



# City of Richmond

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

## Meeting Minutes - Final Planning Commission

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Tuesday, September 5, 2023

1:30 PM

5th Floor Conference Room

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**To access the meeting via Microsoft Teams: <https://tinyurl.com/CPC-5-Sept-2023>**

This meeting was held in-person in the 5th Floor Conference Room of City Hall at 900 East Broad Street in Richmond, Virginia 23219. While all Planning Commissioners and staff attended the meeting in-person, citizens were able to participate in the meeting virtually.

Citizens were encouraged to provide their comments in writing to [PDRLandUseAdmin@rva.gov](mailto:PDRLandUseAdmin@rva.gov) in lieu of speaking through audio or video means during the meeting. All written comments received via email prior to 10:00 a.m. on the day of the meeting were provided to all members of the Planning Commission prior to the beginning of the meeting and will be included in the record of the meeting.

### Call To Order

The meeting was called to order at 1:34.

### Election of Acting Chair

Seeing as the Chair and Vice Chair were not present at the meeting, a vote was taken on selecting an acting Chair for the meeting.

**A motion was made by Commissioner Murthy, seconded by Commissioner Rowe, that Commissioner Pinnock act as Chair for the duration of the meeting. The motion carried unanimously.**

### Virtual Participation

Due to a temporary medical condition that prevented Commissioner Greenfield's attendance in person, a vote was taken to allow her virtual participation from her home, per Section 11 of the City Planning Commission's Rules of Procedure.

**A motion was made by Commissioner Young, seconded by Commissioner Rowe, that Commissioner Greenfield be permitted to participate in the meeting through virtual means. The motion passed unanimously.**

### Roll Call

- Present 8 - \* Commissioner Vivek G. Murthy, \* Commissioner Burchell Pinnock, \* Commissioner Elizabeth Hancock Greenfield, \* Commissioner Samuel Young, \* Commissioner Rebecca Rowe, \* Commissioner Lincoln Saunders, \* Commissioner Andreas Addison, and \* Commissioner Dakia K. Knight
- Absent 1 - \* Commissioner Rodney Poole

### Chair's Comments

Acting Chair Pinnock welcomed all who were present.

**Approval of Minutes**

There were no minutes to approve.

**Director's Report**

There was no Director's Report.

**Council Action Update**

There was no Council Action Update.

**Consideration of Continuances and Deletions from Agenda**

There were no continuances or deletions from the agenda to consider.

**Consent Agenda**

The Consent Agenda items were considered by the Commission as a group, and there was a single combined public hearing held for all items listed on the Consent Agenda..

Mr. Pinnock opened the public hearing.

Thomas Courtney offered comments on Ord. 2023-234, providing background on the ownership structure of the property owner, noting that the proposal does not include affordable housing, and stating that this property could be used to operate short-term rentals in the future.

Seeing no one else wishing to speak, Mr. Pinnock closed the public hearing.

**A motion was made by Commissioner Saunders, seconded by Commissioner Rowe, that the consent agenda be adopted, as presented. The motion carried unanimously.**

**Aye --** 8 - \* Commissioner Vivek G. Murthy, \* Commissioner Burchell Pinnock, \* Commissioner Elizabeth Hancock Greenfield, \* Commissioner Samuel Young, \* Commissioner Rebecca Rowe, \* Commissioner Lincoln Saunders, \* Commissioner Andreas Addison and \* Commissioner Dakia K. Knight

- 1. [ORD. 2023-234](#) To authorize the special use of the property known as 912 Tulip Street for the purpose of a mixed-use building, with off-street parking, upon certain terms and conditions. (7th District)

**This ordinance was recommended for approval.**

**Regular Agenda**

- 2. [ORD. 2023-235](#) To repeal City Code § 30-697.3, concerning short-term rentals located in certain other zoning districts, and to amend City Code §§ 30-414.2, concerning permitted accessory uses and structures, 30-424.1, concerning permitted principal uses, 30-432.1, concerning permitted principal uses, 30-449.2, concerning permitted principal and accessory uses, 30-697.1, concerning short-term rental regulations, 30-697.2, concerning short-term

rentals located in certain residential zoning districts, 30-1020.4, concerning the fees for filing an application for a certificate of zoning compliance, and 30-1220.98:2, concerning the definition for short-term rental operator.  
(As Amended)

Director Kevin Vonck provided an overview of this request and gave additional details on how the primary residency requirement was chosen as the best option for short-term rental (STR) control in the city. Mr. Vonck gave an overview of other regulation methods that were considered and analyzed the benefits and drawbacks to each option.

Following the presentation, Mr. Pinnock opened the public hearing.

Thomas Courtney addressed the members of the Planning Commission and asked additional questions about enforcement and tax collection relating to STRs.

Brock Hall spoke in opposition to the request, noting opposition to placing major restrictions on STRs. Mr. Hall offered a list of potential benefits of STRs, including less congestion in the streets and more support for mixed-use developments.

