



# City of Richmond

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

## Meeting Minutes Planning Commission

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Monday, December 7, 2015

1:30 PM

5th Floor Conference Room

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### Call To Order

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

### Roll Call

**Present** 9 - Mr. Rodney Poole  
Mr. Melvin Law  
Mr. David Johannas  
Ms. Lynn McAteer  
Mr. Jeffrey Sadler  
Mr. Doug Cole  
Ms. Ellen Robertson  
Ms. Selena Cuffee-Glenn  
Mr. Vivek Murthy

### Chair's Comments

Mr. Poole welcomed everyone who was present.

### Approval of Minutes

[a2015 - 1551](#) November 2, 2015 Meeting Minutes

**Attachments:** [Draft November 2, 2015 Meeting Minutes](#)

**A motion was made by Mr. Law, seconded by Mr. Johannas, that the minutes from the Commission's November 2, 2015 meeting be approved. The motion carried by the following vote:**

**Aye:** 8 - Mr. Poole, Mr. Law, Mr. Johannas, Ms. McAteer, Mr. Sadler, Mr. Cole, Ms. Cuffee-Glenn and Mr. Murthy

**Excused:** 1 - Ms. Robertson

[a2015 - 1630](#) November 16, 2015 Meeting Minutes

**Attachments:** [Draft November 16, 2015 Meeting Minutes](#)

**A motion was made by Mr. Johannas, seconded by Mr. Sadler, that the minutes from the Commission's November 16, 2015 meeting be approved. The motion carried by the following vote:**

**Aye:** 7 - Mr. Poole, Mr. Law, Mr. Johannas, Mr. Sadler, Mr. Cole, Ms. Cuffee-Glenn and Mr. Murthy

**Excused:** 1 - Ms. Robertson

**Abstain:** 1 - Ms. McAteer

## Director's Report

### - Update on Broad & East Main Street Corridor Plan and Public Art Master Plan Public Meetings

Mr. Mark Olinger updated the Commission on the Broad and East Main Street Corridor.

Mr. Olinger stated that he has decided to post a Project Manager position as a limited term contract employee for the update to the Master Plan. He is drafting the advertisement, hoping to get it to Human Resources before the end of the week. This will be a person dedicated 40 hours a week to this project specifically. Mr. Olinger offered Mr. Poole, Chair, to be on the interview panel and to review the advertisement.

Mr. Poole complimented staff on the November 19, 2015 public meeting, he stated a lot of good things were said.

Mrs. Markham stated that the Public Art Master Plan kick off meeting was held a couple of weeks ago. An estimated 65 people attended and it went very well. The consultants hired to work on it will be back in February 2016 to continue their work.

### - Council Action Update

There was no Council Action update.

## Consideration of Continuances and Deletions from Agenda

5. [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](#)

**A motion was made by Ms. Cuffee-Glenn, seconded by Ms. McAteer, that this Ordinance be continued for 30-days to the Commission's January 4, 2016 meeting. The motion carried unanimously.**

6. [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:** [Staff Report](#)[Ord. No. 2015-246](#)[Location Map](#)[Survey](#)[Application](#)[Proffers](#)

**A motion was made by Ms. Cuffee-Glenn, seconded by Ms. McAteer, that this Ordinance be continued for 30-days to the Commission's January 4, 2016 meeting. The motion carried unanimously.**

**Consent Agenda**

Mr. Poole noted that it is not usual for the Commission to remove conditions that have already been agreed to in reference to item number 3 regarding the amendment to the special use permit for 3101 Kensington Avenue.

Mr. Jack Pearsall stated that the heights of the roof should be shown on the plans and not just referenced by scale on item number two on the Consent Agenda.

Mr. Poole asked for clarity from staff.

