted by the restaurant (if opened) were opposed. BPCL was deliberate in not notifying folks in the impacted area. I have been a member since 1997 (about) and I was not notified. Some of us heard the word/mouth at last minute. And, it was virtual which prevented me more. Every word seemed to be a favored word as they engaged Baker who seemed familiar to them. There was no transparency. Never a democratic type and gathering and no way to know if all were actually a part of Byrd Park area. Why was this urgent?

Could had changed up things and better planning should have been made if it was to be a wholesome introduction and with Baker. (He did not need to be always present b/c those of us who had no voice because of bias should have

Conspiracy Collusion cont'd

been able to have equal and fair voices. The last meeting I attended on 3/28 was the last because I asked the folks to join me in fighting against the restaurant, and it was a joke. Then the President stated that Baker had won with a vote of 140-20. Those of us who impacted were so disrespected when they started conversation about wine/alcohol, indoors, outdoors, food etc. As if to tell those impacted that our social life is more than your domestic peace. They talked about where we would have to park if spaces were increased, etc. Just outrageous.

The transparency was out - they had conspired to have a restaurant regardless and that it was precluded before we even tried to engage.

I have never witnessed BPCL this selfish & unfair. BPCL incentive to go against impacted residents is shocking and not to protect 59-00. Bird Park Civic League should have no voice at all, though they have made some residents believe they can persuade the owners about certain things, those loving residents are fools because once in - that is it. BPCL approved Mark Baker, for the owners of a restaurant who have already started cheating and violating rules with working on a bldg. I was told they city person or someone in the city had given a pre-approval which is not a lie - why would they behave boisterous and unkind. X the 140/20 had come from a slanted and bias survey with one person reporting a lie.) The negotiations should be stopped for bias.



December 16, 2021

RE: 401 S Stafford Street SUP Request

Dear neighbor:

I'm working with the owner of 401 S Stafford Street (the "Property") on an application for a special use (the "SUP") in order to authorize the use of the first floor of the existing building for a range of neighborhood-s uses. The Property is located at the southeast corner of S Stafford Street and Idlewood Avenue and was ori developed in the early 1900s as a two-story masonry building with a first-floor commercial unit and second residential unit. The first-floor unit was most recently used as a restaurant in the 1990s and has remained vacant then. The owner is proposing to use the first-floor unit as a small market with limited indoor and outdoor seating to the needs of the nearby neighborhood.

The existing building will be retained in its current layout and the building's exterior would not be char However, in order to allow the building to be meaningfully occupied, the owner is now requesting some flexibility ti uses that would be permitted. In addition to the proposed market with indoor and outdoor seating, they are propo to permit a number of neighborhood-serving uses which would permit additional flexibility in occupying the space g forward. The Property is currently zoned R-6, which does not permit the proposed neighborhood serving uses therefore, an SUP is required. The Richmond 300 Master Plan recommends "Neighborhood Mixed-Use" for the Prope This designation specifically recommends that "In historic neighborhoods, small-scale commercial uses should allowed to reestablish."

In exchange for the SUP, the intent of this request is to allow for the reasonable re-use of this building. The proposed range of uses would allow for an appropriate, small-scale, neighborhood-serving use while allowing flexibil for continued occupancy on a tenant-by-tenant basis. This would prevent the potential negative impacts of a vacant structure in the area and provide a reasonable stream of revenue for the Property's future upkeep and maintenance. The assurances conditioned through the SUP would guarantee an appropriate and continued re-use of this historic building that is complementary to the surrounding residential neighborhood.

We have made application for the SUP with the City, and it is cu rrently being reviewed by staff. In the meantime, if you have any questions or comments, please call me directly at 874-6275 or email me at markbaker@bakerdevelopmentresources.com. I look forward to discussing this request with you.

Sincerely,

Mark R. Baker

CC: The Honorable Stephanie Lynch, Councilmember

2323 Idlewood Ave
Richmond 23220



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9510 8155 9707 2145 8634 40

Mr. William Davidson

Planning Supervisor

Leasing Administration

905 E. Broad St., Rm 108

Richmond VA 23219

From: [PDR Land Use Admin](#)
To: [Ebinger, Matthew J. - PDR](#); [Oliver, Alyson E. - PDR](#)
Subject: FW: Opposition to Ordinance No. 2022-268 - Special Use Permit for 401 S Stafford Ave
Date: Monday, September 26, 2022 4:23:26 PM

From: Hunter Merrill [mailto:huntermerrill@icloud.com]

Sent: Thursday, September 22, 2022 8:29 PM

To: PDR Land Use Admin <PDRLandUseAdmin@rva.gov>; Lynch, Stephanie A. - City Council Office <Stephanie.Lynch@rva.gov>; Robins, Amy E. - City Council Office <Amy.Robins@rva.gov>; Watson, David F. - PDR <David.Watson@rva.gov>

Subject: Opposition to Ordinance No. 2022-268 - Special Use Permit for 401 S Stafford Ave

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Planning Commission Members and Councilmember Lynch,

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Thank you for considering my perspective,

Hunter Merrill
5403303833
huntermerrill@icloud.com

Watson, David F. - PDR

From: Jeff Hyler <jhyler1457@gmail.com>
Sent: Tuesday, September 20, 2022 9:54 PM
To: PDR Land Use Admin; Lynch, Stephanie A. - City Council Office; Robins, Amy E. - City Council Office; Watson, David F. - PDR; kurt_engleman@yahoo.com; Jeff Hyler
Subject: Special Use Permit (SUP) for 401 S Stafford Ave (Ordinance No. 2022-268)

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To Whom It May Concern:

I have resided at 406 So Stafford Ave for 32 years and have seen many changes to this neighborhood. My house is across the street from 401 So. Stafford Ave. I am opposed to the request for the Special Use Permit for 401. My property will be impacted as well as my neighbors, and the Planning Commission should re-evaluate the parameters of the permit and amend the proposed permit. The neighborhood of Byrd Park is a predominately residential neighborhood and has been so since I have lived here. As a result, there are several factors to consider:

1. Any commercial activity should be confined to the inside of the property. The proposed outdoor dining area would cause considerable disruption to the residents on the block. There would be an increase in outside noise, increased foot traffic, and an increase in parking issues. These factors should be considered and adjusted accordingly prior to the approval of the permit.
2. The approval of alcohol sales on and off the premises should be prohibited. This will cause an increase in crime and lower property values. I have lived here since one of the previous owners had a bar/restaurant. There were noise issues, beer cans on the sidewalks, and at times, disorderly behavior due to individuals who had overindulged in alcohol consumption. There were increased parking issues during that time. Denying the sale of alcohol would help further reduce criminal activity and maintain a quiet and calmer living environment for the residents
3. The use of outside service areas should be confined to the basement or the rear of the building. If not, it would cause unsightly street views and disruption and problems for the residents of this area. There will be an increase in rodents/vermin as a result. There is already a problem around Fountain Lake and am concerned that these vermin will move over to the restaurant area.

I want to voice my concerns and my objections over the current requests in the Special Use Permit. As it stands, it would only cause undue problems and issues for the residents that reside within the immediate area. I request that the Planning Commission revise the current request for the Permit to make the area safer for the residents. I also request that Ms. Lynch, object to the current permit as it stands and to request changes in the Permit to prohibit alcohol sales, deny outdoor dining, and all outdoor service areas are confined to specific areas.

I thank you for your time and efforts in considering my concerns and request regarding the Special Use Permit.

Jeff Hyler and James Westfield
406 So. Stafford Avenue

From: [PDR Land Use Admin](#)
To: [Oliver, Alyson E. - PDR](#)
Subject: FW: Opposition to Ordinance No. 2022-268 - Special Use Permit for 401 S Stafford Ave
Date: Tuesday, September 27, 2022 3:03:16 PM

From: Jenny Christensen [mailto:jenny@c10family.com]
Sent: Friday, September 23, 2022 11:22 AM
To: Watson, David F. - PDR <David.Watson@rva.gov>; PDR Land Use Admin <PDRLandUseAdmin@rva.gov>; Robins, Amy E. - City Council Office <Amy.Robins@rva.gov>; Lynch, Stephanie A. - City Council Office <Stephanie.Lynch@rva.gov>
Subject: RE: Opposition to Ordinance No. 2022-268 - Special Use Permit for 401 S Stafford Ave

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Thank you for considering my perspective,

Jenny Christensen
804-475-2564
jenny@c10family.com

Watson, David F. - PDR

From: McAuliffe, Jill (Allianz Partners USA) <Jill.McAuliffe@allianz.com>
Sent: Friday, September 23, 2022 3:04 PM
To: PDR Land Use Admin; Lynch, Stephanie A. - City Council Office; Robins, Amy E. - City Council Office; Watson, David F. - PDR
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3. Prohibit alcohol sales and consumption. Published research shows that alcohol outlets lead to an increase in crime that in turn leads to a decrease in property values. Nearby residents should not be subjected to a zoning change that will put them in danger or negatively affect their property values.

