



City of Richmond

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

Meeting Minutes - Draft Planning Commission

Monday, February 1, 2021

1:30 PM

5th Floor Conference Room

This meeting will be held through electronic participation means

This meeting will be held through electronic communication means pursuant to and in compliance with Ordinance No. 2020-093, adopted April 9, 2020, as amended. This meeting will be open to participation through electronic communication means by the public and closed to in-person participation by the public.

Most, if not all, Planning Commission members and other staff will participate in this meeting by teleconference/videoconference via Microsoft Teams. Those who may be assembling for this meeting will do so in the 5th Floor Conference Room of City Hall at 900 East Broad Street in Richmond, Virginia 23219.

Special Guidelines for Public Access and Citizen Participation:

To access or participate, or both, in the Planning Commission meeting on Monday, February 1, 2021, at 1:30 p.m., you have several options outlined in the following document:

1. [PDRPRES
2021.088](#)

Attachments: [Public Access and Participation Instructions - Planning Commission
2-1-2021](#)

Citizens are encouraged to provide their comments in writing to PDRLandUseAdmin@richmondgov.com in lieu of speaking through audio or video means during the meeting.

When submitting your comments by email, be sure to include in your email (i) your full legal name, (ii) any organizations you represent, and (iii) any economic or professional relationships that would be affected by the adoption of the legislation on which you are commenting.

The person responsible for receiving written comments is Matthew J. Ebinger, Secretary to the Planning Commission.

All written comments received via email prior to 10:00 a.m. on Monday, February 1, 2021, will be provided to all members of the Planning Commission prior to the beginning of the meeting and will be included in the record of the meeting.

Call To Order

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

Roll Call

- Present 9 - * Commissioner David Johannas, * Commissioner Elizabeth Hancock Greenfield, * Commissioner Max Hepp-Buchanan, * Commissioner John Thompson, * Commissioner Lincoln Saunders, * Commissioner Melvin Law, * Commissioner Rodney Poole, * Commissioner Vivek G. Murthy, and * Andreas Addison

Chair's Comments

- 2. [CPCR.2021.072](#)

Attachments: [Resolution of Appreciation_Richmond 300 Advisory Council](#)

A motion was made by Commissioner Murthy, seconded by Commissioner Law, that this City Planning Commission Resolution be approved. The motion carried unanimously, with Mr. Addison excused.

Election of Officers

A motion was made by Commissioner Johannas, seconded by Commissioner Greenfield, that Chairman Poole continue as Chairman and Vice Chairman Law continue as Vice Chairman for 2021. The motion carried unanimously.

Approval of Minutes

No minutes to approve.

Director's Report

Mr. Poole welcomed Mr. Kevin Vonck, Acting Director, Department of Planning and Development Review.

- Richmond 300

Mr. Kevin Vonck provided an update.

- Council Action Update

Mr. Matthew Ebinger provided an update on the actions taken by City Council at its January 25, 2021 meeting.

Consideration of Continuances and Deletions from Agenda

- 3. [ORD. 2020-266](#) To authorize the special use of the property known as 3419 2nd Avenue for the purpose of two single-family detached dwellings, upon certain terms and conditions.

Attachments: [Ord. No. 2020-266](#)
[Staff Report](#)
[Application Form and Applicant's Report](#)
[Plans & Survey](#)
[Map](#)

A motion was made by Commissioner Johannas, seconded by Commissioner Thompson, that this Ordinance be continued to the March 1, 2021 meeting of the

Planning Commission. The motion carried unanimously.

Consent Agenda

Public Hearing: No one spoke.

A motion was made by Vice Chair Law, seconded by Commissioner Greenfield, that the Consent Agenda be approved. The motion carried unanimously, with Commissioner Johannas abstaining on Item 8.