Ms. Markham stated that the plans do not provide a defined height for the two lower portions of the building; however, the Zoning Office will ensure that the building permit application does not reflect a taller building

**A motion was made by Mr. Law, seconded by Mr. Murthy, that the Consent Agenda be approved. The motion carried unanimously, with the exception of Mr. Johannis' abstention on item number 2 regarding the special use permit at 8 and 10 West Cary Street.**

1. [ORD. 2015-243-239](#) To accept a quitclaim deed from the School Board conveying 2717 Alexander Avenue to the City and to authorize the Chief Administrative Officer to act on behalf of the City in executing such deed.

**Attachments:** [Staff Report](#)[Location Map](#)[Ord. No. 2015-243-239](#)

**This Ordinance was recommended for approval on the Consent Agenda.**

2. [ORD. 2015-249-243](#) To authorize the special use of the properties known as 8 West Cary Street and 10 West Cary Street for the purpose of offices and up to two accessory dwelling units, upon certain terms and conditions.

**Attachments:** [Staff Report](#)  
[Location Map](#)  
[Plans & Survey](#)  
[Parking Study](#)  
[Sign Exhibit](#)  
[Application Form & Applicant's Report](#)  
[Letter of Support](#)  
[Ord. No. 2015-249-243](#)

**This Ordinance was recommended for approval on the Consent Agenda.**

**Aye:** 8 - Mr. Poole, Mr. Law, Ms. McAteer, Mr. Sadler, Mr. Cole, Ms. Robertson, Ms. Cuffee-Glenn and Mr. Murthy

**Abstain:** 1 - Mr. Johannas

3. [ORD. 2015-250-244](#) To amend and reordain Ord. No. 2001-262-248, adopted Sep. 10, 2001, 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.

**Attachments:** [Staff Report](#)  
[Location Map](#)  
[Application & Applicant's Report](#)  
[Letter of No Opposition](#)  
[Ord. No. 2015-250-244](#)

**This Ordinance was recommended for approval on the Consent Agenda.**

## **Regular Agenda**

4. [ORD. 2015-244-240](#) To declare surplus and direct the conveyance of City-owned real estate located at 1722 Arlington Road to McKinnon and Harris, Inc., for \$1,750,000 for the purpose of stimulating private investment, job creation and economic development in the area.

**Attachments:** [Staff Report](#)  
[Location Map](#)  
[Applicant's Report](#)  
[Letters of Support](#)  
[Ord. No. 2015-244-240](#)

Mr. Lee Downey gave a brief presentation of the proposed property transfer.

Mr. Johannas asked for clarity regarding the legal process for acquiring City owned real estate.

Mr. Downey stated that once an unsolicited offer is received, staff forwards the offer to the Chief Administrator's Office and the CAO informs City Council.

Mr. Murthy asked how the property is marketed.

Mr. Downey stated that the City can receive an unsolicited offer on a property at any time. He outlined the timeline of the transfer of the property from the School Board to the City.

Ms. McAteer asked if the property was ever marketed.

Mr. Matthew Welch, City Attorney, stated that the property cannot be marketed or put out to bid without City Council approval and in this case, it was not marketed, but was put forward for sale due to the receipt of an unsolicited offer.

Mr. Johannas asked what is the Commission's responsibility in this case.

Mr. Welch stated the Commission's responsibility is to review the ordinance that sells the property and make a recommendation to City Council.

Ms. Markham stated the Commission would be reviewing that recommendation against the City's Master Plan.

Mr. Poole asked if the purchaser could turn around and sell the property to someone else. He asked if the purchaser has to develop the property in accordance with the plans that were submitted.

Mr. Welch stated that it could be a condition of the sale agreement, but it is not a condition of the ordinance and the ordinance would have to be amended and continued by City Council.

Mr. Jay Hugo, representing McKinnon & Harris, Inc., presented that applicant's plans for the property. He requested that the Commission support the project as it complies with the Master Plan and the Zoning Ordinance.

Mr. Poole asked if the applicant is committed to make the renovations shown in his presentation.

Mr. Hugo confirmed that the applicant would.

