



**TOWN OF MIDDLEBURG  
PLANNING COMMISSION  
REGULAR MEETING MINUTES**



**MONDAY, OCTOBER 24, 2022  
PENDING APPROVAL**

**PRESENT:** Terence S. Cooke, Chair  
Donald Woodruff, Vice Chair  
Edward R. Fleischman, Member  
H. H. “Dev” Roszel, Member  
Morris “Bud” Jacobs, Councilmember

**STAFF:** William M. Moore, Deputy Town Manager/Town Planner  
Rhonda S. North, MMC, Town Clerk  
Estee LaClare, Planning & Project Associate

**ABSENT:** Rachel Minchew, Member (excused)  
Mimi Dale Stein, Member (excused)

The Middleburg Planning Commission held their regular meeting on Monday, October 24, 2022 in the Town Hall Council Chambers. Chair Cooke called the meeting to order at 7:00 p.m. Town Clerk North called the roll.

**Disclosure of Meetings With Applicants**

No meetings were reported with applicants by the members.

**Approval of Meeting Minutes**

*Vice Chair Woodruff moved, seconded by Councilmember Jacobs, that the Planning Commission approve the September 26, 2022 regular meeting minutes as presented.*

Vote: Yes – Commissioners Woodruff, Fleischman, and Roszel and Councilmember Jacobs  
No – N/A  
Abstain – N/A  
Absent – Commissioners Minchew and Stein  
(Chair Cooke only votes in the case of a tie.)

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**Public Hearing**

**Zoning Text Amendment 22-02:** Amendments to Chapters II, V, X & XVI Pertaining to Short-Term Rentals

Deputy Town Manager Moore reported that no changes had been made to the draft ordinance since the Commission’s last meeting.

The Commission expressed appreciation for the staff’s hard work on the draft and their presentations so the members could understand and reflect upon what was being presented.

No one spoke and the public hearing was closed.

In response to inquiries from the Commission as to the legality of limiting a special use permit (SUP) to an applicant, Deputy Town Manager Moore reminded the members of the recent SUP application they heard, in which they recommended approval conditioned upon the expiration of the permit should the property transfer to another owner. He noted that the zoning ordinance allowed for conditions, including duration of a special use permit; however, the Town Attorney was not comfortable with that language. Mr. Moore further noted that in this instance, the applicant amended his application to self-impose the condition. He advised that the question of whether this condition could be imposed on a SUP still remained. Mr. Moore advised that he would have to get more guidance on how such a condition could be applied to future applications and confirmed he would follow-up with the Town Attorney.

Councilmember Jacobs reported that Council was a little concerned about whether this condition could be imposed on Mr. Pappas' application. He noted that it was a moot point since Mr. Pappas amended his application to include the condition; however, the larger question still remained.

In response to an inquiry from the Commission, Deputy Town Manager Moore reiterated that under the general ordinance language, the Council could impose a duration on a special use permit.

*Councilmember Jacobs moved, seconded by Vice Chair Woodruff, that the Planning Commission forward Zoning Text Amendment 22-02 to Council recommending approval as contained in Draft 4 dated September 19, 2022 because the provisions within represent good planning practice.*

Vote: Yes – Commissioners Woodruff, Fleischman, and Roszel and Councilmember Jacobs

No – N/A

Abstain – N/A

Absent – Commissioners Minchew and Stein

(Chair Cooke only votes in the case of a tie.)

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### **Council Representative Report**

Councilmember Jacobs reminded the Commission of the recent events in town including the 2022 Miglia Warm-Up and the Middleburg Film Festival, both of which were a success. He further reminded them that the Mayor would give his State of the Town Address on November 3<sup>rd</sup> and that the Middleburg Sustainability Committee would host the Annual Fall Clean-Up on October 29<sup>th</sup>. Mr. Jacobs reported that the Council was discussing some issues that have arisen related to Christmas in Middleburg.

In response to an inquiry from the Commission, Councilmember Jacobs reported that the public comments and study results were transmitted to the Windy Hill and Homewood Farms property owners. He advised that it was now up to them to determine how they wished to proceed. Mr. Jacobs noted that the Council would take the appropriate steps should an application(s) be made. He advised that Mr. Prince, of Homewood Farms, was present during the public information session and advised the public that his property would be developed regardless of whether the Town approved the boundary line adjustment or not.

