



**PLANNING COMMISSION  
CITY OF FREDERICKSBURG, VIRGINIA AGENDA  
September 9, 2020  
7:30 P.M.  
ELECTRONIC & COUNCIL CHAMBERS, CITY HALL**

The Planning Commission will hold an in person and e-meeting pursuant to and in compliance with City Council Ord. 20-05. The public is encouraged to access the meeting, through the broadcast on Cox Channel 84 and Verizon Channel 42. The meeting can also be viewed on our [www.regionalwebtv.com/fredcc](http://www.regionalwebtv.com/fredcc) or Facebook live at [www.facebook.com/FXBGgov](https://www.facebook.com/FXBGgov)

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1. Call To Order

This meeting is being held both in person in Council Chambers and electronically by "Go to Meeting" application, pursuant to City Council Ord. 20-05, An Ordinance to Address Continuity of City Government during the Pendency of a Pandemic Disaster.

Members of the public have been invited to attend in person with social distancing practices and masks required or access this meeting by public access television Cox Channel 84, Verizon Channel 42, online at [www.regionalwebtv.com/fredcc](http://www.regionalwebtv.com/fredcc), or Facebook live at [www.facebook.com/FXBGgov](https://www.facebook.com/FXBGgov)

The members participating are [list members by name]

2. Pledge Of Allegiance

3. Determination Of A Quorum

4. Approval Of Agenda

5. Approval Of Minutes

5.I. June 24, 2020 Draft Minutes

Documents:

[5A-2020-06-24 DRAFT MINUTES W-ATTACHMENTS.PDF](#)

5.II. July 8, 2020 Draft Minutes

Documents:

[5B-2020-07-08 DRAFT MINUTES W-ATTACHMENTS.PDF](#)

6. Declaration Of Conflict Of Interest

7. Public Hearing Items

Citizens who wish to participate in the public hearing will be able to send their comments

in writing by (1) dropping them in the Deposit Box at City Hall, (2) U.S. Mail at PO Box 7447, Fredericksburg, VA 22404, or (3) email to [planning@fredericksburgva.gov](mailto:planning@fredericksburgva.gov). Comments must be received by 4:30 p.m. the day of the meeting. The plan is to read these comments out loud during the public comment portion of the Planning Commission meeting. The standard rules apply to public comments: the person must identify himself or herself by name and address, including zip code; limit his or her remarks to 5 minutes or less (read aloud); and address a topic of City business. Public comments submitted during the meeting, through the Facebook Live streaming video, will not be considered part of the official public comments of the meeting.

7.I. SE2020-05, Hanover House

Documents:

[7A HANOVER HOUSE COMBINED.PDF](#)

7.II. SE2020-04, Haven For Heroes

Documents:

[7B MCKINNEY COMBINED.PDF](#)

7.III. SUP2020-04, Crown Trophy

Documents:

[7C CROWN TROPHY COMBINED.PDF](#)

8. New Business

9. General Public Comments

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10. Other Business

10.I. Status Of Land Use Annual Report

10.II. Planning Commissioner Comment

10.III. Planning Director Comment

10.III.i. Transmittal Of Small Area Plans Report For Area 2 (Fall Hill) And Continued Discussion Of Area 1 (Central Park/Celebrate Virginia -- For Joint Work Session With City Council At Meeting On September 23

11. Adjournment



**CITY OF FREDERICKSBURG  
PLANNING COMMISSION MINUTES**

**June 24, 2020**

**7:30 p.m.**

**ELECTRONIC MEETING / COUNCIL CHAMBERS, CITY HALL**

**You may view and listen to the meeting in its entirety by going to the Planning Commission page on the City's website:**

<https://amsva.wistia.com/medias/0rubqpyj78>

**The Agenda, Staff Report, Applications and Supporting Documents are also available on the Planning Commission page.**

**MEMBERS**

Rene Rodriguez, Chairman (live)  
Steve Slominski, Vice-Chairman (electronic)  
David Durham (electronic)  
Kenneth Gantt (live)  
Chris Hornung (live)  
Tom O'Toole (electronic)  
Jim Pates (absent)

**CITY STAFF**

Chuck Johnston, Director, Planning and Building Dept. (live)  
Mike Craig, Senior Planner (live)  
James Newman, Zoning Administrator (live)  
Susanna Finn, Community Dev. Planner (live)  
Cathy Eckles, Administrative Assistant (live)

**ALSO PRESENT**

Terry Coley, ADU Applicant (live)  
Jeh Hicks, Cowan Station Applicant (live)

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**1. CALL TO ORDER**

This meeting was held live and electronically by "Go to Meeting" application, pursuant to City Council Ord. 20-05, An Ordinance to Address Continuity of City Government during the Pendency of a Pandemic Disaster.

Members of the public were invited to attend in person with social distancing practices and masks required or access this meeting by public access television Cox Channel 84, Verizon Channel 42, online at [www.regionalwebtv.com/fredcc](http://www.regionalwebtv.com/fredcc), or Facebook live at [www.facebook.com/FXBGgov](http://www.facebook.com/FXBGgov).

Chairman Rodriguez called the meeting to order at 7:30 p.m. and explained electronic meeting procedures.

**2. PLEDGE OF ALLEGIANCE**

**3. DETERMINATION OF A QUORUM**

All members were present except Jim Pates.

**4. APPROVAL OF AGENDA**

Mr. Hornung moved for approval of the agenda as submitted. Mr. Gantt seconded.

**Motion passed 6-0-1**

**5. APPROVAL OF MINUTES**

- June 17, 2020

Mr. Durham motioned to approve the minutes as submitted. Mr. Hornung seconded.

**Motion passed 6-0-1**

**6. DECLARATION OF CONFLICT OF INTEREST**

Mr. Gantt stated he had a conflict with 8A, Special Exception request regarding an Accessory Dwelling Unit at 1306 Graham Drive, as he is a nearby property owner and president of the community's homeowners' association.

**7. PUBLIC HEARING**

**A. Area 7 Small Area Downtown Plan** – The City of Fredericksburg proposes to amend Chapter 10 Land Use Plan and Chapter 11 Planning Areas of the City's Comprehensive Plan to adopt the Area 7 Small Area Plan.

Ms. Finn reviewed the staff report showing what has changed since the February 26, 2020 presentation to the Commissioners, with a power point presentation (Att. 1) and noted this would be held open until the Commissioner's July 8, 2020 meeting.

Chairman Rodriguez opened the public hearing and Ms. Finn read in the public comment letters received from the following:

- |                       |                          |           |
|-----------------------|--------------------------|-----------|
| Mo Deadman,           | 214 Princess Anne Street | (Att. 2); |
| Debra Joseph          | 331 Princess Anne Street | (Att. 3); |
| Joseph Caliri and     | 217 Princess Anne Street | (Att. 4); |
| Maureen & Frank Widic | 119 Caroline Street      |           |
| Paula & Ed Sandtner,  | 132 Caroline Street      |           |
| Rebecca Hanmer and    | 138 Caroline Street      |           |
| Carl & Anne Little    | 726 William Street       | (Att. 5). |

There being no public speakers, Chairman Rodriguez closed the public hearing.

Mr. Hornung asked for clarification on the conversion of one-way streets. Ms. Finn stated that the proposed text enables an engineering study to analyze the impact of converting some one-way streets to two-way. Any decision would not be settled until after such study. One of the main aspects to be evaluated would be parking on converted streets.

Mr. Gantt questioned the city-owned train station parking lot being shared. Mr. Craig noted that on page 11(7)-27 the vision is to build a structure that is used 24 hours a day. Based on funding sources, other entities like VRE may have some control over the availability of some of the parking spaces. This will be worked out further in the train station master plan.

Mr. Durham asked about street speeds and if the plan was for the converted 2-way streets to still have parking on both sides of the street. Ms. Finn stated that parking would, generally, remain on both sides and the experience is that 2-way streets actually slow down drivers.

Mr. Durham noted the Darbytown residents request to formally name Trestle Park and in the Comprehensive Plan where "parks" and "open spaces" are mentioned that there is not much differentiation. He asked if the difference is that "open spaces" are maintained by public works and parks

are maintained by parks and recreation. Ms. Finn is unclear on that but will get clarification to help the Commissioners make a determination if it should be formally designated.

Mr. Gantt asked if the studies regarding speed are available to the public. Mr. Craig said the Fredericksburg Police Department (FPD) has cataloged numerous speed study reports which he believes are available to the public. Mr. Craig discussed the format of the engineering study that would analyze a conversion of traffic patterns.

Mr. Durham asked about pg. 4-9 and 4-10, Tables 4-6 and 4-7, of the Comprehensive Plan, regarding parks and open spaces, and questioned what modifications would be made to Table 4-7 based on the proposed changes to the Trestle Park land use designation. Ms. Finn noted that it will be updated. Mr. Durham stressed that language is important as to whether it is designated as an open space or a park and will need to be updated throughout the Comprehensive Plan since it is essentially being evaluated for a future park which goes to the desire of the Darbytown residents.

There being no further discussion, Chairman Rodriguez held this matter open until the July 8, 2020 meeting.

**B. UDOTA2020-02 Creative Maker District - The City of Fredericksburg** proposes to amend the Unified Development Ordinance to establish a new zoning district entitled "the Creative Maker District".

**C. RZ2020-02 – The City of Fredericksburg** proposes to amend the Zoning Map to change the existing zoning of about 78 acres of land to the Creative Maker Zoning District.

Mr. Craig reviewed the staff report for these two items with a power point presentation (Att. 6). Mr. Craig noted a public hearing was held on March 11, 2020, but the vote was postponed due to an advertising error and then Commission meetings were suspended due to the COVID-19 outbreak. Mr. Craig said that this public hearing will be held open until July 8, 2020 to allow opportunity for additional public comments. He said that the Commissioner's should recommend approval to City Council of both matters.

Chairman Rodriguez opened the public hearing and Mr. Craig read in the public comment letters received from the following:

Simon Watts	824 Caroline St., #B	(Att. 7); and
Sabina Weitzman	913 Marye Street	(Att. 8).

There being no public speakers, Chairman Rodriguez closed the public hearing.

Mr. Durham asked whether the text amendment creating the Creative Maker District would apply only in Area 6, or whether it could apply in Area 7. Mr. Craig said yes, the amendment would create a district in City Code that can be applied through rezoning to specific parcels. RZ2020-02 applies specifically to the 78 acres of land shown in the presentation. The Area 7 plan contemplates two additional maker districts: a continuation of this district south along Princess Anne Street and the Wolfe Warehouse District. Approving the Comprehensive Plan amendments in Area 7 will not apply this zoning designation, it only sets the vision and foundation.

## **8. UNFINISHED BUSINESS**

**A. Terry Coley** requests a Special Exception from City Code §72-42.5, Table of Common Accessory Uses, for an 'Accessory Dwelling Unit' at 1306 Graham Drive. SE2020-02

Mr. Newman noted he had a few updates and that the Applicant wished to speak. Mr. Newman stated that a question was raised at the previous meeting as to whether the addition of a kitchen would pose any further fire or safety hazard. Mr. Newman said the Building Official observed that the structure is already rated for

residential use. The addition of the ADU is not changing the use and all required permits have been pulled with the work being up to Code. Mr. Newman stated the Applicant has volunteered a set of proffers (Att. 9), which he read into the record.

Chairman Rodriguez asked what work has already been done. Mr. Newman deferred to the Applicant.

Applicant Terry Coley addressed some of the issues raised stating that in February 2020 she attempted to pull permits to add a range within her second kitchen but was advised by Building she would have to work through the Zoning office first. Ms. Coley stated she has followed all directives in order to create a separate independent living space for her mother. She upgraded the appliances, put in a washer/dryer, renovated the bathroom, and had the entire basement repainted. Ms. Coley stated that she volunteered the eight conditions in her Agreement to alleviate some of the concerns that have risen in public comments.

Chairman Rodriguez asked about the kitchenette and Applicant noted that was there when she bought the home.

Chairman Rodriguez opened the public hearing and Mr. Newman read in the public comment letters received from the following:

Angela Jones	1201 Ellis Avenue	(Att. 10);
Dan Guy Fowlkes	1003 Hoke Lane	(Att. 11);
Anne Timpano	1118 Innis Drive	(Att. 12);
Elizabeth LeDoux	1202 Wright Court	(Att. 13);
Jeff Ely	1412 Brigadier Drive	(Att. 14);
Wycessa Small	1200 Graham Drive	(Att. 15);
Thomas Mon	1210 Walker Drive	(Att. 16);
Tom O'Brien	1112 Taylor Street	(Att. 17);
Janet Marshall Watkins	1206 Walker Drive	(Att. 18);
Erin Palko	1018 Wright Court	(Att. 19);
Belinda Watkins	2148 Idlewild Boulevard	(Att. 20);
LaToya Gronhoff	1858 Idlewild Boulevard	(Att 21); and
Troy Widgren	1603 Gayle Terrace	(Att. 22).

In addition, the following members of the public spoke:

Bryan Stelmok, 1117 Wright Court, spoke in opposition of the request as he believes it is a larger issue regarding allowing ADUs in the City. Mr. Stelmok believes the current definition of family is wholly inadequate and it is too difficult to enforce. He noted he is still concerned about the fire/safety issue even though the Building Official states it is safe.

Graham Gronhoff, 1858 Idlewild Boulevard, spoke in support of Ms. Coley's request. He stated that the chief concern of many is that a precedent will be set by allowing this exception and that single family homes will become multi-family homes leading to a decline in the quality of the neighborhood. He believes those concerns are unwarranted as approval for any ADUs will still require HOA approval. The majority of the concerns voiced have stated that they believe Ms. Coley just wants to profit off the modifications but he believes these are baseless accusations and not a valid reason for denial.

Debra Jean Zbrzezny, 1403 Graham Drive, spoke in opposition of the request. She believes that Ms. Coley's mother moving in is not the reason to deny this request but that single-family homes should remain just that and she is concerned about the future of the Village of Idlewild and the City if ADUs are allowed. Ms. Zbrzezny further discussed her concerns with overcrowding, parking, and overuse of the HOA amenities all leading to a decrease in home values.

Chairman Rodriguez closed the public hearing.

Mr. Slominski questioned staff's ability to regulate and enforce the family definition and have they found any violators in Idlewild. Mr. Newman stated that to date he has received no complaints from Idlewild, but explained the procedures when a violation is brought to the City's attention. Mr. Craig noted that the most powerful tool the City uses is that when a violation of overcrowding is substantiated, the penalty is \$7,500.

Mr. Slominski questioned how often contractors will do work without pulling permits and how is that discovered by the City. Mr. Craig noted that often when work is done to create a full second unit in a property it often leads to conditions of overcrowding. If the City discovers work was done this way, the work would have to be removed.

Chairman Rodriguez questioned Ms. Coley's statement about meeting with City Council. Mr. Newman stated he assumed it meant she spoke at a general public comment portion of a City Council meeting. No scheduled meetings have been held between City Council and Ms. Coley. He asked if the current situation warrants Ms. Coley's mother moving in with no special exception granted. Mr. Newman said yes.

Mr. Durham commended Ms. Coley for going through the rigorous Special Exception process and that the addition of the stove provides Ms. Coley and her mother the way to maintain separate independent living together.

Mr. O'Toole moved to recommend to City Council that they deny the Special Exception due to the character of this neighborhood being single-family and the definition of family stating ".....living and cooking together". Chairman Rodriguez seconded. Mr. Hornung stated he would be voting against the motion as he feels this request will not impact density in the development. He feels the City should be encouraging this type of cohabitation and hopes that staff can look at the current ordinance and find that distinction that allows that to occur but also protects against some of the concerns raised by citizens. Mr. Slominski noted he will also vote against the motion. Chairman Rodriguez noted he will be voting for this motion as he believes this exception does not meet the burden.

**Motion failed 3-2-1 (abstained)-1 (absent).**

Mr. Durham moved to recommend to the City Council approval of the Special Exception of an Accessory Dwelling Unit at 1306 Graham Drive with staff's conditions. He also noted that staff should engage with Ms. Coley regarding her proffered conditions to see which ones should be forwarded to City Council. Mr. Slominski seconded. Mr. O'Toole noted he would be voting for denial of the motion based on his previous stated reasons. He stated that if a condition could be added that if the mother left the home, the stove could be removed, he would be in favor but the Special Exception runs with the property and that can't be done so he is against the motion.

Chairman Rodriguez questioned Mr. Durham about adding a condition to the motion to remove the boarder exemption but Mr. Durham disagreed. Mr. Slominski asked for clarification as to whether what Chairman Rodriguez is proposing is even doable. Mr. Johnston stated it is not legally supportable and the definition of the family cannot be split. Discussion ensued regarding the differentiation

**Motion passed 3-2-1 (abstained)-1 (absent).**

**B. JFH - Fredericksburg II, LLC** requests amendments to the Comprehensive Plan for sub-planning area 5B and the Future Land Use Map to permit a commercial office park on the eastern side of the intersection of U.S. Route 1 and Spotsylvania Avenue between Rappahannock Avenue to the east, U.S. Route 1 to the west, and the Brent Street right-of-way to the south. CPA2020-02

**C. JFH – Fredericksburg II, LLC** requests:

1. A rezoning from Residential Mobile Home, Residential 4, and Commercial / Transitional Office to Commercial Highway with proffered Conditions of 50 Geographic Parcel Identification Numbers (GPINs) generally located on the eastern side of the intersection of U.S. Route 1 and Spotsylvania Avenue between Rappahannock Avenue to the east, U.S. Route 1 to the west, and the Brent Street right-of-way to the south. RZ2020-03
2. A determination that the vacation of a portion of the Spotsylvania Avenue and Dandridge Street rights-of-way and the rededication of new public right-of-way for a realigned Spotsylvania Avenue is in conformance with the Comprehensive Plan. VAC2020-01

Mr. Craig reviewed the staff report and a power point presentation (Att. 23) and recommended that the Commissioner’s recommend approval to City Council.

Mr. Durham asked whether the two trails were previously located at Dandridge Street and Brent Street. Mr. Craig stated the trails were located at Brent Street and Payne Street since the formal submission of the application, but previous renditions may have shown alternate trail locations.

