



City of Richmond

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Meeting Minutes Planning Commission

Monday, February 1, 2016

1:30 PM

5th Floor Conference Room

Call To Order

Roll Call

-- Present 9 - * Mr. Rodney Poole, * Mr. Melvin Law, * Mr. David Johannas, * Mr. Jeffrey Sadler, * Mr. Doug Cole, * Ms. Ellen Robertson, * Ms. Selena Cuffee-Glenn, * Mr. Vivek Murthy, and * Ms. Elizabeth Greenfield

Chair's Comments

Mr. Poole welcomed everyone who was present and recognized Ms. Elizabeth Greenfield as a new Commission member and welcomed her and her expertise to the Commission.

Approval of Minutes

[CPC MIN
2016-002](#)

January 19, 2016 Meeting Minutes

Attachments: [Draft January 19, 2016 Meeting Minutes.pdf](#)

A motion was made by Mr. Johannas, seconded by Mr. Murthy, that the January 19, 2016 meeting minutes be approved. The motion carried by the following vote:

Aye -- 6 - * Mr. Poole, * Mr. Law, * Mr. Johannas, * Mr. Cole, * Ms. Cuffee-Glenn and * Mr. Murthy

Excused -- 1 - * Ms. Robertson

Abstain -- 2 - * Mr. Sadler and * Ms. Greenfield

Director's Report

Ms. Markham stated there is one item of business that the Planning staff would like the Commissions input on. About four or five years ago the Commission passed two resolutions related to location, character and extent items, requesting advice from the Urban Design Committee on City projects. In some instances, the Committee of Architectural Review on those projects, when they fall within a City old historic district and if there was a question about a project, it was up to staff to bring it back to the Commission to ask for advice. The project that is currently being developed is the Maggie Walker statue and memorial to her on Broad Street. The paper to close Brook Road came before the Commission a couple of meetings ago. The area is in an old historic district, so typically this project would be reviewed by the Commission of Architectural Review who would advise the Planning Commission on the elements of the project and whether or not to approve it. The art itself will be reviewed by the Public Art Commission who will also provide a recommendation to the Planning Commission. The Public Art Commission expressed interest in having the project go to the Urban

Design Committee as opposed to the Commission of Architectural Review because it is a plaza design as opposed to a building or structure. She stated she wanted to bring that to the Commission's attention to see if there is a direction or a body that they would like to get advice on that particular item.

Mr. Poole asked does the Urban Design Committee have the specialized expertise to review that particular aspect of it, being the architectural views and the rules of the City with respect to that.

Ms. Markham stated the Urban Design Committee is made up of members who have expertise in architecture and landscape architecture.

Mr. Johannas stated the Urban Design Committee would be a really valuable review for the Commission. Their perspective and work with landscaping issues and guidelines are much more directed towards plaza design than the Commission of Architectural Review. It would be to the advantage of the commission to get their input.

Ms. Cuffee-Glenn stated she is not sure, she would like to speak with her staff before making a decision.

Mr. Cole stated the Urban Design Committee meets on Thursday to discuss the 17th Street Farmer's Market/Plaza. It is a similar type of plaza, urban space. He stated he feels that the Urban Design Committee is more qualified than the Commission of Architectural Review.

- Council Action Update

There was no Council Action Update.

Consideration of Continuances and Deletions from Agenda

1. [ORD. 2015-245](#) To conditionally rezone the property known as 2801 East Main Street from the M-1 Light Industrial District to the B-5 Central Business District, upon certain proffered conditions.

Attachments: [Staff Report](#)

[Ord. No. 2015-245](#)

[Location Map](#)

[Survey](#)

[Application](#)

[Proffers](#)

A motion was made by Mr. Johannas, seconded by Ms. Cuffee-Glenn, that this Ordinance be continued to the Commission's March 7, 2016 meeting. The motion carried unanimously.