The Commission expressed a desire that the Town resume glass recycling.

Deputy Town Manager Moore explained that this was a market driven decision. He reminded the Commission that the Town relied upon a contractor for its recycling collections and reiterated that there was no market for glass. Mr. Moore noted that larger localities who performed self-collections and had facilities to process it, crushed the glass and used it as cover material in their landfills.

It was noted that Loudoun County accepted glass at their recycling facility at the Mickie Gordon Park. It was further noted that the recycling of plastic was starting to become an issue as well.

## **Discussion Items**

### **Storage Pod – Martin Avenue**

Commissioner Fleischman noted that he sent a communication to the Town Manager and Deputy Town Manager about a moving container that had been parked in the right-of-way on Martin Avenue for five weeks.

Deputy Town Manager Moore reported that he was working on this issue; however, it was not yet resolved.

### **Cancellation of December Meeting**

The Commission questioned whether the staff was aware of any items that could be forthcoming for the December meeting and, if not, whether it would be possible to cancel the meeting. Deputy Town Manager Moore advised that he was not aware of any applications or zoning text amendments that were in the works at this time.

The Commission suggested they discuss the cancellation of the December meeting at their next meeting. They further suggested that the November meeting also be cancelled if there were no applications pending.

### **Volunteer Appreciation Reception**

Town Clerk North reminded the Commission of the Annual Volunteer Appreciation Reception scheduled for November 1<sup>st</sup>.

### **Possible Zoning Text Amendments**

In response to an inquiry from the Commission, Deputy Town Manager Moore advised that the Council expressed an interest in reviewing the recommendations contained in The Berkley Group's report regarding possible R-2 District zoning text amendments. He advised that the Council may wish to consider additional methods to address their concerns. Mr. Moore reviewed the report's recommendations. He suggested a Council initiated zoning text amendment could be forthcoming to the Commission. Mr. Moore noted that the Commission also needed to see how the Council reacted to their recommendations related to the short-term rental ordinance amendments.

Councilmember Jacobs reported that some members of the Council questioned why the Commission moved away from the tiered approach related to the short-term rental text amendments. He opined that their concerns would be addressed if it was possible to impose conditions. Mr. Jacobs explained that their question was what would happen if a lot of applications were received for properties in the Ridgeview area that were in close proximity to one another. He noted that this may be able to be addressed by imposing limits on the number of nights. Mr. Jacobs opined that the Mayor was interested in additional amendments beyond those recommended by the Commission.

### **Quorum for November Meeting**

Those members who were present indicated they would be present during the November meeting. Deputy Town Manager Moore advised that as of this moment, there were no items for that agenda. He advised that he would revisit the need for a meeting with the Chair as the date got closer.

There being no further business, Chair Cooke adjourned the meeting at 7:32 p.m.

RESPECTFULLY SUBMITTED:

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Rhonda S. North, MMC, Town Clerk

**Middleburg Planning Commission Transcript**  
**October 24, 2022**

**(Note: This is a transcript prepared by a Town contractor based on the video of the meeting. It may not be entirely accurate. For greater accuracy, we encourage you to review the video that is on the Town's website – [www.middleburgva.gov](http://www.middleburgva.gov))**

**Rhonda North:** You're fine to go.

**Terry Cooke:** Good evening, everyone. We're going to convene the regular meeting of the Middleburg Planning Commission for this meeting of October 24, 2022. First order of business is to call the meeting to order and to ask for a roll call. I'll ask the Town Clerk to please do the roll call?

