



City of Richmond

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Meeting Minutes Planning Commission

Monday, March 21, 2016

1:30 PM

5th Floor Conference Room

Call To Order

Mr. Law called the meeting to order at 1:30 p.m.

Roll Call

- Present 6 - * Mr. Melvin Law, * Mr. Jeffrey Sadler, * Ms. Selena Cuffee-Glenn, * Mr. Vivek Murthy, * Ms. Elizabeth Greenfield, and * Mr. Max Hepp-Buchanan
- Absent 3 - * Mr. Rodney Poole, * Mr. David Johannas, and * Ms. Ellen Robertson

Chair's Comments

Mr. Law welcomed everyone who was present as well as the new Commissioner Mr. Max Hepp-Buchanan.

Approval of Minutes

A motion was made by Jeffrey Sadler, seconded by Vivek Murthy, that the March 7, 2016 meeting minutes be approved. The motion carried unanimously.

[CPC Min
2016-007](#)

March 21, 2016 Meeting Minutes

Attachments: [Draft Meeting Minutes, March 21, 2016.pdf](#)

Director's Report

There was no Director's Report.

- Council Action Update

Mr. Thompson stated there was one item approved by City Council at their last meeting, 3410 Cutshaw, as recommended by the Planning Commission. He also updated the Commission on Resolution 2016-R007 which is the request to transfer some of the advertising duties from the Clerk's Office to Planning and Development Review that item is scheduled to be on Council's agenda March 28 and go to Governmental Operations March 24.

Mr. Rogers stated they are working with Councilman Hilbert to discuss the rationale behind this Resolution.

[RES.
2016-R007](#)

To declare a public necessity and to initiate an amendment to the City's zoning ordinance making the Department of Planning and Development Review, instead of the Office of the City Clerk, responsible for the mailing of required notices of City Planning

Commission meetings.

Attachments: [Res. No. 2016-R007](#)

Mr. Thompson updated the Commission on Resolution 2016-R007 which is the request to transfer some of the advertising duties from the Clerk's Office to Planning and Development Review. This item is scheduled to be on Council's agenda March 28 and go to Governmental Operations March 24.

Mr. Rogers stated they are working with Councilman Hilbert to discuss the rationale behind this Resolution.

Consideration of Continuances and Deletions from Agenda

There were no continuances or deletions from today's agenda.

Consent Agenda

Public Hearing

Ms. Kyle stated two small cottages are being torn down on Maple Avenue in the heart of the City's West End and four large homes over 3,000 square feet are to be built. She stated she has several concerns, she is downstream from these people, there is an incredible amount of water that comes into the area from all of the paving that is already there, the streets and the parking lots that are on Libbie Avenue is a real concern. Large trees have been taken down, lots are being cleared, hundred year old trees are taken down, and the neighborhood is zoned single-family use. Maple Avenue has a problem with traffic as it is because of the schools in the area. There are no curbs, there are random sidewalks, there are now several small roundabouts and stop signs are not heeded. The fact that they will have added density is one problem. The fact that they will have several years of construction traffic coming and going and parking on the street is another problem. She stated her biggest concerns are those two things.

Ms. Sue Agee stated she is a resident of the City and lives a few houses away from the proposed construction of 501 and 503 Maple Avenue. She supports positive progress in the City. She stated it is zoned R-4 single-family detached. Her concern is the number of homes, they are taking two lots and putting in four houses plus four detached garages. Reducing by one home would allow for more green space and permeable area. She stated their neighborhood Maplegreen did have some special use permits, they were only allowed to have a 1-1/2 story home, extra lots were purchased to accommodate the houses. There is also a concern about storm water management, if there will be curbs, gutters and inlets put in because they are downhill and they get a lot of moisture. She stated the density is one of her concerns.

Ms. Pam Teagno stated she also lives in Maple Green and is hoping to move to the new subdivision Maple Wood. They were the first purchasers in Maple Green. It is a dense area. There are eight houses on about three to four lots in that area. She stated Maple Wood is very similar to what is currently there at Maple Green. She welcomes the fact that all four of the houses being proposed to be built will be similar in fashion, so they know exactly what they are getting up front in that subdivision, so that all the houses will meet a certain criteria and they will enhance what is currently there on Maple Avenue. What they are proposing to build is an upgrade to that area.