Chairman Rodriguez asked about the purpose of the trails and what connectivity they would provide. Mr. Craig stated that integrating new development into the transportation system should be done with multiple links in a network. Mr. Craig stated that the use of two trails enhances the walkability to this development. Discussion ensued regarding the connection and distance between the trails.

The Applicant, JFH Fredericksburg II, LLC, represented by its Director of Community Relations, Jeh Hicks, was present and spoke in promotion of the connection of the trails.

Chairman Rodriguez opened the public hearing and Mr. Craig read in the public comment letters received from the following:

Meghann Cotter	1222 Brent Street	(Att. 24);
Meredith Beckett	President, College Heights Civic Association	(Att. 25); and
Rea Mandarino	1105 Nolan Street	(Att. 26).

In addition, the following member of the public spoke:

Dennis Lister, 1108 Rappahannock Avenue, spoke in favor of the project but in requested that the Brent Street trail be relocated. Mr. Lister further discussed various options the College Heights Civic Association feel are better options for the trail.

Mr. Durham noted his reservations about the potential impact of the Brent Street trail reducing existing tree canopy. He recommended shifting the Brent Street Trail to Dandridge Street or reducing the plan to one trail on Payne Street and that Applicant be mindful and remove as little existing tree canopy as possible. Chairman Rodriguez agreed with Mr. Durham. Mr. Craig noted the City recommends keeping two connections to maximize the efficiency of the transportation network and stated that shifting the trail to Dandridge Street would maintain a sufficient level of connectivity while lessening the environmental impact of the trail.

Mr. Hornung motioned to recommend approval of CPA2020-02 to City Council. Mr. Gantt seconded.  
**Motion passed 6-0-1.**

Mr. Hornung motioned to recommend approval of RZ2020-03 to City Council with the recommendation of the relocation of the Brent Street trail to Dandridge Street. Mr. Durham seconded.

**Motion passed 6-0-1.**

Mr. Hornung motioned to determine that VAC2020-01 vacating Spotsylvania Avenue and Dandridge Street right-of-ways is in accordance with the 2015 Comprehensive Plan. As part of that determination, he sought consensus for a recommendation that the valuation of the public improvements the Applicant would provide in re-aligning and substantially improving Spotsylvania Avenue offset the value of the net 0.85 acres of right-of-way to be deeded to the Applicant. Chairman Rodriguez stated this was previously discussed on June 17, 2020, and the Commissioners agreed to recommend to Council that Applicant not be charged for the abandonment of the right-of-way given the extent of the public street improvements the applicant is proposing to make. Mr. Durham seconded.

**Motion passed 6-0-1.**

## **9. GENERAL PUBLIC COMMENT**

None.

## **10. OTHER BUSINESS**

### **A. Planning Commissioner Comments**

Mr. Durham reviewed the City Council's discussion on June 23, 2020 regarding eliminating the City's historic effects of systemic racism and other related items. Mr. Durham requested staff start thinking about ways the Commissioners can address this issue by evaluating whether there are other parts that can be addressed and make some positive impact change.

### **B. Planning Director Comments**

Mr. Johnston stated on June 23, 2020, Council approved the GreenChip Special Exceptions and Special Use Permit; delayed the implementation of the Archeological Ordinance for one year; approved the Sign Ordinance amendments and the transportation Comprehensive Plan amendments. Mr. Johnston noted that Council has indicated that it wishes to address the affordable housing issue from a regional perspective in cooperation with neighboring jurisdictions. The Regional Commission has secured state funding for consultants to develop an affordable housing plan. Mr. Johnston discussed the renaming of streets and places and that the State is also looking into addressing this topic.

## **11. ADJOURNMENT**

There being no further items to be discussed, the Planning Commission meeting adjourned at 10:08 p.m.

Next meeting is July 8, 2020.

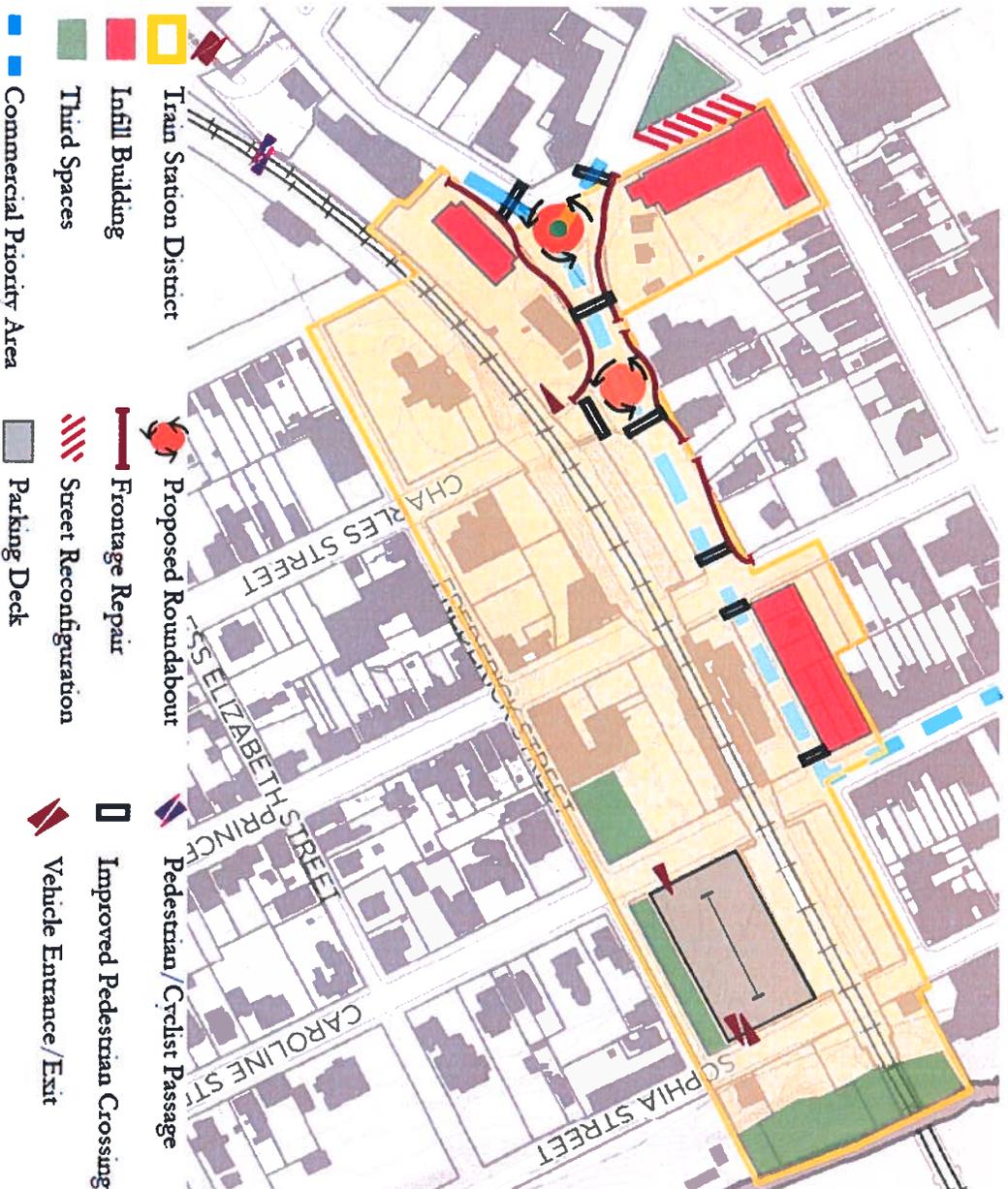
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**Rene Rodriguez, Chairman**

# Area 7 – Small Area Plan



## TRAIN STATION DISTRICT



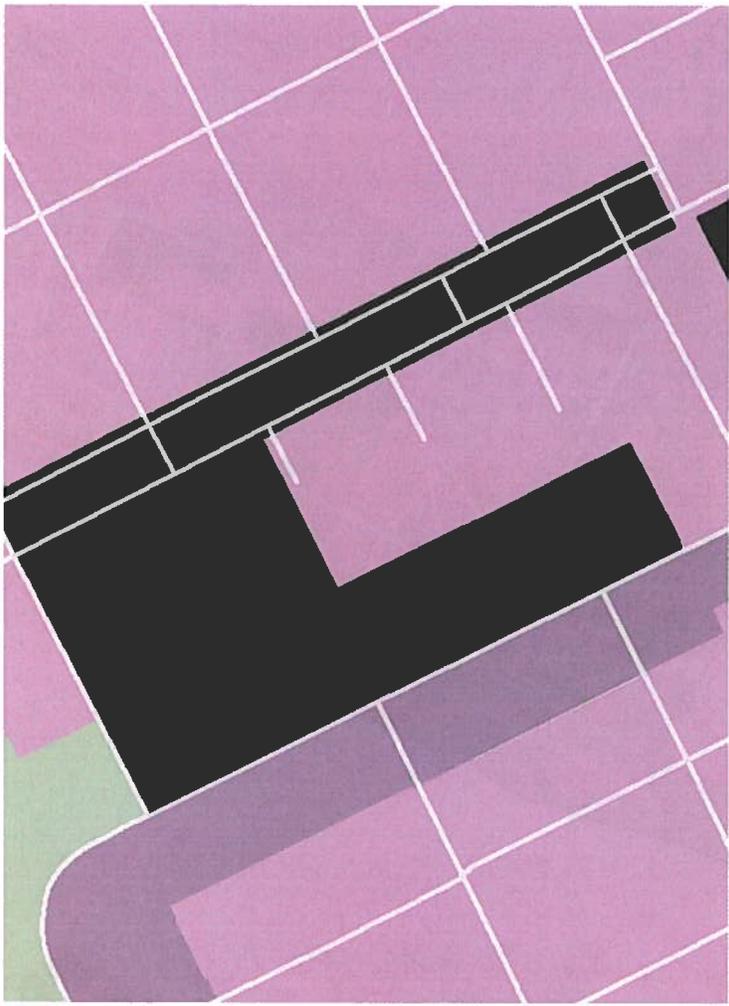
**Work with the community to develop a focused Train Station Area infrastructure plan. Set a short-term and long-term implementation strategy.**

**Formalize the City-owned parcel adjacent to the Janney-Marshall Building (called Trestle Parke by nearby residents) as a City open space.**

**Conduct a feasibility study for acquisition and renovation of the 1911 Train Station for passenger use.**

**Prioritize a new parking deck between Caroline, Sophia, and Frederick Streets to support local residents daily needs, office development within the Area, and commuter parking. The deck should be sensitive in design to the neighborhood.**

# Mary Washington Lodge



# Land Use and Zoning

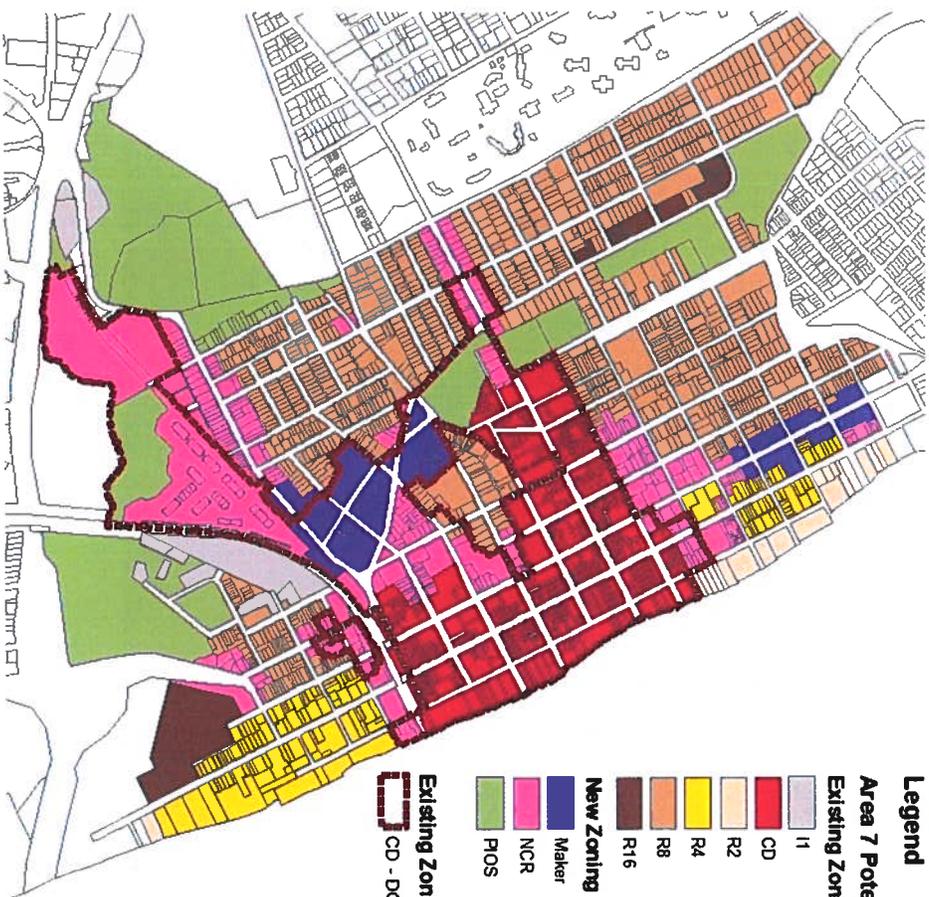
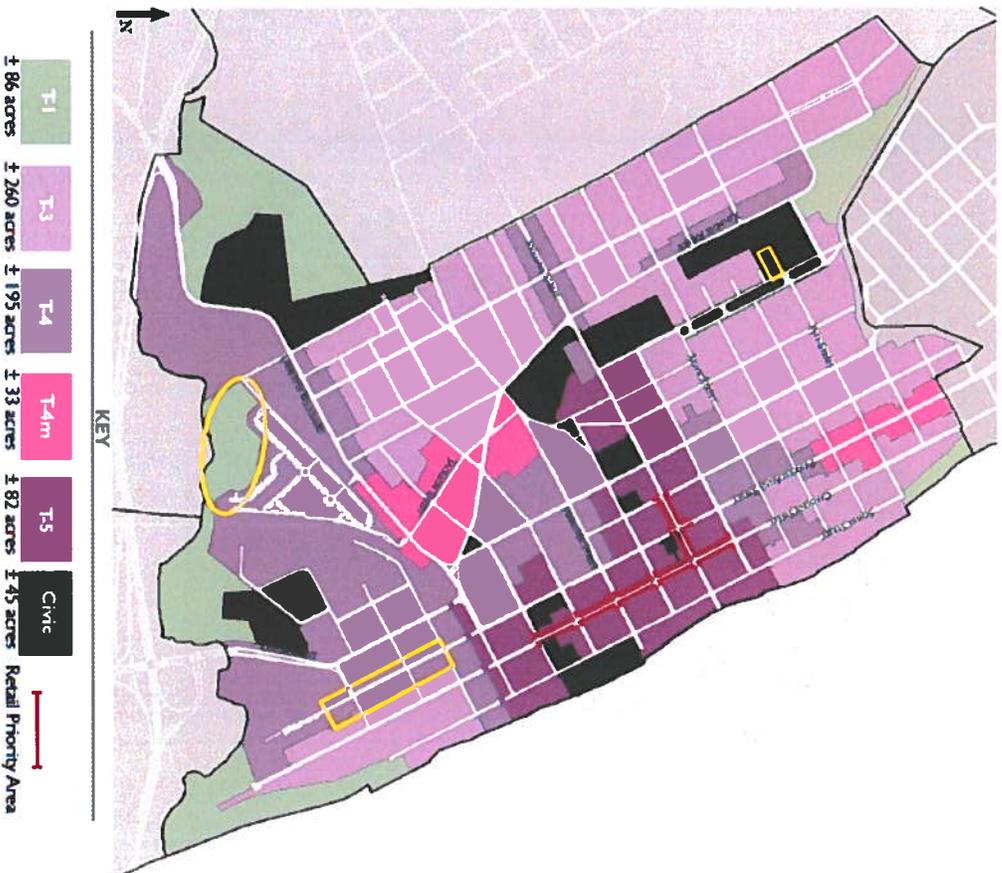
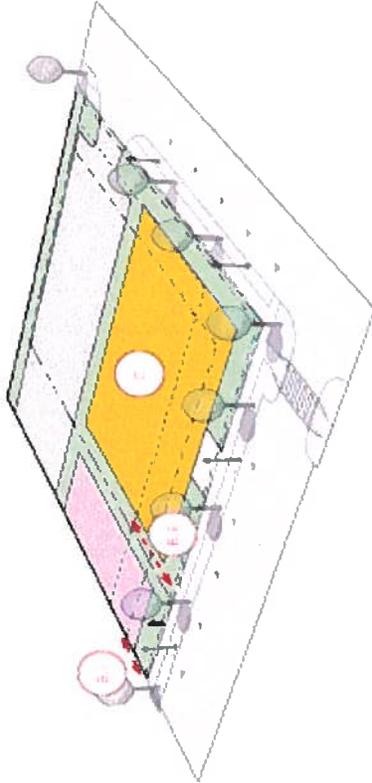
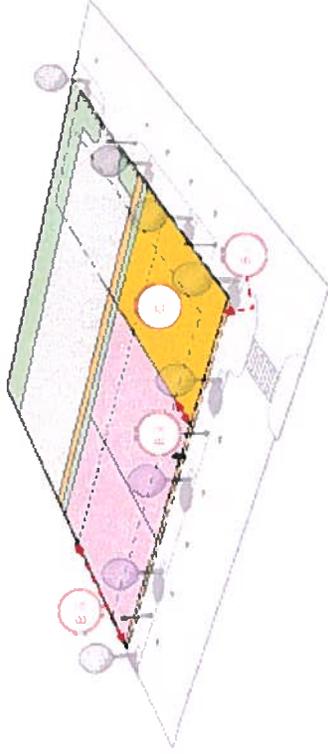


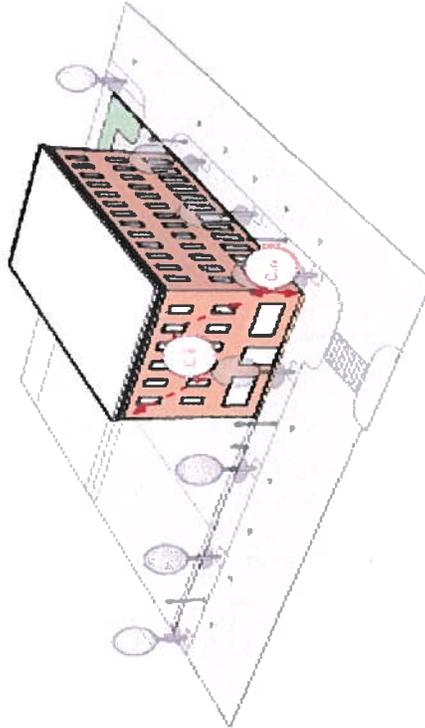
Figure E Private Component and Building Type Permitted.



