



## City of Richmond

900 East Broad Street  
Richmond, VA 23219  
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### Minutes

#### Land Use, Housing and Transportation Standing Committee

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Tuesday, October 22, 2019

1:00 PM

Council Chamber, 2nd Floor - City Hall

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#### Committee Members and Others in Attendance

The Honorable Ellen Robertson – Chair  
The Honorable Kim Gray – Vice Chair  
The Honorable Michael Jones – Committee member (*Late arrival*)  
The Honorable Andreas Addison – Council member  
Samson Anderson, Council Budget Analyst  
Bonnie Ashley, Deputy City Attorney  
Allison Miessler, Boards and Commissions Administrator  
Pamela Nichols, Assistant City Clerk  
Candice Reid, City Clerk  
Steve Taylor, Council Policy Analyst  
RJ Warren, Deputy City Clerk

#### Call to Order

Vice Chair Kim Gray called the meeting to order at 1:14 p.m., and Chair Ellen Robertson presided.

#### Evacuation Announcement and Citizen Speaker Guidelines

Pamela Nichols, assistant city clerk, provided information on the appropriate manner in which the Council Chamber is to be evacuated in the event of an emergency along with citizen speaker guidelines.

#### Public Comment Period

There were no public comment speakers.

#### Approval of Minutes

There were no corrections or amendments to the meeting minutes of Tuesday, September 17, 2019, and the committee approved the minutes as presented.

#### Board Vacancies

Allison Miessler, boards and commissions administrator, reviewed board applications for consideration by the committee.

Vice Chair Kim Gray moved to forward the following board appointment applications to Council with the recommendation to approve, which was seconded and approved: Ayes 2, Gray, Robertson. Jones had not yet arrived.

<b>Board Name</b>	<b>Criteria for Appointment</b>	<b>Applicant Name</b>
<b>Central Virginia Waste Management Authority</b> (3 members and 3 alternates appointed by the city)	Resident*  (1 vacancy)	Miles Jones, Jr. (reappointment)
<b>Community Transportation Advisory Committee (MPO)</b> (4 members)	*  (1 vacancy)	William Steele (reappointment)
	Alternate*  (1 vacancy)	Hwan Hill (reappointment)
<b>City Planning Commission</b> (9 members)	Board of Zoning Appeals Representative*  (1 vacancy)	Rodney Poole (reappointment)
<b>Clean City Commission</b> (15 members)	6 <sup>th</sup> District Representative*  (1 vacancy)	Jeanne Boisineau (reappointment)
	7 <sup>th</sup> District Representative*  (1 vacancy)	Nancy Lampert (reappointment)
<b>Safe and Healthy Streets Commission</b> (12 members)	Transportation Safety Expert*  (2 vacancies)	Max Hepp-Buchanan (reappointment)  Louise Lockett Gordon

\* Applicants must either reside or work in the city.

*A copy of the material provided has been filed.*

### **Paper(s) for Consideration**

**Vice Chair Kim Gray moved to amend the agenda as follows:**

#### ORD. 2018-231

To amend and reordain City Code §§ 26-397, concerning definitions, 26-399, concerning the eligibility criteria for partial exemption of rehabilitated residential and multifamily structures or other improvements from real estate taxation, and 26-401, concerning the amount of exemption for rehabilitated residential and multifamily qualified structures, and to amend ch. 26, art. V, div. 3 by adding therein new §§ 26-398.1, concerning the evaluation of such program, and 26-401.1, concerning affordable housing certification, for the purpose of revising the City’s partial tax exemption program for residential and multifamily structures by defining certain terms and modifying the qualification requirements for the receipt and duration of partial exemption from real estate taxation.

**Patron:** Ms. Robertson

#### **To be continued to November 19, 2019 Land Use, Housing and Transportation Standing Committee meeting**

#### ORD. 2019-247

To amend ch. 8, art. II of the City Code by adding therein a new § 8-34, concerning unsolicited offers to give or dedicate interests in real estate to the City, for the purpose of imposing certain reporting requirements when the City receives an unsolicited offer to give or dedicate interests in real estate to the City.