Mr. Will Massie stated that he will commit to spending \$9 million on the project to the Commission and to City Council.

Ms. Cuffee-Glenn stated that the Administration will ensure that the commitment is reflected in the sale agreement.

Mr. Sadler asked how many other offers were received by the City.

Mr. Downey stated that there were three offers prior to the introduction of the ordinance with this offer being the highest. He continued that there was another offer received after the introduction of the paper.

Mr. Sadler asked where the proceeds of the sale go.

Mr. Welch stated that there is a special fund set up by City Council for proceeds from the sale of School Board property.

Mr. Downey stated that the City will not retain any fees for marketing.

Mr. Sadler asked if there was an incentive package offered to McKinnon & Harris.

Mr. Downey stated that there was not an incentive package offered.

Mr. Cole asked what was the criteria for recommending this offer as opposed to the higher offer received after the introduction of the ordinance.

Mr. Downey stated this project represents existing business expansion retention project. It is the assistance of an existing company that is in Richmond. He stated we are trying to retain a company and help them expand.

#### Public Hearing

Mr. Lawrence Williams, architect and citizen, stated that the purchase price is half of what it should be. He stated that approximately \$1.5 million is being left on the table. He listed some comparable land prices to support his position. He stated that action on this property should be delayed until the commercial plans for the Boulevard site are fully developed so that this property can be incorporated into the plans for the area.

Mr. Doug Albertson, owner of Master Electric on Arlington Road, stated that the failure of the City to properly bid the property and evaluate proposals has put everyone in a bad position. He stated that he has the highest and best offer and that his company is also an existing business that will create significantly more new jobs. He stated that if there are any qualitative developments attached to the sale of the property like internships, apprenticeship programs, or other community involvement, they need to be made public and quantified as part of a formal bid process, then spelled out as a contractual obligation. The citizens of Richmond deserve to receive the maximum benefit for the sale of the property. He asked the Commission to send the property back to staff for an open bidding process.

Mr. Cole asked for clarification with respect to the Commissions role.

Ms. Markham stated the Planning Commission is charged with reviewing the sale of City property or the acquisition of City property in accordance with the City's Master Plan. The Master Plan for this property is in an industrial area, it recommends industrial use. The Commission is not looking at the deal, it is looking at the use and whether it complies with the City's Master Plan.

Mr. Poole asked is it City Council that would consider the issues that Mr. Albertson is raising.

Ms. Cuffee-Glenn stated yes.

Mr. Poole stated that he will support this proposal because of the appropriate industrial use of the property. He stated that City Council should examine the process.

Mr. Sadler stated that the existing Master Plan should be updated to reflect the current market conditions. He stated that the property is worth more than the offer, which was based on a two-year old valuation.

Mr. Poole stated Section 8-58 of the City Code which refers to acceptance of unsolicited offers has caused confusion at this Commission three times in the last eighteen months. He stated there was a process in Church Hill, there was a process in Scott's Edition with the City Stables and now this one. It is presenting this Commission with a confused situation of what their duties are. He is recommending that Ms. Cuffee-Glenn as the Chief Administrative Officer ask her staff to take a look at this section. He stated it is a flawed methodology that causes confusion for both the people who want to buy property from the City and for the staff as to how to present it and particularly for the Commission in trying to assess the various presentations that are made.

Ms. Robertson stated based on what the attorney has advised, as to whether it is up to City Council to make a decision regarding a property being put out for bids, is a determination that City Council would have to take on, if there needs to be an amendment to the process. If City Council makes a decision to put City owned property up for bid, the Administration's charge would be to carry out that request. There were times when they have done that but there is also that open process that allows for unsolicited bids to be presented to them on properties that the City has not entertained for marketing.

**A motion was made by Ms. Cuffee-Glenn, seconded by Mr. Law, that this Ordinance be recommended for approval to the City Council. The motion carried unanimously.**

7. [ORD. 2015-247-24](#)  
[1](#) To authorize the special use of the property known as 202 Rear South Robinson Street for the purpose of permitting up to six single-family attached dwellings, upon certain terms and conditions.