Mr. Richard Helton, Architect stated the whole project civil engineering and drainage design is being designed by professional civil engineers in the City of Richmond, Townes Site Engineering. They have Preliminary Underground Drainage Piping to take care of the water coming on their lot and the amount of water coming off of their lot will

be less once it is complete than the water that is flowing across their lot at the present time. He stated they cannot do anything on their lot about the parking lot that might be washing onto your lot but they will be in full compliance with all the stormwater requirements for the City. They are working with the City drainage and engineering department to assure that and they have hired professional civil engineers to address this issue and make sure that they are not going to be putting additional water on the adjacent properties which is legal. In fact, they are going to be reducing the amount of water coming from their lot onto the adjacent properties because it will be going into the storm water management system. There are lot sizes smaller in Maple Green than the smallest lot size on their property. They are within the allowed ordinance requirement for the height limits. He stated they revised their garages to comply with the height restrictions.

One of the Owners stated he would like to thank Mr. Thompson and Mr. Duckhardt who guided them through the whole process and who have been very helpful answering questions.

Mr. Murthy asked where there is lack of sidewalks, is there anything in the long term plan to add pedestrian protection.

Mr. Thompson stated there is nothing that they are aware of for the road at this time.

Mr. Murthy stated is there a way to add that to the conversation for future years.

Mr. Olinger stated yes.

A motion was made by Mr. Sadler, seconded Mr. Murthy, that the Consent Agenda be approved. The motion carried unanimously.

1. [ORD. 2016-039](#) To authorize the special use of the property known as 3303 Lawson Street for the purpose of permitting up to four single-family detached dwellings, together with associated improvements, including a parking area, upon certain terms and conditions.

Attachments: [Ord. No. 2016-039](#)
[Staff Report](#)
[Location Map](#)
[Application, Survey, Plans](#)
[Support Petition.pdf](#)
[Hull St-Midlothian Civic Support Letter.pdf](#)

A motion was made that this Ordinance be recommended for approval to the City Council . The motion carried by the following vote:

Aye -- 6 - * Mr. Law, * Mr. Sadler, * Ms. Cuffee-Glenn, * Mr. Murthy, * Ms. Greenfield and * Mr. Hepp-Buchanan

2. [ORD. 2016-040](#) To authorize the special use of the property known as 3210 Chamberlayne Avenue for the purpose of permitting offices and artist studios, upon certain terms and conditions.

- Attachments:** [Ord. No. 2016-040](#)
[Staff Report](#)
[Location Map](#)
[Application](#)
[Applicant's Report](#)
[Plans](#)
[GPRA Letter of Conditional Support.pdf](#)

A motion was made that this Ordinance be recommended for approval to the City Council . The motion carried by the following vote:

Aye -- 6 - * Mr. Law, * Mr. Sadler, * Ms. Cuffee-Glenn, * Mr. Murthy, * Ms. Greenfield and * Mr. Hepp-Buchanan

3. [ORD. 2016-041](#) To authorize the special use of the property known as 1608 West Cary Street for the purpose of permitting a two-family attached dwelling unit and accessory parking, upon certain terms and conditions.

- Attachments:** [Ord. No. 2016-041](#)
[Staff Report](#)
[Location Map](#)
[Application](#)
[Applicant Report](#)
[Plans](#)
[Survey](#)
[Letter of Support](#)
[Letter of Support](#)

A motion was made that this Ordinance be recommended for approval to the City Council . The motion carried by the following vote:

Aye -- 6 - * Mr. Law, * Mr. Sadler, * Ms. Cuffee-Glenn, * Mr. Murthy, * Ms. Greenfield and * Mr. Hepp-Buchanan

4. [ORD. 2016-042](#) To authorize the special use of the properties known as 501 and 503 Maple Avenue for the purpose of permitting up to four single-family detached dwellings, together with associated improvements, including a private street, upon certain terms and conditions.

- Attachments:** [Ord. No. 2016-042](#)
[Staff Report](#)
[Location Map](#)
[Plans](#)
[Application & Applicant's Report](#)
[Citizen Concerns](#)

A motion was made that this Ordinance be recommended for approval to the City Council . The motion carried by the following vote:

Aye -- 6 - * Mr. Law, * Mr. Sadler, * Ms. Cuffee-Glenn, * Mr. Murthy, * Ms. Greenfield and * Mr. Hepp-Buchanan

- 5. [ORD. 2016-043](#) To authorize the special use of the properties known as 1401 West Leigh Street, 1405 West Leigh Street, and 1400 Catherine Street for the purpose of permitting up to 11 dwelling units, upon certain terms and conditions.