**Rhonda North:** Chair Cooke.

**Terry Cooke:** Present.

**Rhonda North:** Vice Chair Woodruff.

**Don Woodruff:** Present.

**Rhonda North:** Commissioner Fleischman.

**Ed Fleischman:** Present.

**Rhonda North:** Commissioner Minchew is absent. Commissioner Roszel.

**Dev Roszel:** Present.

**Rhonda North:** Commissioner Stein is absent. Council Member Jacobs.

**Bud Jacobs:** Present.

**Terry Cooke:** Thank you all. I'll note that Commissioners Minchew and Stein have excused absences this evening. Next item on the agenda is disclosure by the Commission Members of any meetings or conversations they've had with the applicants having business before the Commission. I will just go around the dais and ask each Commissioner if they have anything to disclose. Commissioner Fleischman.

**Ed Fleischman:** Nothing to disclose.

**Terry Cooke:** The Chairman has nothing to disclose. Commissioner Roszel.

**Dev Roszel:** I've had no meetings nor nothing to disclose.

**Terry Cooke:** Council Member Jacobs.

**Bud Jacobs:** I've had no meetings or discussions with any applicant, with any business before this Commission.

**Terry Cooke:** And Vice Chair Woodruff.

**Don Woodruff:** I've had no meetings with anyone with business before this Commission.

**Terry Cooke:** Thank you all. Next item on the agenda is public comment. We do have a public hearing scheduled this evening. This is an opportunity for any members of the public to address the Commission on matters not relating to the scheduled public hearing. I see no one present in the audience this evening. Is there anyone on the phone, Rhonda who has registered to speak?

**Rhonda North:** We didn't advertise it as a remote meeting.

**Terry Cooke:** Okay. Seeing there's no public comment on nonpublic hearing related matters, we will close that item on the agenda. Next item on the agenda is approval of the minutes for the September 26, 2022 Work Session and regular meeting of the Planning Commission. Do we have a motion on the minutes?

**Don Woodruff:** I move that those be accepted as presented.

**Terry Cooke:** Do we have a second?

**Bud Jacobs:** Second.

**Terry Cooke:** Any discussion? Hearing no discussion, the minutes are approved. Thank you. We now come to the public hearing portion of the agenda. We have a public hearing advertised and scheduled for Zoning Text Amendment 22-02 and amendment to chapters 2, 5, 10, and 16 of the Middleburg Zoning Ordinance pertaining to short term rentals. Staff has prepared a memo for the Commission Members. Thank you. And is there anything that we want to discuss or highlight, Mr. Moore, regarding the memo?

**Will Moore:** There have been no changes to the draft amendment from what you saw at your last meeting and the direction to advertise the hearing based on that draft.

**Terry Cooke:** This is a matter that we on the Commission are well acquainted with. We've dealt with this for some time and in various iterations, and I very much appreciate the work staff has done on

this, trying to accommodate the various concerns and suggestions that the Commission has made over the last many months on this to get us to this fourth draft. And I will now invite the Commission Members to offer any comments regarding the fourth draft. Any questions for staff, anyone?

**Don Woodruff:** Mr. Chairman, I do not have any. Don Woodruff. I do not have anything other than a comment that I appreciate all the work that's gone on and the presentation that's been made to each of us as we went along through this process so that we could have the opportunity to understand and reflect on what has been presented. And I thank Mr. Moore and all of the staff members for their hard work.

**Terry Cooke:** I'm sure we all agree. Thank you, Don. Yeah, this is one that we've kind of batted around and gone back and forth on this. But no one can say it hasn't received due deliberation. I think we've all kind of worked on this to get it in its current form. We have no members of the public before us this evening to comment. Anyone registered on the phone Rhonda to speak to this issue.

**Rhonda North:** No.

**Terry Cooke:** None. Any other comments by the Commission Members before we put this to a vote? Commissioner Fleischman.

**Ed Fleischman:** Yeah. Commissioner Fleischman. We discussed it a little bit informally before the meeting was set up, but I think maybe Will you can explain that little item we had about whether legally we can have a requirement that it only be for the applicant and not continue forever.