**Patron:** Ms. Larson

#### **To be continued to November 19, 2019 Land Use, Housing and Transportation Standing Committee meeting**

**The motion was seconded and approved:** Ayes 2, Gray, Robertson. Jones had not yet arrived.

**The following resolution was considered:**

RES. 2019-R050

To express the Council's support for implementing the Walmsley Boulevard extension project as recommended in the Richmond Regional Transportation Planning Organization's Commerce Corridor Study Implementation Plan.

**Patron:** Mr. Addison

*Member Michael Jones arrived at 1:22 p.m.*

*Councilor Andreas Addison introduced RES. 2019-R050 and explained the proposed resolution expressed support of funding to connect and pave Walmsley Boulevard as recommended by the Richmond Regional Transportation Planning Organization (RRTPO). Councilor Addison remarked that he was aware of city administration's concerns and following the committee discussion, he would like to have RES. 2019-R050 continued to the December committee meeting.*

*M. Khara, Department of Public Works deputy director/city engineer, stated the city reviewed the list of potential projects and Walmsley Boulevard was not categorized as a short term project. Mr. Khara further stated the project would require a smart scale application and the city had already determined its allotted ten applications to be submitted; therefore, it was recommended that RRTPO submitted the application for the project.*

There were no further comments or discussions and **Member Michael Jones moved to continue RES. 2019-R050 to the December 17, 2019 Land Use, Housing and Transportation Standing Committee meeting, which was seconded and unanimously approved.**

*Councilor Andreas Addison exited the meeting 1:35 p.m.*

**The following ordinance was considered:**

ORD. 2019-287

To authorize the Chief Administrative Officer, for and on behalf of the City of Richmond, to execute appropriate documents releasing The Maggie Walker Community Land Trust and its successors in interest from any obligation to fulfill certain deed conditions and contractual requirements to redevelop the property known as 2922 P Street for the purpose of allowing the Land Trust to exchange the property known as 2922 P Street for a certain parcel owned by Restoration Builders of Virginia, Incorporated.

**Patron:** Mayor Stoney

*Nicholas Feucht, project management analyst – Department of Economic Development, introduced ORD. 2019-287 and explained the proposed new owner was interested in restoring the house located at 2922 P Street which the land trust could not financially restore.*

*The committee asked questions regarding the notification process for area residents and safeguards for the city to guarantee renovations were completed within a specific time.*

*Bob Adams, representative for the Maggie Walker Community Land Trust, explained the property exchange would benefit the city and preserve the blighted historical structure located on 2922 P Street. He further stated the city should not impose additional requirements or deadlines for the property.*

There were no further comments or discussions and **Vice Chair Kim Gray moved to forward ORD. 2019-287 to Council with the recommendation to approve, which was seconded and unanimously approved.**

**The following ordinances were considered:**

ORD. 2019-278

To authorize the Chief Administrative Officer, for and on behalf of the City of Richmond, to execute a Fourth Amendment to Controlled Public Access Lease Agreement between the City of Richmond and Venture Richmond, Inc. for the purpose of excluding from the “Demised Premises” certain real property, and to repeal Ord. No. 2018-056, adopted Mar. 26, 2018.

**Patron:** Mayor Stoney

ORD. 2019-279

To grant to the Commonwealth of Virginia a non-exclusive, permanent easement over and across an approximately 23,228.99-square-foot portion of City-owned real estate located on Brown’s Island for the purposes of installing, accessing, and maintaining the Virginia Emancipation Proclamation and Freedom Monument, and to repeal Ord. No. 2018-055, adopted Mar. 26, 2018.

**Patron:** Mayor Stoney

*Mark Olinger, director – Department of Planning and Development Review, introduced ORD. 2019-278 and ORD. 2019-279.*

There were no further comments or discussions and **Vice Chair Kim Gray moved to forward ORD. 2019-278 and ORD. 2019-279 to Council with the recommendation to approve, which was seconded and unanimously approved.**

**The following resolution was considered:**

RES. 2019-R025

To declare a public necessity to amend City Code § 30-800.3 and to initiate an amendment to the City’s zoning ordinance to require a minimum lot area of 750 square feet per dwelling unit when a nonconforming use is changed to a multifamily dwelling within certain residential zoning districts.