2. [ORD. 2015-246](#) To conditionally rezone the property known as 2825 East Main Street from the [M-1 Light] M-2 Heavy Industrial District to the B-5 Central Business District, upon certain proffered conditions. (As Amended)

- Attachments:** [Ord. No. 2015-246](#)
[Staff Report](#)
[Location Map](#)
[Survey](#)
[Application](#)
[Proffers](#)

A motion was made by Mr. Johannas, seconded by Ms. Cuffee-Glenn, that this Ordinance be continued to the Commission's March 7, 2016 meeting. The motion carried unanimously.

3. [UDC No. 2015-13](#) Conceptual Location, Character and Extent Review of a new building for the Horticulture, Maintenance and Public Safety Departments at Maymont, 800 Swan Lake Drive

- Attachments:** [UDC Report to CPC](#)
[Staff Report to UDC](#)
[Location Map](#)
[Plans revised for January 4, 2016 PC meeting](#)
[Application & Plans](#)
[Letter from City Re Dual Facility](#)
[Petition of Opposition](#)
[Letters of Opposition](#)
[Letters of Support](#)

A motion was made by Mr. Johannas, seconded by Ms. Cuffee-Glenn, that this Ordinance be continued to the Commission's March 7, 2016 meeting. The motion carried unanimously.

Consent Agenda

Mr. Sadler stated that there needs to be a larger plan for the area around the special use permit request for 1400 North Boulevard. He stated he is not opposed to the special use permit request, but there needs to be a larger plan for the entire area before he is comfortable knowing how specific requests such as this one will fit into the larger vision.

A motion was made by Mr. Law, seconded by Mr. Cole, that the Consent Agenda be approved. The motion carried by the following vote:

Aye -- 8 - * Mr. Poole, * Mr. Law, * Mr. Johannas, * Mr. Sadler, * Mr. Cole, * Ms. Cuffee-Glenn, * Mr. Murthy and * Ms. Greenfield

Excused -- 1 - * Ms. Robertson

4. [ORD. 2016-013](#) To conditionally rezone the property known as 2900 West Broad Street from the B-3 General Business District to the B-5 Central Business District, upon certain proffered conditions.

- Attachments:** [Ord. No. 2016-013](#)
[Staff Report](#)
[Location Map](#)
[Proffers](#)
[Application](#)
[Applicant's Report](#)
[Survey](#)
[Letter of Support](#)

This Ordinance was recommended for approval on the Consent Agenda.

5. [ORD. 2016-014](#) To authorize the special use of the property known as 1400 North Boulevard for the purpose of a mixed-use development, upon certain terms and conditions.

- Attachments:** [Ord. No. 2016-014](#)
[Staff Report](#)
[Location Map](#)
[Application Form & Applicant's Report](#)
[Plans](#)
[Letter of Support](#)

This Ordinance was recommended for approval on the Consent Agenda.

Aye -- 8 - * Mr. Poole, * Mr. Law, * Mr. Johannas, * Mr. Sadler, * Mr. Cole, * Ms. Cuffee-Glenn, * Mr. Murthy and * Ms. Greenfield

Excused -- 1 - * Ms. Robertson

Regular Agenda

6. [ORD. 2016-015](#) To authorize the special use of the property known as 6140 Hull Street Road for the purpose of multifamily dwellings containing an aggregate of up to 88 dwelling units, upon certain terms and conditions.

- Attachments:** [Ord. No. 2016-015](#)
[Staff Report](#)
[Location Map](#)
[Application & Applicant's Report](#)
[Plans & Survey](#)

Mr. Matthew Ebinger presented the staff recommendation on this item as outlined in the staff report.

Mr. Johannas asked about the Hull Street Plan and number of affordable units in the area.

Mr. Ebinger stated that the Hull Street Plan has been adopted as an element of the

City's Master Plan and deferred to the applicant on the number of affordable units in the area.

Mr. Cole asked about one entrance for 50 units, stating that in surrounding localities additional entrances are required for more than 50 units.

Mr. Ebinger stated that the Department of Public Works and the Fire Department did not express concerns over the one proposed entrance for the 88 units.

Mr. Murthy asked about the future of Elkhart Middle School.

Mr. Ebinger stated that the future of the school is unknown at this time.

Mr. Sadler asked how many of the units would be appropriate for families with children.