Aye -- 9 - * Commissioner David Johannas, * Commissioner Elizabeth Hancock Greenfield, * Commissioner Max Hepp-Buchanan, * Commissioner John Thompson, * Commissioner Lincoln Saunders, * Commissioner Melvin Law, * Commissioner Rodney Poole, * Commissioner Vivek G. Murthy and * Commissioner Andreas Addison

- 4. [ORD. 2021-003](#) To amend Ord. No. 2020-049, adopted May 11, 2020, which adopted the Fiscal Year 2020-2021 General Fund Budget and made appropriations pursuant thereto, by re-appropriating a \$500,000.00 portion of the Fiscal Year 2019-2020 fund balance excess, assigned to the Capital Reserve, to the General Fund Cash Transfer for Capital Projects program, and to appropriate these transferred funds to the Capital Improvements Projects for Fiscal Year 2020-2021 and to amend the Fiscal Year 2020-2021 Capital Budget by appropriating such transferred funds in the amount of \$500,000.00 to the Department of Public Works' City Hall project in the City Facility Maintenance & Improvements category for the purpose of constructing improvements to the southwest quadrant of City Hall necessary to house either an employee health clinic or a relocated credit union office, or both.

Attachments: [Ord. No. 2021-003](#)
[Staff Report](#)
[Map](#)

This Ordinance was recommended for approval to the City Council.

- 5. [ORD. 2021-004](#) To direct the sale of the City-owned real estate known as 809 West 44th Street, 811 Rear West 44th Street, and 4306 Rear Reedy Avenue for \$8,000.00 to Lelia Pendleton and Stuart Halloran.

Attachments: [Ord. No. 2021-004](#)
[Staff Report](#)
[Map](#)

This Ordinance was recommended for approval to the City Council.

- 6. [ORD. 2021-005](#) To declare a public necessity for the acquisition and to authorize the Chief Administrative Officer to accept the dedication as public right-of-way of a portion of the properties known as 1801 Richmond Highway and 1805 Richmond Highway, consisting of 524.89± square feet, from TRC Jefferson Davis, LLC; to accept a donation from TRC Jefferson Davis, LLC, of certain services and materials valued at \$20,000.00 for the reconstruction, paving, and future maintenance of a certain City-owned alley located between Webber Avenue and Royal Avenue; and to execute a Right-of-Entry Agreement between the City of Richmond and TRC

Jefferson Davis, LLC for the purpose of facilitating the development of the property known as 1801 Richmond Highway by TRC Jefferson Davis, LLC, and providing for the expansion of a certain City-owned alley located between Webber Avenue and Royal Avenue.

- Attachments:** [Ord. No. 2021-005](#)
[Staff Report](#)
[Plat](#)
[Map](#)

This Ordinance was recommended for approval to the City Council.

7. [ORD. 2021-008](#) To amend City Code § 30-1220.21, concerning the definition of the term “clinic,” to include certain opioid treatment facilities in such definition.

- Attachments:** [Staff Report](#)
[Ord. No. 2021-008](#)

This Ordinance was recommended for approval to the City Council.

8. [ORD. 2021-009](#) To amend and reordain Ord. No. 81-82-68, adopted May 11, 1981, as previously amended by Ord. No. 87-49-74, adopted Apr. 27, 1987, which authorized the special use of the property known as 307 North Robinson Street for the purpose of a veterinary clinic, to increase the number of employees allowed from three to five persons, upon certain terms and conditions.

- Attachments:** [Ord. No. 2021-009](#)
[Staff Report](#)
[Application Form and Applicant's Report](#)
[Plans](#)
[Map](#)
[Letter of Support FAB A](#)

This Ordinance was recommended for approval to the City Council.

9. [ORD. 2021-010](#) To amend and reordain Ord. No. 2018-192, adopted Jul. 23, 2018, which authorized the properties then known as 800, 802, and 806 North 32nd Street, and now known as 3112, 3116, 3120, and 3124 N Street, for the purpose of up to four single-family attached dwellings, upon certain terms and conditions, to modify certain feature requirements.

