



# City of Richmond

City Hall  
Richmond VA, 23219  
(p) 804.646.6304  
(f) 804.646.5789

## Meeting Minutes Planning Commission

Monday, February 4, 2019

1:30 PM

5th Floor Conference Room

### Call To Order

Mr. Poole called the regular meeting of the Planning Commission to order at 1:30 p.m.

### Roll Call

-- Present 9 - \* Chair Rodney Poole, \* Vice Chair Melvin Law, \* Commissioner David Johannas, \* Commissioner Selena Cuffee-Glenn, \* Commissioner Vivek G. Murthy, \* Commissioner Max Hepp-Buchanan, \* Commissioner John Thompson, \* Commissioner Ellen Robertson, and \* Elizabeth Hancock Greenfield

### Chair's Comments

Mr. Poole welcomed all who were present.

### Approval of Minutes

-- Present 9 - \* Chair Rodney Poole, \* Vice Chair Melvin Law, \* Commissioner David Johannas, \* Commissioner Selena Cuffee-Glenn, \* Commissioner Vivek G. Murthy, \* Commissioner Max Hepp-Buchanan, \* Commissioner John Thompson, \* Commissioner Ellen Robertson, and \* Commissioner Elizabeth Hancock Greenfield

### 1. [PDRMIN 2019.002](#)

**Attachments:** [CPC Draft Minutes Jan 22, 2019](#)

**A motion was made by Commissioner Cuffee-Glenn, seconded by Commissioner Murthy, that the January 22, 2019 Meeting Minutes be adopted. The motion carried by the following vote:**

**Aye --** 9 - \* Chair Rodney Poole, \* Vice Chair Melvin Law, \* Commissioner David Johannas, \* Commissioner Selena Cuffee-Glenn, \* Commissioner Vivek G. Murthy, \* Commissioner Max Hepp-Buchanan, \* Commissioner John Thompson, \* Commissioner Ellen Robertson and \* Commissioner Elizabeth Hancock Greenfield

### Director's Report

#### - Richmond 300 Update

Mr. Olinger provided a recap of the parking meetings.

#### - Council Action Update

Mr. Ebinger provided an update on the actions taken by City Council at its January 29, 2019 meeting.

**Consideration of Continuances and Deletions from Agenda**

There were no continuances or deletions from the agenda.

**Consent Agenda**

Consent Agenda Public Hearing:

Item 2

Mr. Wayne Ellis spoke in opposition. He is concerned with parking and loss of green space.

Mr. Steven Versin, President, Museum District Association, Requested item to be removed from agenda. Invited applicant to speak to their Board. Property was never intended for development.

Mr. Scott Cannady, opposed the amendment. He would like it to remain green space.

Ms. Lory Markham, representing applicant, stated the special use permit would allow for the development of at most three single family attached units and off street parking would be required. The special use permit would still require 63 spaces for the multifamily units.

Mr. Murthy asked was open space requirement contemplated in the Special Use Permit.

Ms. Markham stated not specifically.

Mr. Thompson asked would the developer be willing to delay, in order to meet with the community.

Ms. Markham stated the developer met with the Land Use Committee in the fall and made attempts to meet with the Board since then.

Mr. Poole asked between now and Council you will be able to talk with them.

Ms. Markham stated yes.

Mr. Robin Miller stated he did the original special use permit for the multifamily paper. He is willing to meet with the neighborhood to go over plans for the development once available.

A motion was made by Commissioner Cuffee-Glenn, seconded by Vice Chair Law, that the Consent Agenda be approved

Mr. Thompson stated he would not support the current motion, he would rather see a continuance.

Mr. Thompson made a motion for a 30 day continuance.

The motion to continue failed for lack of a second.

Mr. Johannis stated he has looked at land use patterns. The overall intensity of use on that block compared to across the street are very similar. The potential of three houses coming in would be appropriate.