Thank you for considering my perspective,

Jill McAuliffe
804-200-3887
jillcmcauliffe@hotmail.com



Jill McAuliffe
Pronouns:she/her/hers
Manager, Strategic Partnerships,USA
Vice Chair Diversity, Equity & Inclusion Council

9950 Mayland Drive, Richmond, VA 23233
Mobile: + 1 804.200.3887 | jill.mcauliffe@allianz.com



TO: City of Richmond Planning Commission (PDRLandUseAdmin@rva.gov);
Stephanie Lynch, 5th District Councilmember
(stephanie.lynch@richmondgov.com); Amy Robins, Liaison for Councilmember
Stephanie Lynch (amy.robins@richmondgov.com); David Watson; Planner
(David.Watson@rva.gov)

FROM: Kurt Engleman

DATE: September 20, 2022

SUBJECT: Special Use Permit (SUP) for 401 S Stafford Ave (Ordinance No. 2022-268)

I am a long-time resident of the City of Richmond and live in a home that I own and built in the Byrd Park neighborhood at 2308 Idlewood Ave. My property lies just 100 feet across the street from 401 S Stafford Ave, and I will be directly impacted by the proposed zoning changes on the property. I previously submitted comments on the original SUP application, which sought authorization for a range of commercial uses. While the amended application limiting the SUP to restaurant use is a welcome improvement, I still have concerns about the proposal as amended.

The Byrd Park neighborhood is a highly residential neighborhood. Any parcel converted to commercial use will be a substantial pattern change to the existing context of the neighborhood with a significant impact on the neighboring properties. While I support the reestablishment of a small-scale commercial use on the first floor of 401 S Stafford Ave, it must be done in a way that continues to promote nearby residents' peaceful enjoyment of their property. To that end, I believe there is a workable compromise that would allow for the commercial use of the property as a restaurant while also being considerate of adjacent residents like me. The compromise has three parts:

1. Any zoning approval should require that all commercial activity remains within the walls of the building. An outdoor dining area will significantly disrupt nearby residents' tranquility and privacy and is not necessary to allow a restaurant at the property.
2. All service areas should be located in the rear or basement of the property. A service yard abutting the sidewalk in the building's yard facing Idlewood Ave will degrade the streetscape and be a nuisance to neighbors.
3. Alcohol sales should be prohibited. Alcohol sales and consumption will increase crime and decrease property values as shown by both published research and specific neighborhood experience with a previous restaurant serving alcohol at the location.

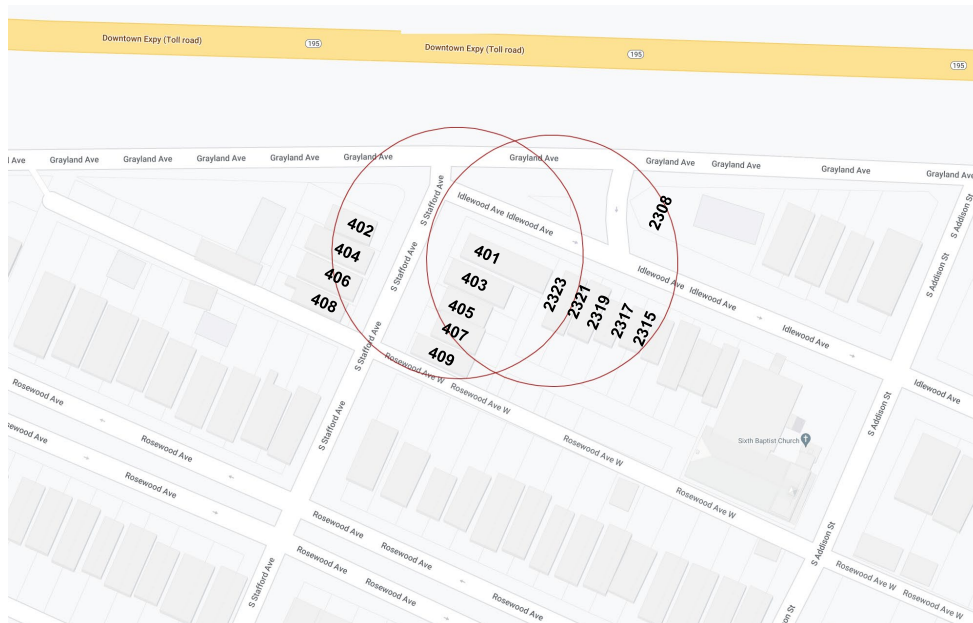
Each of these three items is addressed in more detail below. I urge the Planning Commission to only recommend approval of the proposed SUP with the above conditions eliminating the outdoor dining area, relocating service areas to the rear and basement, and prohibiting the sale and consumption of alcohol. With those three conditions added to the proposed SUP, I would look forward to a small-scale commercial use on the first floor of 401 S Stafford Ave. Without them, the proposed use would certainly be detrimental to the safety, health, morals and general welfare of the community, and therefore would not be permitted under the City's Charter.

SITE BACKGROUND

401 S Stafford Ave is a corner lot at the intersection of the 400 block of S Stafford Ave and the 2300 block of Idlewood Ave in the City's Byrd Park neighborhood. The surrounding blocks are zoned R-6, and thus populated by attached and detached single-family homes and a church. Below is an aerial view of the site with 401 S Stafford Ave circled in red.



The site is abutted on all sides by R-6 zoning and correspondingly, 14 single-family homes are within 100 feet. The homes include 2308, 2323, 2321, 2319, 2317, and 2315 Idlewood Ave and 402, 403, 404, 405, 406, 407, 408, and 409 S Stafford Ave. The map below labels the homes in black address numbers and the red circles have a radius of 100 feet while being centered on the northeast and southwest corners of the 401 S Stafford Ave parcel.



Sixth Baptist Church sits less than 200 feet from 401 S Stafford Ave and caps the other end of the 2300 block of Idlewood Ave. The neighborhood is relatively safe and tranquil and is home to a variety of families with children, working professionals, elderly people, and church congregation members.

OUTDOOR DINING AREA

Outdoor seating for service to or consumption of food and beverages by patrons is generally not consistent with a residential neighborhood. Throughout the City's code of ordinances regarding restaurants in nearly all zoning districts that permit restaurants (B-2, B-3, B-4, B-5, B-6, B-7, R-63, RP, UB, UB-2, TOD-1), it states that "no deck, patio, terrace or other area outside a completely enclosed building and used for the service or accommodation of patrons shall be situated within 100 feet of any property in an R district other than the R-63 district." This baseline zoning requirement protects residents' quiet enjoyment of their homes without undue noise or an undue invasion of privacy.

As previously mentioned, 401 S Stafford Ave is abutted on all sides by R-6 zoning and 14 single-family homes are within 100 feet. The proposed patio area shown in the SUP is so close to several of the properties that patrons in the outdoor seating area will generate disturbing noise and have clear line of sight into homes. Thus, the proposed patio area for dining is a major deviation from existing zoning ordinances and practices and should not be permitted.

While I recognize that the City's Master Plan designates the Byrd Park neighborhood as a Neighborhood Mixed-Use future land use area that provides for a small, but critical, percentage of parcels providing retail, office, personal service, and institutional uses, this is not a compelling argument that a commercial use should be permitted on the property in a way that infringes on basic zoning protections provided to nearby residents, particularly the 14 homes (including mine) within 100 feet. This is especially true when a reasonable compromise exists. Because outdoor seating would disrupt nearby residents' tranquility and privacy and is incongruent with a core tenet of the City's zoning ordinances, the SUP should not allow for outdoor seating for patrons to consume food or beverage.

SERVICE YARD LOCATION

Section 30-660.1 of the City's code of ordinances states that "facilities for the deposit and collection of trash or refuse shall not be located within any front or street side yard." This requirement helps to maintain an attractive streetscape and keep litter and obnoxious odors away from pedestrians and public areas.

Plans submitted with the 401 S Stafford Ave SUP show a service yard that extends from the edge of the building facing Idlewood Avenue all the way to the public sidewalk. Presumably, the service yard area will contain the trash or refuse area for the restaurant. This locates restaurant trash and service items abutting the public sidewalk and in clear view of nearby residents, particularly because the houses on Idlewood Ave are elevated several feet above ground level. A service yard located on the street-facing side of the property will significantly degrade the streetscape of Idlewood Ave and diminish the unique character of the Byrd Park residential neighborhood. The SUP plans should be amended such that service areas be located in the basement of the building and trash kept behind the building near alley access.

