

Latest Developments Regarding the Westwood Tract, The Canopy at Ginter Park Apartment Development And an Important Resolution Passed by Richmond City Council

This Article is produced by the Ginter Park / Sherwood Park Joint Task Group with assistance from our fellow concerned Neighbors.

On Monday, March 6, about 150-200 residents of Ginter, Sherwood and Laburnum Park packed the Lake Chapel in UPS's Early Center for a presentation by the Department of Housing and Urban Development (HUD) regarding an application for mortgage insurance from the development team. This announcement has spurred some concern on the part of many with regard possible changes to the development due to HUD's proposed participation. So here are a few important facts in an attempt to clear things up:

1. The development's size, target renter, rental rates and design has not changed. It remains a market rate private development, with 301 proposed units on the eastern 15 acres of the tract.
2. There will be no "subsidized housing" or similar facilities added to the project due to HUD's possible participation.
3. HUD is not financing the project. Financing shall still be via commercial means.
4. HUD's role would be limited to that of a mortgage insurer, required as part of the private developer's commercial financing.

As a result of this application for mortgage insurance, a review process, known as a "Section 106 Review" under the National Historic Preservation Act has been triggered because of the involvement of federal funds in the HUD mortgage insurance program. This process analyzes impacts to existing structures and districts, both listed and eligible for listing on the Virginia Landmarks Register and National Register of Historic Places. Both Ginter Park and Laburnum Park are currently listed, and Sherwood Park is eligible for listing.

The Ongoing HUD Review...

Related to HUD's review, the Virginia Department of Historic Resources has issued a finding in which it notes that this project, as proposed, will have an "adverse effect" on nearby historic resources including the Ginter Park and Laburnum Park historic districts, Sherwood Park, the McGuire Cottage and even the UPS's campus itself. This review, as well as comments from the Historic Richmond Foundation, neighborhood associations of the affected neighborhoods, and nearby residents themselves must all be taken into account as HUD evaluated the project.

Over the last month, dozens of neighbors and concerned organizations have written to HUD to make the department aware of the many potential adverse effects that this development as proposed, is likely to have on the architectural and historical integrity of the neighborhood, as well as the possible effects on traffic, congestion, school overcrowding, and storm water management. Here is what their letters have emphasized:

- The proposed project may do irreparable harm to the character-defining features of the historic districts in general, and specifically structures including the McGuire House, original UPS Seminary campus, and the Veritas School campus as stated in a review by the Virginia Department of Historic Resources.
- *The Canopy at Ginter Park's* enormous scale, density, and rental-quality construction poses a risk to the integrity of the adjoining historic districts and over time could lead to even more inappropriate development, given the similar high-density zoning of the remaining 19 acres of the site.
- These neighborhoods are characterized by well-defined individual lots, lawns, large trees, green spaces, architectural diversity, and quality construction. The proposed development is a stark contrast to these attributes, as it presents a sprawling suburban-apartment type of plan, and a "belonging to nowhere specific" type of anonymous architectural character.
- The density of the Canopy at Ginter Park, will insert more households onto one block of Brook

Road than have been built over a century in all of Sherwood Park, and nearly as many as all of Laburnum Park. This overly-concentrated level of development is likely to have serious consequences on the integrity of the existing historic resources and long-term viability of the neighborhood.

- The development team must be encouraged to pursue programmatic solutions that will avoid these adverse impacts and resolve the current plan's threats to the existing fabric of the surrounding neighborhoods through a development plan which is more sensitive to the existing built environment.

All over Richmond, neighborhoods are leveraging their historic character to attract new residents and businesses. Look around. Scott's Addition, Church Hill, Shockoe Bottom, and the Boulevard are all pushing back on inappropriate development in favor of what makes Richmond unique, a sense of history, green spaces, and architectural diversity.

Northside Richmond's gracious residential neighborhoods of Ginter Park, Sherwood Park, Laburnum Park and Bellevue are no different. With a mix of architectural styles, walkability and convenient proximity to downtown, these former trolley car neighborhoods attract a diverse cross section of Richmond's population who love the well-defined lawns, the large graceful trees, well-built houses and neighbors who come from all walks of life.

