



City of Richmond

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

Meeting Minutes City Planning Commission

Monday, April 21, 2014

1:30 PM

5th Floor Conference Room

Call To Order

Mr. Poole called the meeting to order at 1:34p.m.

Roll Call

Present 8 - Kathy Graziano
David Johannas
Melvin Law
Lynn McAteer
Rodney Poole
Jeffrey Sadler
Doug Cole
Jane Ferrara

Absent 1 - Amy Howard

Others Present

Staff Present:

Mark Olinger, Director of Planning & Development Review
Douglas Dunlap, Deputy Director of Planning & Development Review
Lory Markham, Secretary to the City Planning Commission
Leigh Kelley, Planner I
Matthew Ebinger, Planner II
Willy Thompson, Planner II
Jeff Eastman, Planner II
Matthew Welch, Assistant City Attorney

Others Present:

Andrew Blakely
Mark Baker
Clement Tingley, Avon Associates
Vivian Richardson, President, Adams Park
Karen Firehock, Green Infrastructure Center
Rob Taylor
Stacy Farinholt
Peter Culley
David White
Rob Taylor, Dutton & Associates
David Napier, Shockoe Bottom Neighborhood Association
Chris Johnson, Shockoe Partnership
Will Scribner
Berkley Ferguson
Tayne Renmark

Jennifer Ferguson
Ronald Renmark
Martin Johnson
Charles McFarland
Mary Jane Hogue, Historic Richmond
Jim White
Roger Whitfield
Sharon White
Eugenia Anderson Ellis
Waite Rawles
Suzanne Keller
Randolph Bell
Karen Jones
Thomas Wilds
Sharon Larkins-Pederson
Lovenda Skinner
Kathy Hayden
Barbara Carter
Polly Cullen
Martha Faulkner
John Whitworth
Stewart Swartz

Chair's Comments

Mr. Poole welcomed everyone who was present.

Approval of Minutes

A motion was made by Mr. Law, seconded by Mr. Johannas, that the minutes from the April 7, 2014 meeting of the City Planning Commission be approved. The motion carried by the following vote:

Aye: 6 - Mr. Johannas, Mr. Law, Ms. McAteer, Mr. Poole, Mr. Sadler and Mr. Cole

Excused: 2 - Ms. Graziano and Ms. Ferrara

Attachments: [April 7, 2014 Draft Minutes](#)

Director's Report

Mr. Olinger stated that there was no Director's Report.

- Council Action Update

Ms. Markham informed the Commission that the special use permit at 2619 Floyd Avenue was amended and approved by City Council in accordance with the Commission's recommendations.

Consideration of Continuances and Deletions from Agenda

3. [Ord. No. 2014-76](#) To authorize the special use of the property known as 933 German School Road for the purpose of permitting a greenhouse, a plant nursery and the sale of yard and garden materials, upon certain terms and conditions.

Attachments: [Location Map](#)
[Ord. No. 2014-76.pdf](#)

This Ordinance was recommended for a 30-day continuance to the Commission's May 19, 2014 meeting.

Consent Agenda

Mr. Poole opened the public hearing on the Consent Agenda. There was no public comment and the public hearing was closed.

A motion was made by Mrs. Graziano, seconded by Mr. Law, that the Consent Agenda be approved as presented. The motion carried by a unanimous vote.

1. [Ord. No. 2014-73-53](#) To amend and reordain City Code § 114-930.3, concerning the Commission of Architectural Review, for the purpose of reflecting certain organizational and name changes by revising (i) the reference to the "Alliance to Conserve Old Richmond Neighborhoods" to refer instead to the "Better Housing Coalition" and (ii) the reference to the "James River Chapter of the American Institute of Architects" to refer instead to the "Richmond Chapter of the American Institute of Architects."

Attachments: [Staff Report](#)
[Ord. No. 2014-73](#)

This Ordinance was recommended for approval and forwarded to City Council on the Consent Agenda.