SALE AND CONSUMPTION OF ALCOHOL

Research Regarding Increased Crime and Decreased Property Values

Research shows that alcohol outlets are associated with increased crime. Findings of published, peer-reviewed articles include the following:

- A study published in *Environmental and Ecological Statistics* showed that the addition of one new alcohol outlet in a neighborhood would result in an increase in the number of criminal violence acts in that neighborhood by 5 crimes per 1000 individuals per year (Britt, Carlin, Toomey, and Wagenaar 2005).
- A review published in the *American Journal of Preventive Medicine* found numerous high-quality studies that showed an increase in the number of outlets that provided alcohol was correlated with an increase in the consumption of alcohol and related harms, particularly interpersonal violence (Campbell et al. 2009).
- An analysis published in *Crime & Delinquency* based on data from Norfolk, Virginia found a relatively strong relationship between the presence of alcohol outlets and crime (White and Triplett 2005).
- The 10th Special Report to the U.S. Congress on Alcohol and Health by the U.S. Department of Health and Human Services in 2000 noted the following:
 - In an investigation of locations in a large U.S. city to which police were dispatched to handle violent crimes, researchers found that onsite alcohol outlets such as bars and restaurants were among the “hottest” of the “hot spots” for violence.
 - In another large U.S. city, researchers found that city blocks with bars had higher rates of assaults, robberies, and rapes than other blocks, even after the analysis accounted for the impact of unemployment and poverty.

Much research has found that crime, and particularly violent crime, has a negative impact on the housing market by depressing property values (Hellman and Naroff, 1979, Lynch and Rasmussen, 2001, Tita et al., 2006).

Considering the research that shows alcohol outlets increase crime and the crime in turn decreases property values, a business that allows the sale and consumption of alcohol at 401 S Stafford Ave would likely increase crime for nearby residents while also decreasing property values for nearby property owners.

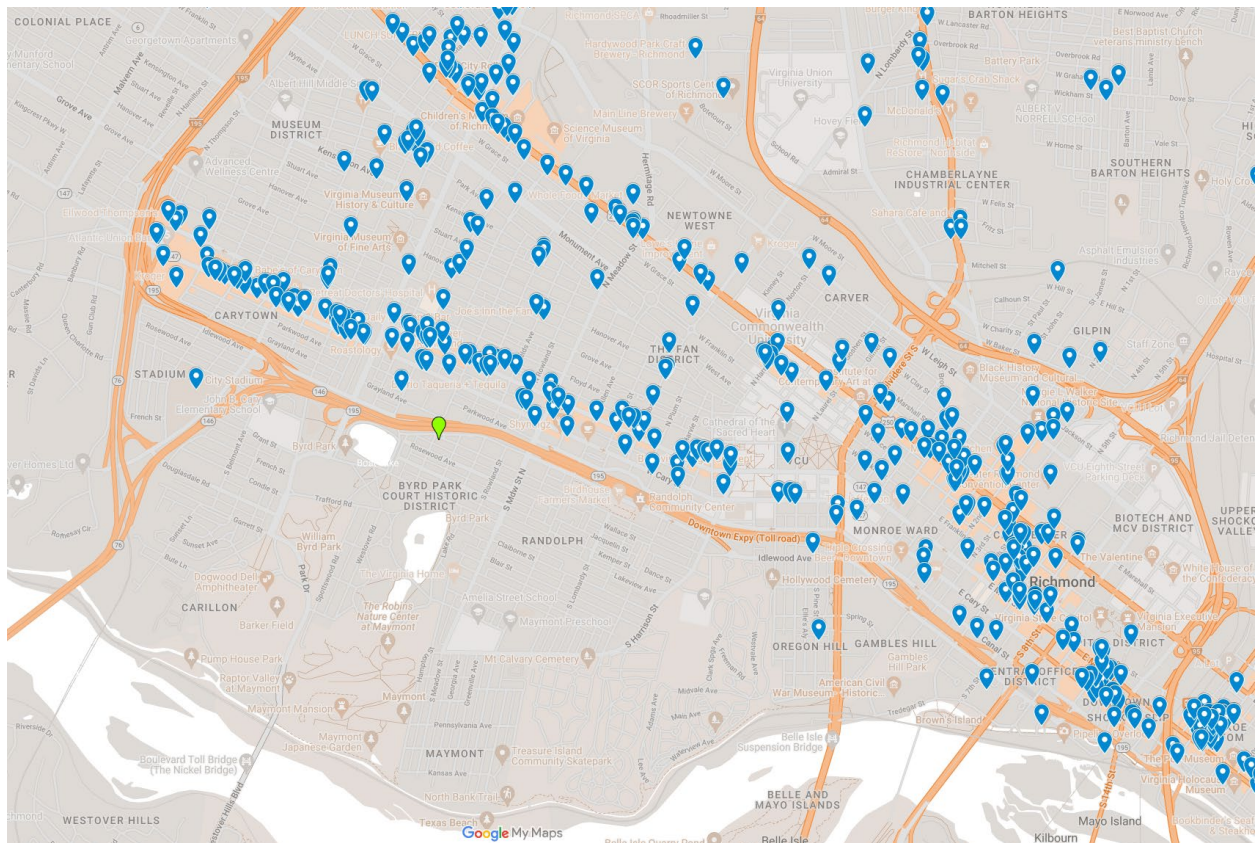
Negative Experience with Previous Restaurant that Served Alcohol

History of the exact site of 401 S Stafford Ave further supports that a restaurant serving alcohol would be detrimental to the neighborhood. In 2000, the Board of Zoning Appeals (BZA) was presented an opportunity to reestablish a nonconforming restaurant use on the first floor of 401 S Stafford Ave via BZA case 59-00. The BZA unanimously denied the request and concluded that reasonable use of the property can be made under applicable R-6 zoning or possibly a less intense use than a restaurant. During the BZA hearing, many neighbors testified about numerous problems associated with the prior restaurant located on the property. Additionally, neighbors submitted a petition with 90 signatures in opposition to a restaurant at the location. Several residents who attended the 2000 BZA hearing or signed the petition also attended recent 2022 Byrd Park Civic League meetings to explain their experience with intoxicated patrons from the former restaurant who committed crimes in and littered the neighborhood.

Urban Planning Best Practice to Distance Alcohol Outlet from Sensitive Areas

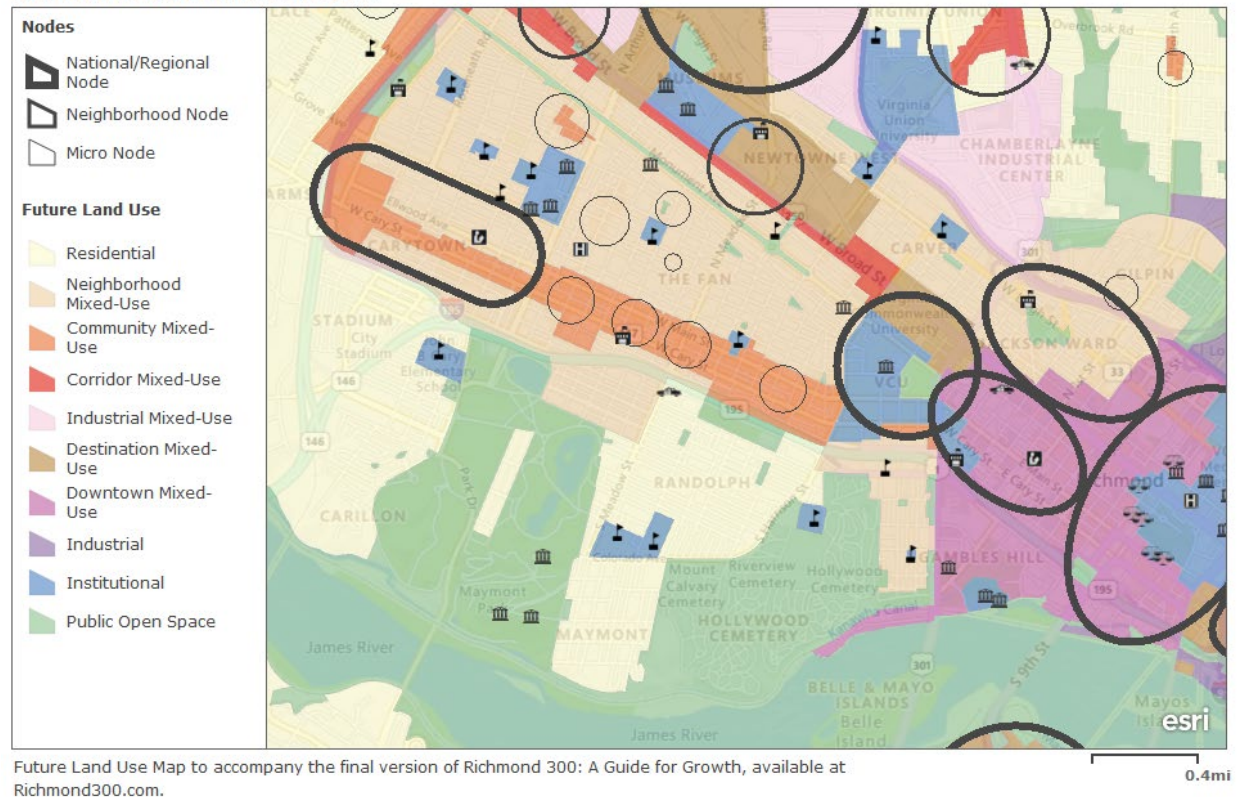
Urban planning best practices create distance between alcohol outlets and sensitive land uses such as schools, churches, parks, and residential neighborhoods (CADCA, CAMY, and Johns Hopkins Bloomberg School of Public Health 2006). As previously described, 401 S Stafford Ave is in the middle of a residential neighborhood, sits less than 200 feet from Sixth Baptist Church, and is about 550 feet away from Byrd Park. The City's Parks & Recreation department rules prohibit alcoholic beverages in nearby Byrd Park.

