



**CITY OF COLONIAL HEIGHTS, VIRGINIA
MEETING OF THE PLANNING COMMISSION
City Hall, Council Chambers, 201 James Avenue
Wednesday, January 4, 2023
7:00 p.m.**

MINUTES

I. Call to Order

The meeting was called to order at 7:00 P.M.

II. Roll Call

Present:

Mr. Kwiek
Mr. Kohan
Mr. Wade
Mr. Hartson
Mrs. Schiff
Mrs. Levenson- Melvin
Mrs. Hamilton

Absent:

None

III. Determination of Quorum

A quorum was determined.

IV. Approval of Minutes for the November 1, 2022 meeting

Mr. Hartson moved to approve the Minutes. Mrs. Schiff seconded the motion with all Commissioners in favor.

Vote: 7-0

V. Approval of Agenda

Mrs. Schiff made a motion to approve the Agenda and Mr. Wade seconded the motion.

VI. Hearing of Citizens Generally

No citizens spoke.

The Chair acknowledged and welcomed Mr. Parker representing the Public Works and Engineering Department and Ms. Rao with the Planning and Community Development Department.

VII. Organizational Matters

a. Election of Chairman and Vice-Chairman

Mrs. Schiff nominated Mr. Hartson as Chairman, and Mr. Wade seconded the nomination. All Commissioners were in favor.

Vote:7-0

Mrs. Levenson-Melvin nominated Mrs. Schiff as Vice-Chairman and Mr. Wade seconded the nomination. All Commissioners were in favor.

Vote:7-0

b. Appointment of Secretary

Mr. Hartson nominated Mr. Carter, Director of Planning and Community Development, to be appointed as Secretary and Mr. Wade seconded the nomination. All Commissioners were in favor.

Vote:7-0

Mr. Hartson asked Mr. Carter if the three items on the agenda, namely, adoption of rules of procedure, 2022 annual report, and adoption of Planning Commission meeting schedule for the next 12 months, needed a vote by the Commission. Mr. Carter responded that the rules of procedure requires adoption; and the meeting schedule requires the approval from the Commission. The annual report is more of an informational document; and hence, is left to the discretion of the Commission. Mr. Fisher suggested that the annual report also be put to a vote, as the statute requires the annual report to be shared with the City Council.

c. Adoption of Rules of Procedure

Mrs. Schiff made a motion to adopt the rules of procedure and Mrs. Levenson-Melvin seconded the motion with all Commissioners in favor.

d. 2022 Annual Report

Mr. Kohan noted that Mrs. Hamilton's name was mentioned twice in the Annual Report for 2022 under 2022 members of the Planning Commission on pg1.

Mr. Hartson requested a status update of the Panera Bread construction since the Commission had previously approved their site plan application.

Mr. Parker responded saying their final plans are approved by the Public Works department but they do not have the administrative items. Mr. Parker mentioned that he has followed up with them several times, but has not heard anything from them since July 2022.

Mrs. Levenson-Melvin made a motion to approve the 2022 Annual Report with amendments and Mrs. Schiff seconded the motion with all Commissioners in favor.

Vote:7-0

e. Adoption of Planning Commission Meeting Schedule for the Next 12 Months

Mr. Carter brought to the attention of the Commissioners a correction in option 2 of the proposed meeting schedule for the next 12 months. He mentioned that the proposed date in January 2024, Tuesday, cannot be considered as there may be a conflict in schedule with the City Council meeting which is required to meet on the first business day of the new year according to their charter. Mr. Fisher clarified this point stating that the City Council needs to meet on the first business day of the year after an election. Since there are no elections in 2024, there is no conflict. The elections happen every alternate year.

Time of the meeting: Mrs. Schiff said that a 6:00 PM meeting time will help the staff as they do not have to wait for 2 hours after regular office hours to attend the meeting. She also mentioned that personally, she does not have a problem with having the meeting at 6:00 PM.