**A motion was made by Commissioner Cuffee-Glenn, seconded by Vice Chair Law, that the Consent Agenda be approved. The motion carried by the following vote:**

- Aye --** 8 - \* Chair Rodney Poole, \* Vice Chair Melvin Law, \* Commissioner David Johannas, \* Commissioner Selena Cuffee-Glenn, \* Commissioner Vivek G. Murthy, \* Commissioner Max Hepp-Buchanan, \* Commissioner Ellen Robertson and \* Commissioner Elizabeth Hancock Greenfield
- No --** 1 - \* Commissioner John Thompson

- 2. [ORD. 2019-011](#) To amend and reordain Ord. No. 2001-262-248, adopted Sept. 10, 2001, as previously amended by Ord. No. 2015-250-244, adopted Dec. 14, 2015, which authorized the special use of the property known as 3101 Kensington Avenue for the conversion of the existing building for either 40 or 42 multifamily dwelling units and accessory parking, upon certain terms and conditions, to reflect the subdivision of the property into two parcels, now known as 3101 Kensington Avenue and 3131 Kensington Avenue, and to remove the condition that all dwelling units shall be converted to condominiums within five years of the issuance of the certificate of occupancy, to remove from the ordinance the provisions pertaining to 3131 Kensington Avenue, upon certain terms and conditions.

- Attachments:** [Ord. No. 2019-011](#)  
[Staff Report](#)  
[Application Form & Applicant's Report](#)  
[Map](#)  
[Survey](#)  
[Letters of Opposition](#)  
[Public Response Form](#)

**This Ordinance was recommended for approval to the City Council**

- 3. [ORD. 2019-014](#) To authorize the special use of the property known as 2919 Griffin Avenue for the purpose of authorizing a single-family detached dwelling, upon certain terms and conditions.

- Attachments:** [Ord. No. 2019-014](#)  
[Staff Report](#)  
[Application Form](#)  
[Applicant's Report](#)  
[Survey](#)  
[Map](#)

**This Ordinance was recommended for approval to the City Council**

- 4. [ORD. 2019-017](#) To authorize the Chief Administrative Officer to accept funds in the amount of \$860,451.00 from Central Virginia Investments/Rocketts Landing, LLC; to amend

the Fiscal Year 2018-2019 Capital Budget by establishing a new project in the City Facility Maintenance & Improvements category called the “Hopkins Road Transfer Station Repairs” project; and to appropriate the funds received to the Fiscal Year 2018-2019 Capital Budget by increasing revenues and the amount appropriated to the new Department of Public Works’ Hopkins Road Transfer Station Repairs project by \$860,451.00 for the purpose of making structural and architectural repairs to the Hopkins Road Transfer Station.

- Attachments:** [Ord. No. 2019-017](#)  
[Staff Report](#)  
[Map](#)

**This Ordinance was recommended for approval to the City Council**

*The consent agenda consists of items that appear relatively non-controversial in nature and for which there was no known opposition at the time this agenda was set. The Consent Agenda items will be considered by the Commission as a group, and there will be a single combined staff presentation and a single combined public hearing held for all items listed on the Consent Agenda.*

**Regular Agenda**

5. [ORD. 2019-012](#) To authorize the special use of the property known as 602 Libbie Avenue for the purpose of an office use, upon certain terms and conditions.

- Attachments:** [Staff Report](#)  
[Ord. No. 2019-012](#)  
[Application Form & Applicant's Report](#)  
[Plans & Survey](#)  
[Map](#)  
[Letters of Opposition](#)  
[Letter of No Opposition](#)  
[Additional Letters of Opposition](#)  
[Letter of Opposition and Petition](#)  
[Shaw Letter Re Special Use Permit 602 Libbie Ave](#)

Mr. Jonathan Brown provided staff's presentation.

Mr. Thompson asked when was the most recent amendment done to the Master Plan in this area.

Mr. Olinger stated 2012.

Mr. Thompson asked should this area remain residential.

Mr. Ebinger stated predominately residential, but not entirely.

Ms. Lory Markham provided the applicant's presentation.

Ms. Markham stated fences/buffers will be retained and added. Outbuildings and trees to rear of property will be retained. Ms. Markham stated the Master Plan amendment acknowledges that the corridor is changing from a traditional residential area. She believes this is consistent with the master plan goal to connect the Libbie/Grove and Libbie/Patterson shopping areas.

Mr. Murthy asked what is the intended use.

Ms. Markham stated an owner-occupied law office. Low intensity office use.

Ms. Murthy asked long term, why should a house be converted for office use.

Ms. Markham stated it is a domestic relations firm, it makes sense to have office in a residential setting, many of her clients are in this area.

Mr. Murthy asked what would happen if she doesn't continue to use this property.