**Will Moore:** Certainly, so thank you, Mr. Fleischman. And for those the benefit of the viewing public, Mr. Fleischman is referring to a specific Special Use Permit application that was recently heard by the Commission based under our current regulations, which, if passed, this amendment would modify slightly in the Commission's recommendation to Council on that application, you recommended approval with a condition that the permit would expire on transfer of ownership of the property. We checked with the Town Attorney on his level of comfort with that condition. Now, our ordinance does specifically say reasonable conditions can be imposed, including one on the duration of the permit, which I've heard various interpretations on whether duration could include the ownership of the property. That is, if the ownership changed that, that could be considered the end of a certain term of duration. Our attorney was not as comfortable with that language. I think there could be discussions held on whether or not that could be a condition that could be imposed. But in this particular instance, the applicant is simply voluntarily amending his application to self-impose that condition. So the point becomes moot that whether or not we can impose it, but that it's a question that still maybe remains, that we will have to get a little more guidance on as to how that could be applied to future applications.

**Ed Fleischman:** Thank you, Will.

**Will Moore:** Yes sir.

**Terry Cooke:** Council Member Jacobs.

**Bud Jacobs:** How do you plan to get clarity on that Will? Does our attorney give us an opinion or what happens?

**Will Moore:** I think I have not followed up with him on that matter, but I will be following up. So whether it's him drafting an opinion or attending a meeting and having a discussion with you, we will have some follow up on that.

**Bud Jacobs:** I don't know if you guys read the minutes, but Council was a little bit hinky about approving the one Special Use Permit we have received, Mr. Pappas, if that condition could not be imposed or included in the agreement. And then he, of course, voluntarily submitted to it so it became a moot point. But it's still out there as an issue. [off mic]

**Don Woodruff:** It [off mic] an issue I think there forever. I hope.

**Bud Jacobs:** Well, our ordinance has it in it, and I would hope that that's what becomes the controlling authority for this.

**Terry Cooke:** Well, just for purposes of clarification, does our existing ordinance have a limitation provision in it, a duration limitation provision in it?

**Will Moore:** It does not have a specific one other than the general ordinance language about all special permits states that you can impose a duration. [multiple speakers] Yes.

**Terry Cooke:** And this draft four of the proposed amended ordinance does not have that condition or that requirement in it?

**Will Moore:** That is correct.

**Terry Cooke:** But again it's under the existing ordinance. It's a condition that could or a condition that could be opposed. Okay. Thank you. Any other comments among the Commission? All right. There being no comments from the public, I think we are ready for a vote on whether to recommend approval of the ordinance as amended in draft four to the Council or if we wish to have additional time to consider it. We could do that, but I'm hoping we can move this matter forward. So can we have a motion, please?

**Don Woodruff:** Go ahead.

**Bud Jacobs:** Oh, no, go.

**Don Woodruff:** No, I have a question. I have a question. Without the statement of the existence of a duration issue. My understanding is that we still when a Use Permit is presented, we have the opportunity to impose such. Thank you.

**Terry Cooke:** Yes.

**Don Woodruff:** I yield too.

**Terry Cooke:** Any other questions before we entertain a motion? Okay.

**Bud Jacobs:** I move the Commission forward Zoning Text Amendment 22-02 to Council recommending approval as contained in Draft four dated 9-19-22 because the provisions within represent good planning practice.

**Don Woodruff:** Second.

**Terry Cooke:** We have a motion and a second any discussion? We'll call for a vote, Rhonda please?

**Rhonda North:** Vice Chair Woodruff.

**Don Woodruff:** Yes.

**Rhonda North:** Commissioner Fleischman.

**Ed Fleischman:** I vote to approve the motion.

**Rhonda North:** Commissioner Roszel.

**Dev Roszel:** I vote to approve.

**Rhonda North:** Council Member Jacobs.

**Bud Jacobs:** Aye.

**Terry Cooke:** Thank you. The motion is approved. Next time on the agenda is the Council Representatives Report. Council Member Jacobs, please.

**Bud Jacobs:** I had most of the week devoted to my wife, my wife's, my daughter's wedding ceremonies and attended activities. And it was brilliant and fun. So. And it's all done, so I'm feeling pretty good.