- Attachments:** [Ord. No. 2021-010](#)
[Staff Report](#)
[Plans & Surveys](#)
[Application Form & Applicant's Report](#)
[Map](#)

This Ordinance was recommended for approval to the City Council.

- 10. [ORD. 2021-011](#) To authorize the special use of the properties known as 501, 509, and 511 Decatur Street for the purpose of a mixed-use building containing up to 118 dwelling units and commercial uses on the ground floor, upon certain terms and conditions.

Attachments: [Ord. No. 2021-011](#)
[Staff Report](#)
[Application Form & Applicant's Report](#)
[Plans & Survey](#)
[Map](#)

This Ordinance was recommended for approval to the City Council.

- 11. [ORD. 2021-012](#) To authorize the special use of the property known as 821 Albemarle Street for the purpose of a personal service business, upon certain terms and conditions.

Attachments: [Ord. No. 2021-012](#)
[Staff Report](#)
[Application Form & Applicant's Report](#)
[Plans & Survey](#)
[Map](#)
[Letter of Support](#)

This Ordinance was recommended for approval to the City Council.

- 12. [ORD. 2021-013](#) To authorize the special use of the property known as 2206 Joplin Avenue for the purpose of two single-family detached dwellings, upon certain terms and conditions.

Attachments: [Ord. No. 2021-013](#)
[Staff Report](#)
[Application Form & Applicant's Report](#)
[Map](#)
[Plans & Survey](#)

This Ordinance was recommended for approval to the City Council.

- 13. [ORD. 2021-014](#) To authorize the special use of the property known as 2700 East Cary Street for the purpose of a freestanding sign, upon certain terms and conditions.

Attachments: [Ord. No. 2021-014](#)
[Staff Report](#)
[Application Form & Applicant's Report](#)
[Map](#)
[Plans & Survey](#)

This Ordinance was recommended for approval to the City Council.

14. [ORD. 2021-015](#) To amend Ord. No. 2020-051, adopted May 11, 2020, which (i) accepted a program of proposed Capital Improvement Projects for Fiscal Year 2020-2021 and the four fiscal years thereafter, (ii) adopted a Capital Budget for Fiscal Year 2020-2021, and (iii) determined a means of financing the same, by reducing estimated receipts and the appropriation for the Department of Public Works’ Transportation Projects by \$15,000,000.00; to amend Ord. No. 2020-050, which adopted the Fiscal Year 2020-2021 special fund budgets and made appropriations thereto, by establishing a new line item called the “CVTA Special Fund” line item and increasing estimated receipts from the Central Virginia Transportation Authority and the amount appropriated to the new Department of Public Works’ CVTA Special Fund line item by \$12,195,491 for the purpose of funding the planning, design, operations, maintenance, and construction of transportation improvements within the city of Richmond.

Attachments: [Ord. No. 2021-015](#)
[Staff Report](#)

This Ordinance was recommended for approval to the City Council.

15. [UDC 2021-01](#)

Attachments: [UDC Report to CPC](#)
[Staff Report to UDC](#)
[Location & Plans](#)

Title: Final location, character and extent review of Powhatan Hill Community Center Addition and Site Improvements; 5051 Northampton Street.

This Location, Character and Extent Item was approved.

16. [UDC 2021-02](#)

Attachments: [UDC Report to CPC](#)
[Staff Report to UDC](#)
[Location & Plans](#)

Title: Final location, character, and extent review of a new RPS Monument Sign; 3501 Belt Boulevard.

This Location, Character and Extent Item was approved.

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

20. [ORD. 2020-270](#) To authorize the special use of the properties known as 509 Libbie Avenue and 511 Libbie Avenue for the purpose of up to 14 single-family attached dwellings, upon certain terms and conditions.