**Attachments:** [Staff Report](#)  
[Location Map](#)  
[Plans & Survey](#)  
[Application Form & Applicant's Report](#)  
[Letters of Support](#)  
[Letter of Concern](#)  
[Ord. No. 2015-247-241](#)

Mr. Ebinger presented staff's recommendation of approval as outlined in the staff report.

Mr. Cole asked if the Fire Department has reviewed the plan and what the width of the alleys are.

Mr. Ebinger stated that the Fire Department has reviewed the plans and will be required to sign off on the Certificate of Occupancy. He stated that alley is currently 16 feet wide.

Mr. Poole asked who maintains that alley.

Mr. Ebinger stated that alley is maintained by the City and the common area will be maintained by the homeowners.

Mr. Ben Rose, Jr., adjacent property owner, presented several photographs to the Commission and stated that the alleys should be paved if this proposal is to be approved. He stated that parking will be a huge issue with the redevelopment of the GRTC bus barn. He stated that utility poles effectively narrow the alley to less than 16 feet. He expressed his main concern is over the condition of the alley.

Mr. Johannas stated looking at this from a land use perspective, it is a good use for this property. When it was reviewed at the Uptown Association meeting, a few of the neighbors attended and were in support.

Ms. McAteer asked do we have the ability to require the City to approve the existing alley and fill the potholes.

Ms. Markham stated the applicant has agreed to resurface the alley before they can get a Certificate of Occupancy for their project, after that the developer of a subdivision who improves the streets, once the streets are dedicated to the public right of way, it is the City's responsibility to maintain them.

Mr. John White, Principal, Fiveten Architects, stated they agreed that after the construction was done to mill out the alley and put it back per VDOT's specifications. The City does not have the machines to do that correctly. He stated they will be improving that alley to the specifications that a gravel area should be installed.

**A motion was made by Mr. Johannas, seconded by Ms. Robertson, that this Ordinance be recommended for approval to the City Council. The motion carried unanimously.**

8. [ORD. 2015-248-242](#) To authorize the special use of the property known as 701 West Clay Street for the purpose of permitting up to three dwelling units and a restaurant, upon certain terms and conditions.

**Attachments:** [Staff Report](#)  
[Location Map](#)  
[Letters of Support](#)  
[Ord. No. 2015-248-242](#)  
[After Item - Formal 12142015 CPH Handout - Mariah White.pdf](#)

Mr. Leigh Kelley presented staff's recommendation of approval as outlined in the staff report.

Ms. McAteer asked what the opposition's concern was.

Mr. Kelley stated the opposition was concerned about the sale of alcohol. He clarified that the special use permit was for a restaurant, not just an ice cream parlor.

Ms. Charlene Baylor, applicant, stated that this has been her dream for some time. She stated that this will primarily be a community space for Carver. She stated that the inspiration has come from her family's background. She stated that she has been a Carver resident for 15 years. She stated that the neighborhood would prefer an ice cream shop over yet another convenience store. She explained how invested she is in the community. She stated that she is hoping for a 10 year lease. She stated that it is in a parking permit neighborhood and that there would be appropriate signage that would allow limited parking for those coming into the community.

Mr. Doug Klefner, architect and resident of Carver, stated that the neighborhood is excited to have a space like this. He stated that there will be no changes to the footprint of the building. He stated that this use is much preferred over a convenience store and that the limit on the number of seats would ensure that the proposed restaurant remains small-scale. He stated that they notified all the property owners.



## Public Hearing

Ms. Amelia Lightner spoke in support of the proposed special use permit. She stated that the proposal will help strengthen the community and will remove a blighted property from the neighborhood.

Mr. Sam Forest stated that he is supportive of anything Ms. Charlene Baylor does.