**Terry Cooke:** Congratulations. [laughter] You survived it.



**Bud Jacobs:** I survived it.

**Don Woodruff:** Could be done, let it be done well.

**Bud Jacobs:** It was done very well actually. We were all very tickled. So you guys know we had the Mille Miglia. I don't know if anybody got out to look at cars. I was sorry to miss it. I think it was successful. I haven't really heard much. Film Festival has come to pass, I guess. We didn't get to make it to any of the showings. We were a little late on the uptake, on tickets. Some items coming up. The Mayor's going to give his annual state of the town assessment on November 3rd, I believe, at the Community Center. Is that correct? The Go Green Committee or now the Middleburg Sustainability Committee, whatever they call themselves, they're doing their Fall Cleanup on October 29th. I hope to see people out there in their vests picking up trash and cigarette butts. And we continue to discuss with the organizers the issues involved in planning Christmas in Middleburg. So that's moving forward. And that gentleman and gentlelady is all I have.

**Terry Cooke:** Council Member Jacobs, what, if anything, has occurred since the community meeting on the boundary line adjustment? What are the next steps there?

**Bud Jacobs:** I think the well, the Mayor said that the next step will be to provide both the Windy Hill people and the Homewood people with the comments that we received, with the scenarios that were developed and the financial analysis of the impact of the BLA's. And basically the ball is now in their court. So town has pretty much stepped away from it. And if either or both decide to submit an application, then we'll begin to take the appropriate steps. It's worth noting that Mr. Prince from Homewood attended the public information session, which I thought was pretty helpful. And among the things he said was whatever the town does or does not do, I'm going to develop this property. And that was something that I think there was a bit of disbelief in the community that we really weren't certain it was going to be developed. Well, we're now certain that it's going to be developed one way or the other by right or as a BLA. So I assume those materials have gone to the applicants, and that's where we are.

**Terry Cooke:** Thank you.

**Bud Jacobs:** Sure.

**Terry Cooke:** Council Member, Commissioner Jacobs. [laughter]

**Ed Fleischman:** Commissioner Fleischman.

**Terry Cooke:** Jacobs.

**Don Woodruff:** They all looked the same. When you're the Chairman everybody looks the same.  
[laughter]

**Terry Cooke:** You could be Twinkies. [laughter]

**Ed Fleischman:** I just like to talk about the Sustainability Committee and recycling in the town. Just a general comment. I did speak to the Deputy Mayor at the Land Trust event on Sunday night, and I'm still amazed that the town doesn't recycle glass. Do we know of anything about if that's we're going to start recycling glass the next time we do a contract, or what's happening with that? [off mic]

**Will Moore:** Yeah, So I can handle that. It's a market driven decision. The fact is that the companies all that bid on our recycling, none have a market, and none are accepting glass for recycling. So we obviously don't recycle the materials ourselves. We're reliant upon the firms that we contract with, and those firms are reliant on market forces as to whether or not they will accept the materials. So there are some larger localities that do self-collection and or have at least facilities where they have purchased glass crushers and are accepting glass separate from their normal recycling stream and making some use of it and things like that. But we have no cost-effective way to address glass recycling currently in this [off mic].

**Bud Jacobs:** This came to our attention and by our, I mean the Jacobs household, two years ago, maybe three years ago, when Arlington suspended collecting glass for recycling. And the reason the Arlington County Board gave and what was actually reported elsewhere in the press is that for whatever reason, China stopped accepting glass as a recyclable. In fact, they stopped accepting any recycling from outside their national boundaries. And that apparently put a big hit on glass recycling nationwide. So I don't know if that's related necessarily to why we don't, but that was the overarching reason for it.

**Terry Cooke:** Commissioner Roszel.

**Dev Roszel:** So they do at Mickie Gordon, recycle glass. I don't know who the. Is it the county Loudoun County that takes it?

**Don Woodruff:** They divide that [off mic]

**Dev Roszel:** Yeah. So I mean, there is a place to do it rather than throw it in the trash so.

**Bud Jacobs:** I know they accept glass for recycling, but if you ask me how and where they actually do it, I don't know.

**Dev Roszel:** Yeah.

**Will Moore:** Yeah so, the most common and I was in the field of solid waste before I was in the field of planning the most common utilization of glass when there's no actual market for recycling of it. And they still consider this recycling is crushing it and using it as fill material in landfills. So every day when a landfill cell trash is put into it, they put cover material over it before the next day and oftentimes it's cover material. So it's still going in the landfill, but it's crushed. It takes up less volume of space that way, and it's serving a purpose. So that's the most common utilization of it when there's no market to actually reuse.