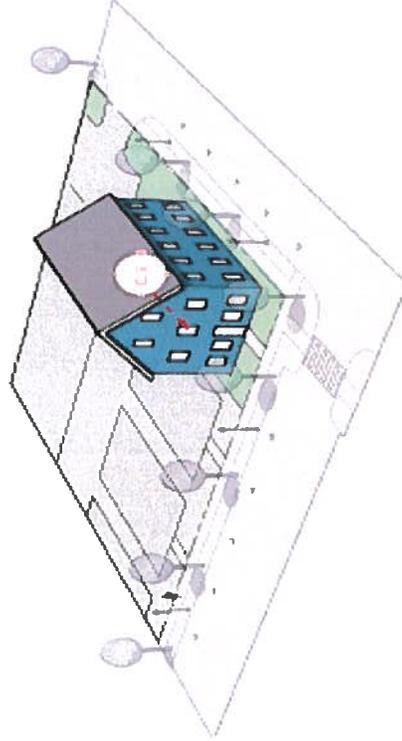
Frontage D Private Component and Building Type Permitted.



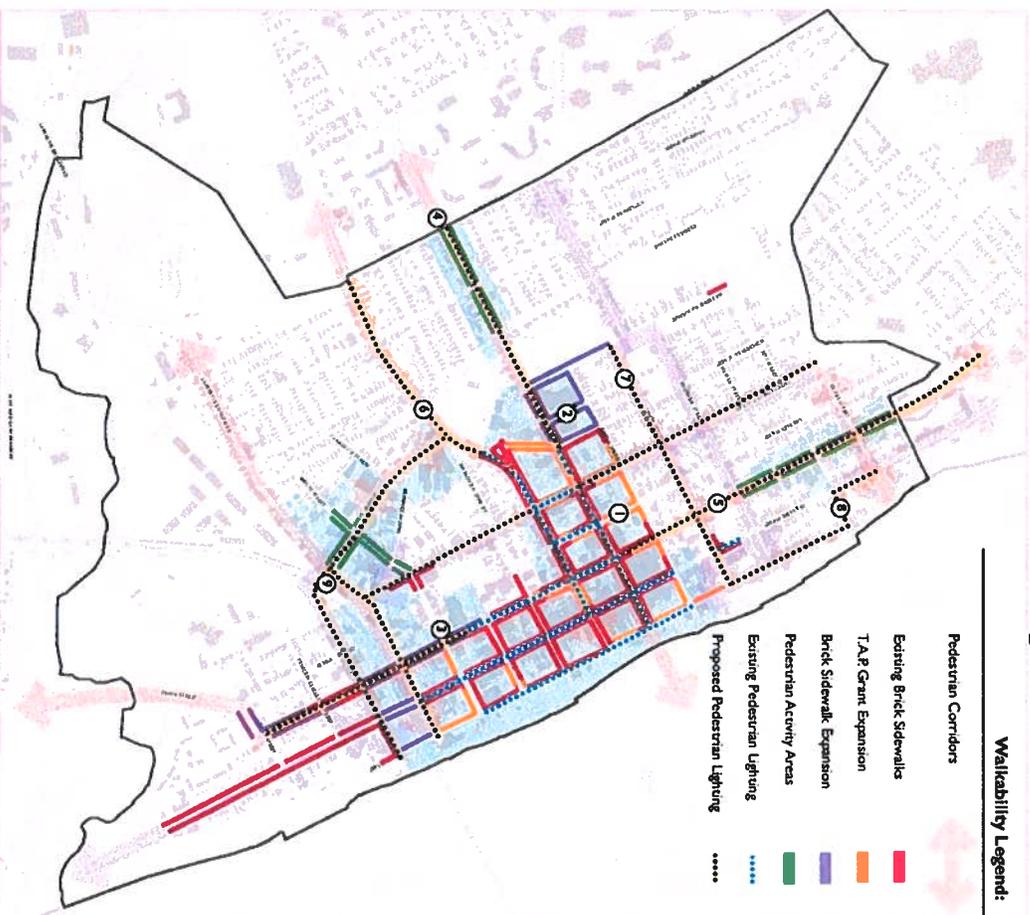
Building Type 3 Facade Activation.



Building Type 4 Facade Activation.

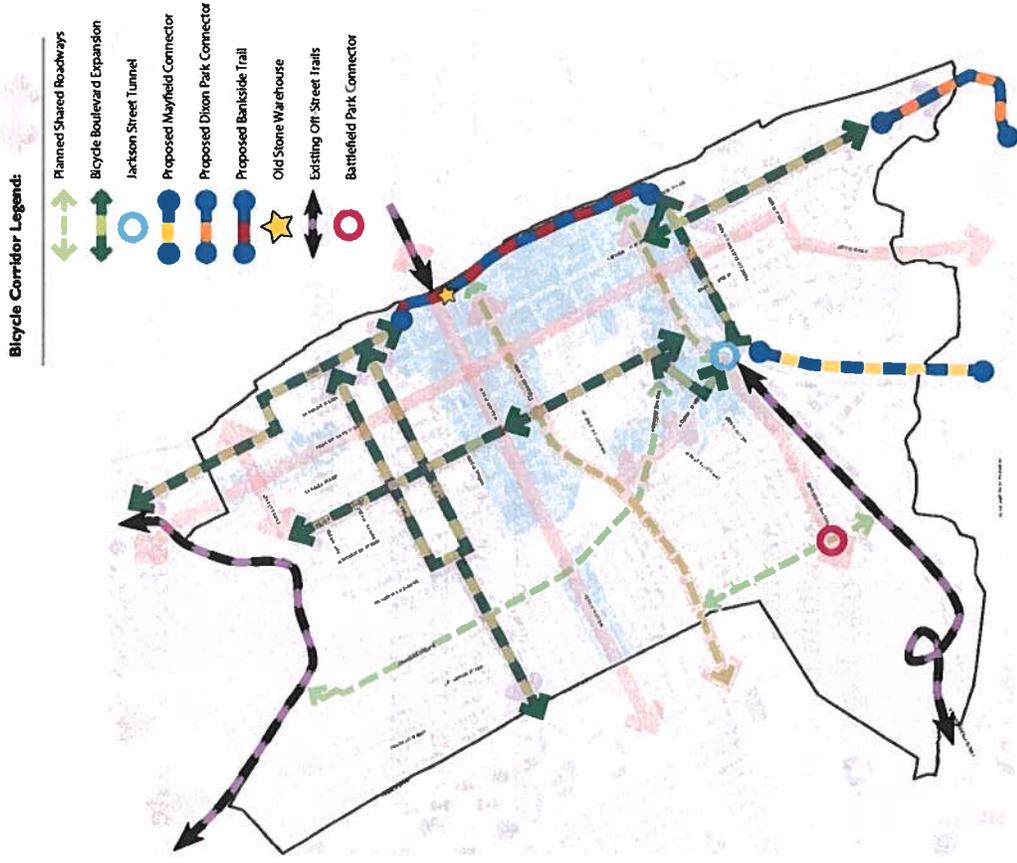


# Access and Mobility - Pedestrian



- **Streetscape Expansion:**
  - T.A.P. Grant expansion
  - Princess Anne Street / Train Station Area connection for brick sidewalks and pedestrian lighting
  - Funding sources include grants as well as general fund
- **Pedestrian Corridor Lighting Expansion:**
  - William Street west
  - Princess Anne Street north
  - Hanover Street west
  - Lewis Street bicycle
  - North Caroline Street and Sophia Street
  - Jackson Street, Lafayette Boulevard, and Frederick Streets
  - Funding sources include grants as well as general fund

# Access and Mobility – Bicycle and Trail



- **Off-Street Trails:**

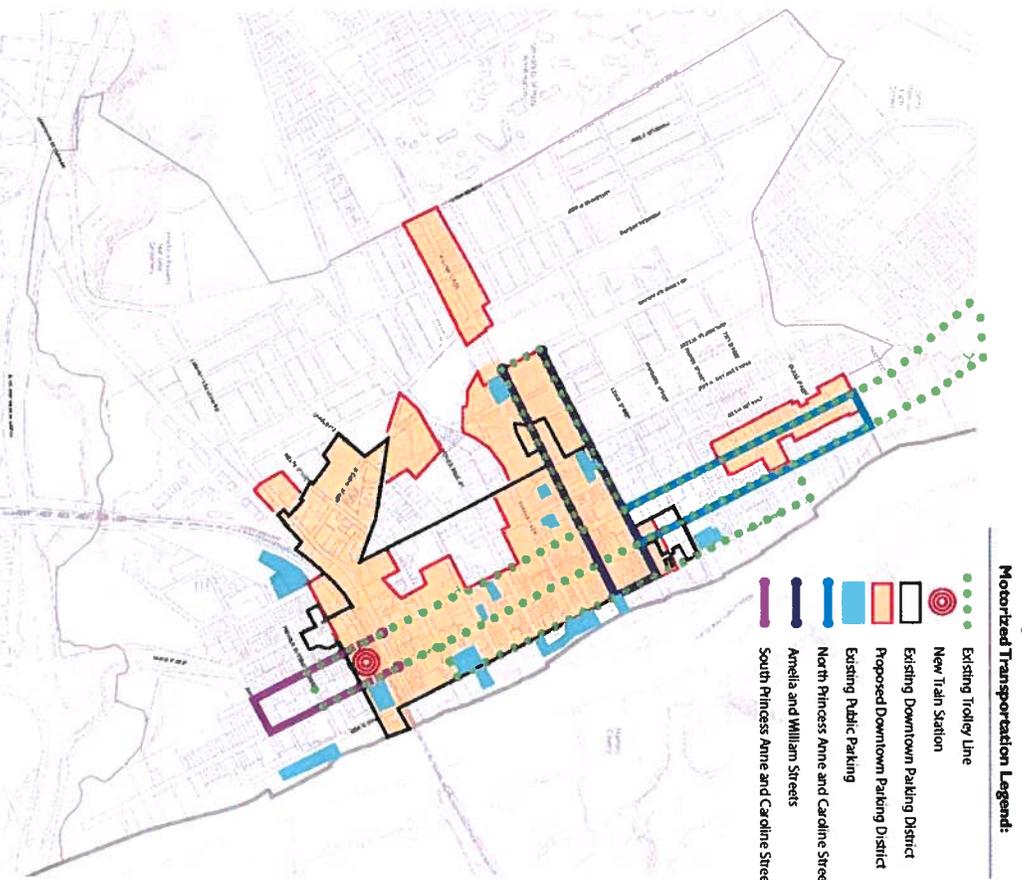
- Mayfield Connector
- Dixon Park Connector
- Bankside Trail

Funding sources include grants as well as general fund

- **Expand Bicycle Boulevards**

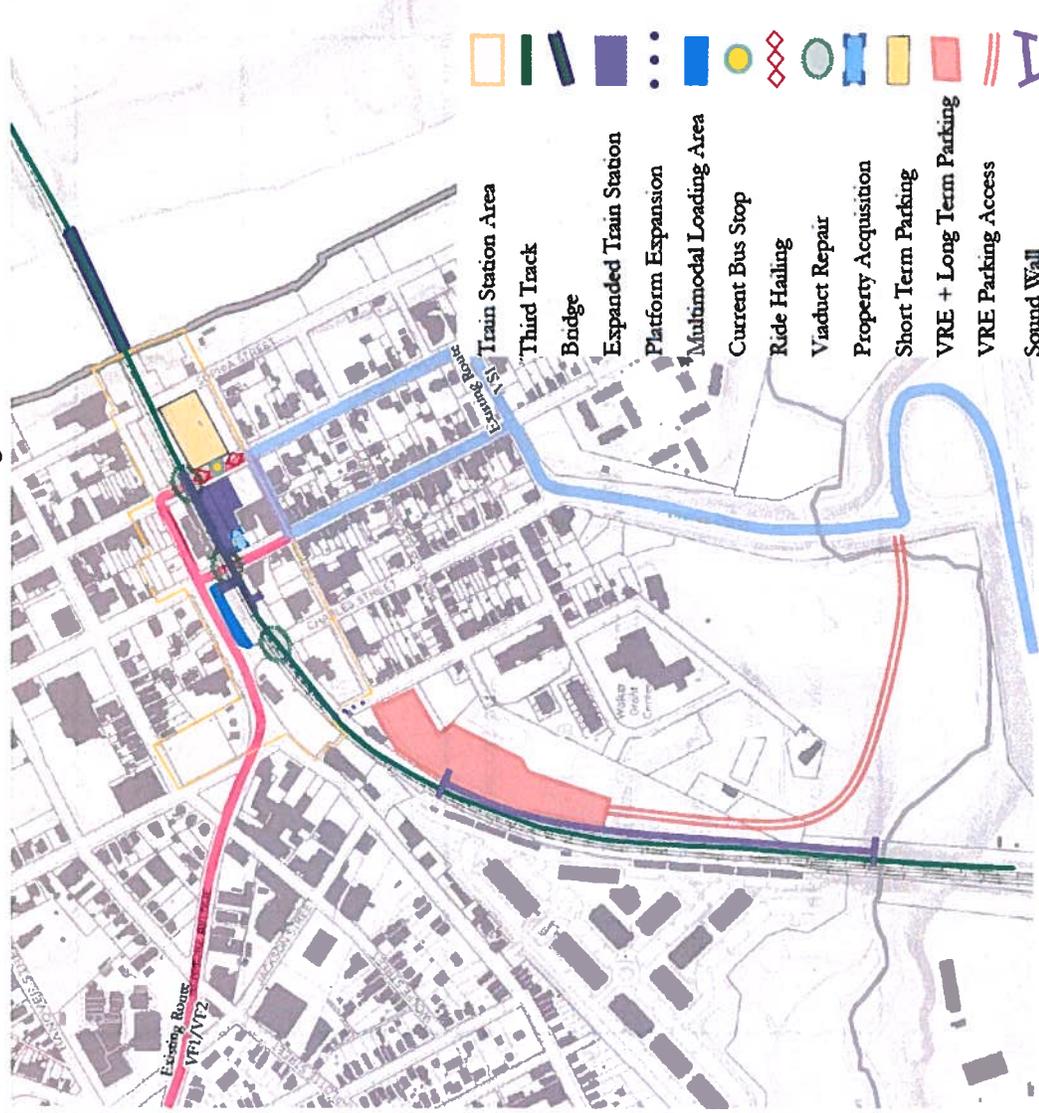
Pursue engineering study to plan appropriate improvements, develop a pavement markings plan, and provide a cost estimate to implement the proposed boulevards  
Funding from general fund

# Access and Mobility - Vehicle



- **One-Way Traffic Conversion:**  
Pursue engineering study to plan appropriate improvements, develop a pavement markings plan, and provide a cost estimate to implement traffic conversion  
Funding from the general fund
- **Trolley Line Service Expansion:**  
Regularize trolley service as a permanent circulator to connect Downtown visitors to parking facilities and attractions. Increase frequency of operations to weekends in the spring and fall, provide service during major events, and advertise availability to visitors.  
Funding from the general fund
- **Expand the Downtown Parking District:**  
Expand the Downtown Parking District to include emerging walkable urban places. Permit fee-in-lieu purchase of parking spaces for the second 50% of spaces required within the District, but increase the required rate for that second 50%. Expand the use of funds to transit as well as structured parking.

# Access and Mobility - Mass Transit



- **Train Station Expansion:**

- Maintain current location for circulation.
- Refurbish viaducts
- Construct sound walls for neighborhood protection
- Grade separated pedestrian access to parking areas
- Ensuring architectural compatibility
- Enhanced ADA access, lighting, and sound equipment.