Depicted below is a map of active, retail Virginia ABC Licensees for beer, wine, or mixed beverages as of September 19, 2022 (shown as blue points) located near 401 S Stafford Ave (shown as a green point). The map shows that there are no other alcohol outlets in the Byrd Park neighborhood and that alcohol outlets are located in the higher density and more mixed-use areas in Carytown, along Main St and Cary St in the Fan, and along Robinson Ave in the Fan.



The location of current alcohol outlets is consistent with Richmond 300 future land use, which is depicted below. Comparing the two maps, one can see that alcohol outlets are generally located in community mixed-use areas, neighborhood nodes, and micro nodes. Alcohol outlets are generally not located in areas that are primarily residential, like the Byrd Park neighborhood. This pattern is consistent with urban planning best practices to create distance between alcohol outlets and sensitive land uses.

Richmond 300 Future Land Use



Considering (1) the research showing that alcohol outlets bring crime and crime decreases property values, (2) the neighborhood's past negative experience with a restaurant at the site serving alcohol, (3) that the City would break from its current best practice of keeping alcohol outlets away from sensitive land uses like residences and churches, and (4) that alcohol sales in this location would deviate from the City's Master Plan, there is a clear case that an alcohol outlet at 401 S Stafford Ave will negatively impact the neighborhood. Therefore, the proposed SUP should be amended to include a condition that prohibits the sale and consumption of alcohol.

CITATIONS

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Hellman, D., and J. Naroff. 1979. "The impact of crime on urban residential property values." *Urban Studies* 16: 105–112. <https://doi.org/10.1080%2F713702454>

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US Secretary of Health and Human Services. 10th Special Report to the U.S. Congress on Alcohol and Health. June 2000.

<https://pubs.niaaa.nih.gov/publications/10report/10thspecialreport.pdf>

Virginia Alcoholic Beverage Control Authority. Virginia ABC Licensees (XLS). (Data pulled on September 19, 2002. Filter: RECORD TYPE contains "Retail" and BEER/WINE STATUS = Active or Blank and COUNTY = Richmond City)

<https://www.abc.virginia.gov/library/licenses/other-documents/daily-license-search-report.xls>

White, G.F.; Gainey, R.R.; Triplett, R.A. Alcohol outlets and neighborhood crime: A longitudinal analysis. *Crime & Delinquency* 2015, 61, 851–872.

<http://dx.doi.org/10.1177/0011128712466386>

Watson, David F. - PDR

From: LJ Rafalko <ljrafalko@gmail.com>
Sent: Saturday, September 24, 2022 4:58 PM
To: PDR Land Use Admin; Lynch, Stephanie A. - City Council Office; Robins, Amy E. - City Council Office; Watson, David F. - PDR
Subject: Opposition to Ordinance No. 2022-268 - Special Use Permit for 401 S Stafford Ave

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Planning Commission Members and Councilmember Lynch,

I am a resident of the City of Richmond. As such, I spend time in the Byrd Park neighborhood and am familiar with the property at 401 S Stafford Ave. I am writing to oppose the proposed Special Use Permit (SUP) for the property because it will negatively impact nearby residents and property owners. I believe the Planning Commission should only recommend approval of the proposed SUP with conditions to:

1. Keep all commercial activity within the walls of the building. An outdoor dining area will disrupt nearby residents' tranquility and privacy, and outdoor dining is not necessary to allow a commercial use at the property.
2. Locate service areas in the rear or basement of the property in order to maintain the streetscape of Idlewood Ave and to not be a nuisance to neighbors.
3. Prohibit alcohol sales and consumption. Published research shows that alcohol outlets lead to an increase in crime that in turn leads to a decrease in property values. Nearby residents should not be subjected to a zoning change that will put them in danger or negatively affect their property values.

Thank you for considering my perspective,

Lawrence Joseph Rafalko
862-596-5014
ljrafalko@gmail.com

Watson, David F. - PDR

From: Leslie Shakespeare <ironprincess65@gmail.com>
Sent: Monday, September 26, 2022 10:15 PM
To: Watson, David F. - PDR; PDR Land Use Admin; Robins, Amy E. - City Council Office; Lynch, Stephanie A. - City Council Office
Subject: Re: Opposition to Ordinance No. 2022-268 - Special Use Permit for 401 S Stafford Ave

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Planning Commission Members and Councilmember Lynch,

I am a resident of the Greater Richmond Region and often visit the City to see friends and family, run, attend events, shop, and dine. I spend time in the Byrd Park neighborhood and am familiar with the property at [401 S Stafford Ave](#). I am writing to oppose the proposed Special Use Permit (SUP) for the property because it will negatively impact nearby residents and property owners. I believe the Planning Commission should only recommend approval of the proposed SUP with conditions to:

1. Keep all commercial activity within the walls of the building. An outdoor dining area will disrupt nearby residents’ tranquility and privacy, and outdoor dining is not necessary to allow a commercial use at the property.
2. Locate service areas in the rear or basement of the property in order to maintain the streetscape of Idlewood Ave and to not be a nuisance to neighbors.
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Thank you for considering my perspective,

Leslie Shakespeare
804-310-5444
Ironprincess65@gmail.com

--
Leslie

Watson, David F. - PDR

From: Lisa Vaz <lisa.vaz@gmail.com>
Sent: Sunday, September 25, 2022 7:05 PM
To: PDR Land Use Admin; Lynch, Stephanie A. - City Council Office; Robins, Amy E. - City Council Office; Watson, David F. - PDR
Subject: Opposition to Ordinance No. 2022-268 - Special Use Permit for 401 S Stafford Ave

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Planning Commission Members and Councilmember Lynch,

I periodically travel to the City of Richmond, specifically to the Byrd Park neighborhood, to visit friends that live very close to 401 S Stafford Ave. I am writing to oppose the proposed Special Use Permit (SUP) for the property because it will negatively impact my friends and their neighbors. I believe the Planning Commission should only recommend approval of the proposed SUP with conditions to:

1. Keep all commercial activity within the walls of the building. An outdoor dining area will disrupt nearby residents' tranquility and privacy, and outdoor dining is not necessary to allow a commercial use at the property.
2. Locate service areas in the rear or basement of the property in order to maintain the streetscape of Idlewood Ave and to not be a nuisance to neighbors.
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Thank you for considering my perspective,

Lisa Vaz
732-971-8212
lisa.vaz@gmail.com

Watson, David F. - PDR

From: Micah Dalton <mdalton804@gmail.com>
Sent: Sunday, September 25, 2022 10:47 PM
To: PDR Land Use Admin; Lynch, Stephanie A. - City Council Office; Robins, Amy E. - City Council Office; Watson, David F. - PDR
Cc: Addison, Andreas D. - City Council; Robertson, Ellen F. - City Council
Subject: Opposition to Ordinance No. 2022-268 - Special Use Permit for 401 S Stafford Ave

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Planning Commission Members and Councilmember Lynch,

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3. Prohibit alcohol sales and consumption. Published research shows that alcohol outlets lead to an increase in crime that in turn leads to a decrease in property values. Nearby residents should not be subjected to a zoning change that will put them in danger or negatively affect their property values.