- Attachments:** [Ord. No. 2020-270](#)
[Staff Report](#)
[Application Form & Applicant's Report](#)
[Plans & Survey](#)
[Map](#)
[Letter of Opposition](#)
[Letter WCA](#)
[Letter of Support](#)
[Letters of Support](#)
[Libbie Ave Topographical Analysis](#)
[Letters of Support](#)
[Letter of Support](#)
[Letters of Opposition](#)
[Letters of Opposition](#)

Mr. Matthew Ebinger provided staff's presentation.

Ms. Lory Markham provided the applicant's presentation.

Mr. Thompson asked, when you met with the community in 2019 were they very supportive of the height.

Ms. Markham stated we did not get a lot of push back in 2019.

Mr. Thompson stated I'm curious, if there wasn't much push back then, why they were so adamant about three stories during Richmond 300.

Ms. Markham stated if there is going to be a rezoning of the entire area, it makes sense to limit the height to three stories, but if you're considering a specific case, on a case by case basis, there may be extenuating circumstances that allow for a specific height.

Public Comment: Four individuals spoke during the public hearing:

Support:

Burt Pennock
John George

Opposition:

Joe Andrews, Westhampton Citizens Association
Chris Perkins, 513 Libbie Avenue

Ms. Markham stated we respectfully request that you support our project and recommend approval to the City Council.

Mr. Johannas stated, there are a couple of things that I looked at when I was reviewing this, one was the timeline of the applications. When I think about the mixed use, not talking about height or anything like that, the goal is to get enough of a population base

that we have a walkable community in this area; in this case the walkable community would be the bridge between Grove and Libbie and Patterson and Libbie. One of the bigger dangers to a four story height is having a continuous horizontal run of hundreds of feet in this district and not having that potential breakup. This project shows a technique in a way to break up the horizontal and to have a pattern of smaller buildings even if they are four stories or three and a half stories. He stated I think the six foot height change from the current legal to the maximum height of the building as based on the sloping scale, the line of the first floor level does have some impact on the adjacent neighbor but I also think the writing's on the wall when we look at this district, we're not going to be looking at a row of little houses that are on a suburban lot, we're going to be looking at a strong development that we've been talking about. There is a previous plan for this strip between Libbie and Grove. I feel that this project is relatively small relative to what can be happening down the blocks. As we look at a potential zoning for this district, we need to reconsider what we said in the master plan, really need to reconsider what the concept of village is; village isn't necessarily short, village is a massing that face the street that have a potential of shorter distances from building to building or scale mass to scale mass.

Mr. Andreas stated this has been a conversation in this district prior to my first election, my first campaign even, this was a topic of development for this neighborhood, the Westhampton neighborhood. He stated, I think you can look at some of the building permits that are being done, construction on single family homes, we've seen a lot of transformation in this area. There's a challenge in looking at what is good height, what are too many stories, what are too many floors. Personally, if it were four floors, all individual levels of first floor commercial and a residential all the way up, I would not have a problem because you could justify going shorter, but with a town home, a row house technically, done perpendicular to the street, it's a product where you see in other parts of our city, Church Hill, in the Fan, in the museum district, where you see this type of developments, where they're older and here we are with an opportunity to see this type of development happen here. He stated I have questions but I feel like there is a lot of opportunity, this could bring fourteen new families to live, work and play right here in the first district on a corridor that needs more residential. I have a concern about the density but know that the caliber and talent of people, is going to be attracted to this type of living. The market for this area is really high to support this type of development. He stated, for me I'm torn because I understand the concerns of the neighborhood and the community. The objections made earlier are very valid, this will make the other buildings look small but there are already buildings higher, literally adjacent to this stretch. He stated I would like to see what good tasteful development can look like.

