



# City of Richmond

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## Meeting Minutes - Draft Planning Commission

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Monday, August 21, 2023

1:30 PM

5th Floor Conference Room

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**To access the meeting via Microsoft Teams: <https://tinyurl.com/CPC-21-August-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

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

### Roll Call

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

### Chair's Comments

Mr. Poole welcomed all who were present and reminded those in attendance that time limits will be enforced during the public comment periods.

### Approval of Minutes

1. [PDRMIN 2023.018](#) Draft CPC Minutes - July 17, 2023

**A motion was made by Commissioner Knight, seconded by Commissioner Saunders, that the July 17, 2023 minutes be adopted. The motion carried by the following vote:**

- Aye --** 5 - \* Commissioner Vivek G. Murthy, \* Commissioner Samuel Young, \* Commissioner Lincoln Saunders, \* Commissioner Rodney Poole and \* Commissioner Dakia K. Knight
- Abstain --** 2 - \* Commissioner Burchell Pinnock and \* Commissioner Rebecca Rowe

### Director's Report

Director Vonck took a moment to welcome all who were present and drew attention to the new Commissioner name tags, which were designed to be more legible for those attending the meeting virtually.

**Council Action Update**

There was no council action update.

**Consideration of Continuances and Deletions from Agenda**

- 2. [ORD. 2023-203](#) To authorize the special use of the property known as 2301 Grove Avenue for the purpose of a dwelling unit within an accessory building to a single-family detached dwelling, upon certain terms and conditions. (2nd District)

**A motion was made by Commissioner Murthy, seconded by Commissioner Rowe, that this ordinance be continued to the October 2, 2023 meeting of the Planning Commission. The motion carried unanimously.**

**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. During the public hearing, no one spoke on any items listed on the consent agenda. One person asked a clarifying question to confirm that Ordinance 2023-232 would be heard on the regular agenda.

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

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

- 3. [ORD. 2023-205](#) To authorize the special use of the property known as 2401 Rosewood Avenue for the purpose of a single-family detached dwelling and accessory building, upon certain terms and conditions. (5th District)

**This ordinance was recommended for approval.**

- 4. [ORD. 2023-220](#) To authorize the Chief Administrative Officer, for an on behalf of the City of Richmond, to accept the relinquishment and termination of certain franchised air rights over the City’s public right-of-way of East Canal Street and Virginia Street; to authorize the Chief Administrative Officer to execute any documents necessary to effectuate the relinquishment and termination of such air rights; and to repeal Ord. No. 84-153-135, adopted Jun. 25, 1984, and Ord. No. 90-385-344, adopted Dec. 10, 1990.

**This ordinance was recommended for approval.**

5. [ORD.  
2023-221](#) To authorize the special use of the property known as 324 North 27th Street for the purpose of a wall sign, upon certain terms and conditions. (7th District)  
**This ordinance was recommended for approval.**
  
6. [ORD.  
2023-222](#) To authorize the special use of the property known as 423 North 33rd Street for the purpose of a single-family attached dwelling, upon certain terms and conditions. (7th District)  
**This ordinance was recommended for approval.**
  
7. [ORD.  
2023-223](#) To authorize the special use of the property known as 411 Brook Road for the purpose of a two-family dwelling, upon certain terms and conditions. (2nd District)  
**This ordinance was recommended for approval.**
  
8. [ORD.  
2023-224](#) To authorize the special use of the property known as 7110 Cherokee Road for the purpose of an accessory building to a single-family detached dwelling, upon certain terms and conditions. (4th District)  
**This ordinance was recommended for approval.**
  
9. [ORD.  
2023-225](#) To authorize the special use of the property known as 1120 West Clay Street for the purpose of a commercial building containing permitted principal uses on corner lots on all floors of the building, upon certain terms and conditions. (2nd District)  
**This ordinance was recommended for approval.**
  
10. [ORD.  
2023-226](#) To authorize the special use of the property known as 9 South Harvie Street for the purpose of a multifamily dwelling containing up to 12 dwelling units, upon certain terms and conditions. (5th District)  
**This ordinance was recommended for approval.**
  
11. [ORD.  
2023-227](#) To authorize the special use of the property known as 2715 Hull Street for the purpose of an accessory garage, upon certain terms and conditions. (5th District)  
**This ordinance was recommended for approval.**
  