Thank you for considering my perspective,

Micah Dalton
M: 804.677.4005

Watson, David F. - PDR

From: Parijat Banerjee <parijat033@gmail.com>
Sent: Friday, September 23, 2022 5:22 PM
To: PDR Land Use Admin; Lynch, Stephanie A. - City Council Office; Robins, Amy E. - City Council Office; Watson, David F. - PDR
Subject: Opposition to Ordinance No. 2022-268 - Special Use Permit for 401 S Stafford Ave

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Planning Commission Members and Council Member Lynch,

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Thank you for considering my perspective,

Parijat Banerjee
Richmond, VA
[Parijat033@gmail.com](mailto:parijat033@gmail.com)

From: [PDR Land Use Admin](#)
To: [Ebinger, Matthew J. - PDR](#); [Oliver, Alyson E. - PDR](#)
Subject: FW: Ordinance # 2022-268 Special Use Permit Phone:804-752-2631
Date: Friday, September 23, 2022 12:24:00 PM

From: Peggy B. Williams [mailto:pwilli3199@gmail.com]
Sent: Friday, September 23, 2022 9:12 AM
To: PDR Land Use Admin <PDRLandUseAdmin@rva.gov>
Cc: CityWebManager <CityWebManager@rva.gov>
Subject: Ordinance # 2022-268 Special Use Permit Phone:804-752-2631

From: Peggy B. Williams

Email Address: pwilli3199@gmail.com

Mail Address: 709 S. Center Street
Ashland, VA 23005

Message:

I own the home located at 2320 Rosewood Avenue, Richmond, VA 23220 and have done so since 1982. I am unable to attend the scheduled meeting on ordinance number 2022-268 - Special Use Permit for 401 South Stafford Avenue. However, I would like to voice my concerns. I am opposed to the approval of this request. Parking for residents is difficult at best especially as residents are returning home after work in the evening and adding a restaurant would only exacerbate that problem. It is challenging enough to find a place to park at all and usually requires leaving your car a block or 2 away from your home. This is very inconvenient for folks lugging in groceries or dealing with small children. My house is in the same block and backs up to the fairly narrow alley closest to 401 S. Stafford. I am concerned about the trash generated by a restaurant and the constant deliveries making navigating the alley difficult for the people whose home parking spots are in that alley. A restaurant at that particular location does not seem feasible for this neighborhood. Thank you for the opportunity to express my opinion. Peggy B. Williams 804 752 2631

For DIT Use Only:

Client IP Address: 10.18.5.10

Client Operating System: WinNT

Client Browser Name: Chrome

Client Browser Version: 105.0

From: [PDR Land Use Admin](#)
To: [Ebinger, Matthew J. - PDR](#); [Oliver, Alyson E. - PDR](#)
Subject: FW: Ordinance # 2022-268 Special Use Permit Phone:804-752-2631
Date: Friday, September 23, 2022 12:24:00 PM

From: Peggy B. Williams [mailto:pwilli3199@gmail.com]
Sent: Friday, September 23, 2022 9:12 AM
To: PDR Land Use Admin <PDRLandUseAdmin@rva.gov>
Cc: CityWebManager <CityWebManager@rva.gov>
Subject: Ordinance # 2022-268 Special Use Permit Phone:804-752-2631

From: Peggy B. Williams

Email Address: pwilli3199@gmail.com

Mail Address: 709 S. Center Street
Ashland, VA 23005

Message:

I own the home located at 2320 Rosewood Avenue, Richmond, VA 23220 and have done so since 1982. I am unable to attend the scheduled meeting on ordinance number 2022-268 - Special Use Permit for 401 South Stafford Avenue. However, I would like to voice my concerns. I am opposed to the approval of this request. Parking for residents is difficult at best especially as residents are returning home after work in the evening and adding a restaurant would only exacerbate that problem. It is challenging enough to find a place to park at all and usually requires leaving your car a block or 2 away from your home. This is very inconvenient for folks lugging in groceries or dealing with small children. My house is in the same block and backs up to the fairly narrow alley closest to 401 S. Stafford. I am concerned about the trash generated by a restaurant and the constant deliveries making navigating the alley difficult for the people whose home parking spots are in that alley. A restaurant at that particular location does not seem feasible for this neighborhood. Thank you for the opportunity to express my opinion. Peggy B. Williams 804 752 2631

For DIT Use Only:

Client IP Address: 10.18.5.10

Client Operating System: WinNT

Client Browser Name: Chrome

Client Browser Version: 105.0

Watson, David F. - PDR

From: Phillip Trzcinski <philliptt79@gmail.com>
Sent: Wednesday, September 21, 2022 7:57 PM
To: PDR Land Use Admin
Cc: stephaine.lynch@rva.gov; Robins, Amy E. - City Council Office; Watson, David F. - PDR
Subject: 401 S. Stafford Ave SUP

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Good Evening,

I'm a neighbor in the immediate vicinity of 401 S. Stafford and I oppose the current SUP. Allowing a restaurant/bar to operate so close to our residences will have a negative impact on the immediate area. Including, but not limited to, parking issues, outdoor alcohol consumption, abc on/off, noise, early and late hours of operation, trash, traffic, pests and general safety. This is a quiet residential neighborhood which I have lived in for 18 years, and the current SUP would severely disrupt my residence and surrounding neighbors. The area is saturated with bar/restaurant options within walking distance already. There is already a market opening one block down with ABC off. I'm also opposed to any outdoor dining or drinking twenty feet from my house.

The SUP is too broad and final if passed through. No recourse is available to the residents. As the SUP stands it's not in the surrounding neighbors interests without renegotiation.

401 was a bar previously and caused all the problems listed above. Once the owner closed, the neighbors petitioned for rezoning to eliminate repeating the same mistake again. It was granted and current zoning has remained intact over the years after multiple attempts by each owner.

The owner requesting this SUP has not been upright with the city or the neighbors since purchasing the property. He never took care of the property until the neighbors complained about grass, weeds, and overgrowth to the city. Additionally, he illegally leased the space to a small batch ice cream maker for years until choosing to terminate their lease in December 2021 in order to pursue this SUP. This was publicly admitted during a BYRD park civic league meeting by Baker Development. Permits were not filed, taxes were not paid, and food was being produced without any health department oversight. This is not the type of neighbor we want moving a bar/restaurant next door.

A compromise is needed to satisfy the residents and the business owners for this location. Please do not approve this current SUP. Thank you for your consideration.

Phil T.

Watson, David F. - PDR

From: RAY WILKERSON <yar38shield@gmail.com>
Sent: Friday, September 23, 2022 8:04 PM
To: PDR Land Use Admin; Lynch, Stephanie A. - City Council Office; Robins, Amy E. - City Council Office; Watson, David F. - PDR
Subject: RE: Opposition to Ordinance No. 2022-268 - Special Use Permit for 401 S Stafford Ave

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I oppose the proposed Special Use Permit. It will negatively impact nearby residents, possibly increase crime and definitely create noise. If it approved it there need to be restrictions regarding noise and no alcohol.

Thank you,
Ray Wilkerson

Watson, David F. - PDR

From: Randa Jackson <randajackson01@gmail.com>
Sent: Friday, September 23, 2022 6:32 PM
To: PDR Land Use Admin; Lynch, Stephanie A. - City Council Office; Robins, Amy E. - City Council Office; Watson, David F. - PDR
Subject: RE: Opposition to Ordinance No. 2022-268 - Special Use Permit for 401 S Stafford Ave

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Planning Commission Members and Councilmember Lynch,

I am a resident of the Greater Richmond Region and often visit the City to see friends and family, attend events, shop, and dine. I spend time in the Byrd Park neighborhood and am familiar with the property at 401 S Stafford Ave. I am writing to oppose the proposed Special Use Permit (SUP) for the property because it will negatively impact nearby residents and property owners. I believe the Planning Commission should only recommend approval of the proposed SUP with conditions to:

1. Keep all commercial activity within the walls of the building. An outdoor dining area will disrupt nearby residents' tranquility and privacy, and outdoor dining is not necessary to allow a commercial use at the property.
2. Locate service areas in the rear or basement of the property in order to maintain the streetscape of Idlewood Ave and to not be a nuisance to neighbors.
3. Prohibit alcohol sales and consumption. Published research shows that alcohol outlets lead to an increase in crime that in turn leads to a decrease in property values. Nearby residents should not be subjected to a zoning change that will put them in danger or negatively affect their property values.

