

VIA EMAIL

December 2, 2019

TO: Mr. Matthew Ebinger, Secretary
Richmond City Planning Commission
900 E. Broad Street
Richmond, VA 23219

FROM: Pat Winston Kennedy, Esq.

**RE: Opposition to Proposed Ordinance No. 2019-294 (Continued 1)
To Close to Public Use and Travel a Portion of Greenville Avenue and a Portion of a
16' Alley and to Construct a Turnaround**

This letter is being submitted in connection with my opposition to Applicant and Owner Chris Liesfeld's ("Applicant/Owner") request to close to public use and travel as a street in the City of Richmond a portion of Greenville Avenue between its southern terminus and Kansas Avenue and a portion of a 16' alley located in the adjacent block to the east of Greenville Avenue and bounded by Kansas Avenue to the north and Carter Street to the east, and to construct a turnaround near the proposed new southern terminus of the alley. I am the property owner of 1907 Georgia Ave (Tax Parcel ID Number: W0000781001), and a co-owner of 1902 Georgia Avenue (Tax Parcel ID Number: W0000827011), two of the properties located in the immediate vicinity of the area that is the subject of Proposed Ordinance No. 2019-294 (Continued 1) ("Proposed Ordinance").

I filed my original opposition letter dated November 4, 2019 with the Richmond City Planning Commission regarding the Proposed Ordinance based on the fact that I did not receive proper and adequate notice of the Proposed Ordinance and public hearing then scheduled on November 4, 2019. I subsequently learned that other property owners in the vicinity of the subject area also failed to receive proper notice. At its meeting on November 4, 2019, the Commission voted to continue the public hearing and its consideration of the Proposed Ordinance until its next meeting on Monday, December 2, 2019.

I continue to oppose the Proposed Ordinance for the following reasons. Great uncertainty exists regarding the potential impact of the Proposed Ordinance on neighboring properties. In this regard, insufficient information was provided to the impacted property owners by the Applicant/Owner at the recent meeting of the Maymont Civic League held on Monday, November 18, 2019. Questions and concerns were raised at this meeting with the Applicant/Owner regarding the following: 1) the proposed sale and closure of a portion of a neighborhood public street and alley and the impact of such a closure on neighboring properties; and 2) the determination by the City's Assessor Office of the land value involved, estimated around 22,760+/-square feet.

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There are many ramifications that may be involved within the vacation of a public street and alley. In the present case, if Applicant/Owner puts in new sewer and/or utility lines on the vacated property, who ultimately owns the sewer/utility lines, the Applicant/Owner or the City? And what if adjacent property owners want to connect to these new lines in the future, do property owners have to negotiate with the Applicant/Owner or the City? What if surface storm water overflow occurs in these vacated areas? Who will be responsible for any clean up and/or damage, the Applicant/Owner or the City? Where will the storm water go after the Applicant/Owner develops his lots? Since Applicant/Owner claims that that these existing unimproved rights-of-way consist of challenging slopes greater than 70%, will Applicant/Owner be required to build a retention pond as a condition of the proposed sale? How will the wetlands in these right-of-way areas be impacted by future development by the Applicant/Owner, and which party or parties will be responsible to neighboring property owners for any resulting runoff following such development? These are just a few of the many questions and concerns that were posed to the Applicant/Owner at the neighborhood meeting. Unfortunately, the responses to these questions were vague and lacked sufficient detail in order for attendees to come to informed and factually based conclusions.

Of equal concern is how did the City of Richmond Tax Assessor's Office calculate the fair market value of \$35,960.80 for the 22,760+/- square feet of right-of-way land that is proposed to be vacated? How did the City calculate the figure of \$1.58 per square foot? Why is the City willing to sell this "unimproved" land after so many years? What is the impact of this valuation on neighboring property tax values especially in view of the soaring property tax increases which owners have been subjected to in the past few years? These are valid concerns that were raised at the neighborhood meeting, which were not answered with sufficient detail and clarity for those neighborhood residents in attendance.

Are there other alternatives to the City's proposed selling of this unimproved right-of-way land that would achieve the Applicant/Owner's objectives of eliminating dumping in this area, improving the topography/sloping of his existing 3 properties without negatively impacting neighboring properties?

How can the Commission proceed in good faith with the consideration of the Proposed Ordinance in light of the many questions that remain unanswered by the Applicant/Owner and the City? There are valid concerns being raised by property owners in the impacted area. Would it not be prudent for the Commission to postpone its review and consideration of the Proposed Ordinance until the applicable City of Richmond Departments have conducted a further review of the Proposed Ordinance in light of the questions posed and provide their findings to the potential impacted property owners identified by the City and to the Maymont Civic League for further review and discussion.

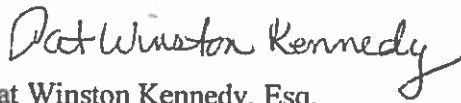
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I urge the Commission to postpone its consideration of the Proposed Ordinance at this time and request that the City of Richmond conduct further review and due diligence in light of the many lingering questions and concerns raised by the impacted property owners as well as the Maymont Civic League.

Respectfully submitted,



Pat Winston Kennedy, Esq.

November 4, 2019

VIA EMAIL

TO: Mr. Matthew Ebinger, Secretary
Richmond City Planning Commission
900 E. Broad Street
Richmond, VA 23219

FROM: Pat Winston Kennedy, Esq.