- **Multi-Modal Station Access:**

- Multi-Modal station access point with pedestrian link
- Transit system improvement and coordination
- Ride hailing areas
- Bike storage and pedestrian/bicycle tunnel to link to VCR trail

- **Train Station Parking:**

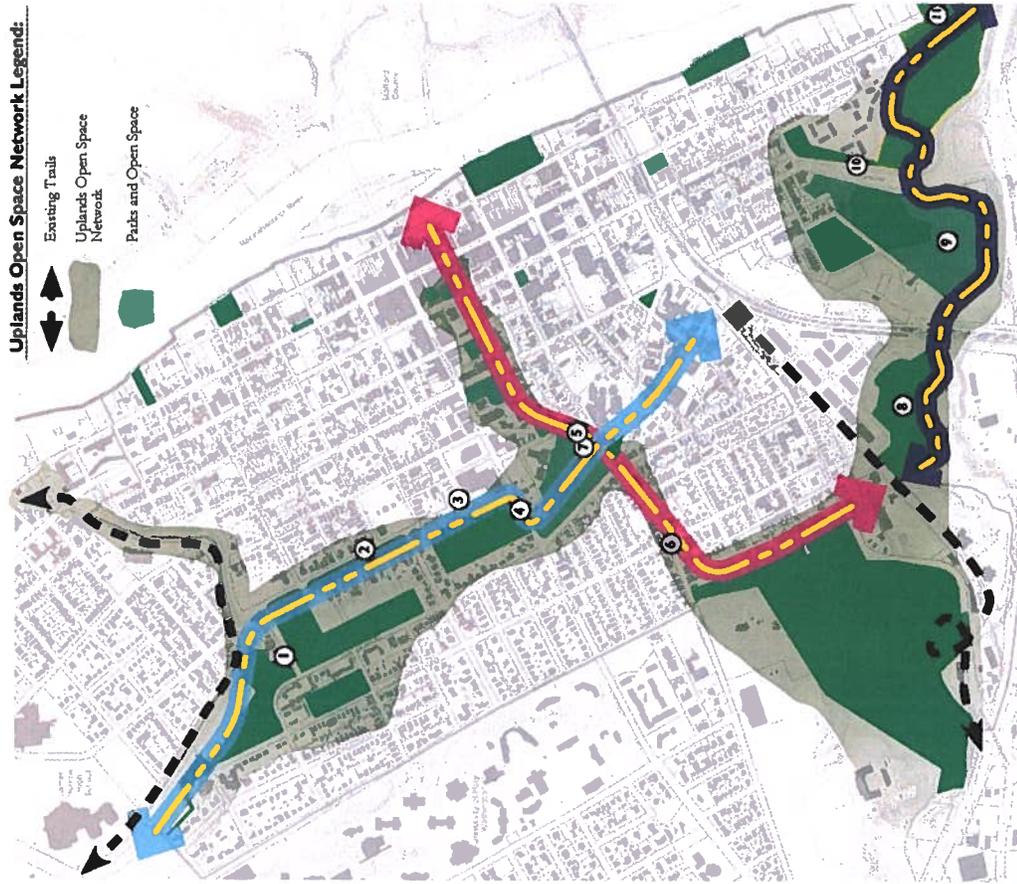
- Short-term structured parking
- Long-term structured parking
- Long-term parking access

# Walkable Urban Places



<p><b>General Policies</b></p> <ul style="list-style-type: none"> <li>Character Structures</li> </ul>
<p><b>Infill</b></p> <ul style="list-style-type: none"> <li>Infill Building</li> </ul>
<p><b>Access and Mobility</b></p> <p><b>Parking Calibration</b></p> <ul style="list-style-type: none"> <li>Third Spaces</li> <li>Alley Repair</li> <li>Improved Pedestrian Crossing</li> <li>Traffic Calming and Alignment</li> <li>Frontage Repair</li> <li>Vehicle Entrance / Exit</li> </ul>

# Open Space - Uplands



## Linking the Uplands Open Space Network

Washington Avenue, Memorial Park, Maury Park and third spaces through the Jackson + Wolfe Warehouse Maker District are create a green link from the Canal Path to the VCR Trail. This link should be enhanced by:

- 1 Evaluate opportunities for formalized gathering spaces, accommodations (like electrical services) for future events, upgraded seating, and more complex play / climbing structures in Memorial Park and the Cossey Botanical Park area.
- 2 Adding lighting along the Washington Avenue Mall will make it a safer lit corridor.
- 3 Implementing the Fredricksburg Cemetery Sidewalks, listed on page 134 of the Pathways Plan, to add brick sidewalks, enhanced tree planting, and wooden barriers along the cemetery wall between Lewis Street and William Street.
- 4 Improve the northern William Street sidewalk between Kemmore and Washington Avenue for pedestrian safety.



Expanding the George Street Walk: The George Street Walk connects the riverfront to Hurkamp Park and the Farmer's Market to the War Memorial and should be extended to the Fredricksburg Battlefield.

- 5 Excess paved areas within the right-of-way (i.e. the triangular intersections of George and Hanover and Hanover and Littlepage) should be converted to public plazas with hardscape and landscaping. The City owned triangle at the intersection of Hanover and Kenmore should also be utilized for public purposes.



- 6 Historically interpretation and public art should be strategically incorporated into the route. These aspects inform visitors along their journey, and provide residents with places for respite and meet-up locations along the walk.

- 7 The entrance to Maury Stadium along George Street should be upgraded and incorporated into the Walk.

Expanding the Uplands Open Space Network: A new Hazel Run Trail should connect the southern end of Caroline Street into the Virginia Central Railway Trail and into the Fredricksburg National Cemetery through Willis Street. Environmental constraints and water quality standards may require this trail to remain natural.

- 8 The Cobblestone Park should be upgraded to be more visible from the Virginia Central Railroad Trail. Upgrades to the park should make it a safer more open environment where feasible.

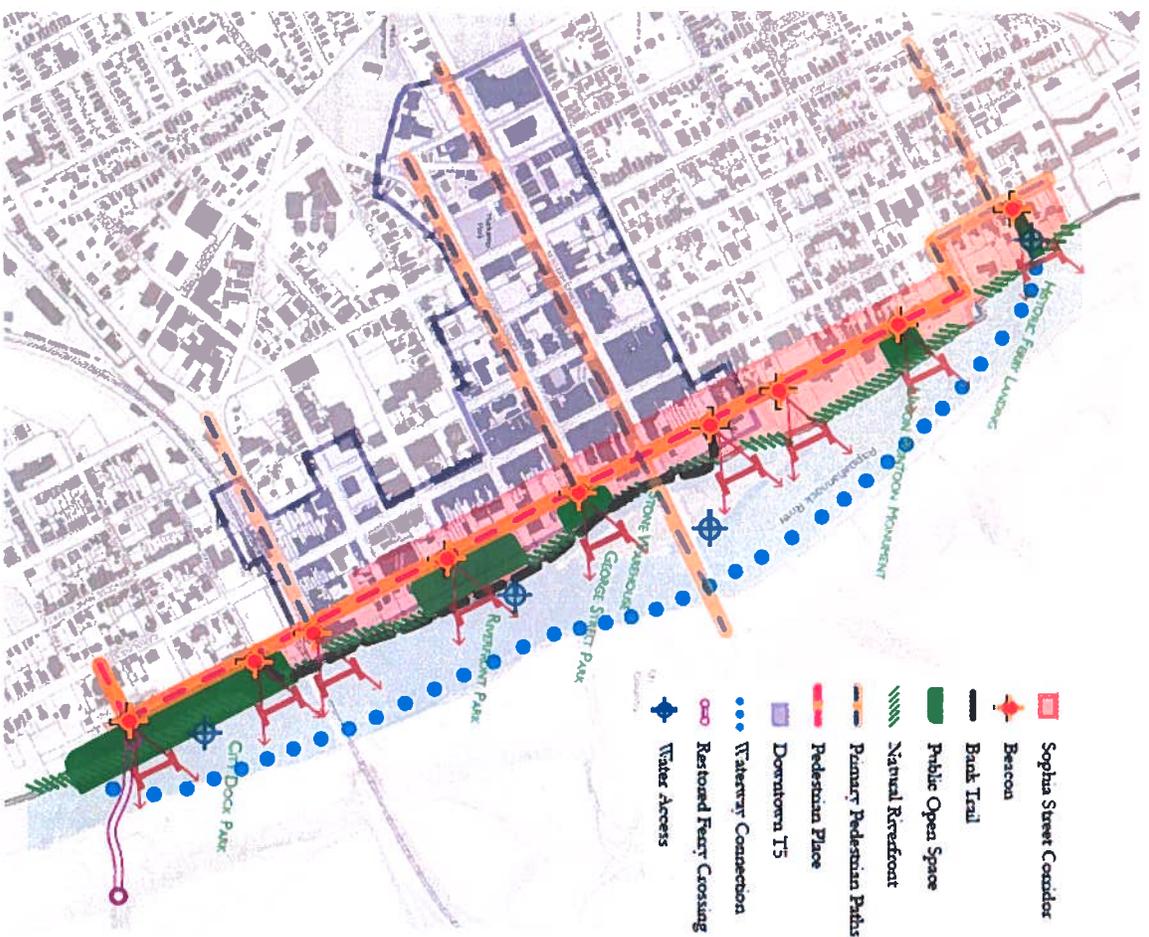
- 9 The open spaces adjacent to the Walker Grant Center should be upgraded for better utilization. Space exists for to expand existing recreational and community programs at the Center in addition to upgraded play areas, community gardens, event spaces, or formal amenities like a dog park.

- 10 The Downtown Greens community garden should be linked to the Walker Grant Center and Hazel Run Trail as a "gateway" to the Hazel Run Trail and Park (discussed below).

- 11 A Hazel Run Park should be established along the City owned acreage at the southern end of Caroline Street adjacent to the Rappahannock River. The park should emphasize its natural, waterfront setting and include naturalized play elements combined with passive-entertainment options.



# Open Space - Riverfront



**Susanna R. Finn**

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**From:** Michael J. Craig  
**Sent:** Tuesday, June 23, 2020 3:04 PM  
**Cc:** Cathryn A. Eckles; Charles R. Johnston; Susanna R. Finn  
**Subject:** FW: June 24 Public Hearing re: Princess Anne St

Planning Commissioners,

See attached comments for the Area 7 Small Area Plan for tomorrow night's public hearing.

Mike Craig

**From:** Mary Deadman [<mailto:mdeadman@verizon.net>]  
**Sent:** Tuesday, June 23, 2020 10:37 AM  
**To:** Planning  
**Subject:** [EXTERNAL] June 24 Public Hearing re: Princess Anne St

Planning Commission members,

My name is Mo Deadman. I live at 214 Princess Anne Street. I wish to make public comment regarding making a portion of Princess Anne St. two way but am not comfortable attending a public meeting at this time. This is the statement I would make at the Public Hearing.

I am opposed to the proposal to turn lower Princess Anne St. (from Lafayette Blvd to Dixon St) to two way. My concerns include: the additional traffic burden and safety issues that would arise were the change implemented.

**Additional traffic:** I envision no change in the amount of traffic coming from downtown toward Dixon Street. Additional traffic on Princess Anne would be the result of cars turning onto Princess Anne from Dixon or continuing up Princess Anne from the 100 block.

**Safety:** There is limited visibility and maneuvering room on the 400-200 blocks of Princess Anne Street. Parking is very tight with vehicles parking close to curb cuts and intersections. In addition, many vehicles are tall (SUVs, trucks and vans) reducing visibility to oncoming traffic. Cars pulling out of driveways often need both traffic lanes to clear the cars parked adjacent to their driveways. Cars trying to cross the street at Frederick and Princess Elizabeth often need to pull into the intersection to see oncoming traffic. Crossing the street on foot raises the same issues. Lack of visibility and need to drive/step into traffic lanes to see what is coming is dangerous. Having to look only one way makes it less likely to hit (or be hit by) oncoming traffic.

It is my understanding that traffic speed is at least part of the rationale for proposing this change. After observing traffic on 400-200 blocks of Charles Street (already two way), I doubt that changing Princess Anne will have the desired effect of slowing traffic. Instead, I would ask the City to consider installing "speed tables" as has been done on Hanson Avenue.

Lower Princess Anne Street is a primarily residential area. I believe the quality of life for the residents would be eroded if two-way traffic were to be approved.

Thank you.

Mo Deadman  
214 Princess Anne Street

June 23, 2020

Chairman Rene Rodriguez and members of the Planning Commission:

My name is Debra Joseph and I live at 221 Princess Anne St. I am writing to oppose the proposed plan to turn Princess Anne St into a two-way street. I have lived at my address for 28 years. We have always had a speeding problem but I don't believe this proposal is the solution. I believe we are trading one problem for another.

My block comes with few driveways and even fewer owners who use them on a consistent basis. Our street has a total of 44 cars. That doesn't include those who live on each end and park around corners, others who already park in the 100 block, or those at the 207 Princess Anne complex who have their own spaces. Add to that a number of service vehicles (lawn service, construction, etc.) who can't find space and need to put blinkers on and "park" for up to 4 hours while they complete work, it becomes close to impossible to find parking.

The cars are parked end to end leaving no space for those making turns or trying to go across via a side street. Because of the parking it is already dangerous to try to "see" over the cars when pulling on to Princess Anne from side streets like Princess Elizabeth or Frederick St. Having to try to "see" traffic coming both ways will result in more accidents.

It is already too hard to back out of driveways with cars going one way, nearly impossible with two way. Owners must come out over the center line to straighten the car. Those people who currently do use their driveway will resort to parking on the street.

Ambulances, fire trucks and police use our street often. Currently you can slow down to let these vehicles go around you but with two way there is nowhere to pull over. I don't think it is in anyone's best interest that these vehicles be delayed.

It doesn't make sense that in order to solve a speeding problem that we make it more dangerous to drive on our streets. I believe the speeding problem can be solved. The solar speed detector on William Street works great. I know they cost but so do these changes, not to mention an increase in accidents caused by the changes. It would also be nice to see police out writing tickets, something I have never seen in my 28 years.

Thank you for considering my concerns,

Debra Joseph

June 23, 2020

## Written Comment

Subject: Suggestion for Princess Anne and Caroline St Traffic Improvement

1. Purpose. As the community planning team investigates alternatives for traffic flow for sections of Princess Anne and Caroline Streets, I'd like to suggest you consider removing access to/from Dixon Street for Princess Anne and Caroline Streets as an alternative to reduce traffic and increase safety.

2. Major Points.

a. The stated intentions of the ongoing traffic study include increasing safety in the neighborhood, improving traffic flow for the city, and removing one-way roads as they are not consistent with other neighborhoods in the city.

b. Most of the offending traffic I've seen (unsafe speed and heavy volume) travel south on Princess Anne and take a right onto Dixon St. I also hear several cars race across Dixon and back on to Caroline St. It's never those that live in this area that cause these issues.

c. Closing that part of the road (at least, not allowing right hand turns onto Dixon) would reduce the amount of traffic in the subject area (south of the train station). It would also channel traffic along roads that are already two way and provide current entrance and egress to the city.

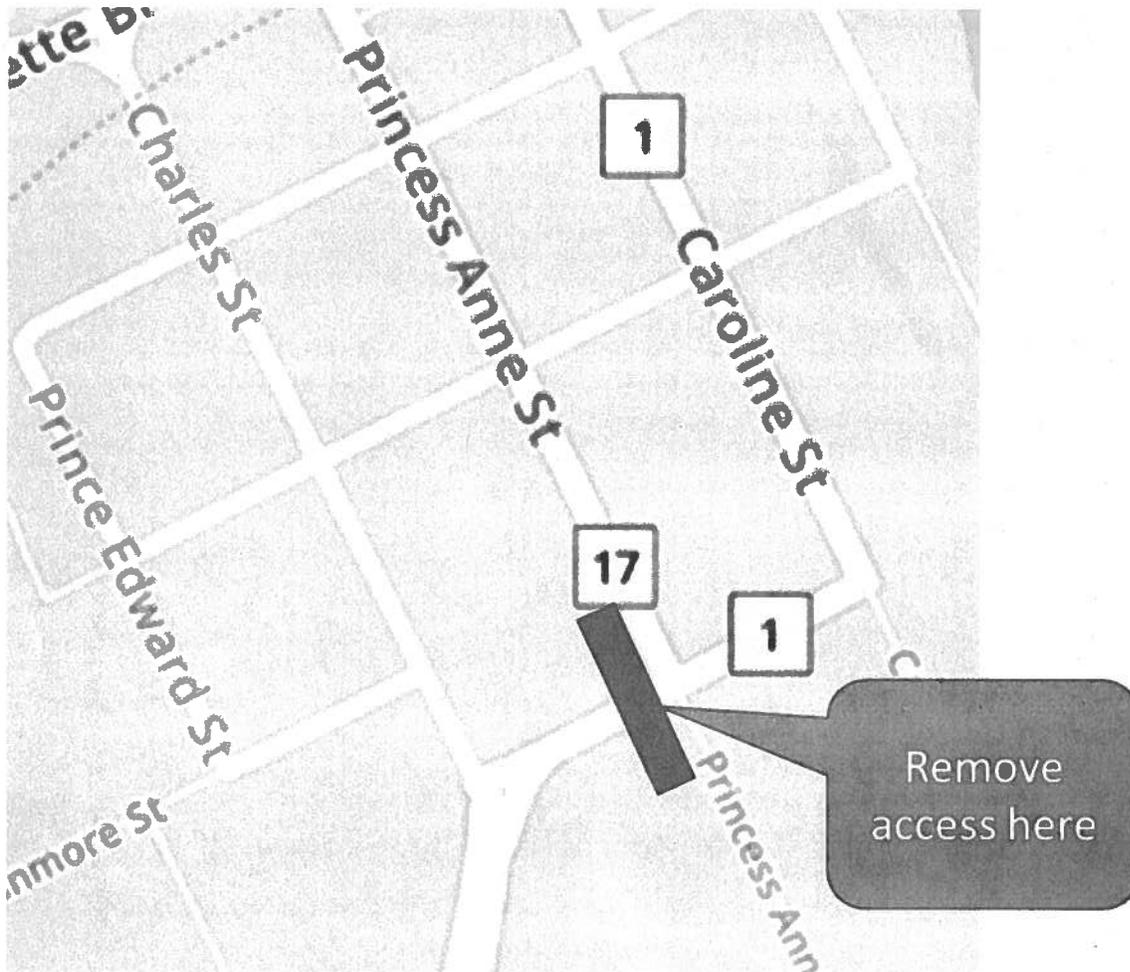
d. Required local traffic (residents, delivery trucks, waste management, emergency vehicles, etc.) will be greatly impacted if Princess Anne and Caroline Streets are made two-way roads, without a severe reduction of "through traffic".

3. Discussion.

a. I propose the current study, include this option.

b. By removing access to Dixon St, Princess Anne and Caroline can safely be turned into two-way traffic if desired.

c. The following example is provided, to help understand this request.



4. Recommendation. Remove access to/from Dixon St for Princess Anne and Caroline Streets and continue bi-directional traffic on Charles St to better accommodate through traffic.

Joseph Caliri  
217 Princess Anne St  
Fredericksburg, VA 22401  
[Joepatr8@gmail.com](mailto:Joepatr8@gmail.com)  
540-498-6828

COMMENTS ON THE SMALL AREA 7 DRAFT PLAN (06-24-20)  
City of Fredericksburg Planning Commission  
Public Hearing on June 24, 2020

Submitted by:

Maureen and Frank Widic, 119 Caroline Street, 22401

Paula Chow and Ed Sandtner, 132 Caroline Street, 22401

Rebecca Hanmer, 138 Caroline Street. 22401

Anne and Carl Little, 726 William Street, 22401

- Tree Fredericksburg

Neighbors in the Darbytown community and supporters throughout the City filed a petition with the City in October 2018, urging permanent protection of the green space at the Train Station as a City park. We call this beautiful space "Trestle Park," and we have made our case to you and to the City Council at several public hearings.