Mr. Thompson stated, my biggest concern regarding the height is not so much the height itself, but it's how height relates to community engagement, relating to the master plan and what is now going to be built as a result. I worry about the sincerity in the community engagement during the master planning process, and here you have a community that never had specific meetings about this corridor, gave their feedback and seem to believe based on what we've heard from the neighbors, that the three story height was going to be the limit in this corridor, of course there's the opportunity through the special use permit to ask for more, but it seems to be going without much critique to have it reach the three story level. I just worry about how communities will receive the Planning Commission and recommendations from staff, are they going to feel like they are being heard, it sounds like this project has a lot of support but I will vote no.

Mr. Murthy stated, this is a unique project, there's a timing aspect that needs to be considered but if you look at the project, it's not a four story building that's perfectly rectangular, if you look at the face of it, it's got a gabled roof, unlike the Tiber across the street. Even bigger is the quality of the developer here, we have a strong, well versed

developer who has stability to execute on this project, we're excited to have them here in the city. This will not be like the Tiber project, hopefully it will not sit for a number of years before it gets finished; I think they will do a great project and continue to look at other projects in that corridor. He stated, related to the corridor, if this block was on the western side of Libbie, in this section of the corridor, there is a long block that can be future developed, it feels like it's the right thing here.

A motion was made by Vice Chair Law, seconded by Commissioner Johannas, that this Ordinance be recommended for approval to City Council. The motion carried by the following vote (8:1), with Mr. Thompson voting no.

17. [ORD. 2020-261](#)

To amend and reordain City Code §§ 30-420.1, 30-420.1:1, and 30-420.2, concerning permitted uses in the R-73 Multifamily Residential District; 30-426.1, 30-426.1:1, and 30-426.2, concerning permitted uses in the RO-2 Residential-Office District; 30-432.1, concerning permitted uses in the I Institutional District; 30-434.1 concerning permitted uses in the B-1 Neighborhood Business District; 30-436.1, concerning permitted uses in the B-2 Community Business District; 30-438.1 and 30-438.2, concerning permitted uses in the B-3 General Business District; 30-440.1 and 30-440.2, concerning permitted uses in the B-4 Central Business District; 30-450.1, concerning permitted uses in the OS Office-Service District; 30-452.1, concerning permitted principal and accessory uses in the M-1 Light Industrial District; 30-1045.6, concerning specific conditions applicable to particular uses, and 30-1220, concerning certain definitions; to amend ch. 30. art. VI of the City Code by adding therein a new div. 15 (§§ 30-698-30.698.3), concerning specific conditions applicable to particular uses; and to amend ch. 30, art. XII of the City Code by adding therein new sections 30-1220.32:1, 30-1220.84:1, 30-1220.84:2, 30-1220.95:1, 30-1220.95:2, 30-1220.120:1, and 30-1220.122:1 .

- Attachments:** [Ord. No. 2020-261 - Amended 20210208](#)
[Staff Report](#)
[Planning Commission Resolution](#)
[Homelessness Strategic Plan](#)
[Proposed Zoning Changes Presentation 2021 - kiy](#)
[Presentation-210126-Video](#)
[Letter of Support](#)
[Letter of Opposition](#)
[7-3-Emergency-Housing-Presentation-210201](#)
[7-3-Emergency-Housing-Map-Zoning-201208](#)
[7-3-Emergency-Housing-Map-Zoning-D1](#)
[7-3-Emergency-Housing-Map-Zoning-D2](#)
[7-3-Emergency-Housing-Map-Zoning-D3](#)
[7-3-Emergency-Housing-Map-Zoning-D4](#)
[7-3-Emergency-Housing-Map-Zoning-D5](#)
[7-3-Emergency-Housing-Map-Zoning-D6](#)
[7-3-Emergency-Housing-Map-Zoning-D7](#)
[7-3-Emergency-Housing-Map-Zoning-D8](#)
[7-3-Emergency-Housing-Map-Zoning-D9](#)
[20210208 Amendment of Ord. No. 2020-261](#)

Mr. Kevin Vonck provided staff's presentation.

Ms. Sharon Ebert spoke.