2. [Ord. No. 2014-75-54](#) To amend Ord. No. 90-15-31, adopted Feb. 26, 1990, as previously amended by Ord. No. 96-169-163, adopted Jun. 24, 1996, Ord. No. 99-428-2000-16, adopted Jan. 24, 2000, and Ord. No. 2003-246-253, adopted Sept. 8, 2003, which authorized a special use of the property known as 428 North Boulevard, to permit exterior and interior modifications for museum and library purposes and to permit mobile food businesses, upon certain terms and conditions.

Attachments: [Staff Report](#)
[Location Map](#)
[Ord. No. 2014-75](#)
[Plans](#)
[Public Response](#)
[Images](#)

This Ordinance was recommended for approval and forwarded to City Council on the Consent Agenda.

4. [Ord. No. 2014-86-60](#) To declare a public necessity for and to authorize the acquisition of the parcel of real property owned by the SunTrust Leasing Corporation and known as 3520 North Hopkins Road for the purpose of operating an 800 megahertz communications facility.

Attachments: [Staff Report](#)
[Location Map](#)
[Ord. No. 2014-86-60.pdf](#)

This Ordinance was recommended for approval and forwarded to City Council on the Consent Agenda.

5. [Ord. No. 2014-87-61](#) To authorize the Chief Administrative Officer to accept funds in the amount of \$100,000 from Bon Secours - Richmond Health System and to appropriate the increase to the Fiscal Year 2013-2014 Capital Budget by increasing estimated revenues and the amount appropriated to the School Maintenance project in the Education category by \$100,000 for the purpose of maintaining and upgrading public schools in the city.

Attachments: [Staff Report](#)
[Ord. No. 2014-87-61.pdf](#)

This Ordinance was recommended for approval and forwarded to City Council on the Consent Agenda.

6. [UDC No. 2014-02\(2\)](#) Final Location, Character and Extent review of a drop off/pick-up drive at Cary Elementary School, 3021 Maplewood Avenue.

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

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

7. [UDC No. 2014-15](#) Final Location, Character and Extent review of streetscape improvements to N. 10th Street between E. Main Street and E. Cary Street.

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

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

8. [UDC No. 2014-16](#) Conceptual Location, Character and Extent review of renovations to the RMA Plaza, 210 S. 10th Street.

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

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

9. [Subd. No. 2014-01](#) Preliminary approval for Citizen 6 Subdivision at 2613 and 2619 Floyd Avenue (7 lots).

Attachments: [Location Map](#)
[Staff Report](#)
[Waiver Request](#)
[Preliminary Plat](#)

This Tentative Subdivision was approved on the Consent Agenda.

Regular Agenda

10. [Ord. No. 2014-74](#) To conditionally rezone the property known as 5107 Kenmare Loop from the R-2 Single-Family Residential District to the R-5C Single-Family Residential District (Conditional), upon certain proffered conditions.

Attachments: [Staff Report](#)
[Location Map](#)
[Plan](#)
[Public Response](#)
[Images](#)
[Ord. No. 2014-74 - Amended 20140428.pdf](#)

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

Ms. Graziano asked what is the percentage of front loaded garages in Sections 1 and 2.

Mr. Ebinger stated that front loaded garages are found in both sections, but they are more prominent in Section 2.

Mr. Johannas asked Mr. Ebinger to go over staff's recommendation.

Mr. Ebinger stated the rezoning does meet the Master Plans recommendations in terms of the single family low density land use recommendation. It also meets the housing opportunity goals without requiring or seeking additional density. Mr. Ebinger stated staff is concerned that the proffers do not sufficiently address the prominence of front-loaded garages and how to mitigate the effects of a front-loaded garage.

Ms. McAteer asked are there sidewalks.

Mr. Ebinger stated sidewalks are not proffered but will be required by the subdivision ordinance.

