

Saunders, Richard L. - PDR

From: CRYSTAL CASTLEBERRY <jackieoclassist@gmail.com>
Sent: Monday, October 18, 2021 11:25 AM
To: PDR Land Use Admin
Subject: 3101 East Marshall Street

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.

To the members of the Richmond City Planning Commission

The proposed project at 3101 East Marshall Street is inappropriate in scale, architectural style, and intensity for the proposed location. It will negatively impact its nearest neighbors by extending to the property line on all sides, along with the other residents of the 31st and Marshall by relying disproportionately on street parking in an area where off street parking is extremely limited and is in direct conflict with the parking requirements governing outlined in our zoning ordinance. As proposed, the project will also make an already dangerous roundabout intersection more hazardous (I've personally been an accident there) by extending the structure to the property line and limiting visibility even further. This is problematic for traffic and pedestrians and, with the elementary school sharing the intersection, is particularly troubling.

For the reasons noted above, I respectfully request that the proposed project at 3101 East Marshall Street be heavily amended or rejected. I thank you for your consideration.

Sincerely,
Crystal Castleberry
3111 East Marshall Street
Re: Ordinance No. 2021-208

October 17, 2021
Ordinance 2021-208
3101 E. Marshall

Dear Commissioners:

I am writing again to encourage those who voted *no* to the request for the SUP for this proposed development to vote the same way again, and those who voted yes for the SUP to reconsider.

First, I am perplexed that this proposed project didn't continue on to City Council, and maybe then after a yes or no vote the developer would have the answer as to what the next steps would be. I wasn't aware that any of the Commissioners' votes were based on parking- which he has added. But again I am not familiar with the process.

As you know R63 zoning was put in place to protect and preserve the character of neighborhoods while encouraging growth- be it more apartments, and in this case commercial space (they can because it was there before- as was indicated in the very first meeting). The zoning is kind of a commitment to the neighbors, and asking for one special use permit or two would be enough. I don't know a lot about zoning but after reading the staff report this feels like a "zoning change" disguised as a Special Use Permit. Again per the staff report it **meets none of the featured requirements for R63**. I may be wrong but I felt the requirements or intents of the zoning suggested that it fit in with the size and mass of existing structures. And should not create undo noise, congestion etc.

I think this three story, 9 unit building with 2 commercial spaces is still **too big for the corner**, and is not in keeping with the neighborhood's character of two story buildings. It asks too much. Even with the additional parking. At a smaller size it still meets all the suggestions of the Richmond 300 plan, providing additional rental units and commercial space. Maybe E. Marshall will become an enhanced bus route. At present it seems like it is barely used.

The proposed development and wrap around addition is in the Historic District. The fact that it is in the historic area surprisingly got little or no traction in regard to the size and mass of the building in this neighborhood of 2 story buildings concerns me. Not even Church Hill Association, or CAR (some CAR members did feel it was too tall) seemed interested in making sure it related to the neighborhood- from all sides. I think it is important to preserve the special nature of this Church Hill neighborhood.

Parking. Always an issue. As some may think we are on verge of transitioning to a car-less society -can facilitate this by building in density without parking. But I don't

think Richmond is quite there yet. Even if people took buses and biked to work they would still have a car at home to take on trips, go to the grocery etc. Even with the added 4 spots, there will be at least 11 cars (tenants of the building) maybe more looking for parking. Each side of the block of North 31st can handle about 12 cars. So that is an entire block of displaced cars. Then you have patrons of the commercial endeavors and employees, as well as patrons of the other two restaurants. It is a lot for this area to absorb. I am not thinking we need to add more parking, but to reduce the size of the residential part of the proposal.

It will create more traffic. The staff report claims it will not create congestion, but how could adding 16 more cars and patrons of the commercial properties not add more congestion, if congestion is traffic. Extra garbage trucks (developer said at last meeting -the garbage for this space will be collected twice a week), delivery trucks, the school, residents, etc. will create more traffic. More development creates more traffic. And there is future development east of this- more apartments. Not saying it is bad – just a fact to consider.