Ms. Markham stated a variety of office uses are allowed.

Mr. Hepp-Buchanan asked would the applicant be residing on the property.

Ms. Markham stated no.

Mr. Murthy asked are the adjacent owners supportive or in opposition.

Ms. Markham stated one is opposed.

Mr. Johannas asked, the property to the south is not supportive. The property to the north, is that an unoccupied home.

Ms. Markham stated she is not sure.

Public Hearing:

No one spoke in support.

Opposition:

Joseph, a resident of 604 Libbie Avenue, lives in the house north of this property. He stated drainage is an issue for the property. Recent investments were made to residential properties around the property. He and the neighborhood would like it to remain residential.

Ms. Stuart Carter, President of Westview Civic Association, stated the association voted unanimously to oppose this special use permit. The major reasons why they are in opposition to the special use permit is: encroachment of a residential area, abundance of asphalt in the back, noise, traffic, water/drainage issues, and potential signage. This will open door to development of 600 and 700 blocks of Libbie. Regarding the 2012 Master Plan Amendment, the issue was the residential uses on the west side of Libbie Avenue being retained as residential. She stated they are not against growth, they believe it is appropriate in other locations in the area, the 500 block of Libbie, for example.

Mr. Jackson Dyer stated this is a residential property. The 600 block is residential. Two property owners have done extensive improvements to nearby properties recently. There

are drainage issues and a parking problem in the area. There are potential traffic issues with parking in the rear. There are also potential problems with lighting the parking area.

A motion was made by Vice Chair Law, seconded by Commissioner Greenfield, that this Ordinance be recommended for approval to the City Council.

Ms. Cuffee-Glenn asked how many parking spaces are required for home occupation.

Mr. Brian Mercer stated parking or storage of vehicles shall be subject to the limitations set forth in section 30-640.2 of the zoning ordinance, provided that no more than two vehicles used in conjunction with a home occupation shall be parked or stored on the premises either outside or inside a completely covered enclosed building.

Mr. Thompson believes this property should remain residential.

Mr. Murthy stated an office on this block is out of context and character.

Mr. Johannas stated he does not see land use conflict with the proposal, however, he also sees that the people are investing in the area with the understanding of it being residential.

Ms. Robertson asked is signage permitted? Hours of operation?

Ms. Markham stated there is no proposal for a large commercial sign. At most a 1'x1' or 2'x2' sign by the front door in compliance with the R-4 district. Currently there are no restrictions on hours of operation.

Mr. Poole believes this property with a residential structure is in keeping with the Master Plan.

**A motion was made by Vice Chair Law, seconded by Commissioner Greenfield, that this Ordinance be recommended for approval to the City Council. The motion carried by the following vote (6:3, Commissioners Thompson, Murthy, and Johannas voting in opposition).**

6. [ORD. 2019-013](#)

To authorize the special use of the property known as 1802 Semmes Avenue for the purpose of up to 111 single-family attached dwellings as well as the principal and accessory uses permitted in the B-6 Mixed-Use Business District, upon certain terms and conditions. (As Amended)

**Attachments:** [Ord. No. 2019-013 - Amended 20190211](#)  
[20190211 Amendment of 2019-013](#)  
[Staff Report](#)  
[Application](#)  
[Applicant's Report](#)  
[Plans](#)  
[Alternative Site Plan](#)  
[Survey](#)  
[Map](#)  
[TIA Semmes Avenue](#)  
[Letters of Opposition](#)  
[Public Response Forms](#)  
[Letters of Support](#)  
[Additional Letter of Support](#)

Mr. David Watson provided staff's presentation.

Mr. Johannas asked was there any concern over B-6.

Mr. Ebinger stated no. There is a desire for a grocery store in the area.

Mr. Thompson asked what is the affordability.

Mr. Brown stated approximately 100% AMI.

Mr. Preston Lloyd provided the applicant's presentation. Plans to be revised showing relocation of 5 units. He is asking that the Planning Commission make a motion on both plans to allow both layouts to be approved by City Council, while engineering work is being done to determine which layout is feasible. He committed to continue talking with the community. Will focus on providing front porches on units fronting Semmes. In effort to keep units within affordability range, they would like to maintain the ability to keep vinyl siding as an option for building material.

Mr. Johannas asked what is the square feet.