Mr. Poole opened the floor to the applicant.

Mr. Andrew Blakely, CiteDesign, provided a presentation of the layout plan and stated the new plan preserves open space. He stated the new plan is better than the old plan.

Mr. Baker stated they are meeting the Master Plan recommendation for single-family low density by providing for a density of 2.33 units/acre. He spoke about the specific language from the Master Plan pertaining to the Housing Opportunity Area. As a part of the Mayor's new policy for the RVA Green planning process, they worked the Green Infrastructure Center and others to create a Richmond Green Infrastructure Assessment. The subject property is listed as a priority conservation area in the assessment and the proposed layout is consistent with the assessment. This proposal is the result of significant neighborhood meetings and input from the community. They now have support from the community. The proffers will assure a quality of development higher than what is already approved for the subject property. Front loaded garages are predominant in the area, and the design of the site and proffered conditions takes front-loaded garages into consideration. Additionally, the applicant is willing to modify the proffers to address staff concerns.

Mr. Poole asked who is going to build the houses.

Mr. Baker stated the owner will develop the lots and sell them to homebuilders to construct the houses.

Mr. Sadler asked what is the increase in the cost of the house for every 25% of the premium materials.

Mr. Kim Tingley stated a 1% increase. They have made a lot of decisions for the homebuyers through the proffers to establish minimum standards for the community while still leaving options.

Mr. Poole asked if anyone would like to speak in favor of this item on the regular agenda.

Ms. Vivian Richardson, president of the Adam's Park Homeowners Association stated that the majority of Adams Park is in support of the proposal and they like the clubhouse idea.

Ms. Karen Firehock stated that the proposal offers great environmental benefit to the City by preserving such a large amount of woodland around the existing creek. She encouraged the Commission to recommend approval of the proposed conditional rezoning.

Mark Baker, representing the owner/applicant, offered several additional proffers to ensure consistency with what exists in the area, limit the impact of front loaded garages, and add visual interest and variety to the proposed homes/streetscape. The Planning Commission concurred with amending the proffers attached to the conditional rezoning ordinance to include the following offered by Mr. Baker:

Garages:

- 1. Garages shall not project in front of the main plane of the dwelling more than fifty (50) percent of the depth of the garage.*
- 2. Fifty (50) percent of garages that project in front of the main plane of the dwelling six (6) feet or more shall have either a second story or a gable roof above the area of the garage.*
- 3. A maximum of three (3) homes in a row may have the garage on the same side of the dwelling.*

4. All garage doors shall have windows.

Dwelling Unit Variation:

1. Identical dwellings shall not be permitted on abutting lots. Dwellings on abutting lots must be of a different floor plan or the same floor plan with substantial architectural variation. A reversed floor plan shall be permitted.

With the additional proffers the Commission found the proposed conditional rezoning in accordance with the recommendations in the City Master Plan.

A motion was made by Mr. Johannas, seconded by Mrs. Graziano, that this Ordinance be recommended with admendments to the proffers offered by the applicant and forwarded to City Council. The motion carried by the following vote:

Aye: 7 - Ms. Graziano, Mr. Johannas, Mr. Law, Ms. McAteer, Mr. Poole, Mr. Sadler and Ms. Ferrara

Abstain: 1 - Mr. Cole

11. [Ord. No. 2014-71](#) To close to public use and travel, a portion of right-of-way known as East Cary Street, located in the block bounded by Pear Street, East Main Street, Peach Street and East Dock Street, and consisting of 1,973 square feet, upon certain terms and conditions.

Attachments: [Staff Report](#)
[Location Map](#)
[Ord. No. 2014-71](#)

The public hearing on this item was held in conjunction with Ord. No. 2014-78.

A motion was made by Mrs. Graziano, seconded by Mr. Law, that this Ordinance be recommended for approval and forwarded to City Council. The motion carried by a unanimous vote.