**Patron:** Ms. Gray

*Vice Chair Kim Gray introduced RES. 2019-R025 and explained the proposed amendment would apply to residential zoning districts that do not permit multifamily dwellings by-right. Vice Chair Gray further explained, such requirement would protect residential neighborhoods from inappropriate dense conversions of nonconforming commercial properties.*

*Mark Olinger, director – Department of Planning and Development Review, reported that city administration, along with members of the Board of Zoning Appeals, chairman of the City Planning Commission and the zoning administrator, supported the proposed resolution. Mr. Olinger stated that the city had identified approximately 122 nonconforming commercial properties that would be impacted by the proposed legislation. Mr. Olinger further stated the proposed minimum lot area was a perfect balance between the nonconforming nature of commercial properties and nonconforming potential future uses.*

*Chair Ellen Robertson expressed concern that the proposed requirement was greater than that for multifamily developments.*

*Vice Chair Gray reported that the minimum lot area for most residential districts was 1000 square feet and proposed developments with densities greater than the permitted use could be considered through the special use process.*

*Member Michael Jones expressed concern about the impact to future renovation efforts.*

### **Support**

**Bill Gallasch** spoke in support of RES. 2019-R025 and stated the proposed legislation would protect residential neighborhoods from dense, incompatible developments.

**Joe Reid** spoke in support of RES. 2019-R025 and noted the proposed legislation would close the gap in the current zoning ordinance and protect established residential districts. He stated the proposed request would not prevent developments, but would prohibit dense developments similar to the one in his neighborhood.

**Alice Massie** spoke in support of RES. 2019-R025 and stated that the proposed request would protect and maintain the character of existing neighborhoods.

**Vice Chair Gray moved that RES. 2019-R025 be forwarded to Council with the recommendation to approve.**

*Member Michael Jones requested a listing of the 122 nonconforming commercial properties that would be impacted.*

*Chair Ellen Robertson stated she agreed with the intent of RES. 2019-R025; however, she was concerned the proposed amendment would increase a need for special use permits and restrict multifamily developments.*

*Mr. Olinger emphasized the proposed legislation would only impact nonconforming commercial properties in certain residential neighborhoods.*

*Member Michael Jones stated he was not comfortable moving forward with the proposed legislation without additional information.*

*Vice Chair Gray withdrew her motion.*

**Vice Chair Kim Gray moved that RES. 2019-R025 be forwarded to Council with no recommendation.**

*The motion failed for lack of a second.*

*Member Michael Jones moved that RES. 2019-R025 be continued to the next committee meeting to allow city administration time to provide the requested information.*

There were no further comments or discussions and **Member Michael Jones moved to continue RES. 2019-R025 to the November 19, 2019 Land Use, Housing and Transportation Standing Committee meeting, which was seconded and approved:** Ayes 2, Jones, Robertson. Noes 1, Gray.

**The following resolution was considered:**

RES. 2019-R042

To request that the Chief Administrative Officer cause the Director of Public Utilities to develop a comprehensive plan to address flooding and drainage issues on the south side of the city of Richmond.

**Patron:** Mr. Jones

*Member Michael Jones reported that at the last committee meeting, city administration had expressed concerns and subsequently, those questions and concerns were addressed.*

*Howard Glen, program and operations manager – Department of Public Utilities (DPU), stated city administration supported the proposed request and DPU would review the south side of the city and prioritize capital improvement projects to address flooding.*

*Chair Ellen Robertson requested a presentation on the stormwater master plan at the November committee meeting.*

*Bob Steidel, deputy chief administrative officer of operations, was present to respond to questions.*

There were no further comments or discussions and **Member Michael Jones moved to forward RES. 2019-R042 to Council with the recommendation to approve, which was seconded and approved:** Ayes 2, Jones, Robertson. Noes 1, Gray.