Mr. Jason Snook, resident of Carver and member of CACIL Board, stated that he is very supportive of the proposal. He stated that it is a very visible property for the community and the renovation will help present Carver in a positive light. He spoke favorably of Ms. Charlene Baylor. He stated that Carver needs more great places in the community.

Ms. Zarina Fazaldin, Carver resident for 12 years, spoke in support of the proposal and of Ms. Charlene Baylor. She requested the Commission support the proposal. She supports the use as a corner shop.

Mr. Melvin Jones commended Ms. Charlene Baylor for bringing business to the City and this neighborhood.

Ms. Maria White, resident of Carver and member of CACIL, spoke in opposition to this paper. She stated that she is supportive of an ice cream parlor, but not a market or a restaurant. She stated that the owner had a rooming house and was trying to open a convenience store before this proposal. She stated that she is opposed to the sale of alcohol and the possible future tenants of the property. She stated that she is also concerned about parking. She stated that she said she did not get any notification of the public hearings. She stated that there is enough alcohol sales within the neighborhood and she does not want any more convenience stores in the neighborhood.

**A motion was made by Mr. Law, seconded by Ms. Robertson, that this Ordinance be recommended for approval to the City Council. The motion carried by the following vote:**

**Aye:** 8 - Mr. Poole, Mr. Law, Ms. McAteer, Mr. Sadler, Mr. Cole, Ms. Robertson, Ms. Cuffee-Glenn and Mr. Murthy

**Abstain:** 1 - Mr. Johannas

9. [ORD. 2015-251-24](#)  
[5](#) To close to vehicular travel a portion of Brook Road located between West Broad Street and North Adams Street for the purpose of creating an urban plaza as part of a public art project.

**Attachments:** [Location Map](#)  
[Letters of Opposition](#)  
[Letters of Support](#)  
[Ord. No. 2015-251-245](#)  
[After Item - Formal 12142015 CPH Handout - Melvin Jones.pdf](#)  
[After Item - Formal 12142015 CPH Handout - Walter Dotts.pdf](#)

Mr. Olinger presented the staff's recommendation of approval as outlined in the staff report.

Mr. Johannas stated that this is an opportunity for a great space in the Arts District. He stated that design process must be of highest quality. He questioned whether or not the

tree should be retained. He stated that he needs more understanding of the qualifications of the designers. He stated that there should be an RFP for the design of the plaza.

Mr. Olinger stated that the public portion of the design process will be in January. He stated that RFPs are not timely. He stated that there will be a better product in the end because of the funding source. He stated that the art work and the plaza will be integrated through the process.

Mr. Johannas questioned the selection of a designer for the space.

Mr. Olinger stated that VHB has been selected from the Annual Contractors list and they will be involving their highest caliber of public space employees and are bringing them in from out of town to help with that. He stated with the talent that they have, under the existing contract with VHB, the keen interest that the public has in creating a great space, the ability of Mr. Mendez to create great spaces with public art, the history of the site and the history of Ms. Walker, he is convinced that they can come up with a great space that will be of great value to the City. Mr. Olinger stated there is a small army of staff working on that now, they will continue to do that through the Commission of Architectural Review and the Public Art Commission, through the public engagement process and others to make this a great urban space.

Ms. Cuffee-Glenn asked if there is a doubt about the talent that is on board.

Mr. Johannas stated that there is.

Ms. Cuffee-Glenn asked if that is the Commission's role.

Mr. Welch stated in this case the ordinance is written in such a manner that once adopted the road is not officially closed to vehicular traffic until a building permit is issued for this plan. This plan must come back through the Planning Commission to be approved at a later date. The Planning Commission's role will then be to approve the plan, how to get to that plan is a procurement and administrative determination.

Mr. Cole stated that staff is asking the Commission for too much trust and spoke about the public process. He also stated that the Commission doesn't have a plan to look over. He stated that the neighborhood must be given the opportunity to affect the design. He asked about loading zones. Mr. Cole then asked if Mr. Olinger could go back to the slide with the recommendations. He state that the City needs to involve the neighborhood during the design process.