Attachments: [Ord. No. 2016-043](#)
[Staff Report](#)
[Location Map](#)
[Plans & Survey](#)
[Application Form & Applicant's Report](#)
[Letters of Support.pdf](#)

A motion was made that this Ordinance be recommended for approval to the City Council . The motion carried by the following vote:

Aye -- 6 - * Mr. Law, * Mr. Sadler, * Ms. Cuffee-Glenn, * Mr. Murthy, * Ms. Greenfield and * Mr. Hepp-Buchanan

- 6. [UDC No.2016-07](#) Final review of a new screen & grit facility at the Wastewater Treatment Plant

Attachments: [UDC Report To Planning Commission.pdf](#)
[Location & Plans](#)

This Location, Character and Extent Item was approved on the Consent Agenda.

- 7. [UDC No. 2016-08](#) Conceptual Review of improvements to Elson Redmond Memorial Driving Range

Attachments: [UDC Report To Planning Commission.pdf](#)
[Location and Plans.pdf](#)

A motion was made that this Location, Character and Extent Item be approved. The motion carried by the following vote:

Aye -- 6 - * Mr. Law, * Mr. Sadler, * Ms. Cuffee-Glenn, * Mr. Murthy, * Ms. Greenfield and * Mr. Hepp-Buchanan

- 8. [UDC No. 2016-09](#) Final review of renovation of West End Branch Library

Attachments: [UDC Report to Planning Commission.pdf](#)
[Location & Plans](#)

A motion was made that this Location, Character and Extent Item be approved. The motion carried by the following vote:

Aye -- 6 - * Mr. Law, * Mr. Sadler, * Ms. Cuffee-Glenn, * Mr. Murthy, * Ms. Greenfield and * Mr. Hepp-Buchanan

9. [ORD. 2016-079](#) To authorize the Chief Administrative Officer to accept \$2,000,000 from the Virginia Department of Rail and Public Transportation and to appropriate the increase to the Fiscal Year 2015-2016 Capital Budget by increasing estimated revenues and the amount appropriated to the Department of Economic and Community Development’s Main Street Station Multi-Modal Transportation Center project in the Economic and Community Development category by \$2,000,000 for the purpose of funding the Main Street Station Phase 3 development.

Attachments: [Ord. No. 2016-079](#)
[Staff Report](#)
[Location Map](#)

A motion was made that this Ordinance be recommended for approval to the City Council . The motion carried by the following vote:

Aye -- 6 - * Mr. Law, * Mr. Sadler, * Ms. Cuffee-Glenn, * Mr. Murthy, * Ms. Greenfield and * Mr. Hepp-Buchanan

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

10. [ORD. 2016-044](#) To conditionally rezone the property known as 2201 East Franklin Street from the M-1 Light Industrial District to the [B-5] B-5C Central Business District, upon certain proffered conditions. (As Amended)

Attachments: [Ord. No. 2016-044 - Amended 20160328](#)
[Staff Report](#)
[Location Map](#)
[Proffer Statement](#)
[Application Form & Applicant’s Report](#)
[Survey](#)

Mr. Matthew Ebinger provided a presentation as outlined in the staff report.

Mr. Sadler stated Mr. Ebinger talked about closing the garage bays, would there be any efforts to eliminate the curb cuts that accompany those bays to make it clear that it is on street parking.

Mr. Ebinger stated yes.

Ms. Jennifer Mullen provided a presentation.

There was no public comment.

A motion was made by Mr. Sadler, seconded by Mr. Murthy, that this Ordinance be approved, as amended. The motion carried by the following vote:

Aye -- 6 - * Mr. Law, * Mr. Sadler, * Ms. Cuffee-Glenn, * Mr. Murthy, * Ms. Greenfield and * Mr. Hepp-Buchanan

11. [PDRPRES 2016-2](#) Update on Kanawha Plaza, Riverfront and Floyd Avenue Bike Boulevard Projects

Mr. Thompson stated a message from the Department of Public Works and the Traffic Engineering Department regarding the Bike Boulevard project that they are about 85% complete and hope to be finishing up in April or May, weather permitting. At that time they would like to return to Planning Commission to provide a presentation on the project.

Mr. Sadler asked whether the plans for the Bike Boulevard have changed in any ways and the project is proceeding as approved.

Mr. Thompson stated that it is proceeding as approved.

Mr. Hepp-Buchanan stated his understanding of this project was there was a question about whether it would be done in phases all at once across the corridor or if it would be geographically phased across the corridor. He asked what are the final touches that still need to be implemented in order to reach 100% completion.

Mr. Murthy asked where we are in total budget, year to date to how much more we have to spend and the time length for that.

Mr. Murthy requested an update on the budget; overall and year to date.

Mr. Hepp-Buchanan stated there was discussion of a Phase 2 implementation and would like to know if there is an update on traffic studies on whether that is necessary in the immediate term and if it is what is the timeline for Phase 2 implementation.