Yes the developer has worked hard to make this plan work for the neighbors, Church Hill Association, CAR and City. Obviously he felt the success of the SUP depended on it. But they chose a spot that is zoned R63, and it is in the Historic Church Hill neighborhood. Some supporters say it is a good infill project. I hardly think that is justification. It could be smaller or bigger and still be a “good” “infill” project. At any size it will create more housing- more market rate apartments.

Like the other neighbors, we aren't anti development- and in answer to the letters of support in saying it will be great to have another place to walk to... that is great. And I like that idea too. I think there are too many residential units- which makes the building too tall and too big.

Details that I still think need more clarification from the developer- The required brick surrounds for the support poles holding up the eastern side of cantilevered 2nd and 3rd stories... and how they might cut into the 4th parking spot.

The garbage area seems smaller now. Will that cut into the 3rd parking spot. Plus there seems to be no place for a grease barrel should they need that. How will the garbage door open. And who will put out the recycling cans and take them back in.

I am concerned about the proposed planters that will be placed up against the neighbor's house in a public ally.

Thank you for your time (again),

Lucie C. Blanchard
306 N. 31st Street

Saunders, Richard L. - PDR

From: Angie Cabell <angiecabell@gmail.com>
Sent: Monday, October 18, 2021 9:08 AM
To: John & Lauren Trotta; Lucie Blanchard; PDR Land Use Admin; Rich Wolkiewicz
Subject: Oppose SUP at 3101 E Marshall

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I oppose this project because it is not compelling enough (MARKET RATE housing and commercial uses) to warrant so many deviations from the zoning ordinances and justify a SUP - what kind of precedent is being set for further development in church Hill?

There are at least 8 points that do not conform with current zoning:

- 9 dwelling units exceeds what is allowed
- Length of commercial user feeds what is allowed
- Commercial use read not met
- Street corner req for commercial use not met
- Lot area req not met
- Side yard setback not met
- Usable open space req not met
- Story height req not met

Additionally, it is important to note that the CHA's HPLUC (Historic Preservation and Land Use Committee) had multiple members that openly stated that this is a "bad design" but they felt compelled to pass it because parking had been reintroduced. The vote was not unanimous! Furthermore, Mr. Jefferson stated that it's likely they will lose one of the parking spaces when built. Where is the recourse at that point?

This project may have worn out some citizen volunteer committee members and the developer but that's irrelevant. We need to get this one right and not simply rubber stamp a bad design out of frustration and weariness!

Thanking you for your consideration!
Angie Cabell
3019 E. Marshall Street
Richmond Va 23223

Saunders, Richard L. - PDR

From: Will Clogan <cloganwill@gmail.com>
Sent: Sunday, October 17, 2021 6:22 PM
To: PDR Land Use Admin; Newbille, Cynthia I. - City Council; president@churchhill.org
Subject: Objection to Special Use Permit @ 3101 E Marshall St.

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Hello,

I am writing in regards to my staunch opposition to the request for several special use permits at the proposed development on 3101 E Marshall St. As voiced by many of my neighbors in the Church Hill community, the variances required to develop this property as currently proposed have a slew of negative impacts to our neighborhood.

I urge you to consider our community and deny all special use permits for the development of this property. The rules for development have been established in this community and are part of the reason why this neighborhood is attractive to so many of us. I ask that you stick to these rules rather than bending over for a developer coming into our community trying to squeeze it for extra money. I do encourage the redevelopment of this parcel, however ask that the party developing the lot does so without special use permits.

Best Regards,

Will

Saunders, Richard L. - PDR

From: Andrea Sidari Kost <acsidari@gmail.com>
Sent: Monday, October 18, 2021 9:46 AM
To: Saunders, Richard L. - PDR
Cc: Kevin Kost
Subject: Urgent: 3101 E Marshall Street Project

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Hi Richard,

Thank you for all the work you do for our city. Kevin and I are Church Hill residents and home-owners and write to you today in opposition of the 3101 E Marshall Street project. Thank you for your time and attention.

We oppose this special use permit because it is just too expansive for the corner. The 9 dwelling units exceed what is allowed, the length of commercial use exceeds what is allowed, and the three-story height requirement is not met -- among many other aspects (such as parking issues).