Mr. Lloyd stated 1500 square feet plus the garage.

Mr. Thompson doesn't believe prohibiting vinyl siding would have high impact on affordability.

Mr. Lloyd stated this would not be inconsistent with materials present in the community.

Ms. Robertson asked, these are townhomes. How does this differ from condominiums in terms of common areas, etc.

Mr. Lloyd stated a home owner's association would still be responsible for maintenance of common areas, etc.

Ms. Robertson asked are these handicap accessible.

Mr. Lloyd stated he does not have that information but will provide it before the City Council meeting.

Ms. Robertson asked would the developer consider 15% affordability component for this project.

Mr. Lloyd stated what the developer is proposing is the minimum that is economically feasible.

Ms. Robertson asked if the developer would be willing to have 15% of the units be possibly set aside.

Mr. Lloyd stated part of the difficulty is the neighborhood has expressed a desire to have a development that supports a median income that would secure a grocery store.

Mr. Thompson asked what is medium income of the current neighborhood. The presentation shows \$34,565 within 0.5 mile.

Mr. Lloyd stated he does not have that information.

Ms. Cuffee-Glenn stated 30 years ago, the city was pushing for redevelopment in this area, it is encouraging to see a plan for redevelopment.

Public Hearing:

In favor:

Ms. Janice Carter Lovejoy stated she lives in the Spring Hill Neighborhood. She supports market rate townhouses and set aside for future commercial use. She requests that buildings be congruent with adjacent neighborhoods (traditional or transitional facades); they would like 1/3 to have front porches, pedestrian crossing, future traffic study. Supports affordable housing. She expressed concerns that the units will ultimately be more expensive.

Councilman Parker Agelasto thanked Will Allen and the development team for working with him and the community. Echoed sentiment of letters from the public but sees this site as a major redevelopment site that can also serve as a transitional site that can link separate parts of the community. He supports a pedestrian crossing. He stated a lot of development is taking place or will take place. Commission should take all of this into consideration in terms of its effect on the Semmes/Cowardin intersection. Good affordability is needed in this area.

Opposition: No one spoke

Mr. Lloyd asked Ms. Robertson, you would like 15% of the units to be income restricted.

Ms. Robertson stated not restricted. Those units would be priced to be affordable for households of 115% AMI and below.

Mr. Lloyd stated the client is not in a position, on this project, to be able to accept that. There is concern that all special use permits would have a condition for affordability.

Ms. Greenfield sees that there is a difficult balance between conditions such as low



density, quality materials, etc., but also having affordability.

Mr. Olinger stated there are a number of segments of the CSX Railroad that are still open, not built on, that could ultimately provide a great opportunity for some sort of shared use path, it could ultimately tie into the James Branch Trail.

Mr. Lloyd thinks access there would be a benefit.

Mr. Hepp-Buchanan stated he has pedestrian safety concerns.

Mr. Thompson supports the project but stated the importance of materials and affordability.

Mr. Johannas stressed the development team should view the B-6 portion as a gateway that needs proper attention.

**A motion was made by Commissioner Ellen Robertson, seconded by Vice Chair Melvin Law, that this Ordinance be recommended for approval to the City Council with the following amendment:**

**Should development of the Property according to the plan entitled "Conceptual Site Plan, Semmes Avenue Site, City of Richmond, Virginia" prepared by HG Design Studio, dated July 2, 2018, and last revised November 26, 2018, be infeasible due to the topography of the Property, the development of the Property may be governed by the plan entitled "Conceptual Site Plan, Semmes Avenue Site, City of Richmond, Virginia" prepared by HG Design Studio, dated July 2, 2018, and last revised January 21, 2019, showing the relocation of dwelling units on the Property.**

The motion carried unanimously.

**Upcoming Items**

Tentative items for February 19, 2019 Meeting:

- Possible subdivision exceptions
- 1809 E Franklin rezoning
- 1206 Dinwiddie rezoning

**Adjournment**

Mr. Poole adjourned the meeting at 3:59 p.m.

*All persons attending the meeting are requested to register on the attendance sheets that have been placed on the chairs and are also available at the table by the conference room entrance. Once you have completed an attendance sheet, it should be provided to the Commission staff.*

Rodney M. Poole, Chair

---

Matthew J. Ebinger, Secretary