Trestle Park: We, members of the Trestle Park Committee, are very happy to see that the current Draft Plan for Small Area 7 includes, on page 11(7)14, a provision to "Formalize the City owned parcel adjacent to the Janney-Marshall Building...as a City owned open space." We thank the Planning Commission, and understand that this means that the proper steps will be taken right away for designating the open space as a park. We would be even more reassured if the words "to become a park" were added to the above sentence in the Comprehensive Plan.

We understand that this open space protection applies only to the portion of the green space south of the concrete wall. The north section of the green space also has healthy, maturing trees that are an asset and will only become more valuable as train passengers increase and urban temperatures rise. We urge that the north section of the green space not be sacrificed unless this is truly unavoidable for Train Station expansion or access in the far-term. We ask the Commission please to consider adding the following sentence after the Trestle Park sentence on page 11(7)14: "Regarding the section of green space north of the concrete wall, adjacent to the access lanes and parking, flexibility may be needed for a future new and expanded Train Station and access lanes. However, the green space and its healthy tree canopy are an asset that should be maintained for now, and as much as possible in future Train Station expansion."

*Train Depot:* We noted and welcome the emphasis given to protection and reuse of historic structures generally in the Area 7 draft plan, and the provision that a new and expanded Train Station must be compatible with Fredericksburg's historic downtown setting. We urge serious consideration be given to incorporating the functions of the new train station and welcome center in Fredericksburg's historic Train Depot. In addition to being a perfect facility for a train station, the Depot is located on the downtown side of the train tracks, offering the best opportunity to link the future Train Station to downtown functions. That is, it is a short walk to downtown, could be used as the City's Visitor Center, is handicapped-accessible, and could accommodate facilities and food service for walk-ins as well as train users. The Train Depot has great character, and shouts "Welcome to Fredericksburg"!

*Caroline-Sophia Street Parking Deck:* We note that the draft Plan urges that priority be given to constructing a parking deck between Caroline and

*Sophia Streets at Frederick Street. This priority recognizes the increasing need for local resident parking, as new residences are built, for anticipated office development in the Train Station area, and for VRE commuters. It is our understanding that the City intends to seek VRE financing for this facility. However, we have heard that if the City receives federal or state financing for the parking deck, it could not reserve the lot for City resident parking use. The parking needs of residents (or nearby office workers) would not be met if they must vacate the lot for commuters' use during weekdays.*

*It is urgent to start working with VRE, and to clarify whether the multiple use of the parking deck stated on page 11(7)14 can be accomplished, or whether expanding VRE parking at another location is more feasible.*

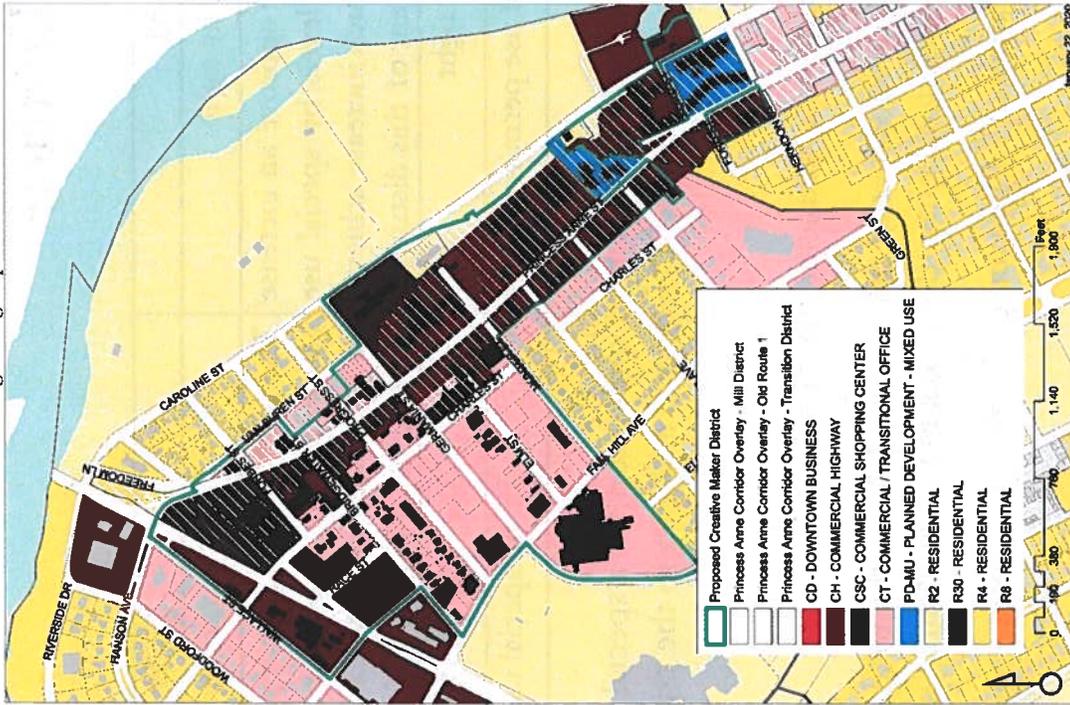


# PROPOSED CREATIVE MAKER DISTRICT UNIFIED DEVELOPMENT ORDINANCE AMENDMENTS

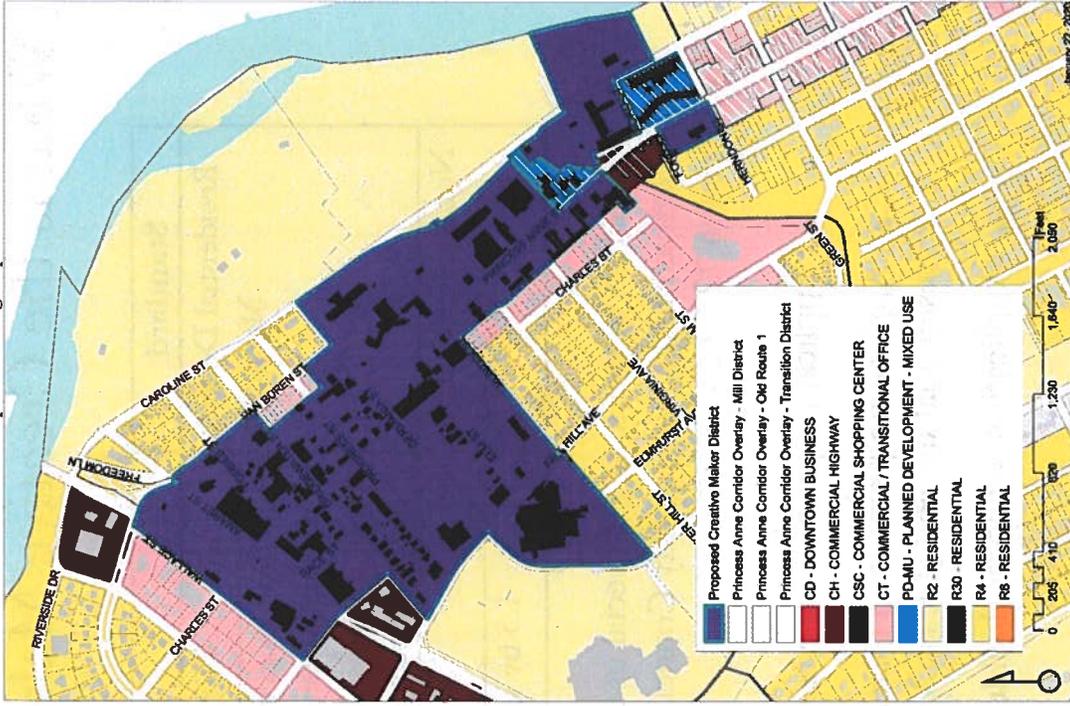
1. Re-cap on the proposed Creative Maker District
2. The five main discussion points from the March 11 public hearing:
  - a) Smart Growth and Residential Density;
  - b) Citizen Voice in the Development Process;
  - c) Form Based Code and Use / Transitional Zones;
  - d) Open Space;
  - e) Encouraging Adaptive Reuse
3. Next Steps / Recommendation

# 1. What is the Creative Maker District?

Existing Zoning Map



Proposed Zoning Map



# 1. What is the Creative Maker District?

Standard	T4-M	T5-M
Residential Density, Maximum	8 du/acr. by right The City Council may approve an increase in residential density levels by special use permit upon finding such increase achieves the purpose and intent of this district.	12 du/acr. by right The City Council may approve an increase in residential density levels by special use permit upon finding such increase achieves the purpose and intent of this district.
Nonresidential FAR, Maximum	0.7 by right 1.5 by special use permit	0.7 by right 3.0 by special use permit

Special considerations for special use permits. In reviewing an application for a special use permit in the Creative Maker District, City Council may consider the following, in addition to the criteria set out in section 72-22.6:

- Application proposes the restoration of a character structure;
- Application proposes a mixed use development, with at least 20% of the total gross floor area in residential use and at least 20% of the total gross floor area in nonresidential use.
- Application proposes double the amount of general or formal open space required.

# 1. What is the Creative Maker District?

*The Creative Maker District permits a mix of residential and commercial uses, including low impact maker uses traditionally classified as light manufacturing or contractor's office in order to create an environment where people can live, work, and create all within a pedestrian-scaled environment that transitions appropriately to surrounding residential neighborhoods.*

Residential Use	
Dwelling, Duplex	P
Dwelling, Live/Work	P
Dwelling, Multifamily	P
Dwelling, Single-Family Attached	P
Dwelling, Single-Family Detached	P
Dwelling, Upper Story (over nonresidential)	P

Industrial Uses	
Contractor Office	P
General Industrial Service/Repair	P
Research and Development	P
Manufacturing, Light	P
Warehouse	P
Wholesale Sales	P

Institutional Uses	
Community Services	
Day Care	
Educational Facilities	
Governmental Facilities	
Healthcare Facilities	
Institutions	
Parks and Open Spaces	
Transportation	
Utilities	

Commercial Uses	
Alcoholic Beverage Production	
Animal Care	
Eating Establishments	
Offices	
Parking	
Recreation, Indoor	
Retail Sales and Services	
Visitor Accommodations	

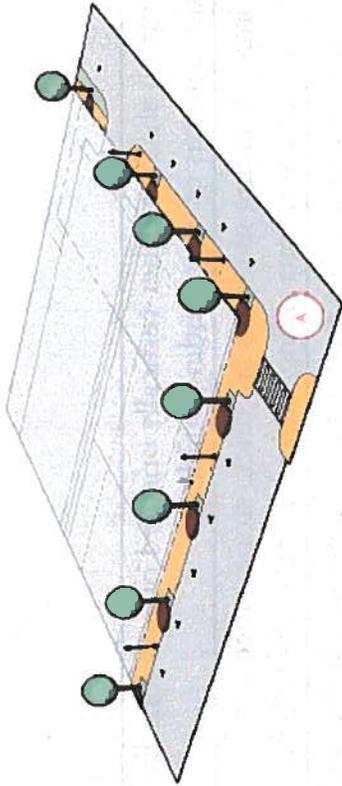
# 1. What is the Creative Maker District?

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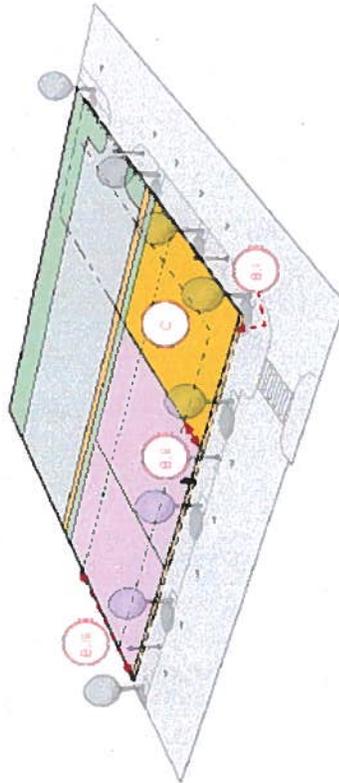
Table 72-42.5: Table of Common Accessory Uses		Zoning District
Accessory Use	P = Allowed by right S = Special use permit required blank cell = prohibited	
Amateur Radio Antennas		Creative Maker T-4M Transect P
Cemetery		Creative Maker T-5M Transect P
<b>Drive-Through</b>		S P
Home Occupation		P P
Homestay		P P
Outdoor display and sales		P P
<b>Outdoor storage (as an accessory use)</b>		S P
Parking of heavy trucks, trailers, major recreational equipment, etc.		P
Satellite dishes		P P
Solar energy equipment		P P
Temporary family health care structure		P P

# 1. What is the Creative Maker District?

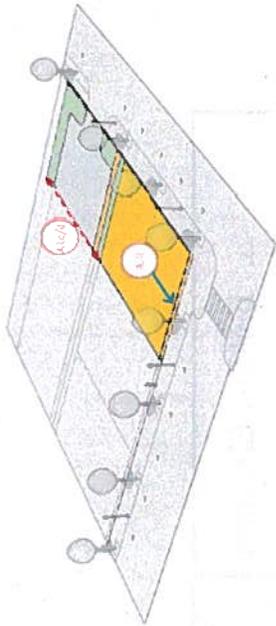
Frontage D Public Component



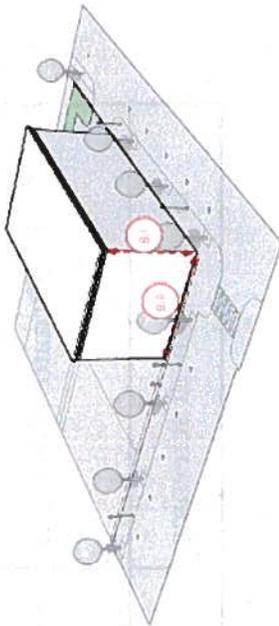
Frontage D Private Component and Building Type Permitted:



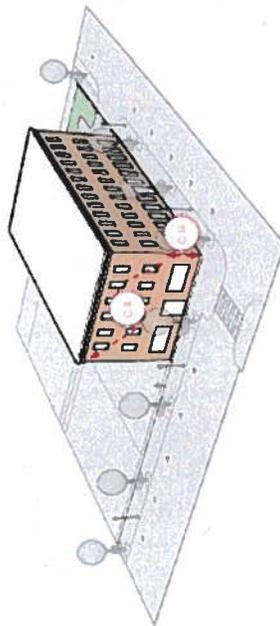
Building Type 3 Building Placement and Orientation:



Building Type 3 Mass and Scale:



Building Type 3 Facade Activation:



# 1. What is the Creative Maker District?

i. Building Elevation:	The building elevation shall be either vertically oriented or horizontally oriented based on the patterns of surrounding buildings.
ii. Permitted Materials:	a. Permitted primary building materials are brick, stone, stucco, wood / wood composite / cementitious siding, and non-corrugated metal.
	b. Accent and trim materials may be any of the primary building materials or vinyl.
iii. Equipment screening:	Utility and service functions shall be designed so that they are screened from adjacent streets.

# 1. What is the Creative Maker District?



1. What is the Creative Maker District?

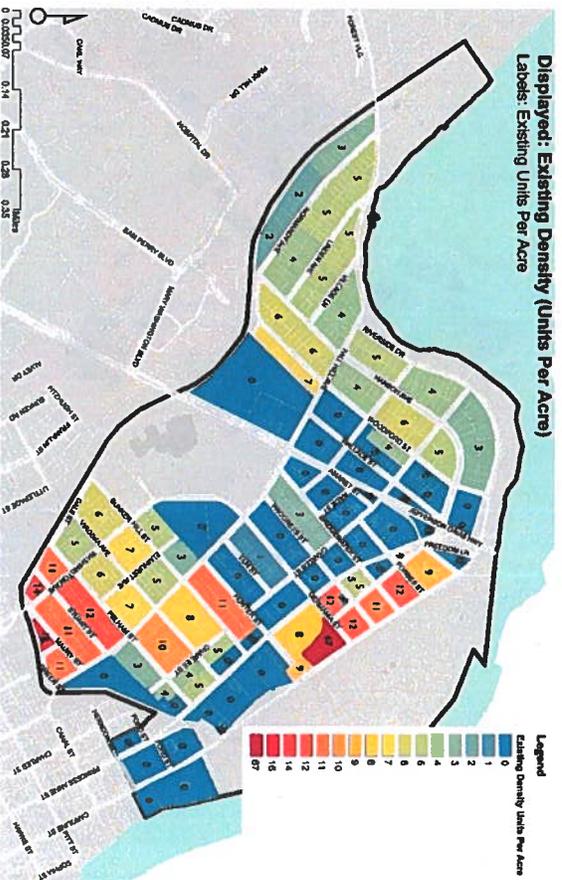


## 2. The five main discussion points from the March 11 public hearing

T-4M and T-5M Transect Map Small Area 6

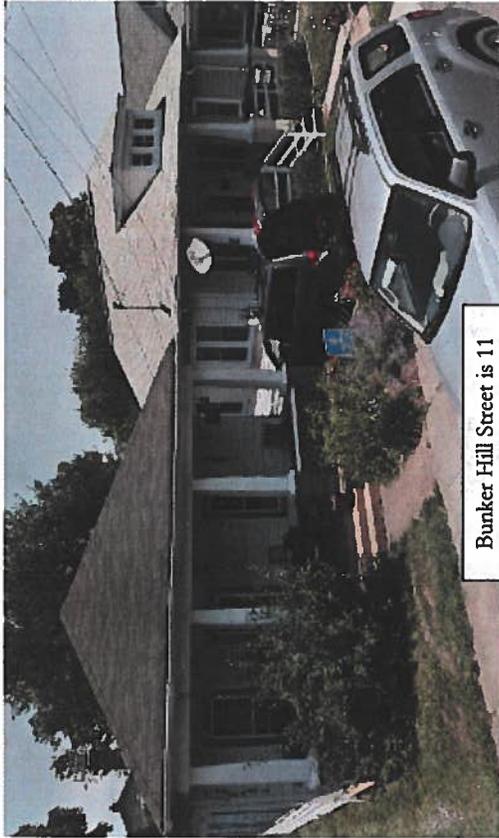


## 2.2 Smart Growth and Residential Density.

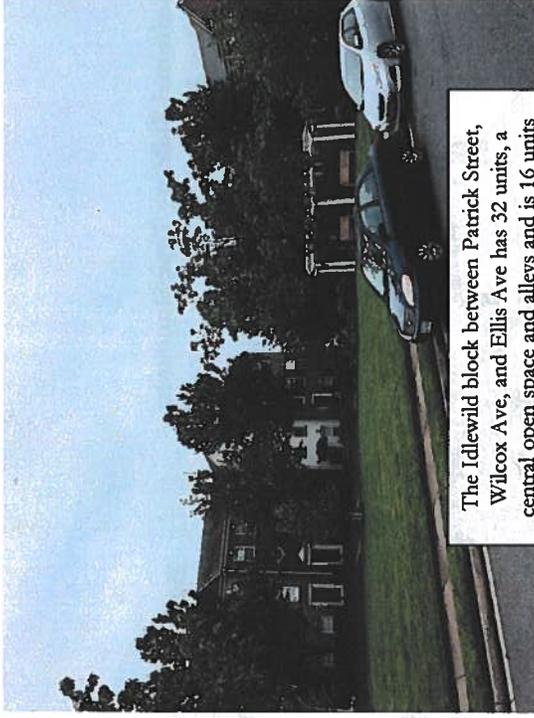


By-right General Residential Density Permitted	
Commercial Highway	12 units per acre
Commercial Transitional - Mixed Use	12 units per acre
Planned Development – Mixed Use	30 units per acre
Residential 30	30 units per acre
<b>Creative Maker District - T-4M*</b>	<b>8 units per acre</b>
<b>Creative Maker District - T-5M*</b>	<b>12 units per acre</b>