Mrs. Hamilton agreed that the meeting at 6:00 PM will help the staff but she was concerned that citizens may not be able to participate if the meeting was at 6:00 PM. She shared that based on her experience of leading an organization for several years, she felt it was impossible to get citizens to participate in meetings if they were scheduled earlier than 7:00 PM. Since we are trying to involve the public as much as possible she said the 7:00 PM meeting time is preferable.

Mr. Fisher pointed to the attention of the Commissioners the material provided by Mr. Carter showing the different times at which the Planning Commissions of the surrounding cities meet. He mentioned the City of Richmond meets twice a month at 1:30 PM in the afternoon. He also pointed out that the Colonial Heights School Board changed its meeting time from 7:30 PM to 6:30 PM a couple of years ago, and this year it will meet at 6:00 PM. He mentioned that he had suggested to the staff, holding the meeting at 6:30 PM is another option. He pointed out that there is not much participation from the citizens in general.

Mr. Smith mentioned that the City Council has regular meetings at 7:00 PM whereas work sessions are at 6:00 PM.

Mrs. Schiff said that if there was a specific issue that the citizens wanted to discuss with the Planning Commission then they would make every effort to attend the meeting at 6:00 PM.

Mrs. Levenson-Melvin said she was in favor of having the meeting at 6:00 PM.

Mr. Hartson said he was open to both the options.

Mr. Kohan asked if moving the meeting time to 6:00 PM would cause any hardship to anyone and the Commissioners reported none.

Mrs. Levenson-Melvin made a motion to accept the proposed meeting time of 6:00 PM. and Mrs. Schiff seconded the motion.

Vote: 6-1

Yes

Mr. Kwiek
Mr. Kohan
Mr. Wade
Mr. Hartson
Mrs. Schiff
Mrs. Levenson- Melvin

No

Mrs. Hamilton

Meeting Days: Mr. Hartson shared his observation that the proposed meeting days have a few Wednesdays and a few Tuesdays. He suggested that it should be considered having all meetings on Wednesdays. He also shared that Mrs. Wallace has confirmed the availability of the chamber hall on Wednesdays for meetings.

Mrs. Schiff asked Mr. Fisher to clarify if the rules required the Commission to meet on Tuesdays. Mr. Fisher pointed to a couple of places in the suggested option where he thought there was no reason not to meet on a Tuesday (after a holiday like after New Years or after Labor Day), unless the Commissioners wanted an extra day before they met.

To this, Mr. Carter shared that the staff had proposed Wednesday meetings to accommodate for people traveling during vacations who may need an extra day before they met.

Mrs. Levenson-Melvin referred to the rule of procedure Article 7.1 and shared that there may be a necessity to propose a change to this rule with the change of meeting time. To this, Mr. Fisher replied saying it may be good to make a change; however, it is not absolutely necessary as the rule says, "*Unless otherwise scheduled, regular meetings of the Commission shall be held on the first Tuesday of every month at 7:00 P.M.*" and this change can be read as 'otherwise scheduled'.

Mrs. Schiff made a motion to accept the meeting schedule in option 1 as proposed and Mrs. Levenson-Melvin seconded the motion.

Vote: 7-0

VIII. Old Business

Mrs. Levenson-Melvin commented from her due diligence report on the subdivision Sherwood Hills and the property of the Swim Club. Due to the delinquencies in the property taxes, the property is proceeding towards the foreclosure sale through an attorney that resides in Yorktown. Parties interested in information regarding the sale of the property should

contact the attorney's office. The attorney's office will put such interested parties on a watch list called 'Sales notice'. Everyone who is on the list will receive information about the sale of this property. Exhibit 2 shows that there are no liens on the property. Mr. Fisher confirmed that this means there are no records showing lien on the property in the city court.

Mr. Hartson pointed out from the report that the total debt on the property is \$29,000. Mrs. Levenson-Melvin confirmed that it was correct. Mr. Hartson shared that to his knowledge the debt amount was more than \$29,000, to the tune of a few hundred thousand. Mr. Kohan and Mr. Hartson made a remark that if somebody paid the amount of \$29,000 and paid off the additional debt, then the property in discussion will maintain its status-quo condition which is not desirable. Mrs. Levenson-Melvin mentioned that it will have to be the property owner, in this case Sherwood Swim LLC, that will have to ensure the payment of debt amount. To this Mr. Hartson pointed out that the corporation is inactive.

