



City of Richmond

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Meeting Minutes Planning Commission

Monday, July 15, 2019

1:30 PM

5th Floor Conference Room

Call To Order

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

Roll Call

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

- **Present** 8 - * Chair Rodney Poole, * Vice Chair Melvin Law, * Commissioner David Johannas, * Commissioner Selena Cuffee-Glenn, * Commissioner Vivek G. Murthy, * Commissioner Ellen Robertson, * Commissioner Elizabeth Hancock Greenfield, and * Commissioner John Thompson
- **Absent** 1 - * Commissioner Max Hepp-Buchanan

Chair's Comments

Mr. Poole welcomed all who were present.

Approval of Minutes

1. [PDRMIN
2019.016](#)

Attachments: [DRAFT CPC Minutes July 1, 2019](#)

A motion was made by Commissioner Murthy, seconded by Commissioner Thompson, that the July 1, 2019 Meeting Minutes be approved. The motion carried by the following vote:

- Aye --** 8 - * Chair Rodney Poole, * Vice Chair Melvin Law, * Commissioner David Johannas, * Commissioner Selena Cuffee-Glenn, * Commissioner Vivek G. Murthy, * Commissioner Ellen Robertson, * Commissioner Elizabeth Hancock Greenfield and * Commissioner John Thompson

Director's Report

Mr. Olinger reminded the Commission of the Shockoe Plan meeting on July 17, 6:00 - 8:00, at Martin Luther King Middle School.

Mr. Olinger poled the commission for availability for the August 19, 2019 Planning Commission meeting.

- Richmond 300 Update

Ms. Maritza Pechin provided an update on Richmond 300. She stated there is no Parking Study update today.

- Council Action Update

Mr. Olinger stated there is no Council Action update.

Consideration of Continuances and Deletions from Agenda

2. [ORD. 2019-018](#) To rezone the property known as 1206 Dinwiddie Avenue from the M-1 Light Industrial District to the B-7 Mixed-Use Business District.

Attachments: [Ord. No. 2019-018](#)
[Application Form & Applicant's Report](#)
[Survey](#)
[Map](#)

A motion was made by Commissioner Robertson, seconded by Commissioner Thompson, that this Ordinance be continued to the September 3, 2019 Planning Commission Meeting. The motion carried unanimously.

3. [ORD. 2018-324](#) To amend and reordain Ord. No. 2007-131-174, adopted Jul. 23, 2007, which authorized the special use of the property known as 1400 Grove Avenue for the purpose of permitting a multifamily dwelling consisting of no more than ten units and authorized the special use of the properties known as 1410 and 1412 Grove Avenue for the purpose of allowing single-family attached dwellings on substandard sized lots, together with accessory off-street parking, to remove from the ordinance the provisions pertaining to 1412 Grove Avenue, upon certain terms and conditions.

Attachments: [Ord. No. 2018-324](#)
[Application Form & Applicant's Report](#)
[Map](#)

A motion was made by Commissioner Robertson, seconded by Commissioner Thompson, that this Ordinance be continued to the November 18, 2019 Planning Commission Meeting. The motion carried unanimously.

4. [ORD. 2018-325](#) To authorize the special use of the property known as 1412 Grove Avenue for the purpose of either a single-family attached dwelling or a single-family detached dwelling and up to four rooms or groups of rooms for short-term rental use, upon certain terms and conditions.

Attachments: [Ord. No. 2018-325](#)
[Application Form & Applicant's Report](#)
[Plans](#)
[Survey](#)
[Map](#)
[Letters of Opposition](#)
[Public Comment Forms - Opposition](#)

A motion was made by Commissioner Robertson, seconded by Commissioner Thompson, that this Ordinance be continued to the November 18, 2019 Planning Commission Meeting. The motion carried unanimously.

18. [PDRPRES
2019.006](#)

A motion was made by Commissioner Robertson, seconded by Commissioner Thompson, that the Richmond 300 Parking Study Presentation be postponed to the August 19, 2019 Planning Commission Meeting. The motion carried unanimously.

Consent Agenda

A motion was made by Commissioner Ellen Robertson, seconded by Vice Chair Melvin Law, that Items 5 and 6 on the Consent Agenda be approved. The motion carried unanimously.

5. [ORD.
2019-168](#)

To approve the use of the property known as 738 Goodes Street for the storage of sulphurous, sulphuric, nitric, picric, hydrochloric, or other corrosive acid, in accordance with City Code § 30-454.1(2).

Attachments: [Ord. No. 2019-168](#)

[Staff Report](#)

[Applicant's Letter](#)

[Regulatory Agency List](#)

[ISO Certificate](#)

[NACD Letter](#)

[Brenntag Company Information](#)

[Hazardous Material Summary](#)

[Location Map](#)

[Vicinity & Land Use Map](#)

[Plan](#)

This Ordinance was recommended for approval to the City Council.