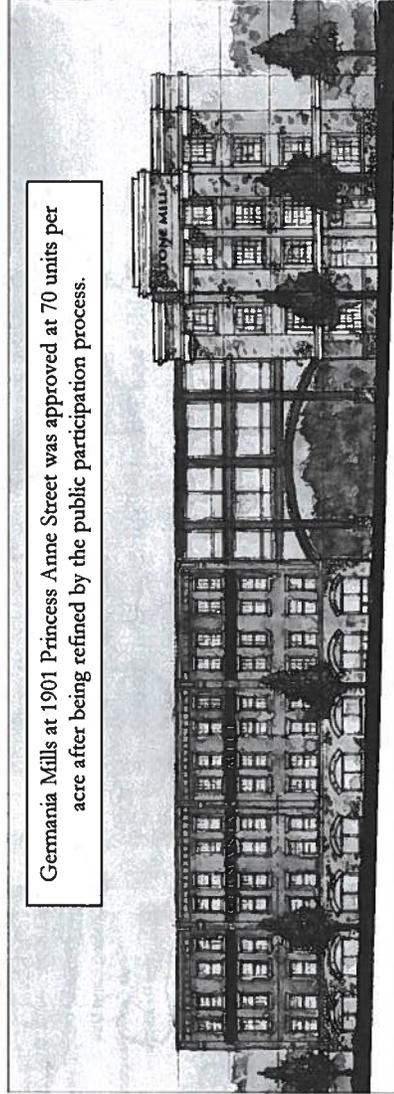
## 2.b Citizen Voice in the Development Process.



Bunker Hill Street is 11 units per acre.



The Idlewild block between Patrick Street, Wilcox Ave, and Ellis Ave has 32 units, a central open space and alleys and is 16 units per acre.



Germania Mills at 1901 Princess Anne Street was approved at 70 units per acre after being refined by the public participation process.

## 2.c Form Based Code and Transitional Zones.

### Transitional Building Type Standards:

- Max Building Width
- Reduced Building Height
- Max Building Floorplate

### Enhanced Setback:

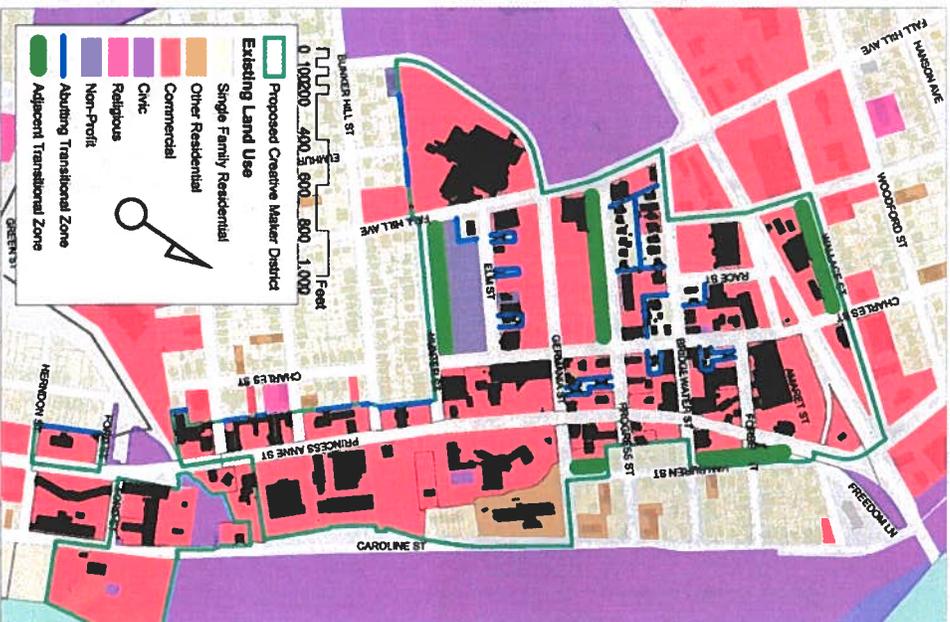
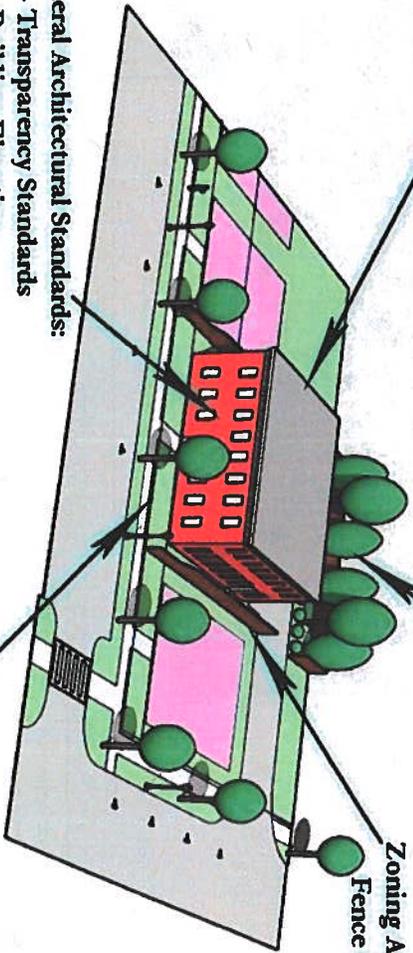
- Type D Buffer
- Public or Private Alley

Zoning Administrator  
Fence Provision

### General Architectural Standards:

- Transparency Standards
- Building Elevation
- Permitted Materials
- Equipment Screening

Public and Private Frontage Controls



## 2.d Open Space.

MAP 24 AREA 6 NODES, CORRIDORS, AND THIRD SPACES



General Open Space Required	
Commercial Highway - Residential	25%
Commercial Highway - Non-Residential	15%
Commercial Transitional - Residential	25%
Commercial Transitional - Non-Residential	20%
Commercial Downtown	0%
<b>Creative Maker District</b>	<b>25%</b>

B. In the T-4M or T-5M Transect, Formal Open Space may be provided in place of general open space at a reduced requirement.

i. General Open Space: 25% of the site shall be general open space meeting the standards of § 72-51.5
a. The general open space requirement may be met by providing 12.5% of the lot as Formal Open Space.
ii. Formal Open Space Option: Formal Open Space shall meet the following standards:
a. Type The Formal Open Space shall be a Plaza, Playground, Square, or Courtyard as defined in § 72-84.
b. Min. Adjacency 25% of the perimeter of formal open space shall adjoin a Frontage.
c. Min. width / length The minimum length and width is 15 feet.
d. Max. width / length ratio The maximum width to length ratio is 1.2.
e. Min landscaping In the T-5M and T-4M Transect, the Formal Open Space shall be landscaped to the maximum extent possible given its proposed function.

## 2.e Adaptive Reuse.



### 3. Next Steps / Recommendation

In accordance with the established e-meeting policies, the Planning Commission should hold the public hearing open until **the July 8<sup>th</sup> meeting**. At that meeting, the Planning Commission should:

- **Recommend approval** to the City Council of the Unified Development Ordinance that creates the Creative Maker District and consolidates form-based regulations in a new Appendix 72-A.
- **Recommend approval** to the City Council of the rezoning of approximately 78 acres of land located in Planning Area 6, designated as transect T-4M or T-5M, to the Creative Maker District (CM) as recommended in the Small Area Plan for Area 6; and adopting transect maps and frontage maps for the district.

**From:** [Simon Watts](#)  
**To:** [Planning; Michael J. Craig](#)  
**Subject:** [EXTERNAL] Creative Maker District, UDOTA And Rezoning Public Comment  
**Date:** Wednesday, June 24, 2020 11:32:53 AM

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The following is a public comment for the June 24th Planning Commission meeting.

Simon Watts  
824 Caroline St, APT B  
Fredericksburg VA, 22401  
Creative Maker District, UDOTA And Rezoning

I'd like to voice my support for the Creative Maker District, UDOTA And Rezoning plan. I believe the plan does an excellent job laying the foundation for a balance of green space, and mixed density residential. Allowing existing buildings to be used for light manufacturing would attract businesses and entrepreneurs that are currently not represented Downtown.

Already, the Canal Quarter is beginning to take shape, with Canal Quarter Arts, The ComeUp VA, and the Library's IdeaSpace moving into the Quarter. IdeaSpace is a maker/digital media lab, which I proposed at the monthly Maker District meetings, and was later approved by the EDA. I've lived my entire life here, and it's been a joy to finally see these buildings revitalized in new and vibrant ways. Approving the Creative Maker District, UDOTA would only spur this growth. As a young person who has built a life in Fredericksburg, I would like to see Fredericksburg offer affordable lofts or condos, similar to those in Richmond, in the future. The Canal Quarter seems like the perfect place for such a development.

More importantly, the Canal Quarter Maker District represents a bold cultural step forward for Fredericksburg. For 300 years, our identity has centered around the Caroline/William Street Downtown core of our city. The Canal Quarter Maker District shows that Fredericksburg can grow in exciting new directions, and isn't just stuck in the past.

Thank you for your time.

--

Simon Watts  
Youth Services, MakerLab Specialist  
Fredericksburg Branch  
1201 Caroline Street, Fredericksburg VA 22401

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*Serving Fredericksburg, Stafford, Spotsylvania, and Westmoreland*

sabina weitzman  
architect

June 23, 2020

**Comments for Planning Commission, Item 2 (Creative Maker District) of June 24, 2020 Meeting**

Chairman Rodriguez and Members of the Planning Commission:

I appreciate the opportunity to share my thoughts about the Creative Maker District proposed for area 6, all of which are positive: I encourage you to adopt the changes to the UDO and establish the district as proposed.

I served on a committee City Staff convened to get input from local architects, developers and other stakeholders on the Maker District guidelines. I was relatively new to form-based codes, but as I learned I came away impressed with the approach, which is an artful combination of more and less: more calibrated rules regarding density and the relationship of new to existing structures, but a baked-in flexibility via incentives to resolve multiple and possibly competing goals.

The proposed rules and incentives should:

- 1) encourage re-use over demolition, particularly structures we'd like to keep around – without the use of a design review board;
- 2) clarify the relationship between people and cars, taking advantage of the fact that this part of the City, unlike the more historic downtown, developed with the automobile in mind and is uniquely suited to accommodating the small business “makers” we’re hoping to attract;
- 3) keep the scale of new construction in check; and,
- 4) give designers / developers flexibility to make the case for their project.

These meetings were also an opportunity to watch planning staff members discussing ideas and attempting to integrate each person’s area of expertise (land use, historic preservation, parking, etc.). I’ve said this before but we have managed to assemble an impressive staff, and it is my strong impression that we are in good hands.

The Creative Maker District promises to be a tool to help us stimulate economic development without losing a rich built environment, even in an area some may consider to be underdeveloped or even blighted. I hope you agree with City Staff that this is a tool we want to add to our tool-chest.

Thank you,



Sabina Weitzman

**ACKNOWLEDGEMENT AND AGREEMENT TO COMPLY WITH THE CONDITIONS OF AN  
ACCESSORY DWELLING CONDITIONS**

1. Together the occupancy of the principal dwelling unit and the accessory dwelling unit shall not exceed the definition of family.

2. The property owner must occupy either the main dwelling or the accessory dwelling as her primary residence; provided, however, if the property owner does not occupy one of the dwelling units as his/her primary residence, the entire property may be occupied by no more than one family.

3. The property owner shall file an affidavit of compliance with the zoning department attesting to compliance with the conditions of this section, and shall re-file the affidavit of compliance whenever the following occurs:

(a) When any structural alterations are made to the accessory dwelling; and

(b) Upon change in ownership of the principal dwelling.

4. The property owner shall permit annual inspections of the accessory dwelling by the zoning department upon reasonable notice to ensure compliance with the conditions of this section.

5. The property owner shall cooperate with the zoning department in ensuring compliance with conditions of this section and in the investigation of complaints of violations of this section.

6. The property owner shall advise all tenants of the accessory dwelling of the annual inspection requirement and obligation to cooperate with the zoning department in ensuring compliance with the conditions of this section.

7. Accessory uses shall not be allowed in the accessory dwelling except home occupations.

8. Failure to comply with these conditions will result in revocation of the use as an Accessory Dwelling by the zoning department. Revocation of use as an Accessory Dwelling shall be effective after:

(a) A finding by the zoning department of violation;

(b) Notice with 45-day opportunity to correct the violation; and

(c) A finding by the zoning department after 60 days that the violation has not been corrected.

(d) If more than three violations of the provisions are found to exist by the City of Fredericksburg within a one-year period, the use of the Accessory Dwelling as rental unit may be revoked.

**CERTIFICATION**

By signing below, I acknowledge that I am entering into an agreement with the City of Fredericksburg certifying that I will comply with the definition of Family, per §72-84. I certify that I am the bona fide resident of the premises identified above; I have read and understand the above conditions; and I can and will comply with each condition without exception. I consent to the use of e-mail for communication with the Zoning Administrator and/or their designee concerning the Accessory Dwelling Unit at my residence. I further certify all the information is complete and correct to the best of my knowledge and belief.

Terry Coley / Terry Coley

Applicant Name/Signature

06/24/2020

Date

**From:** [Angie Jones](#)  
**To:** [Planning](#)  
**Subject:** [EXTERNAL] 1306 Graham Drive, Fredericksburg, Va 22401, VOI  
**Date:** Monday, June 22, 2020 10:05:36 PM

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i vote NO to the planning committee allowing this Village of Idlewild member to commute their basement into separate dwelling for rent. We already suffer from those whose chosen to rent to Section8 members who for the most part know nothing about rules and regulations of an HOA. Violations from parking,, littering, loud and obscene behaviors and now this request will be the gateway to more rentals. I purchase my home here because it was a community with a look, appearance and feeling of safe. Now I'm afraid to walk between kids walking large dogs they can't control and low income either renters or the guests that end up being permanent fixture in the neighborhood. The basement approval could lead to more rentals and then we might as well be apartments/condos.

R/s

Angela Jones  
Home Owner in VOI

[Sent from Yahoo Mail on Android](#)

**From:** [Dan Guy Fowlkes](#)  
**To:** [Planning](#)  
**Subject:** [EXTERNAL] Terry Coley SE2020-02 / special exception for accessory dwelling unit at 1306 Graham Drive/GPIN 7768-97-1948  
**Date:** Monday, June 22, 2020 10:40:17 PM

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Planning Committee,

I am writing in support of Ms. Coley's special exception request. I don't understand why some of my neighbors have objected to this and thank them for bringing it to my attention.

Whereas Ms. Coley is going through the proper channels (whereas some others are renting out their basements under the table), and

Whereas this is a special use exemption that is not automatically applied to other similar situations, and

Whereas it limits the exception to the defining an accessory dwelling unit within the existing, primary dwelling AND maintains the limitation of the occupancy of the combined units to remain single family dwelling, and

Whereas the requested change would not increase the fire risk,

I see no reason to oppose it.

That stated objection that allowing this request would increase the resale value of the home is laughable. Increasing the resale value of home in the neighborhood benefits all parties.

Thank you.

Dan Fowlkes, Idlewild resident  
1003 Hoke Ln, Fredericksburg, VA 22401

**From:** [Anne Timpano](#)  
**To:** [Planning](#)  
**Subject:** [EXTERNAL] RE: Terry Coley SE2020-02  
**Date:** Monday, June 22, 2020 10:58:26 PM

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I understand you are taking comments regarding this topic:

Terry Coley SE2020-02 requests a special exception to have an accessory dwelling unit at 1306 Graham Drive/GPIN 7768-97-1948. This property is located approximately 220 feet south-east of the intersection of Graham Road and Patrick Street, within the Idlewild neighborhood. The property is zoned Planned Development – Residential (PDR).

I am a homeowner in Idlewild. I live at 1118 Innis Drive.

I support the approval of this application. It seems like a reasonable request to me and I think that people opposing it are over-reacting and dreaming up wild assumptions, as if everyone in Idlewild will want to do the same thing and cause a run on stoves at Home Depot or something. I just don't see that or anything close to it happening. This applicant wants to have a nice home for her mother. Why anyone would want to stand in her way is beyond me. Adding a stove doesn't change the number of people who could live in the home. So fears of overcrowding in Idlewild being caused by adding a stove in a basement are just ridiculous. Please let this lady have her stove.