12. [Ord. No. 2014-78](#) To authorize the special use of the properties known as 2801 East Main Street, a portion of 2823 East Main Street and a portion of East Cary Street for the purpose of permitting a multifamily dwelling with up to 65 dwelling units and principal uses permitted in the B-5 district, upon certain terms and conditions.

Attachments: [Staff Report](#)
[Location Map](#)
[Ord. No. 2014-78](#)
[Images](#)
[Plans](#)
[Profiles](#)
[Staff Presentation to CPC](#)
[Applicant Presentation to CPC](#)
[Applicant Architectural Analysis and Viewshed Characterization Presentation to CPC](#)
[Opposition Presentation to CPC](#)
[Public Response](#)

Ms. Lory Markham provided a presentation as outlined in the staff report.

Mr. Poole asked is it the opinion of staff that all six conditions listed in the City Charter for the approval of special use permits have been met.

Ms. Markham stated yes, with the exception of the general welfare provision. If the plans were amended to eliminate parking area and the curb cuts along Pear Street, staff finds the general welfare established by the Downtown plan would be met.

Mr. Rob Taylor, Dutton & Associates, gave a presentation regarding the view from Libby Hill and the history of the area.

Ms. Stacey Farenholt, landscape architect for the proposal, gave a presentation regarding the site and the proposed building's landscaping and interaction with the site .

Mr. Peter Culley, architect for the proposal, gave a presentation regarding the proposed building. He stated that it needs to be distinguished from the historic buildings of Tobacco Row. The building is striated similar to existing building elevations. He continued stating that brick will be used for the bulk of the structure, with zinc cladding to break up the massing.

Mr. David White, applicant, discussed public outreach. At the beginning of the process he contacted the Church Hill Association and met with the Waite Rawls of the Zoning Committee. He stated that Mr. Rawls indicated the view of the bend in the river was the primary view to preserve. Mr. White stated he proposed a design that was supported by the Zoning Committee, but not the Church Hill Association. He also met with Mary Jane Hogue of the Historic Richmond Foundation. Mr. White stated the proposed building will not affect the primary view. He committed to building the green connector from Libby Hill to the River as shown in the Downtown Plan. He committed to building brick sidewalk from Main Street all the way to southern tip of property with sidewalk continuous across curb cuts. Mr. White stated the property was not originally included in the Downtown Plan, but it can inform the decision making. The proposal will add to the mix of income in the area. In regards to staff recommendations, they are not able to eliminate parking along Main Street for financial reasons, but they commit to landscape heavily along Pear and Main to screen the parking area and agree to possibility of creating a future building site. The loading dock is being replaced with a landscaped island, curb cut widths will be reduced and brick sidewalk will be provided.

Mr. Johannas asked if he is willing to amend his proposal.

Mr. White stated he cannot eliminate the 21 surface parking spaces, but he is willing to establish a buildable lot or work with staff and Mr. Cole to prepare a landscaping plan to buffer the parking area.

Mr. Johannas asked if he is willing to work with staff and the Commission on design issues.

Mr. White stated yes.

Ms. McAteer stated she is concerned about height being too tall, have you considered reducing height.

Mr. White stated they cannot make financing work. It is not any taller than other features on Tobacco Row.

Mr. Culley stated massing studies were done. A lower height would make it too stumpy and inelegant.

Mr. Johannas asked what is the height of Lucky Strike.

Mr. White stated 242 feet.

Mr. Cole asked how tall are the stories.

Mr. White stated the garage floors are 9 feet, penthouse is 12 feet and the others are 10 feet.

Ms. Ferrara asked what is the current use.

Mr. White stated a former car repair or dealership.

Ms. McAteer asked where is the front door.

Mr. White stated there are many ways to get in, the entrance facing East Cary Street is main entrance.

Mr. Poole asked are conditions included in the project.

Mr. White stated yes.

Mr. Poole asked if anyone would like to speak in favor of this item on the regular agenda.

