



City of Richmond

Minutes

Land Use, Housing and Transportation Standing Committee

Tuesday, January 21, 2019

1:00 PM

Council Chamber, 2nd Floor - City Hall

Committee Members and Others in Attendance

The Honorable Ellen Robertson – Chair
The Honorable Kim Gray – Vice Chair (*early departure*)
The Honorable Michael Jones – Committee member
The Honorable Kristen Larson – Council member (*late arrival and early departure*)
Bonnie Ashley, Deputy City Attorney
Bill Echelberger, Council Budget Analyst
Andrew Gore, Assistant City Attorney
Pamela Nichols, Assistant City Clerk
Candice Reid, City Clerk
Dominique Thaxton, Assistant City Clerk
Steve Taylor, Council Policy Analyst
RJ Warren, Deputy City Clerk

Call to Order

Chair Ellen Robertson called the meeting to order at 1:11 p.m., and presided.

Evacuation Announcement and Citizen Speaker Guidelines

Dominique Thaxton, assistant city clerk, provided information on the appropriate manner in which the Council Chamber is to be evacuated in the event of an emergency along with citizen speaker guidelines.

Public Comment Period

There were no public comment speakers.

Approval of Minutes

There were no corrections or amendments to the meeting minutes of Tuesday, November 19, 2019, and the committee approved the minutes as presented.

Board Vacancies

RJ Warren, deputy city clerk, reviewed board applications for consideration by the committee.

Chair Ellen Robertson and Vice Chair Kim Gray expressed their desire to continue the board applications for the Richmond Redevelopment and Housing Authority to allow time for the submission of additional applications.

Vice Chair Gray moved to forward the following board appointment applications to Council with the recommendation to approve and to continue consideration of the board applications for the Richmond Redevelopment and Housing Authority to the April Land Use, Housing and Transportation Standing Committee meeting, which was seconded and unanimously approved:

<u>Board Name</u>	<u>Criteria for Appointment</u>	<u>Applicant Name</u>
Capital Region Airport Commission (4 commissioners)	*	Algenon Brown (3 rd District Resident) (reappointment) Robert Norfleet (1 st District Resident) (reappointment)
Safe and Healthy Streets Commission (12 members)	Qualified Voter* (1 vacancy)	Tara FitzPatrick (2 nd District Resident) Cassi Patterson (2 nd District Resident)
Urban Design Committee (10 members)	City Planning Commission Representative (1 vacancy)	Max Hepp-Buchanan (3 rd District Resident)

*Applicants must either reside or work in the city

A copy of the material provided has been filed.

Presentation(s)

There were no presentations.

Discussion Item

Seven Hills Property

Preston Lloyd, Williams Mullen partner on behalf of Virginia Supportive Housing, briefed the committee on the request to amend the Purchase and Sell Agreement for 1900 Cool Lane to extend the original deadline and remove the right of reversion clause.

Bonnie Ashley, deputy city attorney, advised that a consensus of the committee would be sufficient to authorize an amendment to the Purchase and Sell Agreement for 1900 Cool Lane.

It was the consensus of the committee to approve an amendment to the Purchase and Sell Agreement.

Paper(s) for Consideration

Vice Chair Kim Gray moved to amend the agenda as follows:

RES. 2019-R050

To express the Council's support for implementing the Walmsley Boulevard extension project as recommended in the Richmond Regional Transportation Planning Organization's Commerce Corridor Study Implementation Plan.

To be continued to the February 18, 2020 Land Use, Housing and Transportation Standing Committee meeting

RES. 2019-R068

To express the Council's support for certain goals in alignment with the Vision Zero traffic safety program that promote sustainability and equity in access to safe transportation.

To be continued to the February 18, 2020 Land Use, Housing and Transportation Standing Committee meeting

ORD. 2020-010

To designate a certain portion of City-owned property located within the Low Line as a garden named the "Dominion Energy Garden at the Low Line Green."

To be continued to the February 18, 2020 Land Use, Housing and Transportation Standing Committee meeting

The motion was seconded and unanimously approved.

The following resolution was considered:

RES. 2019-R070

To request that the Mayor propose a Fiscal Year 2020-2021 General Fund Budget that provides for a non-departmental appropriation of \$5,000 to the Honor the 14 Foundation for the purpose of funding a portion of the start-up costs for the erection of a monument to the 14 Medal of Honor recipients from the United States Colored Troops at the Battle of New Market Heights, and to request that the Chief Administrative Officer cause the City's Administration to develop and implement a plan to erect the monument upon the donation to the City of the necessary funds collected by the Honor the 14 Foundation.