Mr. Don Summers, Chief Capital Projects Manager stated he is addressing Kanawha Plaza. They have begun construction on the Phase that was approved by Planning Commission. He stated they are about 20% into the project right now, they are installing footings for planters, sidewalk construction and moving towards hopefully an early summer completion date. They are addressing a few concerns that have arisen, unforeseen conditions that have put them back a couple of weeks but other than that they are on schedule and within budget; the budget being what was approved for this phase of the project.

Mr. Sadler asked about the budget that Mr. Summers referred to.

Mr. Summers stated the budget that they are working from is all City funds, approximately \$2.6 M that they are working from for this phase.

Mr. Sadler asked if this phase will be all the work that Planning Commission approved which at that time was estimated to be a \$5M project.

Mr. Summers stated no, there is a future phase, at that time that would be contingent on the funding that would be made available, in this case, private donations. They would be able to present a report in the future to the Commission once they know more details of that and how it plays out. At the present time they are only constructing what was approved in that plan. It does not include the Stage or Sun Pavilions.

Mr. Sadler asked where is the additional \$1.6M coming from.

Mr. Summers stated at that particular time, because of a rollover available funding, plus funding that was recognized in Parks, they had approximately \$1.3M. Out of another

funding source which was set aside for community schools parks there was available funding from that particular funding source, that was rolled over to this project which was \$1M to go with what they already had available at \$1.6M so that is a total of \$2.6M.

Mr. Sadler stated a year ago, it was presented to the Planning Commission that the City was spending just under \$1M on this project. From his recollection and his conversations with two other members, who are no longer on the commission, this was very important in their decision to approve it. He asked if it was actually \$1.3M, why was that not presented at that time.

Mr. Summers stated Special Capital Projects was asked to get involved after that fact; what they recognized was what was approved in that plan and what they recognize as the total dollars that was needed for a budget. Once they put those numbers together that is what they moved forward with. You cannot go to the street for a bid process without knowing where you would end up with your bid, that is what they put together.

Ms. Debra Gardner, Deputy Chief Administrative Officer for Human Services stated what Mr. Summers said is correct. In the new budget for 2016, the City had allocated \$1M of which 10% of that goes to the art so it ended up being \$900,000. She stated they already had money from year 2015, the \$1M was additional savings from other projects but they had money left over from the previous year in the Kanawha fund so the only new money was the \$1M.

Mr. Sadler asked was it \$1M or \$1.3M.

Mr. Summers stated what she is referring to is what they recognize out of community schools and parks which was \$1M that they moved over to support what was already identified in their budget, \$1.6.

Mr. Sadler stated maybe he is mistaken in what he has been hearing. There was \$1M minus the arts amount which is roughly \$900,000. There were additional funds allocated from previous fiscal years so that amount was approximately \$600,000 - \$700,000.

Mr. Summers stated that is correct. That was out of projects that they were able to identify that were rollover balances from previous years.

Mr. Hepp-Buchanan asked at the time the project was approved a year ago, the budget was about \$980,000.

Mr. Summers stated at that time it was about \$1.3.

Mr. Sadler stated it was presented as just under \$1M. He stated he asked a very direct question about the total amount of money that the City would spend. He stated staff from the City said that was the amount and the rest would be from private donations.

Mr. Hepp-Buchanan asked did the private donations fall through.

Mr. Summers stated yes, in the future what they want to do is come back with Enrichmond Group, they are moving forward, and they now have a contract in place to address what they are able to do on the next phase. At this point the Stage Pavilion and the two (2) Sun Shelter Pavilions are not in the scope and was not approved by the Planning Commission previously on that set of plans. They will be coming back in the future with an update on that progress. Mr. Summers stated at this point in time they cannot address where they are with funding in regard to private donations. What they wanted to do because of phasing, what you were recognizing before, once Special Capital Projects took that over they recognized the ability to put other funds that the City could recognize together to get more accomplished versus breaking down the phases

so many times, so they are moving forward with the plans that were approved by the Planning Commission previously with the \$2.6M budget.

Ms. Gardner stated it is not that they did not receive any private dollars, they received money from Dominion from the very beginning of about \$500,000 and then they received additional funding from several other sources, but several months ago, City Council approved an ordinance to accept from Enrichmond Foundation the gift of service which is a coordination of the funds for the private money that they will be receiving. She stated there is someone here from Enrichmond, they have been constantly working on that for the additional phases such as the Stage and other things which have not been approved and those additional phasing which makes up the number that they threw out for the continuant, but there are no definite plans because none of that has been approved. Enrichmond is here who can tell you that they are working continuously.