12. [ORD.  
2023-228](#) To authorize the special use of the property known as 2216 Keswick Avenue for the purpose of two single-family detached dwellings, upon certain terms and conditions. (8th District)  
**This ordinance was recommended for approval.**
  
13. [ORD.  
2023-229](#) To authorize the special use of the property known as 1524 National Street for the purpose of one single-family detached dwelling and one two-family

dwelling, upon certain terms and conditions. (7th District)

**This ordinance was recommended for approval.**

14. [ORD. 2023-230](#) To authorize the special use of the property known as 901 Norton Street for the purpose of three single-family attached dwellings and one single-family detached dwelling, upon certain terms and conditions. (2nd District)

**This ordinance was recommended for approval.**

15. [ORD. 2023-231](#) To authorize the special use of the property known as 3024 P Street for the purpose of up to two mixed-use multifamily dwellings, with off-street parking, upon certain terms and conditions. (7th District)

**This ordinance was recommended for approval.**

16. [ORD. 2023-233](#) To authorize the special use of the property known as 2510 Semmes Avenue for the purpose of a dwelling unit within an accessory building to a single-family detached dwelling, upon certain terms and conditions. (5th District)

**This ordinance was recommended for approval.**

17. [ORD. 2023-236](#) To close, to public use and travel, an alley in the block bounded by Richmond Highway, Afton Avenue, Columbia Street, and Bellemeade Road, consisting of 2,450± square feet, upon certain terms and conditions.

**This ordinance was recommended for approval.**

18. [UDC 2023-15](#) UDC 2023-15 FINAL Location, Character, Extent review of the demolition and reconstruction of Fire Station 21 located at 2505 Richmond Highway.

**This Location, Character and Extent Item was approved with the conditions listed in the staff report.**

19. [UDC 2023-16](#) UDC 2023-16 FINAL Location, Character, and Extent review of the construction of a new police precinct and parking garage located at 1701 Fairfield Way.

**This Location, Character and Extent Item was approved with the conditions listed in the staff report.**

## **Regular Agenda**

20. [PDRPRES 2023.053](#) Shockoe Small Area Plan Presentation

Kimberly Chen, Senior Manager, Department of Planning and Development Review, presented aspects of the Shockoe Small Area Plan to members of the Planning Commission, summarizing the planning process, study area, and specific plan components including goals, big moves, priority projects, such as the Heritage Campus.

A question was raised about how green space will be incorporated into the proposal. Ms. Chen stated that green space will be incorporated into the proposal but that it will be necessary to balance the introduction of green space with any mitigation that will be necessary due to the presence of a floodway running through the subject site.

Commissioners also raised questions about the next steps for the plan, to which Ms. Chen stated that the goal is to have the plan introduced at City Council around the end of the September.

There was also some brief discussion about the hydrology report, the parties and stakeholders that were involved in the plan's creation, and the process for amending the plan in the future.

21. [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 Vonck gave an overview of the proposed ordinance.

Following the presentation, Director Vonck answered questions from members of the Planning Commission, which included:

- If adopted, what would be the process for a short-term rental (STR) owner to open a second STR in Richmond? Mr. Vonck stated that, per the proposed ordinance, an individual cannot operate more than one STR within a Residential (R) zoning district. If the STR is located outside of an R district, then up to 1/3 of the units or 10 units, whichever is lesser, within a multi-family building can be used as STRs.

- Has the City historically adopted any Special Use Permits (SUP) that allow STRs? Mr. Vonck stated that he is not aware of any but that there have been SUPs that have prohibited accessory dwelling units to be used as STRs.

- Can a renter operate an STR? Mr. Vonck stated that based on the proposed ordinance language, they could not.

Following questions from the Commissioners, Mr. Poole opened the public hearing.

Thomas Courtney spoke on the proposed ordinance, stating that he would like to see the request continued so that it can be amended to more clearly address enforcement. Mr. Courtney stated that he has been trying to register his STRs with the City but that he has been unable to do so due to the address he has chosen to use as his primary address.

Stacie Vanchieri spoke in opposition to the proposed ordinance unless the residency requirement is removed. Ms. Vanchieri proposed limiting the number of STRs that can be owned by one person as an alternative standard.