Vice Chair Kim Gray provided an overview of RES. 2019-R070. Vice Chair Gray explained the Monument Avenue Commission included in its report, a recommendation that the city provide for a new monument to recognize the 14 Medal of Honor recipients.

Support

Donald King, president of Honor the 14 Foundation and member of the board of directors for the American Civil War museum, spoke in support of RES. 2019-R070 and stated the 14 Medal of Honor recipients were a part of history which should never be forgotten. Mr. King declared that the Honor the 14 Foundation was confident in its ability to raise the necessary funds for the monument.

Viola Baskerville, supporter of the Honor the 14 Foundation, spoke in support of RES. 2019-R070 and stated the proposed monument would be a great opportunity to recognize and honor African Americans who made significant historical contributions.

Councilor Kristen Larson arrived and was seated at 1:36 p.m.

Emily Raymond, professor and director of graduate studies at Virginia Commonwealth University, spoke in support of RES. 2019-R070 and stated the proposed monument will help reflect the true history of Virginia, and would be an appropriate way to honor the historical contributions of other local heroes.

Calder Loth, former employee of the Virginia Department of Historic Resources, spoke in support of RES. 2019-R070 and read a portion of a letter he wrote regarding his support for a dedicated monument to honor the 14 Medal of Honor recipients.

Bill Gallasch, president of the Monument Avenue Preservation Society, expressed support of RES. 2019-R070 and stated the proposal for a monument was supported by many members of the community.

Ben King, Iraq veteran, spoke in support of RES. 2019-R070 and remarked that it was important to educate the next generation about the true history of this city. Mr. King stated, as a veteran, he felt a sense of honor in telling the stories of forgotten heroes.

Clifton Johnson, retired command sergeant major and member of the Military Order of the Purple Heart Department of Virginia, spoke in support of RES. 2019-R070 and stated the contributions of those servicemen before him paved the way for him to serve in military and to achieve the highest noncommissioned rank of the United States Army. Mr. Johnson commented that the story of 14 Medal of Honor recipients was a part of history that should never be forgotten.

Thomas Beaty spoke in support of RES. 2019-R070 and urged the committee to support the proposed monument to honor First Sergeant Powhatan Beaty and the other 13 Medal of Honor recipients.

Member Michael Jones expressed support for the monument; however, he felt the name given to the troops was offensive. Member Jones stated he would like to see a more comprehensive response to recommendations from the Monument Avenue Commission.

Chair Ellen Robertson directed Council staff to provide the committee with recommendations on the best process to initiate a review of the Monument Avenue Commission's report. Chair Robertson stated she would like to see the development of a comprehensive strategy for prioritizing implementation of those recommendations.

There were no further comments or discussions and **Vice Chair Gray moved to forward RES. 2019-R070 to Council with the recommendation to approve, which was seconded and unanimously approved.**

Chair Ellen Robertson announced the meeting would be recessed due to prior commitments by other committee members, and would reconvene once there was a quorum of the committee.

Chair Robertson recessed the meeting at 1:56 p.m.

Vice Chair Kim Gray exited the meeting.

Member Michael Jones exited the meeting.

Councilor Kristen Larson exited the meeting.

Member Jones returned to the meeting at 2:33 p.m.

Chair Robertson reconvened the meeting at 2:34 p.m.

The following ordinance was considered:

ORD. 2019-343

To amend City Code §§ 30-402.2, 30-411.3, 30-412.2, 30-413.3, 30-413.13, 30-414.2, 30-416.2, 30-418.2, 30-419.4, 30-420.1, 30-426.1, 30-428.1, 30-430.1, 30-433.2, 30-433.11, 30-434.1, 30-436.1, 30-438.1, 30-440.1, 30-442.1, 30-444.2, 30-446.2, 30-447.2, 30-447.11, 30-448.1, 30-450.1, 30-457.1,

concerning permitted principal uses, and 30-1220, concerning definitions related to zoning, and to amend ch. 30, art. VI of the City Code by adding therein a new div. 14 (§§ 30-697—30-697.3), concerning short-term rentals. (As Amended)

Mark Olinger, Planning and Development Review director, presented an overview of short-term rentals (STR) which included the following topics: the definition, operations in Richmond, where and who can operate STR, the approval process, number of nights of operation, number of renters, hosted and unhosted stays, parking requirements, enforcement and changes from the draft legislation. Mr. Olinger reported that staff recommends a one year assessment of STR after the effective date of adoption.

A copy of the material provided has been filed.

Member Michael Jones inquired about a notification process for neighbors of STR properties.

Mr. Olinger stated the city would require STR operators to obtain a certificate of zoning and the information would be accessible for review.