Mr. Summers stated this particular phase, the way they were approaching it, will be able to allow the City to open the park back up to the public, with future being as private donations or other funds become available, then they can move forward with the next phases, but this phase will open the park back up to the public with access.

Mr. Ray Patterson, Vice Chair of the Board, Enrichmond Foundation, stated they are aggressively seeking private contributions towards the construction of the park; they are working in cooperation with City Administration and approaching those corporations so they do not duplicate efforts. He stated he cannot give an update at this time on how much has been raised but they are aggressively seeking it so they can finish this entire project and have something that the City will be very proud of.

Mr. Olinger stated they have about 11.5M to help implement the Phase 1 Priority 1 improvements in the Riverfront Plan. The first project is the T. Tyler Potterfield Memorial Bridge which has been under construction for a few months; it is scheduled for completion October of this year. There has been a lot of comments about people saying Phase 2 has been abandoned. The bridge is probably the most complicated and complex project in the Riverfront Plan. Right now he has enough money to get Phase 1 done which is Brown's Island to the Flood Wall Walk. There is a million plus dollars worth of grading in the Phase 2 portion which is what they call the horseshoe that will get you to SunTrust Bridge. He stated he does not have that much money now. He will build what he can with the dollars he have. They are looking to see if there are savings from the Phase 1 that they can put towards Phase 2. They are also looking at other opportunities to fund Phase 2. There is no way to build half a bridge, there is no way to build half a ramp so they decided to build all of the bridge. They will get to the ramp as they can. There is no loss of commitment on their part to make Phase 2 happen. This is an expensive project. With the exception of a little over \$70,000, all of the \$11.5 has gone into the construction, engineering and inspections for that project. Mr. Olinger stated he is hoping between now and October they will be able to find the balance of the money and get it done.

Mr. Murthy asked what is the funding gap.

Mr. Olinger stated he is not sure, they are looking at all the options and needs to have more conversations with the contractors. Just the grading itself is approximately \$1.1 to \$1.2 M.

Mr. Hepp-Buchanan asked what possible cost savings would there be in Phase 1.

Mr. Olinger stated Phase 2 is everything that was pulled out of Phase 1, which includes some trail lighting and landscaping. The priority at this time is to get the bridge built and the address the rest in Phase 2.

Mr. Hepp-Buchanan asked how much would it cost to remobilize Shockey.

Mr. Olinger stated as long as Shockey stays engaged with a City project the mobilization costs should be minimal.

Mr. Hepp-Buchanan if there are any revenue-sharing opportunities; for example with the state.

Mr. Olinger stated the state has provided about \$3M to date and perhaps some additional future funding.

Mr. Sadler asked how difficult would it be to access the southern portion.

Mr. Olinger said the existing ramp is fairly steep and not fully accessible now. The goal is to provide for access to the Riverfront for all persons.

Mr. Sadler stated that the shortfall for the bridge project is essentially the same amount that the Commission was earlier told the city has in additional funds for Kanawah Plaza.

Mr. Olinger stated that not one dollar has been pulled out of the bridge project and Mr. Sadler's point pure hapenstance. The bridge project is a very complex project.

Mr. Sadler stated that he does not believe funds were diverted. In reviewing the documents for Kanawah Plaza and the audio recording, the question was asked, will the city begin working before all funds, including private donations, are in hand. He stated that the city's response was, no, we will not begin until all those funds are in hand. Clearly they did go ahead without all the funds and that is a misrepresentation. The reasons those questions were asked was so that they would not impact other projects.

Mr. Olinger stated they are making every effort to try to get the best possible project that they can on the Riverfront. He stated it is a complex, complicated and expensive project, they are doing all they can to get it delivered on time.

Upcoming Items

[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](#)

[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](#)

[ORD. 2016-093](#) To authorize the special use of the property known as 2804 Idlewood Avenue for the purpose of permitting non-medical professional office use, upon certain terms and conditions.

- Attachments:** [Ord. No. 2016-093](#)
[Staff Report](#)
[Vicinity Map](#)
[Application.pdf](#)
[Applicant's Report.pdf](#)
[Plans](#)

[CPCR 2016-31](#) To appoint a representative to the Public Art Commission for the vacant Visual Arts seat for a 3 year term.

- Attachments:** [PAC Memo](#)
[Ashley Kistler Appointment Resolution.doc](#)
[KistlerPACapp2016](#)

Adjournment

Mr. Law adjourned the meeting at 2:40 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.

Melvin D. Law, Vice Chair

Daniel "Willy" Thompson, Acting Secretary