Mr. David Napier, Shockoe Bottom Neighborhood Association, stated this is not within the primary view from Libby Hill and the Shockoe Bottom Neighborhood Association is supportive of the proposal.

Mr. Chris Johnson, Shockoe Partnership, stated the Partnership supports home ownership Downtown and wants this project to be approved.

Mr. Will Scribner stated he is a resident and architect who has practiced in the downtown area. He stated the City needs a project that proves the market for this type of development and that Downtown living/ownership is marketable.

Mr. Berkley Ferguson, resident, stated the iconic view is not blocked and he is

supportive of the proposal.

Ms. Tayne Renmark stated she is a resident of 2701 East Franklin Street. She stated she fully supports the proposal and cities needs to grow. Let us move our City forward.

Ms. Jennifer Ferguson stated she is a resident. She loves the idea of mixed use and is in support of this project.

Mr. Ronald Renmark stated he is a 20 year Church Hill resident; his daughter and all of their friends are in support of the proposal. He stated that the building should be 28 stories.

Mr. Martin Johnson stated he is an architect and Church Hill resident. He stated he loves the project; he senses a bit of pent house arrogance but that aside, it is a fantastic project.

Mr. Charles McFarland stated he is a real estate developer. He represents the ownership group that owns the adjacent property at Lucky Strike and is in support. He is concerned about curb appeal, pedestrian scale, and what you experience as you walk by; this proposal enhances all those things.

Ms. Mary Jane Hogue, Historic Richmond, referred to a definition of the view that named Richmond, which was from 5 years ago and is still relevant. She read a statement regarding the importance of thoughtful commercial and residential development of the riverfront; development should promote use of river by residents and visitors, and encourage economic development. Development should preserve the view from Libby Hill and allow access to the river. Historic Richmond supports redevelopment and infill projects that increase the tax base of the city. Historic Richmond cannot comment on the design of the proposal, but it does not believe the historic view will be compromised.

Mr. Jim White stated he wants to move to Richmond from the Tarrington Development in Chesterfield and he will if this projecct is approved. He stated that this project will help the tax base.

Mr. Roger Whitfield stated he lives in the Fan and wants to move to one of the units. He stated that the area is changing and that the proposed building preserves the iconic view.

Ms. Sharon White stated she is soon going to be 70 and would like to move into this building. She needs a 1st floor bedroom and stores that don't require so much walking and there are many others in her demographic.

Mr. Poole asked if anyone would like to speak in opposition of this item on the regular agenda.

Ms. Eugenia Anderson Ellis stated she is a resident of Church Hill and is speaking for Scenic Virginia. She stated the City must preserve the view to promote tourism. The view from Richmond-on-Thames is a sweeping view. Richmond needs something creative that does not take from others. The building is too massive and will block the view of the Soldiers & Sailors monument from I-95. Citizens have been consistent in their response to protect the view and were very involved during the Downtown Plan to protect the view.

Mr. Waite Rawls stated John Smith looked at the full sweeping view. This is one of the most important views in the whole country, not just the City. They do not want to

interrupt the view with the proposed building.

Ms. Suzanne Keller stated she is a resident of Bellevue. In 2007 hundreds of citizens gathered and debated over the view from Libby Hill and the recommendations in the Downtown Plan, and the plan was approved in 2009. The people decided on the stipulations of the Downtown Plan to respect and reinforce its urban location. The proposal flies in the face of the Downtown Plan and the will of the people and should be denied. The proposal benefits only 0.006% of the city's population.

Mr. Randolph Bell stated he is for Richmond and high standards in decision that will be made. This project is not quite there yet, 1) a signature building must be of high architectural merit, 2) mass and reverberation of structure to its surroundings should enhance view; and the building should be somewhat lower, 3) should be consistent with Downtown Plan and not ignore the citizenry.