Public Hearing Speakers

Tyler Rackley, team lead and principal broker with Go Real Estate, spoke in support of STR, but in opposition to the owner occupy restrictions included in ORD. 2019-343. Mr. Rackley urged the committee not to support regulations in its current form.

Stacy Ventura, owner of short term rental property spoke in opposition to the owner occupy restrictions included in ORD. 2019-343. Ms. Ventura stated that the proposed restrictions would all but eliminate STR in the city. She proposed the city model its proposal for STR after the city of Nashville, Tennessee, and asked the committee to consider removing the 185 day occupancy rule.

Matthew Logan, owner of long-term and short term rental properties, expressed opposition to the 185 day occupancy rule for STR operators. Mr. Logan asked that the proposed legislation be further reviewed to determine the impact such a rule will have on the operation of STR. Mr. Logan stated that eliminating STR will reduce or eliminate tax revenue for the city and reduce potential jobs associated with STR. Mr. Logan further stated the proposed legislation does not reflect the desire of property owners.

Jessica Jordan expressed opposition to the proposed zoning condition regarding occupancy for STR operators. Ms. Jordan stated the proposed 185 days occupancy requirement for STR operators would be difficult for the city to enforce and considered discriminatory.

Dave Cho spoke in opposition to the proposed occupancy requirement for STR operators and stated that the proposed requirement would decimate STR activity in the city.

Jerry Beverage, president of the Fan District Association, spoke in opposition to ORD. 2019-343 and stated the proposed legislation failed to provide sufficient requirements to protect property owners and residents. Mr. Beverage outlined his concerns and asked the committee to consider amending ORD. 2019-343 to address those concerns.

Chair Ellen Robertson asked for clarification regarding the residency requirement, hosted versus unhosted units and limits on the number of nights a dwelling unit can operate.

Mr. Olinger explained that STR would be defined as a commercial use and the proposed residency requirement would be for the STR units located in residential districts. He stated such requirement was similar to requirements imposed by other cities.

Member Michael Jones requested information regarding the number of STR properties receiving tax credits from the city. Member Jones stated he would like to continue ORD. 2019-343 to allow additional discussion on the residency requirement.

Chair Robertson stated she would like to see parking regulations added in the proposed ordinance; however, she was comfortable forwarding ORD. 2019-343 to Council.

There were no further comments or discussions and **Chair Ellen Robertson moved to forward ORD. 2019-343 to Council with no recommendation, which was seconded and unanimously approved.**

Tyler Rackley made a plea for Council to continue consideration of ORD. 2019-343 to allow time for a group of STR operators to obtain legal representation.

The following ordinance was considered:

ORD. 2019-338

To repeal ch. 26, art. V, div. 3 (§§ 26-397-26-408) of the City Code and to amend ch. 26, art. V, by adding there a new div. 3 (§§ 26-408.1-26-408.11) for the purpose of modifying the requirements for the partial exemption of rehabilitated structures from real estate taxation.

Chair Ellen Robertson introduced ORD. 2019-338.

Speaker

David Cooley spoke in support of ORD. 2019-338 and stated the tax abatement program encouraged the restoration and preservation of old structures in the city.

There were no further comments or discussions and **Member Jones moved to forward ORD. 2019-338 to Council with the recommendation to approve, which was seconded and unanimously approved.**

The following resolution was considered:

RES. 2019-R069

To request the Richmond delegation to the General Assembly of Virginia to introduce and support the enactment of legislation authorizing the City to (i) establish designated no turns on red zones in City streets and (ii) allow bicyclists to treat a stop sign as a yield sign and a red light traffic signal as a stop sign, for the purpose of supporting certain goals in alignment with the Vision Zero traffic safety program that promote sustainability and equity in access to safe transportation.

Dominique Thaxton, assistant city clerk, read the following proposed amendment to RES. 2019-R069:

Page 1, Line 5

After the word "to", strike the text "(i) establish designated no turns on red zones in the City streets and (ii)"

Page 2, Line 2

After the word "to", strike the text "(i) establish designated no turns on red zones in City streets and (ii)"

Page 2, Line 10

After the word "to", strike the text "(i) establish designated no turns on red zones in City Streets and (ii)"

There were no comments or discussions and **Member Jones moved to forward RES. 2019-R069 to Council with the recommendation to approve with amendment, which was seconded and unanimously approved.**

A copy of the material provided has been filed.

The following resolution was considered:

RES. 2020-R006

To request that a traffic study be conducted to determine the best traffic calming measures in the area bounded by Hull Street on the south, Cowardin Avenue on the west, Semmes Avenue on the north, and West Commerce Road on the east to determine how best to improve road conditions, traffic efficiency, and traffic safety within that area.