6. [ORD.
2019-176](#)

To authorize the special use of the property known as 3151 Moody Avenue for the purpose of two two-family detached dwellings, upon certain terms and conditions.

Attachments: [Ord. No. 2019-176](#)

[Staff Report](#)

[Application Form](#)

[Applicant's Report](#)

[Plans & Survey](#)

[Map](#)

This Ordinance was recommended for approval to the City Council.

7. [ORD. 2019-178](#) To authorize the special use of the property known as 4000 Hopkins Road for the purpose of a storage building as a principal use, upon certain terms and conditions.

Attachments: [Staff Report](#)
[Staff Report - July 15, 2019](#)
[Ord. No. 2019-178](#)
[Application Form and Applicant's Report](#)
[Plans](#)
[Survey](#)
[Map](#)
[Letter of Opposition](#)

Mr. Murthy asked for a little more elaboration on this request.

Mr. Olinger stated the gentleman that owns the property would like to put a use on it short term. He spoke to the neighbors, everyone seems to be fine with it for now. Staff does not believe it is the highest and best use for the property long term but for the actions today, staff felt it was not an unreasonable request.

Public Comment:

Item 7: Ms. Deborah Hawkins stated the neighborhood was designated for country living. She stated that the property is 100% wooded and has steep slopes. She stated there is no driveway and trees would have to be cleared. She's concerned about the speed of traffic. She's concerned that the property is within a Chesapeake Bay Resource Management area. She requested that the Planning Commission not approve this application.

Mr. Poole confirmed that the applicant was not present to comment.

A motion was made by Vice Chair Law, seconded by Commissioner Murthy, that this Ordinance be continued to the August 19, 2019 Planning Commission Meeting. The motion carried unanimously.

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

8. [UDC 2019-20](#)

Attachments: [UDC Report to CPC](#)
[Staff Report to UDC](#)
[2019-20 Location & Plans](#)

A motion was made by Commissioner Thompson, seconded by Commissioner Murthy, that Item 8 be moved from the Consent Agenda to the Regular Agenda. The motion carried unanimously.

Mr. Nicholas Smith commented about his concerns of sidewalk closings during construction associated with this application. He recommended approval with the condition that the city create policies and procedures for when sidewalks are closed during construction, pedestrian access must be created.

Public Works staff stated that pedestrian protection policies during construction are in place.

Planning staff clarified the type of pedestrian protections that are currently in place as opposed to what is being requested.

Mr. Josh Son provided staff's presentation.

Mr. Poole asked what would be different if it was to comply with the resolution from Council.

Mr. Son stated that would entail taking space from the road and either placing cones or barricade to protect the pedestrian, so they would be able to proceed northbound or southbound.

Mr. Brian Copple, Right of Way Manager, Public Works stated this is just a preliminary traffic plan. The Resolution that you are speaking of as it regards to all work in street permits that are issued by Public Works in Room 110, each one is individually vetted and reviewed for maintenance of travel plans. This one will have to come back in for another review. There will be other factors to consider. A traffic engineer will be required to design this for review. In some instances they have to close the sidewalks completely.

Mr. Poole stated since you are already implementing the resolution on each work in street permit, there should not be any problem including that language in this for approval, would there be.

Mr. Copple stated they could do that.

A motion was made by Commissioner Robertson, seconded by Commissioner Johannas, that this Location, Character and Extent Item be approved with the conditions recommended by the UDC and the condition that the requirements of Resolution No. 2018-R025 be followed. The motion carried unanimously.

9. [ORD. 2019-175](#)

To authorize the special use of the property known as 1101 Oakwood Avenue for the purpose of a two-family detached dwelling, upon certain terms and conditions.

Attachments: [Ord. No. 2019-175](#)

[Staff Report](#)

[Application Form & Applicant's Report](#)

[Plans & Survey](#)

[Map](#)

[Letter of Opposition](#)

[Church Hill Central Letter of Support](#)

Mr. David Watson presented the staff report and the recommendation of approval of the SUP request.

Mr. Mark Baker provided a presentation regarding the non-conforming pattern in neighborhood and the current Master Plan's certain guiding principles and housing goals and their alignment with the application. Affordability issues, parking, and neighborhood meetings with the applicant were also presented.

Questions were raised about the front elevation and asphalt shingles and a request for slate as an alternative.

The applicant was agreeable to look into the issue.

Public Hearing:

Resident Steve Kline stated that he and neighbors had met and will support the application.

S. Cooley, resident/owner at 1103 Oakwood, spoke in opposition to the application due to the size of the building mainly because of the potential loss of trees on the property and the potential of difficult off-street parking.

A motion was made by Vice Chair Law, seconded by Commissioner Robertson, that this Ordinance be recommended for approval. The motion carried unanimously.