**Dev Roszel:** Interesting.

**Terry Cooke:** Yeah. Did you have some, Commissioner?

**Ed Fleischman:** Yeah, Commissioner Fleischman. Just to wrap up my opinion on this. I know we have a contract. When the next contract comes up, I don't know how many years it is, but I think I'll pass it on to Bud as a Council Member. The Council ought to consider trying to put that in the contract to have glass recycled. I mean, I think that would be good, sound environmental policy.

**Dev Roszel:** It used to be. [off mic]

**Will Moore:** Yeah.

**Don Woodruff:** Yeah, but that's been gone for a couple of years.

**Dev Roszel:** Yeah, it was for many years.

**Don Woodruff:** Yeah. We just at Meadow Brook, we just collect all the glass in bins and then somebody volunteers to take it out to the [multiple speakers].

**Don Woodruff:** Somebody is sitting next to you.

**Bud Jacobs:** I heard a report on NPR this evening actually about plastic recycling, and apparently that's troubled as well. There's a lot of the recycling that we think we're doing is actually not happening. [off mic] Yeah.

**Ed Fleischman:** Okay. Thank you. I think my question has been answered. We can move on. I didn't mean, to stall the whole process here.

**Terry Cooke:** No, no, it's a good question. I drive out to Mickie Gordon once a week with my bottles, and it's a nuisance. It was much easier to put it out by the curb [off mic].

**Ed Fleischman:** Yeah.

**Terry Cooke:** Okay. Thank you. Next item is discussion items. Anything that anyone on the Commission other than yours truly wants to bring up? Okay speaking.

**Ed Fleischman:** Yes.

**Terry Cooke:** Okay. Commissioner Fleischman.

**Ed Fleischman:** I always like this opportunity. So let me address this to Will. I sent a communication to the Town Manager and yourself, Will, about the moving container that's located on Martin Avenue near Chestnut. And I said that it had been there for five weeks. And that when you're moving, you know, to have it there a couple of days seems fine. But it seemed like it had been there a long time and it's right next to the roadway and might be in the town boundary of the roadway. And I wanted to know if there had been follow up Will.

**Will Moore:** Yes, we are working on the issue. We have not resolved it yet. So yes.

**Ed Fleischman:** Do you have any interim report on what the issue is?

**Will Moore:** I don't have anything more specific that I can provide in a public forum at this time.

**Ed Fleischman:** Okay. Thank you. And keep at it.

**Will Moore:** Thank you.

**Terry Cooke:** Thank you. My comment is. This is Chairman. I just wonder, is there anything coming up in our December agenda? I was looking at the calendar. Our December meeting is the day after Christmas. Bah, humbug is there. [laughter]

**Dev Roszel:** I want everybody here.

**Don Woodruff:** I'm not here.

**Terry Cooke:** I just wonder I mean, it's I know it's a couple of months off. Is there any possibility of perhaps canceling the December meeting?

**Will Moore:** I think there's always a possibility. I have no known applications coming forth for you at this time. I have no known efforts or amendments that are pending at this time. But if something else should come up, we could you know address it.

**Terry Cooke:** [multiple speakers] Obviously revisit it next month at the November meeting.

**Will Moore:** Right.

**Terry Cooke:** I just wanted to plant the seed that [multiple speakers].

**Will Moore:** Many times. Yeah.

**Terry Cooke:** Unless there is something compelling and requires us to be here.

**Will Moore:** Yeah.

**Ed Fleischman:** The November Meeting doesn't have to take place.

**Will Moore:** It's we will certainly let you know whether or not there are items that require.

**Terry Cooke:** And if we don't show up, we don't get paid. [laughter]

**Ed Fleischman:** Oh, wow.

**Rhonda North:** And just a reminder, speaking of paid, the Volunteer Appreciation Reception will be next week, Tuesday, November 1st. [multiple speakers] We hope to see everyone there.