As you know, a special use permit creates expectations to zoning regulations and ordinances, and we feel the use of 3101 E Marshall is not compelling enough to warrant this exception.

Thank you again for your attention and for all the work you do,

Andrea & Kevin Kost

Saunders, Richard L. - PDR

From: Jeanne Dorman <jeannemariedorman@gmail.com>
Sent: Wednesday, October 13, 2021 8:12 PM
To: PDR Land Use Admin
Subject: Opposition To Ordinance 2021-208

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I oppose the proposed development of 3101 East Marshall Street because the proposal does not comply with zoning requirements established for the neighborhood.

The number of units exceeds the number allowed, commercial requirements are not met, parking requirements are not met, setback requirements are not met. The proposed development adversely affects homeowners.

Jeanne Dorman
8721 Rivercrest Road
Richmond City, 23235
804-398-82128

Saunders, Richard L. - PDR

From: Joyce Dustin <jabdustin@me.com>
Sent: Wednesday, October 13, 2021 5:58 PM
To: PDR Land Use Admin
Subject: 3101 E Marshall

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I oppose the special use permit!

Joyce Dustin
3112 E Marshall Street
Richmond 23223

Sent from my iPhone

Saunders, Richard L. - PDR

From: Dustin, Jack L. <jack.dustin@wright.edu>
Sent: Wednesday, October 13, 2021 6:13 PM
To: PDR Land Use Admin
Subject: 3101 East Marshall

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I, Jack Dustin residing at 3112 East Marshall, oppose the special use permit requested by the owner of 3101 East Marshall.

Thank you,
Jack Dustin
937-371-8105

Sent from my iPhone

October 15, 2021

VIA EMAIL: PDRLandUseAdmin@richmondgov.com

richard.saunders@richmondgov.com

Planning Commission
City of Richmond
900 E. Broad Street, Room 510
Richmond, Virginia 23219

Re: **Opposition to 3101 E. Marshall St.; Ordinance 2021-208**

Dear Planning Commission Members:

As a property owner within 150 feet of the proposed development project at 3101 E. Marshall Street, I am again writing to urge the Planning Commission to **deny** the Special Use Permit required for the project as currently designed. The location of the proposed project is within both the St. John's Church Old and Historic District and within a designated R-63 zone.

As an update, the developer recently revised the design of the project by widening the existing driveway into the truncated alley space and showing space for four parked cars. Whether the narrow pole shown in the current design holding up the corner of the three-story building in the car park area is structurally sufficient, and whether there is, in fact, space for four cars, is questionable. Regardless, because the developer returned parking into the design, the Historic Preservation and Land Use Committee of the Church Hill Association ("CHA") recommended its 2019 support of the project be reinstated, which was approved by the CHA Board. Significantly, the issue was not presented to the CHA membership for a vote. In effect, the CHA's position merely reflects the thinking of 2019 and is not reflective of current conditions.

A Special Use Permit necessary for the proposed project should still be denied for the following reasons:

- ***Allowing For A Variance Of 30-419.6 and .7 Concerning Yards And Open Space Will Increase The Urban Heat Effect And Flood Risk In Church Hill And Is At Odds With Richmond 300's Commitment To Environmental Justice and Goals 15, 16, and 17***

The proposed project does not provide side or rear yards. The existing two-story structure at 3101 E. Marshall has a rear yard. The proposed project seeks to pave over the entire lot and the adjacent corner lot to form one 5,000+ square foot structure containing nine residential units and two commercial spaces. All existing green space will be removed, as well as an existing sidewalk tree well (in order to accommodate the current design's widening of the alley space driveway).

The result is a two-fisted punch to Church Hill. The building both **removes** green space and shade canopy while **adding** a heat- and storm-water-runoff-generating structure. Green space and trees help protect people from the effects of climate change – they absorb rainwater, filter greenhouse gases, and cool the surrounding area. The intensity of recent rainfalls is well-documented, and the prediction is for more to come. The urban heat effect in Church Hill – a formerly “redlined” area -- is similarly well-documented, and heat-related illness here exceeds other neighborhoods in the city. See, <https://www.smv.org/learn/blog/post/what-urban-heat-island-effect>.