Thank you,

Margaret Anne Timpano

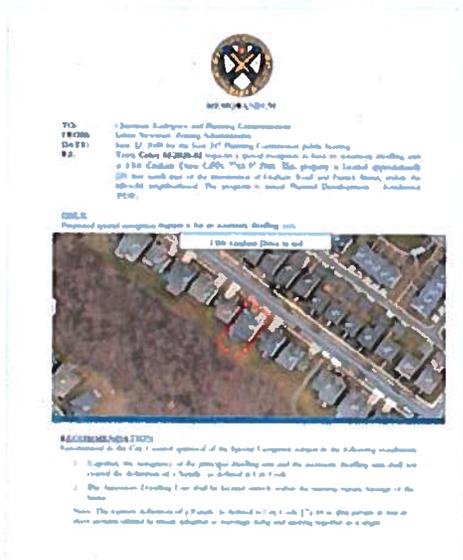
**From:** Elizabeth LeDoux  
**To:** Planning  
**Subject:** [EXTERNAL] 1306 Graham Dr  
**Date:** Monday, June 22, 2020 11:00:58 PM

I'm writing in support of the petition to create an apartment with a stove in the basement of 1306 Graham Dr.

I am a neighbor who lives around the corner from this property.

Please see the attached screen shot for reference.

X + [www.fredericksburgva...](http://www.fredericksburgva...) ...



-Elizabeth LeDoux  
1202 Wright Ct  
Fredericksburg VA 22401

**From:** [Jeff Ely](#)  
**To:** [Planning](#)  
**Subject:** [EXTERNAL] Request on 1306 Graham Drive.  
**Date:** Tuesday, June 23, 2020 12:44:46 PM

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Regarding the memorandum found here:

<https://www.fredericksburgva.gov/AgendaCenter/ViewFile/Item/11563?fileID=9455>

I live in Idlewild too.

I do NOT agree with preventing anyone from improving their property, in any way. The fitness of the basement for independent rental, and the \*legality\* of it, are two entirely different things. I'd vote the stove should be allowed.

I DO agree that splitting single family units into multi-family rentals is a substantial change to the character of the neighborhood, and should be subject to review, and disallowed if that's the prevailing consensus.

If it is not possible to separate those two things, I'd rather allow both the property improvements AND the subletting than disallow both of them.

**In the case of the CITY's involvement, I would be pleased if they allowed the stove to be developed, but either through CITY law or HOA regulations, disallowed single family dwellings from being split into multi-family and subleased.**

**From:** [Wycessa Small](#)  
**To:** [James D. Newman](#)  
**Subject:** [EXTERNAL] Letter of Support of T. Coley : ADU 1306 Graham Dr  
**Date:** Tuesday, June 23, 2020 3:41:41 PM

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Dear Mr. Newman and Committee members,

I submit this letter of support of the request of Ms. Coley to add the addition of a stove unit to her basement. She has taken the proper steps to request such and there appears to be no adverse impact on the neighborhood now or in the future. Because the proper protocols are being followed I am quite confident that all construction safety issues will be met as well. One should be entitled to the full use of their private property without the interference of intrusive neighbors as long as safety and enjoyment of the community is upheld.

Thank you,  
Neighbor Wycessa Small  
1200 Graham Drive

[Sent from Yahoo Mail on Android](#)

**From:** [Thomas Mon](#)  
**To:** [Planning](#)  
**Subject:** [EXTERNAL] 1306 Graham Drive/GPIN 7768-97-1948  
**Date:** Tuesday, June 23, 2020 4:58:59 PM

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With regards to this application:

<https://www.fredericksburgva.gov/AgendaCenter/ViewFile/Item/11563?fileID=9455>

I would ask that if this is approved that some sort of check be put in place to prevent the rental of this basement to someone else other than the mother.

To me this sounds like a loop-hole that could be exploited by other home owners and cause over-crowding in idelwild.

Basically make the terms of the approval contingent upon the mother living there and revoking it if she is found to not be living in that designated space. Meaning, if the mother moves upstairs, and they rent out the basement.... then what?

Tom

**From:** [T.O'Brien](#)  
**To:** [Planning](#)  
**Subject:** [EXTERNAL] SE2020-02 Terry Coley ADU  
**Date:** Tuesday, June 23, 2020 9:14:16 PM

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As a property owner in Villages of Idlewild I oppose the approval of the action in the subject line above. While I understand this may be an isolated case based upon family circumstances, this would open the door for granting of other similar use permits, creating a multitude of issues for the development. This precedent could lead to additional parking, traffic and HOA service related problems which would impact all residents. As the largest residential tax revenue generating development in the city, the council should seriously consider the impact to this body before voting to approve this request.

Tom O'Brien  
1112 Taylor St

**From:** [Janet MarshallWatkins](#)  
**To:** [Planning](#)  
**Subject:** [EXTERNAL] Village of Idlewild 1306 Graham Special Exception Permit for Accessory Dwelling Unit  
**Date:** Wednesday, June 24, 2020 8:06:04 AM

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Dear Planning Commission members,

I'm writing as a resident of the Village of Idlewild to support the request for a special exception by the homeowners at 1306 Graham Drive. I understand VOI's Board of Directors has submitted a letter saying "the homeowners of the Village of Idlewild" oppose this request. However, the Board does not speak for me. I'm fine with what's being requested. I support the ability of Fredericksburg homeowners to modify their homes to create living comfortable living spaces for family members, especially those who are elderly.

Thanks,

Janet Watkins  
1206 Walker Drive  
Fredericksburg, VA 22401

**From:** [Erin Palko](#)  
**To:** [Planning](#)  
**Subject:** [EXTERNAL] SE2020-02 Terry Coley ADU  
**Date:** Wednesday, June 24, 2020 8:32:05 AM

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To whom it may concern,

I am writing to address my concerns with the City granting an exemption to the resident of the Village of Idlewild, Terry Coley of 1306 Graham Drive. I am concerned that by granting an exemption, the precedent will then be set for others in the neighborhood to also apply, and potentially be granted, an exemption as well. Our neighborhood has roughly 785 single family homes, town homes, and condominiums and would not be able to handle the added residents. I am concerned that other homeowners in the neighborhood would apply for an exemption and then would be able to rent out their basement for additional income. If a couple or a small family with children now share the single family home with the existing homeowner, we now have added cars to city streets, more traffic, students attending our already overcrowded schools, etc. I am asking that the City Planning Commission please take a stance against granting this exemption due to the precedent it will set for others.

Thank you,

Erin Palko  
1018 Wright Ct.

**From:** [Belinda Watkins](#)  
**To:** [Planning](#)  
**Subject:** [EXTERNAL] Letter of support 1306 Graham exception  
**Date:** Wednesday, June 24, 2020 12:11:50 AM

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I am a homeowner in Idlewild. I support this exception application filed by Terry Coley. Ms. Coley is honest, selfless and the most considerate person that I know. I think it is admirable that she desires to provide a place in her home that makes her mother feels comfortable.

Ms. Coley's younger sister passed away near the Thanksgiving holiday last year. Her sister was providing transportation, running errands, taking care of all things pertaining to their mother. Ms. Coley's mother is now living in the hometown alone. Ms. Coley is attempting to create a suitable place for her mother to remain independent. There isn't a full bath or a bedroom on the first floor. The stairs leading to the second floor are steep for a woman of her age. The basement is spacious and allows her mother to sleep, eat and have access to a bathroom without climbing stairs. My floor plan is very similar to Ms. Coley's home. My 86 year old mother is unable to climb my stairs.

I think this exception should be granted because her mother needs to have the peace of mind in knowing she would not be a burden and could maintain some level of privacy and independence.

We have seen the horrendous effect that COVID-19 has on extended care facilities. I believe it is very admirable that Ms. Coley has invested her monetary resources to insure her mother will have a safe and suitable place to live and be with her. Please allow this daughter to do what she believes is best for her mother.

Belinda Watkins  
[2148 Idlewild Blvd.](#)

Sent from my iPad

**From:** [LaToya Gronhoff](#)  
**To:** [Planning](#)  
**Subject:** [EXTERNAL] Fwd: Rent  
**Date:** Wednesday, June 24, 2020 12:15:46 PM  
**Attachments:** [IMG\\_3876.PNG](#)  
[IMG\\_3877.PNG](#)  
[IMG\\_3878.PNG](#)  
[IMG\\_3879.PNG](#)  
[IMG\\_3880.PNG](#)

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June 24, 2020

**RE:** Agenda Item 8.1 SE2020-02 Terry Coley ADU, 1306 Graham Drive/GPIN 7768-97-1948

To the Members of the Fredericksburg City Council Planning Committee:

My comments below are regarding the concerns brought by the HOA and others on Ms. Coley's application:

- A family should not be required to search for another type of dwelling during a recession or a pandemic when they have a life-changing event, as is the case in this situation. The addition of one family member (elderly parent, sibling or a new child) should not necessitate what the HOA refers to as an "outgrowing" of one's home.
- This proposal is for a special exception to permit an accessory dwelling unit within an existing single-family detached home. Why is this "exception", not considered by the HOA as a viable way to address her needs? It has been made abundantly clear that other homeowners in the Idlewild development already have stoves in their basements and did not go through this legal process. That is an entirely separate issue, but it does provide us with what I believe is a little insight into Ms. Coley's intent to follow a law-abiding process.
- Many of the residents in our neighborhood may have non-relative individuals (significant others, roommates, friends) living with them that would qualify under the current definition of "family" in the City Code. The HOA contends that "the Village of Idlewild (VOI) [was] set for a projected number of families and family members." In this situation, it is specifically recorded in the application that this would be a relative/family member. Why should the approval of Ms. Coley's application be unjustly considered based on what other future residents may or may not do with this property?
- It would also be prudent to inform the Council that the renting of basements has been posted on the Idlewild Facebook site in clear visibility of the HOA, who is

the administrator for the page. So, if the idea is to eliminate the possibility of "renters" or extra families in a single-family home, denying Ms. Coley her modification for her mother will surely not achieve that goal (please see attached for multiple examples).

- Ms. Coley has already showed a reasonable duty to her neighbors by requesting the modification to her home and by going through the proper approvals and City process(es). If she continues following the current process and required approvals, the modification will undoubtedly meet building code standards, which would eliminate the general concern presented about fire/building safety.

**I stand in full support of her request for modification to her basement.** Please let your decision be based only on the facts set forth in this case and not by individual biases concerning the character of our neighbor. Please not allow the probability of unknown future fears already submitted about changes in the VOI that may never even come to pass, obscure your judgment.

Thank you to the members of the Planning Committee for your time.

Respectfully,

Village of Idlewild Homeowner, since 2005  
LaToya Marshall-Gronhoff, CPCU  
1858 Idlewild Blvd  
Fredericksburg VA 22401

Sent from my iPhone

**From:** [Salty Trove](#)  
**To:** [Planning](#)  
**Subject:** [EXTERNAL] Idlewild re-zoning permit  
**Date:** Wednesday, June 24, 2020 12:36:18 PM

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To the planning board,

I am a current resident of Idlewild and it has come to my attention that there is currently a petition to change the zoning of a house here in the community to allow a homeowner to create a separate living compartment in their home. When I first moved here, I was told that renting out rooms or your basement was not permitted which was later downgraded to not encouraged being almost impossible to enforce as it taxed the community resources. In my opinion, permitting this home to create a 2nd dwelling will set a nasty precedent to which it will be difficult to recover. While this person has also made claims to house an elderly family member, there has been for a long time an issue with this home renting out all available rooms to whomever is around - with those renters bringing their extended network as well, creating a rather messy situation around their home and in the community. I vividly remember there being a huge issue 2 years ago because the 1 renter wanted to go to the pool and bring their entire family of ~ 10 ppl and raising a ruckus at the guard shack. While I do not know the owner personally, or anything about them, I have seen many complaints as well have walked past the house taking notice of the numbers of cars and items in the driveway and in the yard around and later putting the 2 together to realize I found "that house". I am also a pragmatist and while this story of the owner wanting this for their aging parent, there is not a single doubt that they would turn this into a benefiting situation of being able to rent out this second unit of their home as a complete living situation for a whole family. The basements of these homes are quite large and some friends have joked they could fit their house inside of my basement; therefore, it is not beyond reason that a complete family could live below with the owner and 3-4 renters living above. This home constantly pushes the boundaries in their own favor and it is because of this fact and the establishing of a precedent allowing this nice community to become a series of dual-dwelling homes- perhaps eventually petitioning for their own mailing address too.... Please vote this down as there are traditionally, established ways to bring in your parents without having a legal document giving this owner a separate dwelling. Thank you for your time.

Troy Widgren

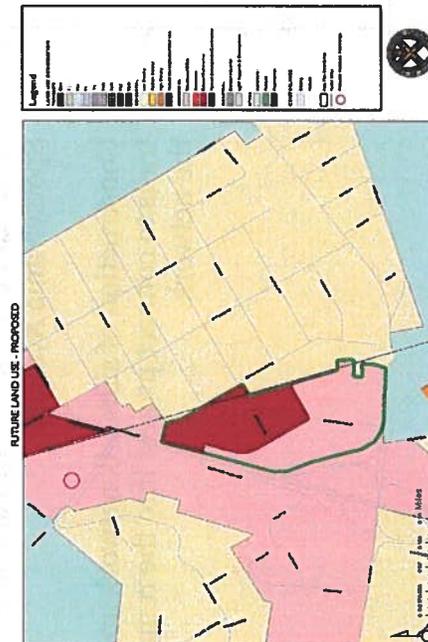
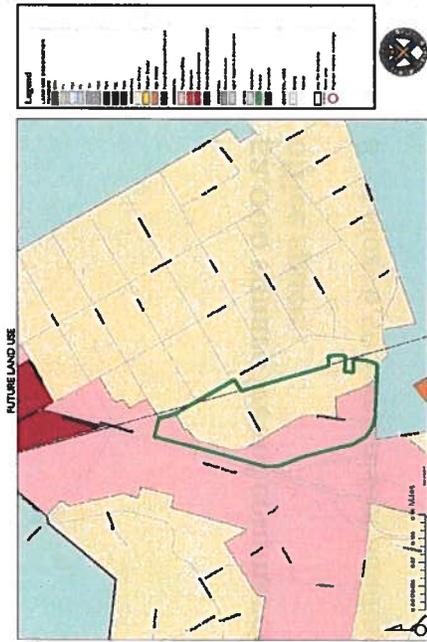


**Cowan Station – Commercial / Office Park  
CPA2020-02, RZ2020-03, VAC2020-01**

## **Introduction:**

- 1. Comprehensive Plan Amendment**
- 2. Proposed Zoning Map Amendment**
- 3. Vacation of Right-of-Way**
- 4. Brent Street Trail**
- 5. Next Steps / Recommendation**