Thank you for considering my perspective,

Randa Jackson
804-240-0391
randajackson01@gmail.com

Watson, David F. - PDR

From: Rudy Fischmann <rudyfischmann@gmail.com>
Sent: Monday, September 26, 2022 11:11 AM
To: PDR Land Use Admin; Lynch, Stephanie A. - City Council Office; Robins, Amy E. - City Council Office; Watson, David F. - PDR
Subject: RE: Opposition to Ordinance No. 2022-268 - Special Use Permit for 401 S Stafford Ave

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Dear Planning Commission Members and Councilmember Lynch:

I am a former City of Richmond resident and frequent traveler to the area, specifically to the Byrd Park neighborhood, to visit friends that live very close to 401 S Stafford Ave. I am writing to oppose the proposed Special Use Permit (SUP) for the property because it will negatively impact my friends and their neighbors. I believe the Planning Commission should only recommend approval of the proposed SUP with conditions to:

1. Keep all commercial activity within the walls of the building. An outdoor dining area will disrupt nearby residents' tranquility and privacy, and outdoor dining is not necessary to allow a commercial use at the property.
2. Locate service areas in the rear or basement of the property in order to maintain the streetscape of Idlewood Ave and to not be a nuisance to neighbors.
3. Prohibit alcohol sales and consumption. Published research shows that alcohol outlets lead to an increase in crime that in turn leads to a decrease in property values. Nearby residents should not be subjected to a zoning change that will put them in danger or negatively affect their property values.

Thank you for considering my perspective,

Rudy Fischmann
804-972-3965
rudyfischmann@gmail.com

Watson, David F. - PDR

From: Runda Harris <runda.harris@gmail.com>
Sent: Friday, September 23, 2022 7:36 PM
To: PDR Land Use Admin; Lynch, Stephanie A. - City Council Office; Robins, Amy E. - City Council Office; Watson, David F. - PDR
Subject: RE: Opposition to Ordinance No. 2022-268 - Special Use Permit for 401 S Stafford Ave

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Planning Commission Members and Councilmember Lynch,

I am writing to oppose the proposed Special Use Permit (SUP) for the property because it will negatively impact nearby residents and property owners. I am a resident of the City of Richmond and visit friends and family, attend events near Byrd Park neighborhood and am familiar with the property at 401 S Stafford Ave. This is a residential area and should remain as such.

If you approve the SUP request it should include restrictions to keep all activities inside. There should be no outdoor dining and no music should be heard outside on the sidewalk. No alcohol sales or consumption and service area should be in the rear or basement so it doesn't impact Idlewood Ave. :

Allowing alcohol and noise outside the wall of the establishment creates a nuisance to neighbors and can lead to an increase in crime, affecting property values.

Thank you.

Runda Harris
804-339-2901
runda.harris@gmail.com

Watson, David F. - PDR

From: Russell Gibbs <rgibbs3234@gmail.com>
Sent: Monday, September 26, 2022 8:24 AM
To: PDR Land Use Admin
Cc: Gibbs Lyn; Lynch, Stephanie A. - City Council Office; Watson, David F. - PDR; Robins, Amy E. - City Council Office; Masunu Rahim; McGinley Mike; Engleman Kurt
Subject: Special Use Permit (SUP) for 401 S Stafford Ave

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Dear RVA City Planning Department,

My wife Lyn and I are relatively new neighbors to the Byrd Park area living at 2406 Grayland Avenue, just one block away from the proposed Special Use Permit (SUP) for 401 S Stafford Avenue. We love the neighborhood and would like to see it continue to be improved over the coming years. And we have always thought that a small deli/restaurant, with no bar, would be a very nice addition to the neighborhood. However, we do have a few concerns on the proposed SUP.

Because of extremely limited parking, we envision that the proposed restaurant would mostly be walk-in customers. We ask the city to take this aspect of the SUP into account as it makes its decision.

And the fact that both Idlewood and Grayland Avenues are cut throughs for vehicular traffic, we are concerned that the area will be subject to accidents, especially at night. Therefore, we suggest that the area be evaluated for any possible pedestrian safety issues. We recently asked the city to add a 25 mph speed limit sign on Grayland Avenue near our home has been completed, but more is needed (e.g., speed table) to slow vehicular traffic. Street lighting should also be evaluated.

Regarding outdoor dining, we believe the number of tables should be highly limited due to noise issues since the location is nestled in a highly residential area. We would personally not want to live in that immediate area if crowds of people drinking alcohol (especially hard liquor), were outside in the evening hours.

The proposed operating hours are too late into the evening. We would propose that 8 pm would be the optimal closing time.

We have spoken to long term neighbors about the history of this particular location and as the city well knows, there have been some very troubling issues in the past. And as residents, the city should take into account these issues as it makes its final decision. In summary, we believe the keys to having a nice addition to our neighborhood are to (1) ensuring the safety of its residents and visiting customers, (2) ensuring noise levels are acceptable to those in the immediate area, and (3) most importantly limiting operating hours, especially with any alcohol involved.

Sincerely,

Russell and Lyn Gibbs
2406 Grayland Ave

Watson, David F. - PDR

From: Shane Walden <s_walden@yahoo.com>
Sent: Wednesday, September 21, 2022 9:55 PM
To: PDR Land Use Admin; Lynch, Stephanie A. - City Council Office; Robins, Amy E. - City Council Office; Watson, David F. - PDR
Subject: Opposition to Ordinance No. 2022-268 - Special Use Permit for 401 S Stafford Ave

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Planning Commission Members and Councilmember Lynch,

I periodically travel to the City of Richmond, specifically to the Byrd Park neighborhood, to visit friends that live very close to 401 S Stafford Ave. I am writing to oppose the proposed Special Use Permit (SUP) for the property because it will negatively impact my friends and their neighbors. I believe the Planning Commission should only recommend approval of the proposed SUP with conditions to:

1. Keep all commercial activity within the walls of the building. An outdoor dining area will disrupt nearby residents' tranquility and privacy, and outdoor dining is not necessary to allow a commercial use at the property.
2. Locate service areas in the rear or basement of the property in order to maintain the streetscape of Idlewood Ave and to not be a nuisance to neighbors.
3. Prohibit alcohol sales and consumption. Published research shows that alcohol outlets lead to an increase in crime that in turn leads to a decrease in property values. Nearby residents should not be subjected to a zoning change that will put them in danger or negatively affect their property values.

Thank you for considering my perspective,

Shane Walden
617-821-8787
s_walden@yahoo.com

Watson, David F. - PDR

From: Steven Hoy <stevendhoy@gmail.com>
Sent: Friday, September 23, 2022 2:07 PM
To: PDR Land Use Admin; Lynch, Stephanie A. - City Council Office; Robins, Amy E. - City Council Office; Watson, David F. - PDR
Cc: Steven Hoy
Subject: RE: Opposition to Ordinance No. 2022-268 - Special Use Permit for 401 S Stafford Ave

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RE: Opposition to Ordinance No. 2022-268 - Special Use Permit for 401 S Stafford Ave

Planning Commission Members and Councilmember Lynch,

I am a resident of the Greater Richmond Region and often visit the City to see friends and family, attend events, shop, and dine. I spend time in the Byrd Park neighborhood and am familiar with the property at 401 S Stafford Ave. I am writing to oppose the proposed Special Use Permit (SUP) for the property because it will negatively impact nearby residents and property owners. I believe the Planning Commission should only recommend approval of the proposed SUP with conditions to:

1. Keep all commercial activity within the walls of the building. An outdoor dining area will disrupt nearby residents' tranquility and privacy, and outdoor dining is not necessary to allow a commercial use at the property.
2. Locate service areas in the rear or basement of the property in order to maintain the streetscape of Idlewood Ave and to not be a nuisance to neighbors.
3. Prohibit alcohol sales and consumption. Published research shows that alcohol outlets lead to an increase in crime that in turn leads to a decrease in property values. Nearby residents should not be subjected to a zoning change that will put them in danger or negatively affect their property values.

Thank you for considering my perspective,

Steven Hoy
804-314-7861
stevendhoy@gmail.com

From: [PDR Land Use Admin](#)
To: [Oliver, Alyson E. - PDR](#)
Subject: FW: Opposed to Special Use Permit- 401 S. Stafford Ave
Date: Wednesday, September 28, 2022 2:39:15 PM

From: Suzanne Lundsford [mailto:lundsfordssuzanne@gmail.com]
Sent: Wednesday, September 28, 2022 10:56 AM
To: PDR Land Use Admin <PDRLandUseAdmin@rva.gov>; Lynch, Stephanie A. - City Council Office <Stephanie.Lynch@rva.gov>; Robins, Amy E. - City Council Office <Amy.Robins@rva.gov>; Watson, David F. - PDR <David.Watson@rva.gov>
Subject: Opposed to Special Use Permit- 401 S. Stafford Ave

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I recently moved to Byrd Park and I am very disturbed by the possibility of a restaurant opening in my new neighborhood. I relocated to Byrd Park after selling my home in the Fan due to issues with parking, noise, safety and trash from a business near my home. Opening a restaurant in Byrd Park eliminates the appeal of the neighborhood. The neighborhood is desirable because it is quiet, safe and lacks commercial intrusions.

The Special Use Permit for 401 South Stafford Avenue should be denied as it currently stands. I think it is irresponsible to allow a restaurant to operate in a residential neighborhood with outdoor seating serving alcohol in such close proximity to people's homes. From my personal experience, allowing this to operate will increase parking issues, trash, crime, traffic, noise and possibly issues in/ around the park.