Mr. Ebinger stated that there are a number of 3-bedroom units.

Mr. William Pantele, representing the applicant, presented the proposed plans to the Commission pointing out how they align with the City's plans for Hull Street Road improvements and the neighborhood outreach the applicant has done. He stated that 18 are 1-bedroom, 54 are 2-bedrooms and 24 are 3-bedroom units.

Ms. Greenfield asked how many of the units would be considered affordable to 60% Area Median Income (AMI).

Mr. Pantele stated that they will all be workforce housing.

Mr. Stephen Brock, Rea Ventures, stated that they will be targeting workforce and will get credits based on a mix of income levels. He stated that 10 units will be affordable to families making 40% AMI; 49 units will be affordable to families making at 50% AMI; and 37 units will be affordable to families making 60% AMI. He stated responding to an earlier question regarding the need for affordable housing, they have commissioned a professional market, but have not received the report back.

Ms. Robertson asked if the families will not pay more than 30% of their income for rent and how long the company will own the property.

Mr. Brock stated that they will be in the deal for at least 30 years and that it is a requirement of the LIHTC program that the rents not be more than 30% of the tenant's income.

Ms. Robertson asked about rent subsidies and vouchers.

Mr. Brock stated that Fair Housing laws prevent them from denying them, but that is not who they are targeting. He stated that the 9 units at 40% AMI may be subsidized units.

Mr. Pantele stated in this program the undertaking of the developer is memorialized in a regulatory agreement that is recorded in the land records and will be a minimum of 30 years or longer, only the best projects make it.

Ms. Robertson asked if the tenants are required to work.

Mr. Brock stated that they have to have adequate income to qualify for the units. He stated that it naturally attracts the workforce.

Ms. Robertson asked about storage facilities for the residents.

Mr. Brock stated that they have not gotten that far in the design.

Ms. Robertson suggested they consider incorporating storage into the facility in order to prevent an accumulation of stuff.

Mr. Brock agreed.

Mr. Cole asked about the landscaping plan and the location of the dumpster. He suggested adding an additional dumpster with the northern piece that goes up, to have something closer for people in bad weather coming from the far building.

Mr. Murthy asked if the financing has been secured and if they don't receive the LIHTC if they would walk away from the project.

Mr. Brock stated that they could try again for the credits in 2017, but if they don't receive them they would not do the project.

Mr. Murthy asked if there is a buffer between the buildings and the existing school property.

Mr. Brock stated there would be preservation along the actual property line of existing trees, as they get further into the property the third building ends and then the property continues, the back part of Elkhart School will not be up against the buildings but will be a middle area where they are a bit closer to the school.

Mr. Cole stated the plans show a buffer of 20 feet.

Mr. Murthy stated the school has no voice so there is no one saying they want a 40 foot buffer. He stated he is assuming, with covenants in there, people with child molestation records are not allowed.

Mr. Brock stated the trade off with the buffer is the more buffer they do on the Elkhart side the closer they get to the creek so they try to balance that the best that they could.

Mr. Poole stated he heard some pretty good recommendations with respect to dumpster location and landscaping but the current plans are the plans that the commission is approving.

Ms. Markham stated the plans attached to the ordinance are the plans that would be approved unless they are amended and continued at City Council. There is language in the ordinance that talks about trash facilities being approved ultimately by the Director of Public Works so there could be an additional dumpster provided subject to the approval of the Director of Public Works.

Mr. Poole stated that what the developer says is what they are expecting.

Public Comment

Ms. Danielle Resnick, property owner on Derwent Road, stated that her back yard contains the creek that borders the subject property. She stated that she is concerned about the proposed density and traffic that would be generated by the development. She stated that there will be too many people required to do U-turns on Derwent Road in order to get to the proposal. She stated that there should be single-family homes developed on the property for families. She stated that she is also concerned about potential drug trafficking. She stated that they don't need any more low-income housing in the neighborhood. She stated that the creek is full of trash and this will just make it worse.

Ms. Robertson asked about the potential for U-turns.

Mr. Pantele stated that the proposal is currently only right turn in and right turn out. He stated that traffic engineering has not been receptive to a median break for the proposal because it is not warranted by the proposal. He stated that their preference is to have the median break.