Public Hearing: No one spoke

A motion was made by Commissioner Johannas, seconded by Commissioner Murthy, that this Ordinance be recommended for approval to City Council with the following amendments:

- A distance requirement of a 1/4 mile be established
- Require notification to adjacent property owners
- Reiterate the need to locate within 1/2 mile distance of transit stop

The motion carried unanimously.

- 18. [ORD. 2020-264](#)** To authorize the special use of the property known as 111 Spring Street for the purpose of a parking deck, upon certain terms and conditions.

Attachments: [Staff Report](#)
[Ord. No. 2020-264](#)
[Application Form & Applicant's Report](#)
[Plans & Survey](#)
[Map](#)
[Public Comment Letters](#)
[Ord. No. 2020-264](#)

Mr. Matthew Ebinger provided staff's presentation.

Mr. Steven Mintz, VHDA, answered questions of the commissioners, and stated VHDA will in good faith consider use of the parking garage on a case-by-case basis for special events.

Public Hearing: Mr. John Bolecek, Oregon Hill Neighborhood Association, spoke in opposition.

Mr. Murthy stated I will vote for this based on what our guidance has provided. It's good to hear in good faith we'll have special events but weekends would be great. This is a great opportunity, take advantage of it. I will be supporting.

Mr. Poole stated I will support the paper and appreciate the attempts on Mr. Mintz's part to carefully but clearly state the good faith effort on the part to allow case by case basis for special events. I would prefer them to do more than that but I do think that is a benefit that will derive to the entire city. He stated I will support the paper.

A motion was made by Commissioner Greenfield, seconded by Commissioner Saunders, that this Ordinance be recommended for approval to City Council. The motion carried by the following vote (8:0), with Mr. Thompson abstaining.

**19. [ORD.](#)
[2020-265](#)**

To authorize the special use of the property known as 2515 Rear Hanover Avenue for the purpose of a single-family detached dwelling, storage, a parking area, and a community garden, upon certain terms and conditions.

- Attachments:** [Ord. No. 2020-265 - Amended 20210208](#)
[Staff Report](#)
[Application Form & Applicant's Report](#)
[Plans & Survey](#)
[Map](#)
[Letter of Opposition](#)
[Letters of Opposition](#)
[Letters of Opposition](#)
[FDA Letter](#)
[RSA Letter](#)
[Letters of Support](#)
[Letter of Support](#)
[Letter of Support](#)
[20210208 Amendment of Ord. No. 2020-265](#)

Mr. Jonathan Brown and Mr. Matthew Ebinger provided staff's presentation.

Public Comment: No one spoke.

A motion was made by Commissioner David Johannas, seconded by Commissioner Vivek G. Murthy, that this Ordinance be recommended for approval to the City Council with the following amendments:

- Limit the occupancy of the dwelling unit to four people
- Repair existing cobblestone alley to existing or better condition upon completion of underground utilities and renovations, inspected by the City of Richmond
- Limit second floor to storage use only
- All windows and doors on north elevation are to be fire-rated, subject to Virginia Department of Historic Resources
- Drain all rain water from building roofs and land away from abutting properties
- Remove the option to use property as a short-term rental
- Remove "up to" language from parking space requirements

The motion carried unanimously.

**21. [PDRPRES](#)
[2021.079](#)**

- Attachments:** [Operations Portfolio Presentation Analysis of CIP for Project Management](#)
[Sources of Capital Project Concept Development 1.14.21](#)

Presentation Title: An Analysis of CIP for Existing Facilities and Fleet

Mr. Robert Steidel, Deputy Chief Administrative Officer, Operations and Mr. Adam Hohl, Management Analyst Senior, Operations Portfolio, provided a presentation.

Upcoming Items

Mr. Ebinger shared a list of items tentatively scheduled for the February 16, 2021 meeting of the Planning Commission.

Adjournment

Mr. Poole adjourned the meeting at 4:43 p.m.