There were no comments or discussions and **Member Jones moved to forward RES. 2020-R006 to Council with the recommendation to approve, which was seconded and unanimously approved.**

The following ordinance was considered:

ORD. 2019-334

To authorize the Chief Administrative Officer, for and on behalf of the City of Richmond, to accept a donation of professional services and associated tools valued at approximately \$75,000.00 from Greenlink Analytics, Inc., and in connection therewith to execute a Contract for Donated Goods and Services between the City and Greenlink Analytics, Inc., for the purpose of providing a citywide climate and energy model.

There were no comments or discussions and **Member Jones moved to forward ORD. 2019-334 to Council with the recommendation to approve, which was seconded and unanimously approved.**

The following ordinance was considered:

ORD. 2019-335

To authorize the Chief Administrative Officer, for and on behalf of the City of Richmond, to execute a Deed of Quitclaim of Utility Easement Portion and Deed of Correction between the City of Richmond and Sauer Properties, Inc. for the purpose of releasing a portion of a utility easement and correcting a deed reference in an Easement Deed.

There were no comments or discussions and **Member Jones moved to forward ORD. 2019-335 to Council with the recommendation to approve, which was seconded and unanimously approved.**

The following ordinance was considered:

ORD. 2019-336

To authorize the Chief Administrative Officer, for and on behalf of the City of Richmond, to execute a Deed of Utility Easement between the City of Richmond and Regency Goodwyn, LLC, for the purpose of granting a variable width water line easement to the City.

There were no comments or discussions and **Member Jones moved to forward ORD. 2019-336 to Council with the recommendation to approve, which was seconded and unanimously approved.**

The following resolution was considered:

RES. 2020-R005

To express support for the City's application to become a member of the American Flood Coalition.

There were no comments or discussions and **Member Jones moved to forward RES. 2020-R005 to Council with the recommendation to approve, which was seconded and unanimously approved.**

The following ordinance was considered:

ORD. 2019-337

To adopt an amendment to the Master Plan for the City of Richmond, adopted by the City Planning Commission on Nov. 6, 2000, and by the City Council by Ord. No. 2000-371-2001-11, adopted Jan. 8, 2001, as previously amended by Ord. No. 2017-148, adopted Sept. 25, 2017, to incorporate the James River Park System Master Plan: Final - 16 October 2019 with the Richmond Riverfront Plan Amendment 1: Downriver Update 2017, applicable to the downriver area along the James River identified in the Richmond Riverfront Plan, to include the area from Huguenot Flatwater Park east to the border with Henrico County as part of the Master Plan.

Support

Greg Velzy, board member of Friends of James River Park, spoke in support of ORD. 2019-337 and stated the James River Park System Master Plan was long overdue and had received support from the community.

Seana Shade, Friends of James River Park and James River Park Outdoor Coalition, spoke in support of ORD. 2019-337. She urged the committee to support the James River Park System Master Plan.

Chair Ellen Robertson expressed support to all involved in the development of the Master Plan and asked Mr. Nathan Burrell, operations and maintenance superintendent – Southern District, Department of Parks, Recreation and Community Facilities, to schedule an outing for City Council to tour the James River Park.

Member Michael Jones stated he would like the city to do more to educate students about the James River and to take a more aggressive approach in preserving and maintaining the natural resource.

There were no further comments or discussions and **Member Jones moved to forward ORD. 2019-337 to Council with the recommendation to approve, which was seconded and unanimously approved.**

The following ordinance was considered:

ORD. 2020-011

To authorize the Chief Administrative Officer, for and on behalf of the City of Richmond, to execute appropriate documents releasing the Richmond Redevelopment and Housing Authority and its successors in interest from the reversionary right of the City contained in a certain quit claim deed concerning the properties known as 1116 North 31st Street and 1501 North 31st Street for the purpose of allowing the Richmond Redevelopment and Housing Authority to develop the properties as single-family residential units offered for sale to the public and to ensure that eight such parcels be developed as single-family affordable housing units offered for sale to qualified purchasers.

There were no comments or discussions and **Member Jones moved to forward ORD. 2020-011 to Council with the recommendation to approve, which was seconded and unanimously approved.**

Board Vacancies – Revisited

It was the consensus of the committee members present to continue consideration of the board applications for the Richmond Redevelopment Housing Authority to its February Land Use, Housing and Transportation Standing Committee meeting, and not its April meeting which was previously voted on during consideration of board vacancies.

Staff Report

Steve Taylor, council policy analyst, and Bill Echelberger, council budget analyst, provided the committee with the January staff report.

A copy of the material provided has been filed.

Adjournment

There being no further business, the meeting adjourned at 4:06 p.m.