The planned apartments will loom over the adjacent existing homes along Brook Road, near Westwood Avenue. The class of construction typically employed for such rental units is often not generally in keeping with that of the neighborhoods surrounding this development, and without constant maintenance, may age and deteriorate much faster than the 60, 70 and 80 year old homes here now. The current vistas of the McGuire Cottage will be lost, parking lots and other impermeable surfaces will replace the green space, trees, and gardens. Increased noise, more traffic the associated safety issues, and over-crowding in nearby schools all will impact the historic character and charm of these neighborhoods.

Further, the precedent will be set. Other neighboring properties with this same inappropriate, high-density zoning classification will be open to this kind of development and could begin a downward spiral that would impact the integrity of these historic neighborhoods and impact Richmond's overall economy. Not only is the 34 acre Westwood Tract zoned in this manner, so are another 21+- acres to the north and east. In all, there are about 55 acres of R-53 property adjacent to Westwood Avenue.

The Solution:

There are solutions, however. The neighborhoods are not saying UPS can't monetize their property, as is their right to do. Instead, their neighbors are proposing thoughtful ways to achieve this goal and rebuild the fractured relationship between UPS and the neighborhood. If UPS and Bristol are willing to talk, we could come up with more options.

Option 1: Veritas School has offered to buy the entire 34 acres of the Westwood Tract, relieving the Seminary of the risk of this commercial investment. Through land conservation and historic rehabilitation tax credits, the tract's open space assets could be preserved while providing Veritas with much-needed space for its athletic fields.

Additionally, the risk to students arriving and departing carpool lines on Westwood would be eliminated (Canopy anticipates an exit from the apartment complex emptying on Westwood, directly across from Veritas's driveway, adding to the congestions and safety concerns for students and carpools.)

Option 2: 3North Architects has already developed an alternative plan for the Westwood Tract which included a mix of residential construction, rehabilitation of existing structures, open space and walking trails that mirrors the scale and quality of the existing housing stock. While developed for presentation to the UPS's Board of Trustees, it is our understanding that the Trustees were never shown the

development plan and therefore may not even know this option is available.

Either of these solutions would provide UPS income and keep the integrity of the neighborhoods intact. And these options go farther. For the past century, the neighborhoods and UPS have had close bonds. This plan of development has caused friends to pick sides. Adopting one of these options would repair the damage to the bonds of trust between the Seminary and its neighbors.

The Most Recent Developments...

Council Representative Kim Gray, and Council President Chris Hilbert, at the request of their constituents, proposed a resolution calling for the City Administration to re-examine this development in light of the afore noted concerns. At its March 27 meeting, City Council heard a convincing thirty-minute plus presentation by a dozen residents in favor of this resolution. The speakers noted the checkered history of the tract's zoning, and how it was not the straight and simple course depicted by UPS' attorneys. Instead, there were several rezonings, one of which in 1976 the speakers argued, should have zoned the property in the newly created "I" or Institutional use, which was created specifically for institutions such as UPS. Instead, it was zoned R-53 multi-family, which made all of the UPS housing on the site a non-conforming use. Council came to understand the impact of this apparent error, and voted unanimously to adopt the resolution.

The resolution, as amended at the meeting, reads as follows:

A RESOLUTION No. 2017-R015

As Amended To request that the Mayor and the Chief Administrative Officer work with the School Board and other affected governmental agencies to study the potential effects on the City of any proposed development in area of the city bounded by Westwood Avenue to the north, Brook Road to the east, Rennie Avenue to the south, and Loxley Road to the west, including, but not limited to, the effects of such development with regard to historic preservation, schools, stormwater drainage, and traffic.

Patrons – Ms. Gray and President Hilbert

PUBLIC HEARING: MAR 27 2017 AT 6 P.M.

WHEREAS, the area of the city bounded by Westwood Avenue to the north, Brook Road to the east, Rennie Avenue to the south, and Loxley Road to the west is known generally as the "Westwood Tract;" and

WHEREAS, the Council is aware of a proposal to construct a multifamily development of approximately 300 apartment units on the Westwood Tract, an area planned for institutional uses in the City's Master Plan; and

WHEREAS, it is the Council's belief that such a development on the Westwood Tract could affect the surrounding areas in the city with regard to historic preservation, schools, stormwater drainage, and traffic; and