Mr. Hartson and Mrs. Schiff mentioned the possibility of somebody paying this debt amount and assigning it to a developer for a subdivision and housing. Mr. Hartson shared that by putting the property up for sale does not ensure that the buyer will restore the property to its existing use.

Mr. Hartson asked Mr. Fisher to elaborate on the actions taken by the City to address this issue. Mr. Fisher shared that the City has appointed the attorney. To this Mr. Hartson sought clarification that the attorney appointed represents the City and not the swim club; to which Mr. Fisher confirmed that the appointed attorney represents the City of Colonial Heights.

Mr. Fisher added that the debt amount may not include other fees like an advertisement fee or a lawyer's fee. To this Mrs. Levenson-Melvin agreed with Mr. Fisher that those fees were not a part of the \$29,000 amount.

When Mr. Hartson asked Mrs. Levenson-Melvin on what action she expects to be taken by the Commission, she responded saying this report was an informational one as the topic came up when initially the Commission discussed about the condition of the property and how it is not meeting our Comprehensive Plan. This was just to update the status of the property.

The Chair thanked Mrs. Levenson-Melvin for her service and said that the process should continue. He also pointed that since the property was in a residential zone, if a developer bought it and decided to build a few houses there, then he does not need to come before the Commission for rezoning; however, he does need to apply for a subdivision.

Mrs. Levenson-Melvin shared that she felt inclined to do the research on the property as she felt it was her duty as a neighbor of the community. She mentioned that it is important to share the information with any developer that the Commissioners may know who may be potential buyers and developers of this property.

Mr. Wade made a remark that he was surprised to know the debt amount as he thought that it was a much higher amount than the one reported. Mr. Hartson said that he too was under the same impression. He also said that its always best to not go by word of mouth information, but do proper research to find facts.

Mrs. Schiff expressed her unhappiness about the way the Colonial Square has been maintained after the change of ownership. She particularly pointed to the fact that during holidays, the new owners did not care to put up holiday lights which is such an important focal point of the City. She asked if there is anything that the City can do to regulate these kinds of activities. Mrs. Schiff also mentioned a concern about the increase in beggars around the City.

Mrs. Schiff also asked about there being no sidewalks to the high school and if Public Works can find a way to look into the matter.

Mrs. Schiff pointed out the lack of availability in housing in well-kept areas like Kennon Point. Since there is a demand currently as well as in the future, she said it might be a good idea to explore if such housing projects can be planned. The Chair and other Commissioners agreed that it was a good point and discussed the availability of land for such a project. Mrs. Schiff shared that the property next to Home Depot is up for sale. Mr. Hartson agreed that this land can be an opportunity for some housing development.

IX. New Business/Reports Reports

1. Chairman – Mr. Hartson – None

2. Director of Planning and Community Development – Mr. Carter

Mr. Carter said there are a few projects lined up for the February meeting. Mr. Carter congratulated the Chairman and other members of the Commission who were reappointed for this year.

3. City Engineer or Designee – Senior Engineer of Public Works – Mr. Parker

Mr. Parker said that the Towneplace Suites hotel project is under construction and the Sanctuary Church project has submitted their fourth submission for review.

Rio Car Wash has submitted their first submittal for the final site plan which is under review.

The Lakeview Modernization Project is scheduled to finish on time in November of this year based on the schedule submitted by the contractor.

Mr. Hartson asked about the Home2 Suites and Mr. Parker responded saying he has not heard from the applicants of the project.

Mr. Wade asked Mr. Parker about the status of the storage facility project behind Hardee's. Mr. Parker shared that they had obtained a special use permit but have not submitted their preliminary plan for review yet. Mr. Wade shared that the Council had approved the site to be developed by the developer and asked if it had to be approved

again by the Council. To this, Mr. Smith responded saying a second approval by the Council was not necessary.