Ms. Karen Jones stated she is a Church Hill resident and a user of the park. Many tourists come to see the iconic view. People also go there to watch the sunset to the west; the building will block the sunset and will diminish the value of the park.

Mr. Thomas Wilds stated he is Vice President of the Church Hill Association. The Association's formal position is opposition. The proposal is grossly inconsistent with the surrounding area and if adopted, would set precedent for future development. He questioned how the parcel could be better used and stated a committee was appointed to meet with the developer, but the developer did not honor their request to meet. He stated, on a personal note, that he moved to Richmond because of its historic quality, which would be jeopardized by the proposal.

Ms. Sharon Larkins-Pederson stated that the proposal is a Miami Beach style building that will set a precedent for property adjacent to Great Shiplock Park. She stated that the supporters should move to Vistas on the James. She read a statement from Jason Smith, a UPS driver, who worked the area since 1998 rounding the Soldiers & Sailors monument, requesting preservation of the view.

Ms. Lovenda Skinner stated she is a Church Hill resident since 1969. This reminds her of the Monroe building, which is like a rude hand sign in the middle of your view. The Church Hill Association Zoning Committee has worked timelessly for years to maintain the character of Church Hill. Richmond-on-Thames has stringent protective measures in place that Richmond does not.

Kathy Hayden stated property values increased blocks away because of the proximity to Libby Hill. Eighty homes around Libby Hill have increased from \$2.1 million to \$24.1 million from 1977. A local realtor has confirmed that one of her client's houses overlooking the view had \$100,000 value added to the house because of the view.

Ms. Barbara Carter stated she is a Church Hill resident and encouraged the Commission to preserve the view for the common good.

Ms. Polly Cullen stated she has lived at 316 North 26th Street since 1973. She stated that approval would create a precedent for similar heights on Echo Harbor, which will come back with plans that have already been approved and convert them to apartments and expect the same treatment. She is also concerned about other properties that this approval would set a precedent for and stated denial of the SUP would be reasonable and defensible.

Ms. Martha Faulkner stated she is a 30 year Church Hill resident and thanks the City for committing to remove the Lehigh Silos. She stated the whole view from Libby Hill is

important for weddings, sunsets and tours.

Mr. John Whitworth stated he has been a Church Hill resident for the last 10 years, he is part of the 180 RVA Group and provided a presentation with Mr. Stewart Swartz which included alternatives to the proposed development.

Mr. Stewart Swartz lives at 2711 E. Broad Street and is representing the River View Advocates. He provided examples of DC/Northern VA buildings as examples of potential development alternatives. The 180 degree view is important for tourism and property values, not just history. The City should be responsible to its planning and zoning ordinances. Staff has indicated this does not adhere to Downtown Plan. Deviation of this nature needs more public process and a viewshed study. He stated that the proposal is not in conformance with the B-5 Zoning on adjacent parcels. He continued saying that this nearly meets SUP standards is not adequate and that there should be specific findings on the impact of the proposal. There will be a huge negative impact on general welfare as it relates to the historic park and view. He stated that if this is to be approved, specific findings must be made.

Mr. Poole closed the public comment portion.

Ms. Graziano moved to recommend approval with the amendments submitted by the applicant.

Mr. Law seconded the motion.

Mr. Johannas stated he would like to amend the motion so that the Planning Commission would be involved in the design review and landscaping review.

Mr. Graziano stated that is already included in her motion.

Mr. Poole concurred.

Ms. McAteer asked why staff changed their view.