The fact that the proposed project’s roof water run-off is designed to be directed to the city’s sewer system does **not** alleviate the risk of flooding. Because the design eliminates all green space for the water to filter into, the result is an **increase** of water being directed to the City’s fragile sewer system and adds to flooding issues as the sewer’s capacity is exceeded.

The proposed project would increase the existing urban heat effect in Church Hill and have negative environmental impacts. Both are contrary to the Richmond 330 plan’s commitment to ensuring “all residents have equitable access to...a healthy community.”

- ***Allowing For A Variance of 30-419.5, .7, and .8 Concerning Lot Area and Width, Lot Coverage, And Open Space, Would Create A Building That Has A Mass and Scale Not Compatible With The Historic District And Is At Odds With Richmond 300 plan’s Goal 3 of Historic Preservation***

The proposed project is in an area of two-story residential structures with rear yards, and two-story commercial spaces (restaurants Alewife and Grisette) on the opposite corner of E. Marshall St. The roofline of the existing structure at 3101 E. Marshall has a false front that “steps down”. The proposed design consists of three stories – exceeding the height of the current false front – and continues for the entire structure taking the 5,400 square-foot lot to the edge of the property lines with no green space. The result is a massive rectangular box which would dwarf the surrounding historic residential structures and is not in keeping with the Old Historic District.

Neither I, nor the surrounding neighbors, are opposed to the mixed-use development of the property at issue and we support the addition of needed residential units. However, the area’s designation as a Historic District and the health and safety of the neighborhood’s residents must be taken into consideration. A mixed-use project that conforms to R-63 requirements of reduced mass with yard and open space would be supported. The Special Use Permit for the proposed project should be denied.

Regards,



Melissa Newel

Saunders, Richard L. - PDR

From: Eleanor Schmalz <eleanorschmalz@gmail.com>
Sent: Wednesday, October 13, 2021 9:53 PM
To: PDR Land Use Admin
Subject: re: 3101 East Marshall St ordinance number 2021-208

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Dear Commission,

I am completely opposed to the project proposed to be built at North 31st and East Marshall for a number of reasons.

I lived on this street in 2019-2020 and parking was often impossible to find. With two expensive restaurants bringing in diners that drive to location just around the block and the current people that live on the street- the street spots are already at capacity. 9 proposed units and only 4 parking spaces is comically optimistic for the current reality of living in a city that isn't actively investing in and expanding widespread public transit. In short, 4 parking spaces is not enough to accommodate the individuals for these 9 units.

Additionally, the size of the proposed plan is too big for the physical lot. If built, it will be the largest and most out of place looking piece looming over the rest of the neighborhood- actively detracting from the historic beauty that makes Church Hill such a sought after neighborhood.

A special use permit should not be granted to this plan that doesn't seem to take into account the rest of the existing neighborhood.

Eleanor Schmalz
2021 Park Ave Apt B
Richmond, Va 23220

Saunders, Richard L. - PDR

From: David Starling <davidastarling@gmail.com>
Sent: Tuesday, October 12, 2021 3:13 PM
To: PDR Land Use Admin

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To whom it may concern

I wanted to reach out and voice my concerns regarding the special use permit on the 3100 block of east marshall.

I feel that the proposed plans do not meet the standards of the historic neighborhood and will not contribute to the community.

The off lack of off street parking, the height of the building, as well as the number of units are all already not allowed.

Not to mention the destruction of natural green space and foliage that have been in the neighborhood for decades.

I apologize for not being able to attend the hearings at the committee for this, but I work nights at VCU and could not take the time off from work.

Sincerely

David A Starling, MSN, AGACNP-BC
312 N 31st St, Richmond, VA 23223
8043493273
davidastarling@gmail.com

Saunders, Richard L. - PDR

From: Rich Wolkiewicz <rwolkiewicz@stpaulsra.org>
Sent: Monday, October 18, 2021 9:33 AM
To: Angie Cabell; PDR Land Use Admin
Subject: RE: Oppose SUP at 3101 E Marshall

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.