Mr. Hartson asked about the status of Popeyes to which Mr. Parker responded by saying he had a meeting recently with them and they are in the process of submitting their first submittal of final engineering plans for approval.

Mrs. Hamilton asked Mr. Parker to consider putting out early signs when leaves are being removed from the curb and gutters in older areas of the City. She said she had shared her concerns previously and explained that since these older neighborhoods do not have driveways, the cars are parked along the curb which obstructs proper cleaning of the curbs and gutters. An early sign from the City will help the residents in moving their cars and making way for unobstructed cleaning. Mr. Parker responded by saying he will bring this to the attention of the Deputy Director of Public Works and Engineering. She expressed appreciation for the recent street pavement in the hill neighborhood and for the placement of advanced street signage.

4. Others, as necessary or appropriate

a. City Manager – Mr. Smith

Mr. Smith shared that the staff submitted an initial letter of intent for a grant to the Cameron Foundation for works such as exterior painting, front porch columns, and installation of wooden side walls for the Violet Bank restoration project. He said the City has some funds set aside for these projects already in the bond issuance that was completed. The budget is around \$240,000 but this does not include the architectural and other fees; so when included, this number will go up to at least \$300,000. The grant application is aimed towards offsetting some of this additional cost.

Mr. Wade asked if there were any other foundations that the City could apply to for such grants. Mr. Hartson shared that the City of Richmond received \$15 million for restoring the Black History Museum. Mr. Wade brought the attention to a news article that he read recently about the Tri-Cities getting a \$15 million grant for bridges and roadways and such other infrastructure. It mentioned Petersburg and Hopewell getting a part of the grant, but Colonial Heights was not included. More efforts need to be made to attract such grants by submitting grant applications proactively.

Mrs. Levenson- Melvin, responding to Mr. Wade, said the Mary Morton Parsons Foundation loves matching grants for preservation projects. Senator Amanda Chase expressed interest to fund preservation projects with Mrs. Levenson-Melvin when she attended the Chamber of Commerce holiday party at the Old Brick House. Mrs. Levenson- Melvin suggested that if an effort to identify and estimate preservation projects that need funding, they can be proposed to Cameron Foundation, and through a preservation task force to collaborate with Senator Chase and House Representative Mike Cherry.

Mr. Wade asked if the City had grant writers. Mr. Smith responded saying it is mostly department to department that responds to grant applications at the moment.

Mr. Fisher shared that the legislative representatives should advocate for the City at the State level for such grants and funds.

Mrs. Hamilton shared that at the time when the neighborhood association was writing a proposal for a grant, the City did not have any grant writer available. External support was sought to write the grant application.

Mr. Hartson asked about the public representation of the Fall Line trail project. Mr. Smith shared that there were around thirty attendees. Some residents were in favor while others had concerns. There were a couple of discussions with the City Council including an opportunity during the previous Council meeting for public comment as well. The Council submitted a letter indicating that they reserve their support at this time, but pointed out several areas where VDOT should pay additional attention with regard to the alignment of the trail. The Council would like to know the exact location of the trail on the ground before it extends its support; which at the moment is not known as VDOT has not designed it yet.

The Chair and the Commissioners discussed several areas within the City that has a potential for historic preservation projects. Mrs. Hamilton pointed out that residents should be interested in taking up such preservation projects and making use of the available grants and tax incentives, which are totally lacking in the City of Colonial Heights, much to her surprise.

Mr. Hartson said that the Planning Commission should emphasize this more strongly in the future during the Comprehensive Development Plan discussions.

Mrs. Levenson-Melvin shared her accomplishment on completion of the Planning Commission certificate program from VCU. The Chair and other Commissioners congratulated Mrs. Levenson -Melvin.

b. City Attorney – Mr. Fisher – No report.

X. Adjournment

The meeting adjourned at 9.08 P.M.

X Mitchell J. Hartson
Mitchell Hartson.
Chairman

X Joseph Carter Jr.
Joseph Carter Jr.
Secretary