



# City of Richmond

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## Meeting Minutes Planning Commission

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Monday, May 20, 2019

1:30 PM

5th Floor Conference Room

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### Call To Order

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

### Roll Call

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

NOTE: Sharon L. Ebert served as an alternate for Commissioner Selena Cuffee-Glenn.

### Chair's Comments

Mr. Poole welcomed all who were present.

### Approval of Minutes

1. [PDRMIN  
2019.011](#)

Attachments: [CPC Draft Minutes May 6, 2019](#)

**A motion was made by Commissioner Murthy, seconded by Commissioner Thompson, that the May 6, 2019 Meeting Minutes be adopted. The motion carried by the following vote:**

**Aye --** 7 - \* Chair Rodney Poole, \* Commissioner David Johannas, \* Commissioner Vivek G. Murthy, \* Commissioner John Thompson, \* Commissioner Ellen Robertson, \* Commissioner Elizabeth Hancock Greenfield and \* Commissioner Max Hepp-Buchanan

**Abstain --** 2 - \* Vice Chair Melvin Law and \* Commissioner Selena Cuffee-Glenn

### Director's Report

#### - Richmond 300 Update

Mr. Olinger stated DESMAN will be here on June 3, 2018 for the parking study.

#### - Council Action Update

Mr. Ebinger provided an update on the actions taken by City Council at its May 13, 2019 meeting.

**Consideration of Continuances and Deletions from Agenda**

2. [UDC 2019-16](#)

Attachments: [Application](#)  
[Plans](#)

**A motion was made by Commissioner Robertson, seconded by Commissioner Thompson, that this Location, Character and Extent Item be continued to the June 3, 2019 Planning Commission Meeting. The motion carried by the following vote:**

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

**Consent Agenda**

Public Hearing:

Mr. Sage Kowell-Spicer spoke on Item 3, he is concerned with open space and lack of detail. He does not believe this will be an affordable development.

Ms. Jennifer Mullen stated the plan from the RRHA standpoint is to obtain a builder on board which would then have covenants in place for affordable units within the overall development. What is shown in the preliminary plan is 139 units, approximately 22 of those are expected to be affordable.

Ms. Ebert asked are affordable units going to be distinguishable from the market rate.

Ms. Mullen stated no. All those features are governed by the community unit plan so the materials and finishes will be part of the overall design package.

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

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

3. [ORD. 2019-120](#)

To authorize a Highland Grove Preliminary Community Unit Plan permitting the development of a residential community of up to 155 dwelling units on approximately 40 acres of land located at 2651 Richmond Henrico Turnpike, 2641 Richmond Henrico Turnpike, 500 Dove Street, 509 Dove Street, and 2300 1st Avenue, upon certain terms and conditions.

- Attachments:** [Ord. No. 2019-120](#)  
[Staff Report](#)  
[Resolution](#)  
[Application Form RRHA](#)  
[Application Form RPS](#)  
[Applicant's Report](#)  
[RPS Letter](#)  
[Survey 1](#)  
[Survey 2](#)  
[Survey 3](#)  
[Highland Grove CUP Map](#)  
[CUP Preliminary Plan](#)  
[Map](#)

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

4. [ORD. 2019-121](#) To authorize the special use of the property known as 20 North Belmont Avenue for the purpose of up to two dwelling units as well as the principal and accessory uses permitted in the B-1 Neighborhood Business District, upon certain terms and conditions. (As Amended)

- Attachments:** [Ord. No. 2019-121 - Amended 20190528](#)  
[Staff Report](#)  
[Application Form & Applicant's Report](#)  
[Plans & Survey](#)  
[Map](#)  
[20190528 Amendment of 2019-121](#)  
[Letter of No Opposition](#)

**This Ordinance was recommended for approval to the City Council with the following amendment to condition 3(b) of the Ordinance:**

**No fewer than eight off-street parking spaces located within a radius of 500 feet of a principal entrance to the building on the Property shall be provided for the Special Use. One of these parking spaces must be available for the Special Use 24 hours each day. The remaining seven of these parking spaces must be available for the Special Use at least between the hours of 12:00 a.m. and 5:00 p.m. Monday through Saturday.**

5. [ORD. 2019-122](#) To authorize the special use of the property known as 804 North 22nd Street for the purpose of a multifamily dwelling containing up to four dwelling units and a single-family detached dwelling, upon certain terms and conditions.