WHEREAS, the Council believes that none of these historic preservation, school, stormwater drainage, and traffic issues were addressed when Ordinance No. 53-21-31, adopted February 9, 1953, rezoned the Westwood Tract from a "B" Single Family Dwelling District to an "E" Multiple Family Dwelling District to permit the expansion of the Union Theological Seminary's facilities; and

WHEREAS, a letter dated November 15, 2016, from David Hudson, the Principal of Linwood Holton Elementary School, to Kimberly Gray states his conclusion that the aforementioned proposal to construct a multifamily development of approximately 300 apartment units on the Westwood Tract would increase that elementary school's enrollment by 68 to 147 students; and

WHEREAS, the Council believes that the traffic impact analysis entitled “Bristol and Westwood Development, Traffic Impact Analysis, Richmond, Virginia,” prepared by Timmons Group, and dated June 25, 2015, did not sufficiently capture the morning traffic associated with Veritas School and did not sufficiently model the traffic or safety impacts of a proposed new access point at the intersection of Westwood Avenue and Lamont Street; and

WHEREAS, the Council of the City of Richmond believes that it is in the best interests of the residents of the city of Richmond, especially those residing in the vicinity of the Westwood Tract, that the Council request that the Mayor and the Chief Administrative Officer work with the School Board of the City of Richmond and other affected governmental agencies to study the potential effects on the City of any proposed development on the Westwood Tract, 3 including, but not limited to, the effects of such development with regard to historic preservation, schools, stormwater drainage, and traffic;

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF RICHMOND:

That the Mayor and the Chief Administrative Officer are hereby requested to work with the School Board of the City of Richmond and other affected governmental agencies to study the potential effects on the City of any proposed development on the Westwood Tract, including, but not limited to, the effects of such development with regard to historic preservation, schools, stormwater drainage, and traffic and to report to the Council the findings of this study.

BE IT FURTHER RESOLVED:

That the Mayor and the Chief Administrative Officer are hereby requested to consider the following in conducting this study:

1. Ordinance No. 53-21-31, adopted February 9, 1953, and any additional site plans for dormitories;
2. Any documentation or recommendations from the process required by section 106 of the National Historic Preservation Act, 16 U.S.C. § 470f that the Virginia Department of Historic Resources is currently conducting;
3. The letter dated November 15, 2016, from David Hudson, the Principal of Linwood Holton Elementary School, to Kimberly Gray, a copy of which is attached to this resolution, and any additional documentation of school impacts;
4. Any information relating to frequent flooding in the neighborhood or combined sanitary and stormwater sewer overflows into the James River; and
5. An independent traffic model and safety evaluation of the proposed full access entrance from Westwood Avenue located opposite Lamont Street, including full development of the entire 33.843-acre Westwood Tract, current and future traffic associated with Veritas School, and any alternative access points to avoid congestion and safety concerns.

The Next Steps...

With this resolution passed, it is hoped that both the City Administration as well as HUD will take a hard look at the appropriateness and the long-term viability of this project. As several Council members noted during their discussion, it is not only important that the City get this one right, but it must re-examine its entire process of zoning administration and its planning review process, so future proposed incompatible developments like this can be prevented in their early stages.

All of those present at this meeting understand that UPS has spent a great deal of time and resources on this development, falsely thinking that a mistaken zoning classification alone afforded them the unrestricted right to move ahead with a development which the GPRA/SPCA Joint Task Group told them was a bad idea the very day it was first proposed, more than three years ago. As one speaker noted, they have made a very solid effort to put forward a very bad idea. Though the initially proposed

development has been reduced in scale (from 588 units on 34 acres to 301 units on 15 acres) its density has not been reduced, and the remaining 19 acres, as well as another 21 acres adjacent remain a ticking time bomb, available for similar future, similar development. This is why, in the long term, the City must correct its past zoning errors, and either re-zone these R-53 properties into an appropriate district, or otherwise place appropriate restrictions on their future development such that any proposed development will enhance, not harm the fabric of the existing neighborhoods surrounding them.

Though this vote by council must be considered a giant step in the right direction for those who are concerned about the effects of this development as currently planned, the task at hand is far from over. All those who share this view must continue to lobby the Seminary, their neighbors, their council representatives, the City Planning staff and HUD, for a more appropriate solution to the Seminary's needs. We all want the Seminary to remain viable in its current location, but we want our neighborhoods to remain viable along-side it, as well.