Mr. Olinger stated the building has changed, it is warmer and the relationship to East Cary Street is better; the elevation facing the park has gotten better. There has been improvement, but more discussion is still needed. Master Plans are often done at 30,000 foot level and project specific review is different. Manchester is an urban center character area, 3 to 5 stories; but a year later, zoning changes were made that allowed 13 stories in some areas of Manchester. A reasoned review to look at how the character of the neighborhood was changing took place. Upon further review of this site, it does not match the height of Tobacco Row, but it is respectful of Tobacco Row. It is a tall building, is more of a foreground building. An urban form is emerging from the riverfront, including Rocketts Landing. The City should think about, is this building part of a larger story that is emerging over time along Dock Street that ultimately connects Rocketts Landing with Downtown. A new neighborhood along Dock Street is emerging, the question is can a taller building be done well and fit into larger context without mimicry, can it be placed in such a way that is generally respectful of its context, and can it be placed in that sweep where it fits without removing other aspects. As the view sweeps west, buildings get larger and uses more intense; character is different than the eastward sweep. The point of this building is at an inflection between the less urban and more urban view and it works in that location.

Mr. Sadler stated he believes in public process. The Downtown Plan and Riverfront Plan public processes have been the most welcoming. This is significantly larger than what the public input on those plans recommended. The Downtown Plan is relatively

new and the public input is still relevant.

The Commission concurred with staff's findings of fact that the City Charter conditions relative to the granting of special use permits are nearly met. The Commission found that the City Charter condition related to the protection of the general welfare of the community, which is established by the City's Downtown Plan, would be met if the applicant adjusted the site plan to better reinforce the site's urban location as recommended in the Downtown Plan.

David White, the owner/applicant, offered several additional amendments to the proposal to address the Commission's concerns. The Planning Commission concurred with amending the proposal to include the following conditions offered by Mr. White:

- 1. The prominence of the parking areas will be reduced by providing heavy landscaping along Main and Pear Streets and creating a future buildable site on Main Street.*
- 2. The prominence of curb cuts along Pear Street will be reduced by eliminating the proposed loading dock, reducing the curb cut widths, and making brick sidewalk continuous over curbs cuts.*
- 3. The applicant and the Director will consult with Mr. Johannas on the design of the building prior to the Director's approval of the final plans.*
- 4. The applicant and the Director will consult with Mr. Cole on the landscaping prior to the Director's approval of the final plans.*

With these additional conditions the Commission found the proposed Ordinance would meet the City Charter conditions for granting special use permits.

A motion was made by Mrs. Graziano, seconded by Mr. Law, that this Ordinance be recommended for approval with admendments offered by the applicant and forwarded to City Council. The motion carried by the following vote:

Aye: 6 - Ms. Graziano, Mr. Johannas, Mr. Law, Mr. Poole, Mr. Cole and Ms. Ferrara

No: 2 - Ms. McAteer and Mr. Sadler

13. [Ord. No. 2014-88-62](#) To declare public necessity exists and to authorize the acquisition of certain fee simple interests, permanent easements, and temporary construction easements for the public purpose of constructing multimodal transportation and drainage improvements along Forest Hill Avenue between its intersection with Hathaway Road and its intersection with the Powhite Parkway.

Attachments: [Staff Report](#)

[Location Map](#)

[Plats](#)

Ord. No. 2014-88-62.pdf

There was no public comment on this item.

A motion was made by Mrs. Graziano, seconded by Mr. Johannas, that this Ordinance be recommended for approval and forwarded to the City Council. The motion carried by the following vote:

Aye: 7 - Ms. Graziano, Mr. Johannas, Mr. Law, Ms. McAteer, Mr. Sadler, Mr. Cole and Ms. Ferrara

Abstain: 1 - Mr. Poole

Upcoming Items

[Ord. No.
2014-94](#)

To amend Ord. No. 2004-325-304, adopted Nov. 22, 2004, as previously amended by Ord. No. 2006-105-183, adopted Jul. 10, 2006, which authorized the special use of the property known as 1619 and 1621 West Broad Street for a radio broadcasting studio and offices on the second floor, including an accessory antenna and a parking waiver, for the purpose of permitting a nightclub use, upon certain terms and conditions.

Ms. Markham stated that this item will be considered at the Commission's May 5, 2014 meeting.

Adjournment