Mr. Johannas asked what the traffic count for the area is.

Mr. Shawn Smith, Timmons Group stated that he does not have the counts with him. The traffic that the neighborhood project would generate is: AM peak, in and out, 47 trips and the PM peak, in and out, 66 trips.

Mr. Johannas asked what is the AMI level for the area.

Mr. Brock stated AMI is adjusted by household size. For a family of four the Area Median Income for the Richmond AMI is \$74,200.

Ms. Robertson asked Mr. Pantele, currently the right turn off that you spoke of, there is no traffic signal there at the present time.

Mr. Pantele stated no, there were VDOT concerns. Staff indicated there would be a longer left turn lane provided; signalization will help problems with the U-turn situation.

A motion was made by Mr. Law, seconded by Ms. Cuffee-Glenn, that this Ordinance be approved. The motion carried unanimously.

Upcoming Items

Ms. Markham stated there is a special City Council meeting this afternoon to introduce a paper that will be at the next Planning Commission meeting which is a special use permit for a multi-family mixed use project in Jackson Ward between 1st and 2nd Street and Jackson and Duval Street.

Ms. Markham also at the next meeting will be a discussion about Maggie Walker.

Mr. Sadler stated the Weldon Cooper Center at the University of Virginia just released their population report for the estimated July population which has almost 218,000 people in the City. The rate of growth over the last five years projects the City to have 250,000 occupants by 2025 which is 50,000 if we continue the same growth as we have for the last five years. He stated he wanted to bring it up because it has big impacts on some of these projects. One of the reasons he was most in favor of the last item that they took up was Richmond does not have adequate housing for 250,000 people as well as adequate elementary schools and lots of other things. He stated he is encouraging the Commission to speed up their planning process, then they can begin planning for 250,000 people.

Ms. Robertson stated it is important that we get the Master Plan done.

Mr. Johannas discussed the Boulevard. He stated the concept is based on a construction type the construction type that it is based on is a five story construction type so that means that when they were looking at developing this they came up with a concept of what we could produce there based on a pretty low scale district and now understanding that the public is still interested in putting other services there such as maybe a ball field. The study is interesting but it is not anywhere near the level of development that we may be think of. It would be very important to be thinking of the next level up of construction which is now arriving in our city. He stated we see people

going up to 9, 10, 11 stories with like gage steel frame as opposed to using wood frame construction which is limited to five stories. He stated we should think about what we want in our city.

Mr. Law stated he agrees with what Mr. Johannas has said. It is the only logical way to go but he would like to remind everyone that the future is going to be very interesting. This is also a community where people are quick to adopt historic views that going up will change in many venues of the city. There will be a lot of views that will be assaulted and he welcomes that.

Ms. Robertson asked would it be inappropriate to have the consultants make a presentation to the Planning Commission on what they are putting out in the larger community. At the end of the day the Planning Commission will probably be asked to make decisions on what is being recommended.

Ms. Cuffee-Glenn stated the consultants will be in town, we can share the request to see if we can work that as part of the schedule.

Mr. Poole suggested doing this after all the public hearings.

Mr. Sadler stated the scope of this study which is what they were hired to do is way too small, it is a mistake to look at this as a stand alone area, especially considering the general rumored knowledge that the ABC property across the street no longer works for ABC. It is a huge area, about one third of the size that this area is looking at. If they cannot get this into a master plan at a reasonable schedule, at least looking at this whole area you have to decide do we put residential or a ball park here. Which is a better use.

Mr. Poole agreed.

Mr. Lee Downey stated he agrees with what has been said. This is an analysis of the site, which shows what we can expect. He stated there are four more public meetings to go. Once they get the public feedback about the reactions to the analysis and their feelings about what should be there, that would be a good time for the group to come back. The next step in this should be to pull together the market analysis, combine it with what was heard in the public meetings and that is the point where we can look at the bigger picture.

Adjournment

Mr. Poole adjourned the meeting at 2:56 PM.

Rodney M. Poole, Chair

Lory P. Markham, Secretary