Rebecca Killer spoke on behalf of the Fan District Association, noting that based on a survey conducted by the association, approximately 90% of those surveyed supported maintaining the primary residency requirement.

Jerome Legions spoke on behalf of the Carver Area Civic Improvement League, offering support for the primary residency requirement.

Brittany Jackson spoke in opposition to the primary residency requirement.

Susan Rebillot spoke on behalf of the Ginter Park Residents Association, offering support for the ordinance as proposed.

Jill McAuliffe provided comments on the proposed ordinance as an operator of 4 STRs in the Fan. Ms. McAuliffe noted that a good STR operator should not negatively impact the character of the existing neighborhood and that STRs offer an economic benefit to the local economy.

Charles Menges spoke on behalf of the Westhampton Citizen Association, offering support for the primary residency requirement.

Michelle Mosby spoke in support of the primary residency requirement and raised concerns about future enforcement of the ordinance.

Robin Levey spoke in support of the primary residency requirement and expressed support for strengthening enforcement efforts once approved.

Jonathan Marcus spoke in favor of the primary residency requirement and also asked for additional information on how the ordinance will be enforced.

Tyler Rackley spoke against the primary residency requirement and stated that he would like to see a proposal that would allow a non-principal owner to operate an STR.

Tim Pfohl spoke on behalf of the Belleview Civic Association, noting that a survey of 250 members of the civic association found that 85% supported the primary residency requirement.

Grady Hart spoke on behalf of the Rosedale Civic Association in support of the primary residency requirement, expressing concerns of housing afford ability issues that could arise without that restriction.

Terell Snead spoke in opposition to the residency requirement, suggesting that more efforts be placed on beautification and property maintenance enforcement.

Bryson Lefman spoke in opposition to regulations on STRs.

Ellie Lenhart spoke in support of the primary residency requirement as a way to promote and maintain a sense of community.

Katelyn Almeda spoke in favor of the proposed ordinance.

Katherine Jordan, 2nd District City Council Representative, spoke in favor of the proposed ordinance. Ms. Jordan noted that the vast majority of STRs in the city are located within her district. She noted that the proposed ordinance strikes a fair balance between the STR operators' and the surrounding community members' interests, and offered her support in light of housing issues being a major priority within the city.

Anne-Frances Lambert, 3rd District City Council Representative, requested that the ordinance be continued to allow more time to look into the questions raised by concerned citizens. Ms. Lambert requested that the Planning Commission look at how this is being handled by other jurisdictions and suggested considering capping the number of STRs permitted in each district.

Henry Hertzler questioned whether placing limitations on the number of STRs operated within the city is necessary and requested information on how many complaints are generated from STRs.

Seeing no one else wishing to speak, Mr. Pinnock closed the public hearing.

Following the motion, there were general questions from members of the Planning Commission regarding STR operation in condominium developments, as well as on taxation and future enforcement.

**A motion was made by Commissioner Saunders, seconded by Commissioner Young, that this ordinance be recommended for approval, with amendments. The motion carried unanimously.**

3. [ORD.  
2023-108](#)

To authorize the special use of the property known as 910 Parrish Street for the purpose of two single-family detached dwellings, upon certain terms and conditions. (1st District)

Jonathan Brown, Senior Planner, provided an overview of this request.

Mark Baker, a representative for the applicant, provided an overview of the changes that have been made as a result of feedback received by the neighboring community.

Mr. Pinnock opened the public hearing.

Norwood Thornton spoke in opposition to this request, expressing concerns with the lot size, neighborhood character, and emergency vehicle access.

Jeanette Brown spoke in opposition to this request, expressing concerns about this development's impact on the historic neighborhood, noting that the community has historically had negative interactions with the city. Ms. Brown expressed concerns with affordability and requested to see a traffic impact study.

Tim Roberts spoke in opposition to the proposal, noting that the proposed dwelling does not match the scale of the historic community.

Cyanne Crump, Executive Director of the Historic Richmond Foundation, noted that during the Richmond 300 Planning Process, specific focus was placed on maintaining the existing character of the Westwood Community. Ms. Crump gave a brief background on the Historic Richmond Foundation's involvement in preparing a Preliminary Information Form for the community, the first step toward listing a property or community on the National Register of Historic Places.

Thomas Courtney suggested that the members of the Planning Commission consider continuing this request to allow more time to work out the issues presented.

Seeing no one else wishing to speak, Mr. Pinnock closed the public hearing.

Members of the Planning Commission discussed the request noting concerns with the preserving the community character, ensuring quality development, sensitivity toward past development efforts in the community.

**Following the discussion, a motion was made by Commissioner Murthy, seconded by Commissioner Young, that this ordinance be recommended for denial, with amendments. The motion carried unanimously.**

## **Upcoming Items**

Secretary Alyson Oliver gave a brief overview of the items that are scheduled for the September 18, 2023 agenda.

## **Adjournment**

Commissioner Pinnock adjourned the meeting at 4:45 pm.