10. [ORD. 2019-177](#)

To authorize the special use of the property known as 3205 P Street for the purpose of up to eight single-family attached dwellings, upon certain terms and conditions.

Attachments: [Ord. No. 2019-177](#)

[Staff Report](#)

[Application Form and Applicant's Report](#)

[Plans & Survey](#)

[Map](#)

[Letters of Opposition](#)

[Letters of Support](#)

[Support - later submissions](#)

[Opposition -later submission](#)

[Opposition - Church Hill Association](#)

Mr. Watson provided staff's presentation of the staff report.

The applicant, Mr. Mark Baker provided a presentation and overall scope of project and an overview of the pattern of development including densities, Master Plan language related to application, housing goals, communication efforts with residents, and referenced staff's report.

Ms. Sharon Ebert asked about the relative density of the project and whether any of the units were considered to be marketed at a lower price point to make them more affordable and whether the city's Affordable Dwelling Unit ordinance was considered. The applicant stated that it was looked at.

Public Hearing:

Mr. Nicholas Smith noted that the property was near two bus lines. Mr. Smith was in

support of the application and against the increase of parking.

Mr. Johannas commented that the property's location near bus stops was advantageous due to the potential transportation cost savings to the future residents.

Ms. Martha Broughten spoke on behalf of the Church Hill Association and clarified the association's concerns about the existing trees.

Mr. Stephen Chaplin spoke in opposition based upon the number of units on the site, the measure of affordability within the staff report, the difference in the recommended and proposed unit density of the units, parking problems, and the pattern of development in the neighborhood.

Ms. Eugena Alison Ellis spoke in opposition to the application.

Ms. Ebert noted a need to have a discussion about affordability and SUP process with regards to the existing density bonus.

A motion was made by Commissioner Greenfield, seconded by Commissioner Robertson, that this Ordinance be recommended for approval. The motion carried with Commissioner Sharon Ebert (alternate for Commissioner Cuffee-Glenn) and Commissioner Robertson voting in opposition.

11. [ORD.
2019-174](#)

To rezone certain properties in the VUU/Chamberlayne Neighborhood Plan area along North Lombardy Street between Brook Road and Chamberlayne Avenue; West Graham Road between North Lombardy Street and Chamberlayne Avenue; Overbrook Road between North Lombardy Street and Chamberlayne Avenue; and Chamberlayne Avenue from the 2300 block to the 2900 block.

Attachments: [Ord. No. 2019-174](#)

[Staff Report](#)

[VUU Plan Phase I Rezoning Summary 4-4-2019](#)

Ms. Anne Darby presented an overview of the rezoning process.

Public Hearing:

Mr. Nicholas Smith spoke in support.

A motion was made by Vice Chair Law, seconded by Commissioner Murthy, that this Ordinance be recommended for approval. The motion carried unanimously.

Ordinances 2019-169 through 2019-173 and Resolution CPR-2019-070 are companion papers for the Monroe Ward Rezoning.

12. [ORD.
2019-169](#)

To amend City Code §§ 30-428.1, 30-428.3, and 30-428.6, concerning permitted principal uses, accessory uses, and yards, respectively, and to amend ch. 30, art. IV, div. 15 by adding therein new §§ 30-428, concerning the intent of the district, 30-428.10, concerning requirements for areas devoted to parking or circulation of vehicles, and 30-428.11, concerning building façade fenestration, for the purpose of modifying elements of the RO-3 Residential-Office District to promote walkable neighborhoods.

Attachments: [Ord. No. 2019-169](#)
[Staff Report](#)
[Monroe Ward Rezoning Summary May 3 2019](#)
[Monroe Ward Letters of Support Combined 7-9-19](#)
[Monroe Ward Letters of Opposition Combined.7-9-2019](#)

Ms. Anne Darby provided staff's presentation on the papers pertaining to the Monroe Ward Rezoning.

Ms. Ebert asked about clarification of the potential problems with commercial one-way streets. Ms. Darby provided context for the future of removing one-way streets in some locations.

Director Olinger spoke about relative improving conditions along Main Street.

Mr. Murthy asked questions about the intent of street-oriented commercial frontage and why place limitations on street oriented commercial around VCU. Ms. Darby stated that the intent was to recognize certain market realities as they relate to zoning and that there will still be ample opportunities for mixed-use street frontage outside of retail. Mr. Olinger stated that there remain challenges with north/south streets and retail due to lack of density which relates to "priority streets" and the need for focus on the physical elements of north/south streets.

Public Hearing:

One property owner spoke in favor of the rezoning.

Ms. Cyane Crump with Historic Richmond Foundation spoke in favor of the rezoning. Ms. Crump recognized Ms. Darby for her consideration during the drafting of the ordinance. Ms. Crump spoke about the history and importance of the existing buildings in Monroe Ward and the support for careful attention and focus on historic buildings and patterns of development and public spaces during the Master Plan update process.

