



PLANNING COMMISSION

MINUTES of September 14th 2021

Members of the Buena Vista Planning Commission met in Council Chambers at 7:00 PM on Tuesday, September 14th, 2021.

Members Present:

Dennis Hawes, Chairman
Michael Ohleger, Vice-Chairman
Marolyn Cash
Lucy Ferrebee
Kristie Gibbons
Melvin Henson, City Council Representative

Members Absent:

Jason Tyree, Ex Officio member
Timothy Petrie
Justin Wiseman

Staff Present:

Tom Roberts, Director of Community & Economic Development

Meeting is called into order and roll was called.

Minutes

Mr. Ohleger moved to adopt the minutes of June 8th 2021 as presented. Mr. Henson seconded, and all voted yes.

Elections

Mr. Hawes noted that the Commission is supposed to conduct elections of officers annually. He invited a motion to do so. Mr. Ohleger motioned to nominate Mr. Hawes as chair and Mrs. Gibbons seconded. Then Mr. Henson nominated Mr. Ohleger for Vice-Chair and Mrs. Cash seconded. Each nomination was voted on separately, and all approved each.

Secretary's Report

Mr. Roberts updated the Commission on several items.

The Advancement Foundation has closed on the former Mundet-Hermetite Plant at 245 W 21st St and is moving forward with plans for their innovation center/business incubator.

Edward Jones will be opening soon at 227 W 21st St on the other side of the RR tracks.

Staff is working on the pre-contract phase for the \$1m CDBG grant for downtown, including the program design for the façade improvement program.

On 9/11 the City held an event at Glen Maury Park in conjunction with Mark Cline's erection of the shipping containers to represent the twin towers.

New Business

Certificate of Appropriateness for Picnic Pavilion, Parkway Apartments, 407 E 29th St

There was brief discussion of the proposed pavilion. Commission members commented that the pavilion was attractive and so were the renovated apartments. The concrete pad is already there. Mr. Ohleger motioned to approve as presented, Mrs. Cash seconded, and all voted yes.

Short Term Rental Zoning Text Amendment

Mr. Hawes launched discussion by asking who would enforce the new rules. Mr. Roberts responded that it would be a joint effort between him and the Commissioner's office. The Commissioner's office would be interested in whether there was a business that lacked a license, and he would be concerned with location, occupancy, or maintenance issues. Mr. Roberts will have to check various online platforms periodically to monitor who has listed properties.

Mrs. Cash asked if there would be any inspections of properties. Mr. Roberts responded that yes, the City could easily require that any STR go through the existing rental inspection program for long-term rentals. There was discussion of how the rental inspection program works and how it is reactive at this point, and wondering if there is a way to partner more with SVU to monitor student rentals. Mr. Roberts confirmed that if a property is found out of compliance, then the owner has to fix the problems or the tenants would have to move out, or the City could compel the owner to make the repairs. Several members of the Commission have concerns about the condition of rental housing, as well as condition of some STRs. This is something that should be monitored and inspected. Mrs. Cash suggested a specific frequency of inspection, and Mr. Roberts replied that for that we should consider what items we are inspecting, as some items won't change over time and others will.

Mr. Ohleger raised the question of what constitutes a transient rental. Mr. Roberts replied that per Virginia code, transient is 30 days.

Mr. Roberts then reviewed the table in the staff report of owner present vs. owner not present categories. The latter is already a feature of the zoning code called a "tourist home." He then went over the distinction between people who own second or third houses and rent them out, and people who rent out their entire permanent residence occasionally while they stay somewhere else.

Mr. Roberts noted that the purpose of this regulation is to get ahead of any problems. In the last five years there have been no complaints about STRs.

Mr. Hawes asked about occupancy restrictions. Mr. Roberts responded that this will be an important item to address. The proposed policy would require a conditional use permit for more than the zoning definition of "family." The pitfall to avoid is having a party or event house.

Mr. Hawes also pointed out that provision of adequate parking should be part of the regulations. Also, he suggested that any on-site signage be small.

Mr. Roberts asked if there were any parts of the City where STRs should be prohibited. The Commission responded that no, they couldn't think of any reason to restrict locations of them.

Adjournment 7:57 PM

Approved: _____