I oppose this project at 3101 E Marshall St. for many reasons and I ask you to deny the developer's request for the SUP.

Simply, the project does not fit. It does not provide enough parking for the nine tenants it will house. It is too large for the lot, requiring set back exceptions and encroaching on neighbors on two sides, and the community sidewalk on the other.

The potential for the corner is great, and an SUP to allow a project that would benefit the community would be a good outcome, if this project met the goal of being good for the community. Simply put, it is not good for the community and should be denied.

Thank you for considering my request.

Rich Wolkiewicz
3019 East Marshall St.
Richmond Va, 23223
804 516 8718

Saunders, Richard L. - PDR

From: Samantha Forbes <samantha.l.forbes@gmail.com>
Sent: Monday, October 18, 2021 8:38 AM
To: PDR Land Use Admin
Subject: 3101 e. Marshall 2021-208

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I would like to go on record to oppose the special land use permit request for 3101 e. Marshall st (2021-208). This project in its current state is too large for the corner and exceeds both dwelling and commercial requirements while simultaneously not meeting requirements that are meant to ensure that new projects meet scale/yard/story height/opens space requirements.. this is a lot of exceptions. Too many exceptions if we are honest with ourselves. The reasons these regulations exist is to ensure that projects are right for the neighborhood and the space, and this one really isn't. The concession of a small number of parking spaces still does not address the many concerns that I and my neighbors have about the development. I am not in opposition to right sized well conceived projects that will enhance the neighborhood, and I hope the project managers of this one will go and consider what right sized development would revitalize that corner.. but this project is not there yet.

Thank you for your consideration,
Samantha Forbes
407 n. 32nd st
Richmond va 23223

Saunders, Richard L. - PDR

From: John Trotta <john.trotta@gmail.com>
Sent: Monday, October 18, 2021 10:04 AM
To: Saunders, Richard L. - PDR
Subject: 10/18 - 3101 E Marshall Street

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Mr. Saunders,

I will not be able to attend the hearing today, but wanted to comment on CHA's decision to reinstate their support of the proposed plans for 3101 E Marshall Street.

The CHA's decision to support the project was made solely based on the fact that the project was approved two years ago with parking. Now that parking was added back in, CHA felt that they had to reluctantly approve. Several members of the CHA HPLUC sub-committee admitted the challenges posed by this project, and that there has been a dramatic shift in the amount of neighborhood opposition towards the project. It was said during the meeting that if more had been done by neighbors two years ago to oppose this project, a different decision would likely be made by CHA today. As has been noted in past hearings, the direct neighbors and many of the surrounding home owners were not here two years ago to offer opposition. CHA's decision to support was never voted on by general membership.

It is frustrating for us to watch this project continue while so many openly admit that it is a poor design and does not benefit anyone except for DataPro, Inc.'s business portfolio.

I ask that the Commission consider the neighborhood's opposition to this project despite CHA HPLUC's reluctant approval of the current project plans.

Thank you,

John Trotta
309 N 31st Street

Saunders, Richard L. - PDR

From: Bryan Schollenberger <sweetschollen@gmail.com>
Sent: Monday, October 18, 2021 8:31 AM
To: PDR Land Use Admin
Subject: 3101 E. marshall project

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Hi,

I do not support the project at 3101 E. marshall, it is too big and is not a good fit for the neighborhood. I am concerned with the lack of parking in this area already.

Bryan Schollenberger
407 N 32nd St, Richmond, VA 23223

Saunders, Richard L. - PDR

From: Lauren Calhoun <lcalhoun@gmail.com>
Sent: Sunday, October 17, 2021 11:08 PM
To: Saunders, Richard L. - PDR; Newbille, Cynthia I. - City Council; Patterson, Samuel - City Council Office
Subject: Comments for 3101 E Marshall Street: Planning Commission Meeting 10/18

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.