**RE: Opposition to Proposed Ordinance No. 2019-294
To Close to Public Use and Travel a Portion of Greenville Avenue and a Portion of a
16' Alley and to Construct a Turnaround**

This letter is being submitted in connection with my opposition to Applicant Randy Hooker and related parties' request to close to public use and travel a portion of Greenville Avenue and a portion of a 16' alley and to construct a turnaround. I am the property owner of 1907 Georgia Ave (Tax Parcel ID Number: W0000781001), one of the properties located in the immediate vicinity of the area that is the subject of the proposed ordinance. I am strongly opposed to the Richmond City Planning Commission considering the proposed Ordinance No. 2019-294 at its meeting on Monday, November 4, 2019 in view of the fact that I did not receive proper and adequate notice of the proposed ordinance and public hearing.

For reasons that still remain unclear to me as an impacted property owner, I did not receive even one day's notice of the hearing on the proposed ordinance prior to the scheduled Commission's meeting. In fact, I received a one-page flier type notice in the mail on Friday, November 1, 2019. The notice was not enclosed in any type of envelope. The postage meter date on the outside of the notice was October 28, 2019. I made several attempts to call the phone number provided in the notice (804 646-6304) and left voice mails. By late afternoon, I tried yet again and finally reached someone who then transferred me to Mr. Brian Copple, Chief of Construction Inspection & Right of Way Management for the City of Richmond – Department of Public Works. I explained to Mr. Copple that I just received notice of the proposed ordinance and a public hearing on the ordinance scheduled on November 4, 2019. I informed Mr. Copple that the proposed ordinance impacts my property, that I live out-of-state and had not been given adequate notice to respond, and that I had questions about the City's possible vacation of its rights of way in the impacted areas. Mr. Copple suggested that I speak to you and convey my concerns regarding the lack of proper notice of the proposed ordinance and hearing on November 4, 2019.

Fundamental due process is required by the U.S. Constitution and the Constitution of the Commonwealth of Virginia. Such due process has not been afforded to me as an impacted property owner in this matter. Therefore, I respectfully request that the hearing on the proposed Ordinance No. 2019-294 be continued until such time when all potentially impacted property

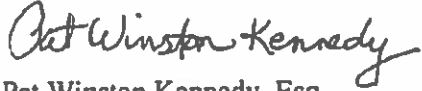
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owners in the vicinity of the areas under review are properly and adequately notified and given the opportunity to respond to the City Planning Commission.

Respectfully submitted,


Pat Winston Kennedy, Esq.

Ebinger, Matthew J. - PDR

From: Robins, Amy E. - City Council Office
Sent: Monday, November 4, 2019 11:43 AM
To: 'Katie McBride'
Cc: Copple, Brian - DPW; Ebinger, Matthew J. - PDR; 'Rodney@thewiltonco.com'
Subject: RE: ORD. 2019-294 - Alley between Greenville and Carter streets at Kansas Ave.

Katie,

Thank you for speaking with me. We have requested that this ordinance be continued and the a presentation provided at the Monday, November 18 Maymont Civic League meeting.

Sincerely,
Amy

Amy Robins

5th District Liaison
Office of The Honorable Parker C. Agelasto
Richmond City Council
900 East Broad Street, Suite 305
Richmond, Virginia 23219
Office: 804-646-5724
Email: amy.robins@richmondgov.com
[Monthly e-Newsletter Signup Link](#)
[Follow the 5th District Office on Facebook](#)

From: Katie McBride [mailto:mcbrideka@gmail.com]
Sent: Monday, November 4, 2019 11:31 AM
To: Robins, Amy E. - City Council Office <Amy.Robins@richmondgov.com>
Subject: ORD. 2019-294 - Alley between Greenville and Carter streets at Kansas Ave.

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.

Hi Amy,

My name is Katie McBride and my husband Ken Rayher and I are the property owners at 1900 Carter St. (the southwest corner of Carter and Kansas) and as far as I can discern from the letter we received this past Thursday (10/31) about the above ordinance, we are one of the properties that is closest to the proposed work.

I am hoping this email reaches you before you attend the meeting at 1:30 this afternoon (I saw you mention that you will be attending the meeting in a facebook conversation with my neighbor Tracy Wilson), and wanted to express some basic concerns.

I agree with Tracy that the extremely short notice to attend this meeting is disrespectful to the neighbors who will be affected by these changes - like many people, I am at work from 9-5 today, and I cannot leave to attend the meeting with so little advance notice.

Secondly, the language used in both the letter, and the link to which you directed Tracy in your facebook conversation is fairly opaque to a lot of laypeople. Our block of Carter street had a get together last night, and none of the neighbors who received the letter could effectively parse what it was trying to describe to us.

I am guessing that the alley behind my house will be closed? For how long? How will we access trash and recycling services then? What exactly is a "turnaround" and why would it be built in the alley and not at the end of Greenville Ave. where it hits Kansas? Or am I misinterpreting this? What does this have to do with the property owner adjoining three properties? What properties are those? There was some other conversation on the facebook post about new houses being built on this property - I didn't see any mention of that in the letter about the turnaround - is that a related but separate request?

I apologize if I have missed some clear information in plain language that would answer all of my questions above, but I would really appreciate your help in bringing these concerns to the meeting on behalf of my husband and I, as well as our neighbors.

Thank you very much for your time,

Katie McBride
(703)867-0117
mcbrideka@gmail.com