Sincerely,
Sue Lundsford- Byrd Park resident

From: [PDR Land Use Admin](#)
To: [Oliver, Alyson E. - PDR](#)
Subject: FW: SUP at 401 South Stafford in Byrd Park
Date: Friday, September 30, 2022 8:51:45 AM

From: Just Inkin [mailto:jb Burk792@gmail.com]
Sent: Friday, September 30, 2022 8:11 AM
To: PDR Land Use Admin <PDRLandUseAdmin@rva.gov>; Watson, David F. - PDR <David.Watson@rva.gov>
Cc: Lynch, Stephanie A. - City Council Office <Stephanie.Lynch@rva.gov>; Robins, Amy E. - City Council Office <Amy.Robins@rva.gov>
Subject: SUP at 401 South Stafford in Byrd Park

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Morning,

I am opposed to the proposed special use permit (SUP) at 401 S. Stafford Avenue in Byrd Park. The proposed uses of this building will negatively impact my residence due to close proximity. I am especially opposed to outdoor seating and alcohol consumption so close to my house. I would have never purchased my home if I knew this was a possibility considering I have a young family and this will disturb our lives on a day-to-day basis.

Please do not approve this SUP. The proposed uses will not only disturb my family's lives but also creates a dangerous environment for my family and immediate neighbors. This is a quiet neighborhood and increase in traffic, parking, noise, loitering, pests, trash etc. is not a welcome addition to our community. Please consider limiting this SUP's uses so we can continue to enjoy our neighborhood.

Justin B. Kin
2312 Rosewood Ave

From: [PDR Land Use Admin](#)
To: [Oliver, Alyson E. - PDR](#)
Subject: FW: Ordinance 2022-268
Date: Monday, October 3, 2022 8:17:50 AM

From: Frances Bell [mailto:franbell05@gmail.com]
Sent: Friday, September 30, 2022 7:09 PM
To: PDR Land Use Admin <PDRLandUseAdmin@rva.gov>
Subject: Ordinance 2022-268

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Opposition to Ordinance No. 2022-268 - Special Use Permit for 401 S Stafford Ave

From: [PDR Land Use Admin](#)
To: [Oliver, Alyson E. - PDR](#)
Subject: FW: Opposition to ordinance 2022-268 SUP FOR 401 Stafford Ave
Date: Monday, October 3, 2022 8:16:47 AM

From: rlw2nd76@aol.com [mailto:rlw2nd76@aol.com]
Sent: Friday, September 30, 2022 5:21 PM
To: PDR Land Use Admin <PDRLandUseAdmin@rva.gov>; Lynch, Stephanie A. - City Council Office <Stephanie.Lynch@rva.gov>; Robins, Amy E. - City Council Office <Amy.Robins@rva.gov>; Watson, David F. - PDR <David.Watson@rva.gov>
Cc: Rev. Dr. Yvonne Jones Bibbs <drbibbs@aol.com>; Howard Glenn <hg.howie@gmail.com>; Mike Pearson <mikesbailbonding@yahoo.com>; kurt_engleman@yahoo.com; josephwcrouch81@gmail.com
Subject: Opposition to ordinance 2022-268 SUP FOR 401 Stafford Ave

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Hello all,

My name is Ronnie West. I am the church administrator and a member of the Sixth Baptist Church located on the corner one block east of the above referenced property. I am writing today to voice my opposition to the proposed SUP. I have been a member of this church now for over sixty years. I grew up in this church. This community is special to me. I am concerned that the peaceful integrity of this neighborhood may be at risk. The proposed SUP would allow alcohol consumption inside and outside of the building. The noise factor alone that would accompany this type of activity is of itself enough to oppose this project.

My second concern is lack of parking. I am sure you are aware that parking on the corner of Stafford Ave And Idlewood Ave is at a premium. I can envision patrons of the restaurant seeking parking spaces around the church building or even in the church's parking lot. We would certainly not be in favor of such an occurrence.

In conversations I've had with many of our members, the overwhelming majority oppose this measure. Let me be clear, we are not in favor of approving Ordinance 2022-268 Special Use Permit for 401 Stafford Ave.

Thank you for the opportunity to share my thoughts and concerns on this critical issue.

Ronnie West
Church Administrator
Sixth Baptist Church

[Sent from the all new AOL app for iOS](#)

From: [Watson, David F. - PDR](#)
To: [Oliver, Alyson E. - PDR](#)
Subject: FW: Opposition to Ordinance No. 2022-268 SUP for 401 S Stafford Avenue
Date: Monday, October 10, 2022 4:18:20 PM

From: Michelle Northrop [mailto:mnorthrop@hotmail.com]
Sent: Monday, October 10, 2022 4:07 PM
To: PDR Land Use Admin <PDRLandUseAdmin@rva.gov>; Lynch, Stephanie A. - City Council Office <Stephanie.Lynch@rva.gov>; Robins, Amy E. - City Council Office <Amy.Robins@rva.gov>; Watson, David F. - PDR <David.Watson@rva.gov>
Subject: Opposition to Ordinance No. 2022-268 SUP for 401 S Stafford Avenue

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To All Concerned:

I own two properties in the Byrd Park area located at 2415 & 2417 Rosewood Avenue. I chose this location to make my home because of the neighborhood feel, tree-lined streets and of course the Park. I have a dog, which I walk in beautiful surroundings. It is like an enclave in the midst of a growing and robust city. Learning of the scope of the proposed SUP has been disturbing. I have grave concerns and believe it is a poor fit for our neighborhood for the reasons cited below:

Parking – There is zero parking for this location as it is on a corner with houses immediately adjacent on both sides. We are already challenged to be able to park near our homes, much less in front of them. I know that if I come home after 9pm, most nights I will have to park as much as one block away from my home. We have the Fountain Lake Condominiums and the apartment building across the street that brings in additional demand.

Type of business proposed – I am curious if any other type of business has been considered for this location? A professional office for an attorney or psychotherapist? Ice cream shop?

Alcohol on/off – A comparable business is Garnett's (21 Park Avenue) who operates from 11am – 9pm and alcohol is only available for purchase/consumption on site. Another comparable business is Nate's Bagels (21 S Allen Avenue) that focuses on breakfast and lunch only 5 days/week and for limited hours of 7am – 2pm.

Neither business offers outdoor seating, which can become loud when people congregate, posing a noise issue and a potential safety issue. Alcohol being served on site provides some limitation on consumption that can be monitored by staff, but offering on/off sales has the potential to turn that street corner into a convenience store environment. There are

establishments close by that already offer alcohol for sale, making it redundant.

I purposely chose not to live in the Fan as I wanted a quieter, more residential experience and it has been lovely. The Fan is a short walk from this location, so I don't think there is a hardship to walk across the bridge if you are seeking a meal or beverages with a wide variety of choices. A sustainable option is approval of a more conservative SUP, which allows for a small business with predominantly daytime hours and meets criteria for a mixed use design. This would maintain the quiet enjoyment of the neighborhood and the park-like safe vibe of Byrd Park. I sincerely hope you will take into consideration the will of the property owners in close proximity to the location of this SUP. We pay a great deal of taxes to live in this neighborhood and feel the wrong type of business will damage our value proposition for prospective buyers.

Thank you for your time and attention to this matter. Please feel free to reach out to me personally to discuss my concerns.

Sincerely,
Michelle Northrop, LCSW

Sent from [Outlook](#)

From: [Watson, David F. - PDR](#)
To: [Oliver, Alyson E. - PDR](#)
Cc: [Roakes, Raymond A. - PDR](#)
Subject: FW: Special Use Permit for 401 S Stafford Ave
Date: Friday, October 14, 2022 10:11:34 AM

From: sharon stine [mailto:sharons_44@yahoo.com]
Sent: Friday, October 14, 2022 8:21 AM
To: Watson, David F. - PDR <David.Watson@rva.gov>; PDR Land Use Admin <PDRLandUseAdmin@rva.gov>; Lynch, Stephanie A. - City Council Office <Stephanie.Lynch@rva.gov>; Robins, Amy E. - City Council Office <Amy.Robins@rva.gov>; davidzemlan@gmail.com
Subject: Special Use Permit for 401 S Stafford Ave

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There are several concerns I have about opening a restaurant at 401 Stafford Ave, Richmond VA.