Mr. Olinger stated that there is no preconceived notion about what the plaza design should be and this paper would give the ability to include a larger area for the plaza.

Mr. Sadler asked to be clear, what the Commission is voting on just the closing of the street.

Mr. Olinger stated yes, to vehicular traffic.

Mr. Sadler asked what is the reason for voting on this now rather than after there is a design.

Ms. Markham stated they did not want to spend funds creating a design if they could not use the space.

Mr. Sadler stated the entirety of Brook Road from Broad Street all the way to Leigh Street is difficult in many ways, it is narrow with broken sidewalks and curb cuts; was

there consideration made to looking at the design elements to see how all of it could be improved as part of this.

Mr. Olinger stated their charge on this was to create the urban plaza for Maggie Walker at that intersection.

Mr. Murthy stated have you thought about design, if the road is closed what is defining the road, what is the intended use, what uses are allowed in a plaza, where are you in that process.

Mr. Olinger stated that will emerge as they get through the program for the space as it continues.

#### Public Hearing

Mr. Melvin Jones spoke in favor of the proposed closing. He gave the example of a similar closing that occurred on Hermitage Road. He spoke highly of the artist selected to create the statue of Maggie Walker.

Mr. Khara stated that the proposed closing will make the intersection safer for both pedestrian and vehicular traffic by removing two intersections. He stated that the truck traffic will be accommodated by any proposed design. He stated that the other blocks along Brook Road can be looked at separately. He stated they will be looking at parking, loading zones, and improving safety along the street. He then stated that DPW was very willing to work with the public on a design.

Ms. Robertson asked about the qualification of designers and the City's contracting process.

Mr. Khara stated that there are seven Annual Contractors and that the one that was chosen was based on lots of factors. If an RFQ was used it would take 4 to 6 months.

Ms. Robertson asked if it was legal to use an Annual Contractor on this process.

Mr. Welsh replied that the concept of having different contractors is not foreign and something that has been done.

Mr. Cole asked why an RFQ couldn't be used and why was the timeframe such a rush.

Mr. Khara stated that the City went from 14 consultants to 10, now down to 7, therefore they are not in a rush.

Ms. Cuffee-Glenn stated that there is no rush because the conversation has been happening since 2000 to 2010. It has been long enough and the members of the community want to move forward to commemorating Maggie Walker.

Mr. Nicholas Smith spoke in favor of the proposed closing. He stated that it would be safer for pedestrians and vehicles. He stated that parking and loading should not be a concern. He stated that the space should be used for today's needs and residents.

Ms. Maria Robinson stated that she is in favor of saving the tree and the residents and businesses along Broad Street.

Ms. Marilyn Milio representing the Historic Jackson Ward Association, stated that they would like to be included in the process. She stated that the Association does not yet have an opinion about the plaza, but would like to be included in the process and the planning of the plaza. She stated that they originally wanted Maggie Walker at Abner

Clay Park across from the beautiful new Black History Museum.

Mr. Kevin Korda, 18 West Broad Street owner, stated that Brook Road is a pre-revolutionary war road and possibly a slave trail. He stated that there will be no parking on the north side of Broad Street due to BRT and Brook Road is a necessary access road. He stated that closing this portion of Brook Road will be detrimental to traffic flow. He stated that the decision should not be made without a plan for the area. He stated that his property will be devalued because of the closing and the BRT. He stated that this is an injustice to the City and the business owners. He begged the Commission to delay the vote on the proposal. He presented the Commission with a registration and two documented papers, one to Ms. Cuffee-Glenn and one to Mr. Olinger.

Mr. Gary Flowers, 407 W. Clay Street, is a Richmond native. stated that one of the City's sheros should be commemorated. Mr. Flowers believes that the timing is all wrong. He wants the commission to wait for a plan to be in place before closing the street. He stated that the tree should not cast shade on Ms. Walker, that it should be taken down because both the statue and tree cannot coexist.