Members of the Planning Commission,

My name is Lauren Trotta and I will be a direct neighbor to the proposed project at 3101 E Marshall Street. I am writing to express continued opposition to the project based on general scale, scope, density, and poor aesthetic -- all of which are not in keeping with the surrounding neighborhood. A few comments for this round of discussion:

- I attended the HPLUC meeting on 10/5 where this subcommittee voted to support the project after previously rescinding their support. The discussion was troublesome for the neighbors to hear as many voting expressed their concern about the large size and poor design of the building but felt because the CHA had voted to support it 2 years ago, the re addition of parking meant they were essentially bound to support it again for consistency's sake. *The project did NOT reach the CHA general membership for a vote.*

- The developers' new plans include new street facing elements. *Have these been presented to and approved by CAR?* In addition, *the developer has again placed items in the public right of way.* Instead of bike racks there are large, concrete planters. When asked during the HPLUC meeting about who would care for them, the developer voiced the expectation that the "city and the neighborhood" would be.

The developer continues to cite the amount of time he has worked on this project as the reason it should be approved; hard work does not make a poor plan a good one. I would also argue that the developer has had many opportunities to revise the scale and scope of this project in order to gain community support and has not. *It is clear that this is a project for revenue; there is no love nor care in it at all.*

On a more personal note, the approval of this project will limit the amount of time my husband and I will be able to stay in our lovely old 1851 home. It will ultimately force us out. Our street has almost completely turned over in the past 2 years; the neighbors that are speaking out now, were not here when this project was in its genesis. The people that were, got wind of the plans and moved. When turnover in an area is high, the communities we speak so utopianly about aren't built. Say please say no to this ugly apartment building that will cause more problems than it will solve.

Thank you,
Lauren Trotta
309 N 31st Street

Saunders, Richard L. - PDR

From: Castleberry, Brian B <bcastleberry@wm.edu>
Sent: Monday, October 18, 2021 11:19 AM
To: PDR Land Use Admin
Subject: Re: 3101-05 E. Marshall St.

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I am submitting my earlier letter about the project (2021-208) for today's meeting:

From: Castleberry, Brian B
Sent: Tuesday, September 7, 2021 12:40 PM
To: PDRLandUseAdmin@richmondgov.com <PDRLandUseAdmin@richmondgov.com>
Subject: 3101-05 E. Marshall St.

To Whom It May Concern,

I am writing to urge City Council to stop plans for construction at 3101-05 E. Marshall St. My wife and I live at 3111 and the plans for this building will directly impact the value and quality of our property. In-person meetings regarding this construction plan were held at times that disallowed our community to have a say in the decisions up to this point. This plan was reviewed last year, the neighborhood stood against it, and now it is being given another opportunity to change the face of our neighborhood.

The plans for 3101-05 will quite literally blot out the sun on our property. The developers plan to add a third floor (higher than any historical homes in the area) that will nearly reach the side of the homes in the middle of the block on 31st street. Our back yard will be put in the shadow of this oversized building, and the massive construction will completely change the look of the neighborhood, adding yet another unmatched postmodern element to the block.

Plans for this building include shops and nine apartments, with only four parking spots. The nine apartment will include fifteen bedrooms. This will mean several more cars parked on a block already full of cars. Two restaurants have been added to our block in the last year or so, and parking is very tight for residents. The three commercial spaces planned in this site will add untold more need for parking. I don't really see how this plan has made it this far in the process without far more input from the neighborhood. We don't have the parking space for people who already live on these blocks.

There is already a new construction storefront/apartment site at the corner of 32nd and Marshall that is extremely unkept, with weeds and small trees growing around it, as well as the disgusting smell of a restaurant's trash receptacle placed between buildings along Marshall. Adding yet another new build project that will not have proper trash, parking, and upkeep will again have a negative effect on the value of our property. My wife and I would likely put our house on the market if this plan goes through.

More than anything else, the city should not be a playground for rich developers to tear up as they see fit. It is dismayed that this plan is being considered again after our neighborhood has made our view on it clear last

year. This proposed building is an insult to the neighborhood it intends to extract wealth from. Please put a stop to this now. Thanks,

Brian Castleberry

3111 E. Marshall Street, Richmond VA 23223

804-617-3449