Mr. Johannas recognized the importance of the papers and their connection to Richmond's rapidly changing development context, e.g. the changing/increasing population. The growth of jobs and housing is an important indicator of opportunities that exist now for the papers. The preservation of historic buildings is important in the overall mix of growth in the city. Mr. Johannas complimented staff on this effort.

Mr. Murthy complimented staff on this effort.

Mr. Poole complimented staff, Historic Richmond, and the property owners on this effort.

A motion was made by Mr. Law, seconded by Mr. Murthy that this Ordinance be recommended for approval. The motion carried unanimously.

13. [ORD. 2019-170](#)

To amend City Code §§ 30-440.1, 30-440.2, 30-440.4:1, 30-440.6, and 30-440.7, concerning permitted principal and accessory uses, principal uses permitted by a conditional use permit, requirements for areas devoted to parking or circulation of vehicles, height, and building façade fenestration in the B-4 Central Business District, and to amend ch. 30, art. IV, div. 22 by adding therein a new § 30-440, concerning

the intent of the district, for the purpose of modifying elements of the B-4 Central Business District and promoting dense, transit-oriented development with greater building height than elsewhere in the region.

Attachments: [Ord. No. 2019-170](#)
[Staff Report](#)
[Monroe Ward Rezoning Summary May 3 2019](#)
[Monroe Ward Letters of Support Combined 7-9-19](#)
[Monroe Ward Letters of Opposition Combined.7-9-2019](#)

A motion was made by Mr. Law, seconded by Mr. Murthy that this Ordinance be recommended for approval. The motion carried unanimously.

14. [ORD. 2019-171](#) To amend City Code §§ 30-950.2, 30-950.3, and 30-950.4, concerning plan of development overlay districts, and to amend ch. 30, art. IX, div. 6 of the City Code by adding therein a new § 30-950.5, concerning pre-application meetings, for the purpose of creating an Arts District Station/Monroe Ward Plan of Development Overlay District POD-2 bounded generally by Belvidere Street on the west, Broad Street on the north, the Downtown Expressway on the south, and 9th Street on the east.

Attachments: [Ord. No. 2019-171](#)
[Staff Report](#)
[Monroe Ward Rezoning Summary May 3 2019](#)
[Monroe Ward Letters of Support Combined 7-9-19](#)
[Monroe Ward Letters of Opposition Combined.7-9-2019](#)

A motion was made by Mr. Law, seconded by Mr. Murthy that this Ordinance be recommended for approval. The motion carried unanimously.

15. [ORD. 2019-172](#) To amend the official zoning map for the purpose of designating certain street blocks as “priority streets” and certain street blocks as “street-oriented commercial streets” in the area bounded generally by Belvidere Street on the west, Broad Street on the north, the Downtown Expressway on the south, and 9th Street on the east.

Attachments: [Ord. No. 2019-172](#)
[Staff Report](#)
[Monroe Ward Rezoning Summary May 3 2019](#)
[Monroe Ward Letters of Support Combined 7-9-19](#)
[Monroe Ward Letters of Opposition Combined.7-9-2019](#)

A motion was made by Mr. Law, seconded by Mr. Murthy that this Ordinance be recommended for approval. The motion carried unanimously.

16. [ORD. 2019-173](#) To rezone certain properties in Monroe Ward, bounded by Belvidere Street on the west, the Downtown Expressway on the south, 1st and 4th Streets on the east, and by Main Street and the alley between Main Street and Franklin Street on the north.

Attachments: [Ord. No. 2019-173](#)
[Staff Report](#)
[Monroe Ward Rezoning Summary May 3 2019](#)
[Monroe Ward Letters of Support Combined 7-9-19](#)
[Monroe Ward Letters of Opposition Combined.7-9-2019](#)

A motion was made by Mr. Law, seconded by Mr. Murthy that this Ordinance be recommended for approval. The motion carried unanimously.

17. [CPCR.2019.0](#)
[70](#)

Attachments: [Staff Report](#)
[POD Guidelines 7-15-19](#)
[Resolution](#)

Mr. Olinger made a point on addressing corners and green spaces to better serve the population.

Mr. Murthy made a point of the importance of creating pockets of green space in what is currently purely commercial but not as dense as the central business district.

Ms. Robertson acknowledged staff's efforts.

Public Hearing:

There was no public comment.

A motion was made by Commissioner Ellen Robertson, seconded by Commissioner Vivek G. Murthy, that this City Planning Commission Resolution be approved. The Resolution passed unanimously.

Upcoming Items

The August 5, 2019 Planning Commission Meeting has been cancelled.

Adjournment

Mr. Poole adjourned the meeting at 4:07 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.