Ms. Mary Hunton, 5904 Three Chop Road, asked about the plaza and the decision making related to the plaza. She questioned whether the plaza or a portion of it would become the restaurant's outdoor area. She asked will the artist have the final word on the placement of the statue. She then stated that the plan needs to focus on making sure that all the parts come together. She asked if Federal money was paying for the plaza or is the City paying for it.

Mr. Rubin Peacock, 303 Brook Road, resident for 25 years, stated that the proposal will devalue his property. He asked how he will be compensated for his loss of access and property value. He stated that he is totally opposed to the closure.

Ms. Jeannie Dotts, 2720 E. Broad Street, resident, stated that Richmond is a historic City and this is what is so attractive about it. She stated that she specializes in the sale of historic properties. She gave a brief history of Brook Road. She stated that the value of the adjacent properties will decrease and the property owners should be compensated.

Ms. Beth Lazer, spoke about the tree and how she wants the tree and the statue to stay.

Mr. Walter Dotts, 2720 E. Broad Street, resident, stated that no position should be taken on the street closing until a plan is in hand. He urged the Commission to not recommend the closing at this time and wait until the whole plan is in place.

Mr. Sam Forest, friend of the City, stated that he does not want the street to be closed. He stated that the only beneficiary is the adjacent restaurant. He stated that it is all who you know at City Hall. He complained about taxes being levied against him for projects like this.

Mr. John Cusara, architect and owner of 23 W. Broad Street, stated that this part of Broad Street has been revitalized largely by property owners. He asked the Commission to consider an alternate location to honor Maggie Walker and to consider a plaza that retains the tree and continues to contribute to the economic vitality of this portion of Broad Street.

Ms. Robertson recognized Mr. Melvin Jones' work on ensuring an appropriate commemoration to Maggie Walker. She spoke to the other locations that have been considered for a statue. She stated that the selection of this site was due to the history

of Maggie Walker and her place of business and residence. She stated that the design of the plaza will take many public hearings. She stated that closing the road enhances the possible design of the plaza and the space to honor Maggie Walker because there is not enough room in the existing triangle for something truly great.

Mr. Law asked the Commission to focus on the purpose of the paper before them. He stated that the improvements might, in fact, increase the adjacent property values.

Mr. Cole stated that he would rather wait and see what happens. He stated that he doesn't want to vote for it or against it. He stated that he was open minded about the removal of the tree and the road closure, but his decision to vote for or against it would be based on the design. He indicated that he didn't want to vote against the closure and would prefer a deferral.

Ms. Mcateer asked if the designers could still come up with a plan even if they voted against closing Brook Road.

Mr. Law asked if they voted to close the street would that prevent the Planning Commission from opening the street in the future.

Ms. Markham replied that the Commission could come back and undo the closing if the Commission disagreed with the proposed designs.

Mr. Johannas stated that we need to use a better design team to design the plaza.

Mr. Sadler stated that he has multiple problems with the process and how plans are always on a rushed schedule. He needs to see a plan.

Ms. Cuffee-Glenn stated that she had concerns over the conversation about who will do the design work.

Mr. Cole stated that he likes VHB and is just against not having a plan.

Mr. Murthy stated that projects that are internal to the City, seems to not have to go through a process, however, the public must go through the process.

**A motion was made by Ms. Robertson, seconded by Ms. Cuffee-Glenn, that this Ordinance be recommended for approval to the City Council. The motion carried by the following vote:**

**Aye:** 5 - Mr. Poole, Mr. Law, Ms. McAteer, Ms. Robertson and Ms. Cuffee-Glenn

**No:** 4 - Mr. Johannas, Mr. Sadler, Mr. Cole and Mr. Murthy

## **Upcoming Items**

### **Adjournment**

Mr. Poole adjourned the meeting at 4:52p.m.

  

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Rodney M. Poole, Chair

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Lory P. Markham, Secretary