**Attachments:** [Ord. No. 2019-122](#)  
[Staff Report](#)  
[Application Form](#)  
[Applicant's Report](#)  
[Plans](#)  
[Survey](#)  
[Map](#)

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

**6. [UDC 2019-15](#)**

**Attachments:** [UDC Report to CPC](#)  
[Staff Report to UDC](#)  
[Location & Plans](#)  
[Supplement I \(Landscaping Plan\)](#)

**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**

**7. [UDC 2019-14](#)**

**Attachments:** [UDC Report to CPC](#)  
[Staff Report to UDC](#)  
[Location & Plans](#)  
[Supplement I](#)  
[Supplement II](#)  
[DPU Light Poles](#)

Mr. Josh Son provided staff's presentation.

Mr. Murthy asked who is responsible for the cost.

Mr. Mickel Johnson, Department of Public Utilities, stated the carrier will bare the cost of the installation and modified pole types.

Mr. Murthy asked how many units would be on a street.

Mr. Johnson stated depending on what the obstructions are (foliage, trees, etc.), the range is approximately 300 - 1,000 feet per carrier.

Mr. Murthy asked is it only street lights.

Mr. Johnson stated the FCC order allows free standing poles in the right of way, which is leverage to use freestanding poles.

Mr. Murthy asked is this viewed as a required utility. Does this jurisdiction generate new revenue.

Mr. Johnson stated the FCC caps the fees that can be charged for the attachments.

Mr. Thompson asked once this reaches administrative review, is DPU responsible for approval.

Mr. Johnson stated the Department of Public Utilities oversees the poles, the Department of Public Works oversees the right of way, the Urban Design Committee and the Planning Commission also reviews.

Mr. Johannas stated we are depending on you to be the liaison to get the design to the best state possible, but bottom line, we do not have any rights.

Mr. Johnson stated you have some.

Mr. Poole asked what participation at the Urban Design Committee level have the carriers had.

Mr. Johnson stated DPU is working with the carriers on the floor design.

Mr. Son stated the process is for them to review, it is similar to approval for benches and street lights.

Mr. Poole stated you rejected some of these and they will be coming back to us with a final recommendation.

Mr. Johnson stated where they had installations elsewhere, we had not rejected anything that they had installed for us just yet because they had not come back.

Mr. Poole stated it would be good to get the carriers involved in the thought process of the UDC because with national carriers that you have, they have a number of designs that they propose across the country. He asked are they giving you a list or one recommendation at a time.

Mr. Johnson stated they are giving us what they have done elsewhere.

Mr. Johnson stated this is only for DPU poles, not for Dominion poles or other privately owned poles.

Mr. Murthy asked do we have a percentage breakdown of private versus public poles.

Mr. Brian Copple, Right of Way Manager, Public Works stated about 90% of poles used would be privately owned.

Ms. Ebert asked are the privately owned poles located on public property.

Mr. Copple stated most are on right of way. Need a work in street permit for new pole installation. Many poles will be replaced to accommodate new small cell facilities.

Mr. Poole asked do you have the opportunity when they make an application for a new pole in the public right of way when there is no franchise, is there some ability to control what goes up in that circumstance.

Mr. Cople stated they can submit up to 30 sites on one application.

Mr. Olinger stated just think of all the efforts we have taken over the years to try to improve streets like Broad Street, Cary Street, Green Street, with double the amount of poles.

Mr. Poole stated I strongly urge you to consult with the Law Department to see what leverage, if any, you have with those new poles in the public right of way.

Mr. Cople stated they are currently doing that because that is a relatively new procedure that the carriers are implementing for installation of new poles.

Ms. Robertson asked how is it possible for the City to be more proactive with legislation for this.

Mr. Cople stated they voiced opposition to state legislation but it was not heeded.

Mr. Murthy asked is there a way to protect historic areas of high impact.

Mr. Cople stated we can adjust the process.

Public Hearing: No one spoke.

**A motion was made by Vice Chair Law, seconded by Commissioner Robertson, that this Section 17.05 Review be approved. The motion carried by the following vote:**

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

## **Upcoming Items**

Mr. Ebinger listed the items tentatively scheduled for the June 3, 2019 Planning Commission Meeting:

- DESMAN Parking Study Presentation
- 3115 Jefferson Davis Highway – SUP – multifamily dwelling (10 units)
- 511 W Marshall – SUP – multifamily dwelling (3 units)
- 310 W 33rd St – SUP Amendment to allow a 51st dwelling unit within a multifamily dwelling, in place of commercial space
- 2417 Royall Ave – SUP for a day nursery

## **Adjournment**

Mr. Poole adjourned the meeting at 2:18 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.*

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Rodney M. Poole, Chair

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Matthew J. Ebinger, Secretary