**The following ordinances were considered:**

ORD. 2019-280

To authorize the Chief Administrative Officer, for and on behalf of the City of Richmond, to execute a Standard Project Administration Agreement between the City of Richmond and the Virginia Department of Transportation to provide funding for the design and construction of multimodal access along North Lombardy Street from its intersection with West Leigh Street to its intersection with School Road and Admiral Street.

**Patron:** Mayor Stoney

ORD. 2019-281

To authorize the Chief Administrative Officer, for and on behalf of the City of Richmond, to execute a Standard Project Administration Agreement between the City of Richmond and the Virginia Department of Transportation to provide funding for the resurfacing of Chippenham Parkway from its intersection with Archdale Road to its intersection with the Forest Hill Avenue exit ramp.

**Patron:** Mayor Stoney

ORD. 2019-282

To authorize the Chief Administrative Officer, for and on behalf of the City of Richmond, to execute a Standard Project Administration Agreement between the City of Richmond and the Virginia Department of Transportation to provide funding for the resurfacing of Chippenham Parkway from its intersection with the Forest Hill exit ramp to the City's corporate boundary.

**Patron:** Mayor Stoney

ORD. 2019-283

To authorize the Chief Administrative Officer, for and on behalf of the City of Richmond, to execute a Standard Project Administration Agreement between the City of Richmond and the Virginia Department of Transportation to provide funding for the resurfacing of West Roanoke Street from its intersection with Forest Hill Avenue to its intersection with Midlothian Turnpike.

**Patron:** Mayor Stoney

ORD. 2019-284

To authorize the Chief Administrative Officer, for and on behalf of the City of Richmond, to execute a Standard Project Administration Agreement between the City of Richmond and the Virginia Department of Transportation to provide funding for the resurfacing of the southbound lanes of Virginia Route 161 from its intersection with Dunstan Avenue to its intersection with Brandon Road.

**Patron:** Mayor Stoney

ORD. 2019-285

To authorize the Chief Administrative Officer, for and on behalf of the City of Richmond, to execute a Standard Project Administration Agreement between the City of Richmond and the Virginia Department of Transportation to provide funding for the resurfacing of the northbound lanes of Virginia Route 161 from its intersection with Brandon Road to its intersection with Dunston Avenue.

**Patron:** Mayor Stoney

*Lamont Benjamin, capital improvement project administrator – Department of Public Works, introduced ORD. 2019-280 and explained CSX had committed to allocating funds to the city for its share of the bridge replacement.*

*Kenneth Horak, senior capital projects manager – Department of Public Works, introduced ORD. 2019-281 through ORD. 2019-285.*

*M. Khara, deputy director – Department of Public Works, was present to respond to questions.*

There were no further comments or discussions and **Member Michael Jones moved to forward ORD. 2019-280, ORD. 2019-281, ORD. 2019-282, ORD. 2019-283, ORD. 2019-284 and ORD. 2019-285** to Council with the recommendation to approve, which was seconded and unanimously approved.

**The following ordinance was considered:**

ORD. 2019-286

To authorize Symbol Development Office, LLC, to encroach upon the public right-of-way with an outdoor dining area encroachment at the west line of Highpoint Avenue north of the northwest corner of the intersection of Rockbridge Street and Highpoint Avenue, upon certain terms and conditions.

**Patron:** Mayor Stoney (By Request)

*Brian Cople, right-of-way manager – Department of Public Works, introduced ORD. 2019-286.*

There were no further comments or discussions and **Vice Chair Kim Gray moved to forward ORD. 2019-286 to Council with the recommendation to approve, which was seconded and unanimously approved.**

**Discussion Item(s)**

*There were no discussion items.*

**Staff Report**

Steve Taylor, council policy analyst, provided the committee with the October staff report.

*A copy of the material provided has been filed.*

## **Adjournment**

There being no further business, the meeting adjourned at 3:00 p.m.