Joe Sokohl spoke on the proposed ordinance, stating that he supports the residency requirement as it will help to promote community.

Kristen Green spoke in opposition to the ordinance, as proposed.

Lizzie Drucker-Basch expressed concerns with the listing limitations placed on tourist homes by not allowing them to be considered STRs. Ms. Drucker-Basch runs a tourist home, but because it is not considered a STR by the City of Richmond, she cannot get a STR number to list her property on popular rental sites.

Tyler Rackley spoke in opposition to the residency requirement, stating that he feels it is too similar to the current ordinance, which has been difficult to enforce.

Terry Ramsey stated that he would like to see the residency requirement strengthened.

Bryson Lefmann spoke in opposition to the residency requirement and expressed that he did not believe that STRs are contributing to larger housing issues in the City.

Roberto Borja spoke in opposition to the residency requirement.

Nicholas Green spoke on the proposed ordinance, expressing concerns with limiting the number of STRs in multifamily buildings to 1/3rd.

Henry Hertzler spoke in opposition to the residency requirement and noted that STRs are a good alternative for traveling professionals who do not want to leave their homes vacant for extended periods of time.

Katelyn Almeda spoke in favor of the proposed ordinance and shared her experience as a STR superhost and community leader.

Cindy Watford requested that the ordinance be continued to allow neighborhood associations more time to review the proposed amendments to the ordinance.

Anne Denton spoke as a current STR guest, noting that occupancy should be limited based on the size of the house, rather than limiting every property to a maximum of 8 persons.

Martha Warthen spoke in support of the residency requirement and noted that she would be in favor of extending the requirement to all zoning districts.

Sean Pierce expressed concerns that this ordinance may stifle economic growth in the city.

Leah Coleman spoke in opposition to the residency requirement and noted that STRs help support the emerging gig economy, as well as other local businesses, such as cleaning and landscaping companies.

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

A motion was made by Mr. Pinnock, seconded by Ms. Rowe to continue the request to the September 5th Planning Commission meeting.

Following the motion, members of the Planning Commission discussed the request.

A question was raised about how the 1/3rd threshold was determined. Mr. Vonck answered the question, stating that, generally, using 1/3rd of a property for a different use keeps it within the range that is considered to be "accessory" to the primary use.

Questions were raised about the City's plans for enforcement. Mr. Vonck acknowledged that enforcement has been a concern in the past and stated that if this ordinance is approved, there will be efforts to determine the best method of enforcing the provisions moving forward.

There were addition questions about what the largest barrier to compliance has been since the original STR ordinance was adopted. Mr. Vonck identified illegal dwelling units, owners not residing the dwelling as their primary residence, and lack of approval from the property owner as the most common issues.

Following the discussion, Mr. Poole called the question.

**A motion was made by Commissioner Pinnock, seconded by Commissioner Rowe, that this ordinance be continued to the September 5, 2023 Planning Commission meeting. The motion carried by the following vote:**

22. [ORD. 2023-232](#)

To amend and reordain Ord. No. 2022-232, adopted Dec. 12, 2022, which authorized the special use of the properties known as 3301 Park Avenue and 3303 Park Avenue for the purpose of four single-family attached dwellings, with off-street parking, to modify the plans, upon certain terms and conditions. (1st District)

Jonathan Brown, Planner, gave an overview of the request.

Following the presentation, a question was raised about whether or not the alley would be closed as a result of this proposal. Mr. Vonck stated that there may be temporary closing during construction, but that the alley would otherwise not be affected by the request.

Bob Englander, applicant, addressed the Planning Commission, noting that this amendment is being requested as a result of hiring new architects.

Mr. Poole opened the public hearing.

Boz Boschen spoke in opposition to the request, expressing concerns that the request does not meet the design guidelines for the overlay. Mr. Boschen also expressed concerns with the proposed density.

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

**Following the public hearing, a motion was made by Commissioner Pinnock, seconded by Commissioner Knight, that this ordinance be recommended for approval. After brief discussion, the motion carried unanimously.**

## **Upcoming Items**

Alyson Oliver, Planning Commission Secretary, gave a brief overview of the items that are expected to be on the September 5th Planning Commission agenda.

## **Adjournment**

Mr. Poole adjourned the meeting at 4:24 pm.