1. Where will the employees park. I am assuming we are talking about at least 5 people if not more. Can you assure us they will be either walking, riding the bus or riding bikes. Also where will the bikes be located if people do ride bikes.
2. Who will be responsible for cleaning up the trash. Trash will be on my property since I live at the second house from the restaurant. I am a senior citizen and I don't want to go out every day and pick up paper, bottles, napkins and items thrown away as patrons leave the restaurant.
3. Where will the delivery trucks park. Stafford Ave is narrow usually only one car at a time can come up or down the road. Idlewood Ave is also narrow. If a delivery parks on Idlewood I don't believe a car would be able to pass. This would mean the road will be blocked any time a delivery is made to the restaurant.
4. I see that the restaurant will close the patio at 9 PM and the inside at 10 PM. Does that mean the patio will be closed down at 9PM and that anyone on the patio will be asked to leave. Will that also be the same as inside which will close the doors at 10 PM.
5. Serving Beer and Wine on and off premise is another question. Who will provide security. Especially for beer and wine sold off premise. Someone can buy the alcohol and go to the house next to the restaurant and seat on the steps and drink any and all of the purchase. Who will provide security for the houses around the restaurant when this happens.
6. As far as the patio, how will that work. If it is cold or hot will the patio be closed.
7. Dumpsters/trash containers attract rats/mice and bugs. Is the owner willing to absorb the cost of exterminators. Right now I don't have bugs or mice but I know once there is food we will be have bugs and mice.

I bought my house 14 years ago because this was a quiet neighborhood. I was told that there had been a bar but it had closed down. That a business such as a real estate or insurance company might open a business but there would not be a restaurant selling alcohol at 401 Stafford Ave.

Sharon Stine
Property Owner
2321 Idlewood Ave

From: [PDR Land Use Admin](#)
To: [Oliver, Alyson E. - PDR](#); [Ebinger, Matthew J. - PDR](#)
Subject: FW: Today's 1:30 Planning Commission Meeting- Letter Opposing Outdoor Dining regarding SUP 2022-268
Date: Tuesday, February 21, 2023 9:21:17 AM
Attachments: [letter from homeowners within 100 feet of 401 S Stafford.docx](#)

From: amber burkhardt [mailto:burkhardtas@yahoo.com]

Sent: Tuesday, February 21, 2023 8:18 AM

To: Watson, David F. - PDR <David.Watson@rva.gov>; Ebinger, Matthew J. - PDR <Matthew.Ebinger@rva.gov>; Robins, Amy E. - City Council Office <Amy.Robins@rva.gov>; Lynch, Stephanie A. - City Council Office <Stephanie.Lynch@rva.gov>; PDR Land Use Admin <PDRLandUseAdmin@rva.gov>

Subject: Today's 1:30 Planning Commission Meeting- Letter Opposing Outdoor Dining regarding SUP 2022-268

CAUTION: This message is from an external sender - Do not open attachments or click links unless you recognize the sender's address and know the content is safe.

Morning,

Please include attached letter for today's 1:30 planning commission meeting regarding SUP 2022-268.

The attached letter is from the residence within 100 ft of 401 South Stafford Avenue who oppose the proposed outdoor dining and request the city uphold zoning ordinances.

Thanks

February 21, 2023

Dear City of Richmond, Virginia- Planning Commission:

We, the homeowners within 100 feet of 401 South Stafford Avenue are opposed to the current proposed Special Use Permit Ordinance No. 2022-268 in regards to permitting outdoor dining for the capacity of 24 patrons. The current special use permit infringes on our basic zoning protections from noise and invasion of privacy as city ordinances do not allow for outdoor service of patrons within 100 feet of any residences within an R-6 single-family district.

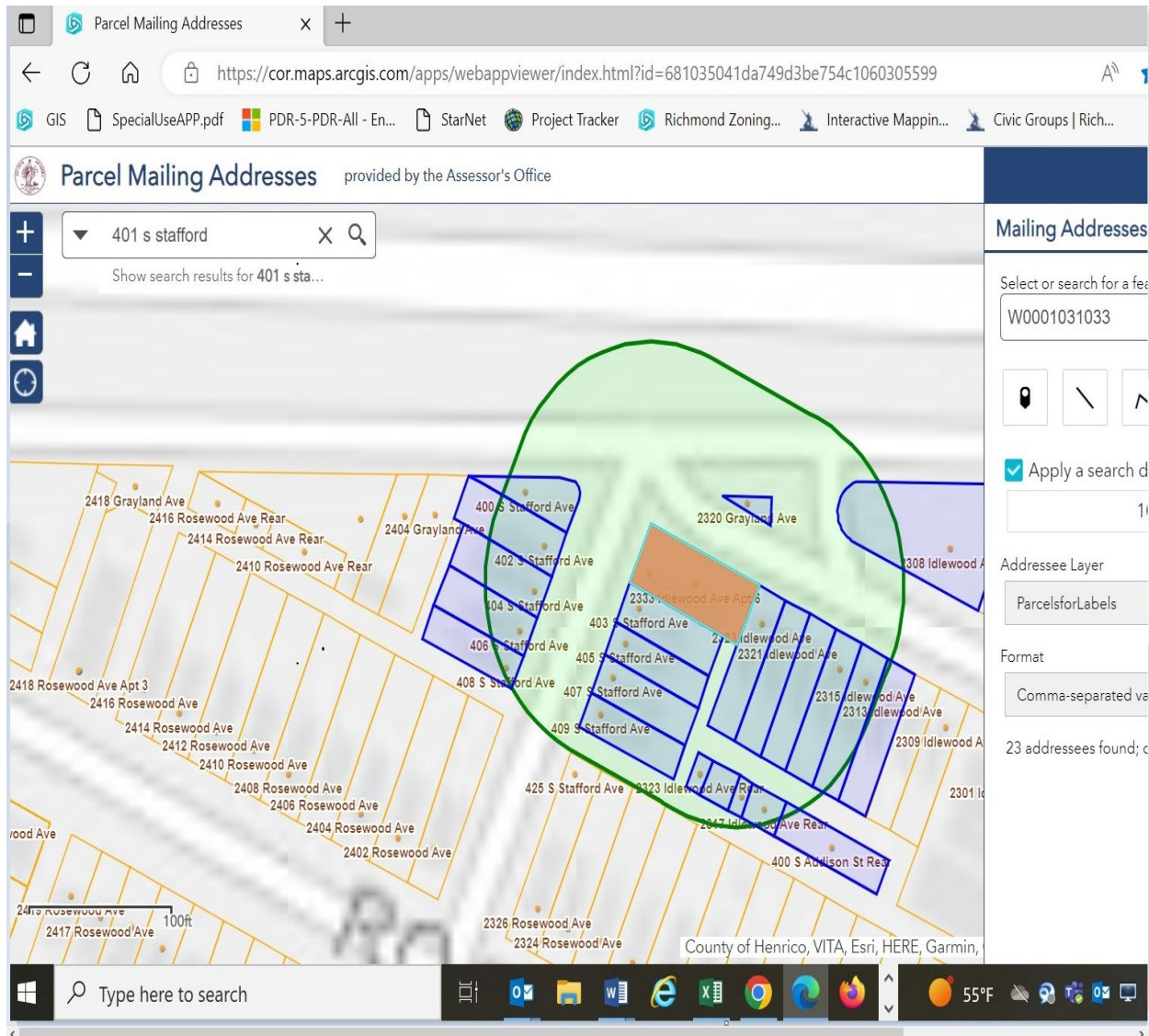
The current proposal is in violation of numerous city ordinances such as Sec. 30-419.3 (b), "No deck, patio, terrace or other area outside a completely enclosed building and used for the service or accommodations of patrons shall be situated within 100 feet of any property in an R district other than the R-63 district". The current proposal is requesting a majority of seating to be located outside which is unacceptable to the homeowners within 100 feet and not permitted according to city ordinances.

Please do not recommend Special Use Permit Ordinance No. 2022-268 that allows outdoor dining in an established residential area, or please consider amendments that help address negative impacts on immediate neighbors, such as reducing seating capacity, required noise mitigation and privacy enhancement measures.

Sincerely,

Homeowners within 100 feet of 401 South Stafford Ave:

Lorraine ,Wayne and David Johnson	409 S Stafford Ave
Kurt Engleman and Joseph Crouch	2308 Idlewood Ave
Stephen Desantis and Lo McGrath	404 S Stafford Ave
Mary Carr Davis and Charlie Alexander	407 S Stafford Ave
Amber S Burkhardt and Phillip Trzcinski	405 S Stafford Ave
Sharon K Stine and Rich Stine	2321 Idlewood Ave
Jeffrey L Hyler and James E Westfield	406 S Stafford Ave
Sixth Street Baptist Church	400 S Addison
Jason W Brown	2317 Idlewood Ave
Mark Hickman	403 S Stafford Ave



Addresses Omitted:

400 S Stafford- empty lot without residence- unbuildable lot due to size

2320 Grayland Ave – empty lot without residence- owned by City of Richmond Parks and Rec Dept

408 & 402 S Stafford Ave- Rental Units