**Terry Cooke:** Oh, well, thank you. Is it going to be where?

**Rhonda North:** At the Emmanuel Episcopal Church Parish Hall.

**Dev Roszel:** [off mic] Are you Mr. Chairman?

**Terry Cooke:** I'm sorry.

**Dev Roszel:** Obviously not reading your correspondence.

**Terry Cooke:** [laughter] I missed that one, but I won't miss the meeting. [laughter] Any other? Oh, Council Member Jacobs?

**Bud Jacobs:** Well, your question about the December meeting reminds me of a question that I thought about and wanted to ask. Can you give us a taste of what issues, Will you're going to be teeing up for us to consider and deliberate on over the next several months? Seems like we've made a start anyway of on revising the ordinance to conform to the Comprehensive Plan. What else have we got?

**Will Moore:** Right. So there are a couple of things. One is revisiting with Council, as was asked, the R2 amendments that had been passed previously. There was some interest in Council and maybe digging a little further into the report that was prepared by the Berkley Group and to consider whether

they wanted, they at the Council level, wanted to consider any of the additional methods of addressing the R-2 concerns. As you recall, there were three different levels of intervention that they called it. One, the first, which you recommended, and they adopted was the adopting a impervious lot coverage requirement. The second level of intervention involved three different parts, one of which was a maximum lot size. We didn't actually do a maximum lot size, but we kept the lot coverages as though there was a maximum lot size. I think that was a good maneuver. There was some interest maybe of a couple of elected officials of still adopting a maximum lot size perhaps, and maybe also looking at some of those other interventions and that were included, which would be landscaping requirements, tree requirements, and there's even the architectural control district. So there was some desire of Council just to do a little deeper dig and consider whether they wanted to punt some of those back to the Commission for consideration. So that could be forthcoming depending on when Council wanted to take up those discussions. And then, of course, we need to see how they react to the short-term rental amendment that you're forwarding to them and to see if that's going to suffice for now or if there's going to be a desire from the elected officials to have more work done there as well.

**Bud Jacobs:** I talked a little bit with a couple of Council Members about the short-term rental issue, and the question was why we had moved away from the tiered number of days or nights scheme that Will cooked up. And that's a technical term in planning. Cooked up.

**Don Woodruff:** Cooked?

**Bud Jacobs:** And their concerns seem to be fine, if we do, in fact, have the right to impose special conditions on individual applications and one scenario, I'm not sure how likely it is, but one scenario that I heard was suppose things catch fire in Ridgeview and we have a lot of applications from homes that maybe lie in close proximity to one another. Then we would, if it's true that we have the option, we would be able to impose limits on the number of nights that they could use for short term rentals in that particular situation. So at least with respect to those two, I'm not sure there's much interest in, I know the Mayor is interested still, but I don't know if Council as a whole is too concerned about it.

**Terry Cooke:** Thank you. Well, speaking of quorums or speaking of next meetings, our next one is November 28th. Is anyone here this evening not going to be available on November 28th? Very good look forward to seeing everyone at that time.

**Ed Fleischman:** Yeah. This is Commissioner Fleischman. Do we have a preview of what might happen at that meeting?

**Will Moore:** I have nothing scheduled as of today for you, [multiple speakers] so I will revisit with the Chairman as we get closer as to what might that agenda consist of if, if anything, at this point.

**Terry Cooke:** Hope springs eternal. [laughter]

**Will Moore:** Right?

**Ed Fleischman:** Yes.

**Terry Cooke:** Well, I mean, that's obviously a time of the year when a lot of people are scattered around here and there for holiday travel. So I know for some folks it could be an inconvenience, but we'll see how things shape up in a couple of weeks and make a call then.

**Will Moore:** Absolutely. And you've certainly done your share of work this year with some of these amendments. So I would be in favor of giving you a month off at least.

**Bud Jacobs:** How about two months?

**Will Moore:** Hey, we get the night off, too, if you do.

**Rhonda North:** Yeah, that will work for us. [laughter]

**Terry Cooke:** Very good. Okay, well, this was a short and sweet meeting, and those are always the best. So with that ladies and gentlemen, we are adjourned. Thank you.