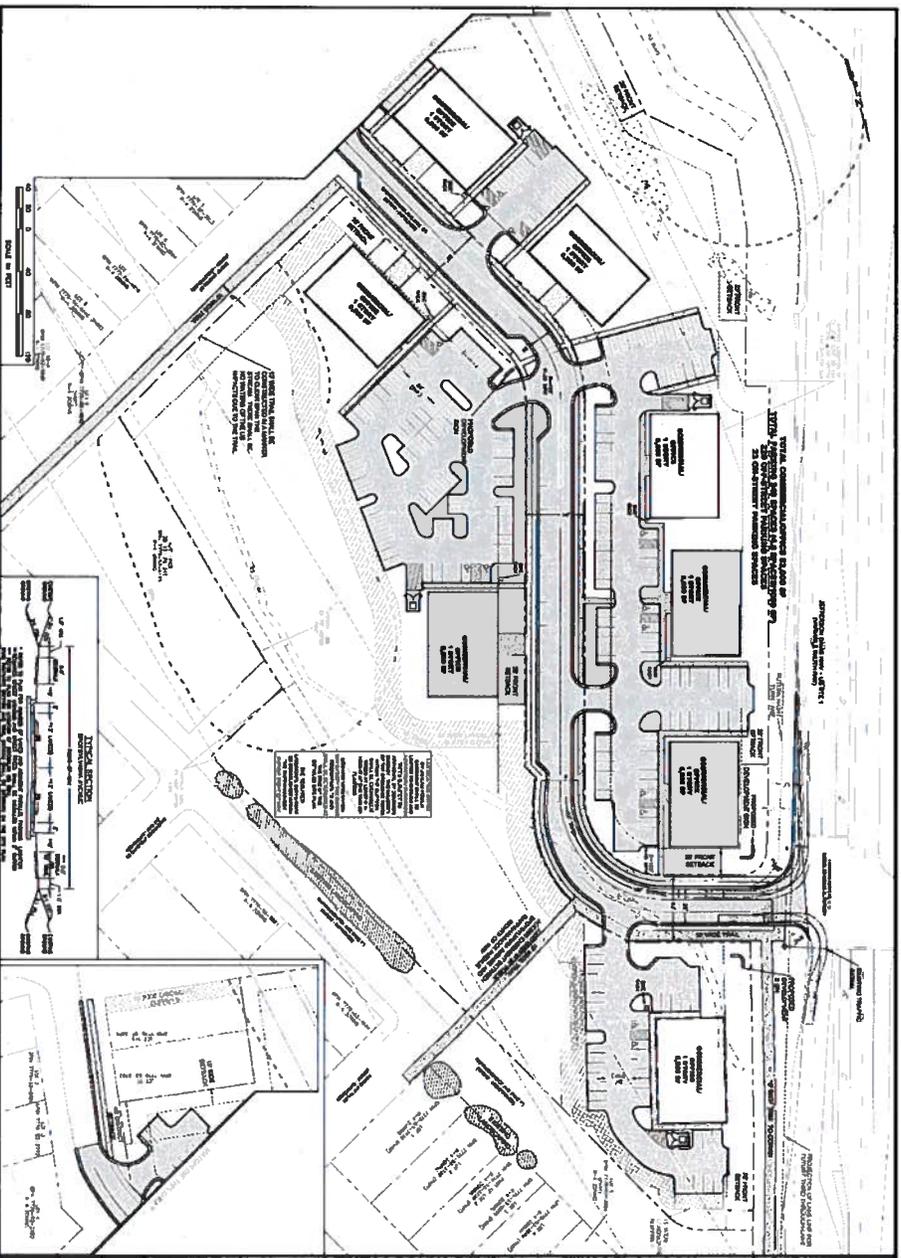
# 1. Comprehensive Plan Amendment –



## SUB PLANNING AREA 5B

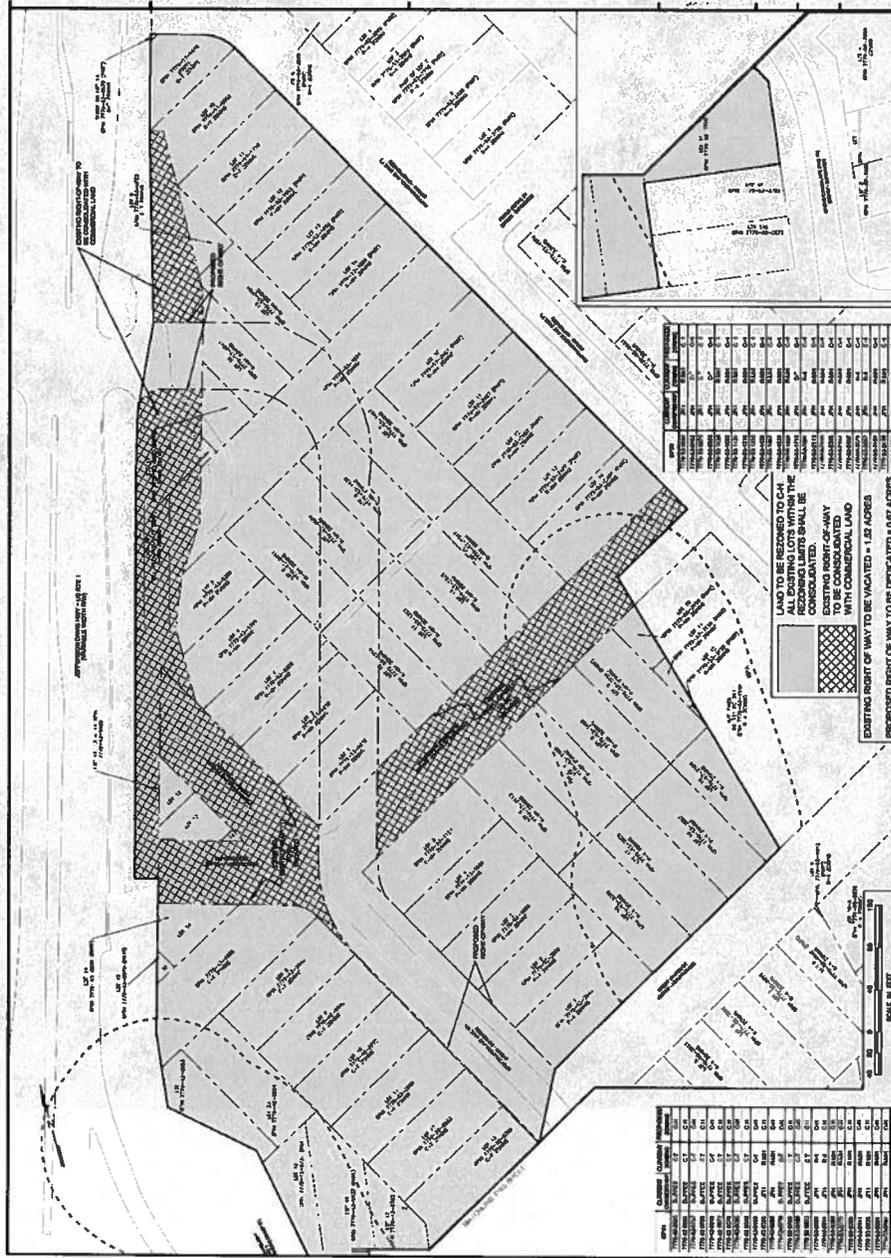
The northeast quadrant of the intersection of State Route 3 and U.S. Route 1 exists currently as a remnant of the original Fredericksburg Development Company's platting with an assemblage of uses. Natural features and the Dominion Transmission Line functionally separate this area from the College Heights Neighborhood. The original configuration of streets and small lots is no longer practical particularly given the proximity to U.S. Route 1 and disconnection from College Heights. The existing layout, including vestiges of undeveloped right-of-way, could be reassembled to support future evolution of the site. This area is uniquely positioned near major roadways, regional transit, and two major institutional anchors and could provide space for commercial and office activity. Serving as a walkable center, future development should link neighborhoods and local goods and services. A cohesive redevelopment could provide new uses where appropriate buffering ensures minimal effect to the adjoining neighborhood. To ensure this sensitivity, automobile centered uses and activities should only be considered under special review.

### 3. Proposed Zoning Map Amendment – General Development Plan



- **52,000 square feet of commercial / office space.**
- **8 – 1 story 6,500 square foot buildings.**
- **No residential.**
- **Re-alignment and reconstruction of Spotsylvania Avenue.**
- **Construction of sidewalk network and off-site trails to connect project into the remainder of the network.**

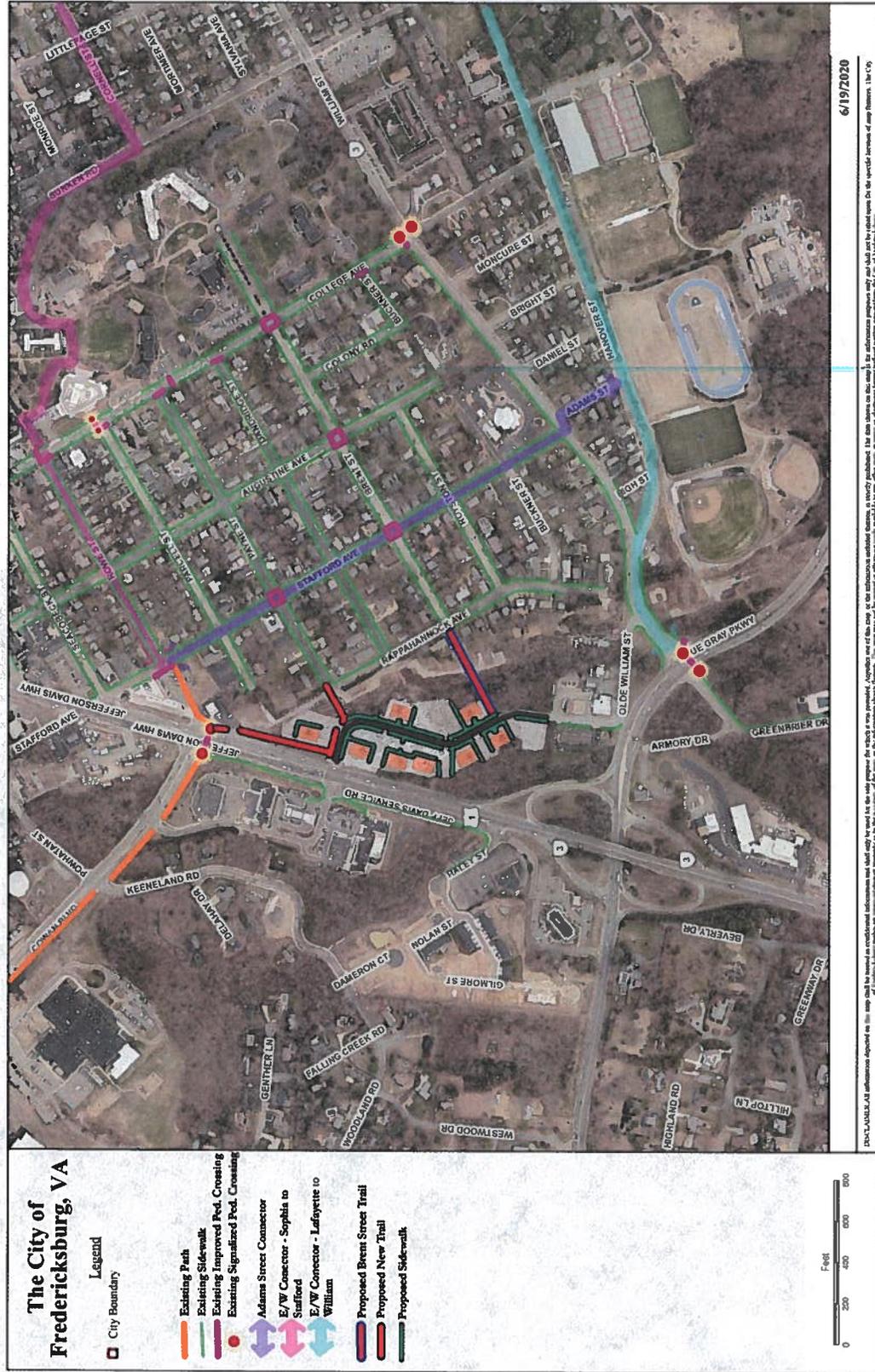
### 3. Proposed Zoning Map Amendment – Vacation of Right-of-Way



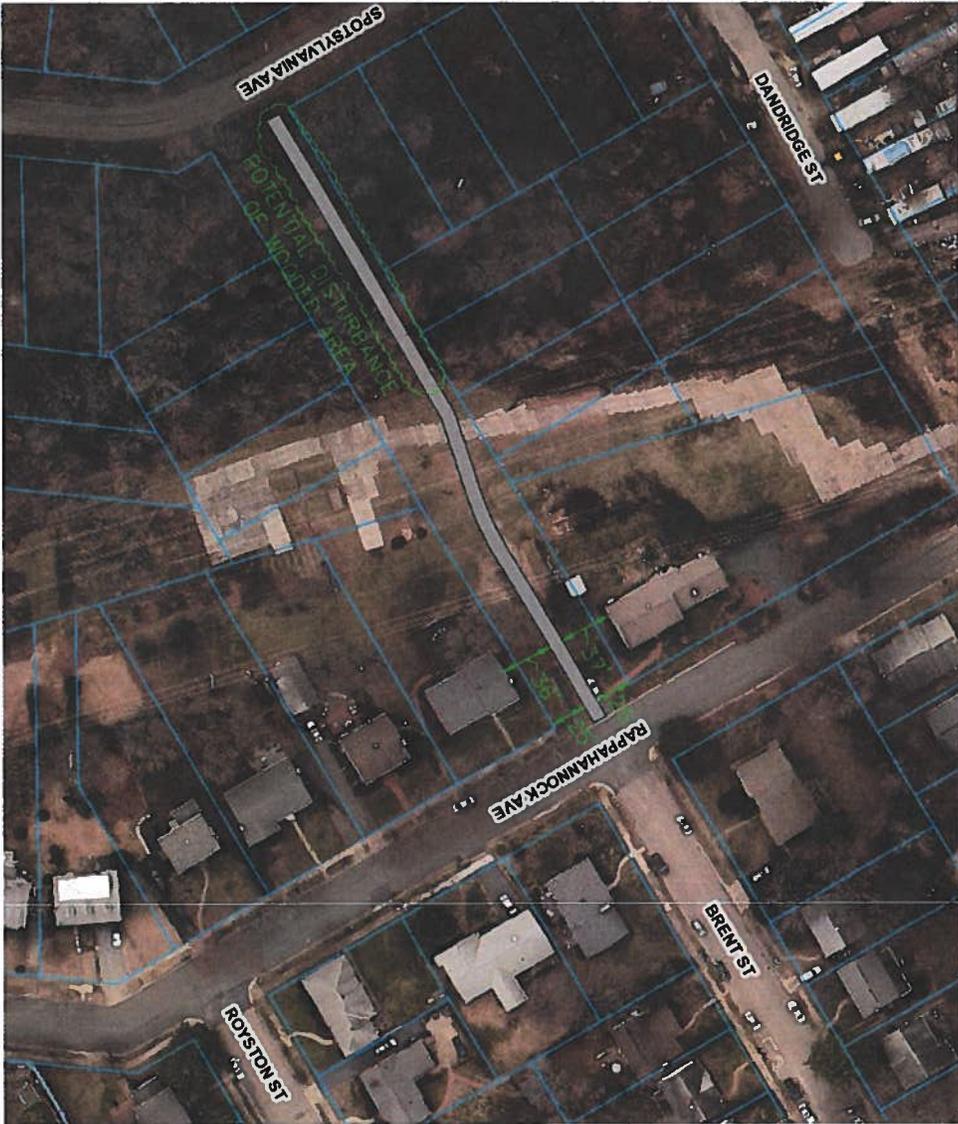
- 0.85 acre net vacation of right-of-way.
- 1.52 acre vacation.
- 0.65 acre rededication of Spotsylvania Avenue right-of-way.



# 4. Brent Street Trail



# 4. Brent Street Trail



## 5. Recommendation

- Recommend to the City Council that the Comprehensive Plan be amended to reflect this change in land use vision.
- Determine that the vacation of portions of Spotsylvania Avenue and Dandridge Street right-of-ways are in conformance with the Comprehensive Plan in accordance with Virginia Code § 15.2-2232.
- Recommend approval of the proposed zoning map amendment of 50 GPINs from Residential Mobile Home, Residential 4, and Commercial / Transitional Office to Commercial Highway in accordance with the General Development Plan and Proffer Statement.

**From:** [MEGHANN COTTER](#)  
**To:** [Planning; Michael J. Craig](#)  
**Subject:** [EXTERNAL] Comments on Cowan Station  
**Date:** Thursday, June 18, 2020 10:28:10 AM

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I'd like to offer some comments to the planning commission on the proposed Cowan Station Development. My family and I live at 1222 Brent St. Often, my boys like to ride their bikes over to Freddy's or the Elementary School playground. This means we have to either go up to the bus station or down William St. and up past where the old trailer park was. It makes for a much longer trek than necessary and more than once I've had to call my husband to come get us because the kids couldn't make it back home. I hope that the new development will consider some connectivity to the neighborhood either by sidewalk or cut through street in order to offer greater connectivity and symmetry with the neighborhood.

I will also add that it seems a shame that tract is being gentrified rather than revitalized as an safe, affordable housing opportunity in the city. Although the living conditions of the trailer park were unacceptable, the people who lived there had the closest thing to affordable housing that they will ever have in this region and had important community bonds that are irreplaceable. At the back of a residential neighborhood and on a quiet street, my desire would be that development be a continuation of housing, perhaps even mixed residential/commercial and that those housing opportunities reimagine what housing could be for some of the poorest members of our community who also depend on relationships and community to obtain a higher standard of living.

Thanks for your consideration.

Meghann Cotter  
1222 Brent St.  
Fredericksburg, VA 22401

**From:** [Michael J. Craig](#)  
**To:** [Cathryn A. Eckles](#)  
**Subject:** FW: Cowan Station follow up  
**Date:** Thursday, July 09, 2020 2:16:12 PM

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**From:** Meredith Beckett [mailto:mbeckett492@gmail.com]  
**Sent:** Thursday, June 18, 2020 10:48 AM  
**To:** Michael J. Craig; James D. Newman  
**Subject:** Cowan Station follow up

Good morning Mike and James,

I think the public hearing last night went well and our hope is that among the city, Jarrell Properties and CHCA, we can come to a compromise to make all concerned parties happy. I believe the only issue we have is the placement of the trails and, as was stated last night, if the Brent St trail can be eliminated, thus preserving a tree canopy and green space and not directly impacting the adjacent residences, the Payne St. trail would be acceptable.

Please keep CHCA in the loop as you further the discussions with Mr. Hicks. After the meeting last night, he spoke to our group outside and seemed amenable to this approach.

Thanks for your work on the project and have a nice day.

Best,

Meredith

**From:** [Rea Manderino](#)  
**To:** [Planning](#)  
**Subject:** [EXTERNAL] Cowan Station and Cowan Station Rezoning  
**Date:** Wednesday, June 24, 2020 12:41:18 PM

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My name is Rea Manderino ("ray man-der-reno"), resident of 1105 Nolan (Cowan Crossing), 22401. My family has lived in the City of Fredericksburg since 2010. I am also an ecologist, currently finishing my doctorate from the State University of New York College of Environmental Sciences and Forestry.

I laud the new street right-of-way for Spotsylvania Ave as planned and the building of pedestrian infrastructure. I frequently walk from my address to downtown, and I have concerns regarding the currently standing woodlot at the site of the proposed Cowan Station. Having witnessed the current degradation of Smith Run's buffer through development of the Cowan Crossing complex and adjacent commercial areas, there are several issues of environmental concern that detract from pedestrian use of the area. A limitation of the Cowan/Rt 1 area sidewalks is lack of shade from tree cover, poor grading of the drainage basins following development, and poor environmental stewardship of those basins. Standing water adjacent to sidewalks, unshaded drainage runs, and exclusive slash-management leaves these attempts at water-management unsightly and prone to further degradation. These areas become uninhabitable for the wildlife interactions we value in cities, such as treefrogs, songbirds, and pollinators. Preservation of the mature native trees in an intact green space is a vital component of pedestrian traffic, the health of the perennial streams, and the enjoyment of our city. These are features that cannot be captured by the 100-ft buffer zone around the streams alone. I wish to advocate for preservation of as much of the current standing woodlot as possible around Spotsylvania Ave.

I also encourage an examination of the Spotsylvania Ave/Rt. 1/JDH Service Rd intersection. As it currently exists, the west-facing stop sign adjacent to the service road is frequently ignored by drivers when the west-facing traffic light turns green. North-bound drivers at the service road stop sign, most often the residents of Cowan Crossing, are at risk for injury and vehicular damage by this behavior. This issue will only increase in severity should Cowan Station develop.

Thank you for your time and service to the city.

~~~~~

Rea Manderino  
PhD Candidate  
Department of Environmental and Forest Biology  
SUNY - College of Environmental Science and Forestry  
[rmanderi@csf.edu](mailto:rmanderi@csf.edu) ~ [Relax. I'm an Entomologist](#)

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**CITY OF FREDERICKSBURG  
PLANNING COMMISSION MINUTES**

**July 8, 2020**

**7:30 p.m.**

**ELECTRONIC MEETING / COUNCIL CHAMBERS, CITY HALL**

**You may view and listen to the meeting in its entirety by going to the Planning Commission page on the City's website:**

<https://amsva.wistia.com/medias/pp4zrozwpz>

**The Agenda, Staff Report, Applications and Supporting Documents are also available on the Planning Commission page.**

**MEMBERS**

Rene Rodriguez, Chairman (live)  
Steve Slominski, Vice-Chairman (electronic)  
David Durham (electronic)  
Kenneth Gantt (live)  
Chris Hornung (electronic)  
Tom O'Toole (absent)  
Jim Pates (electronic)

**CITY STAFF**

Chuck Johnston, Director, Planning and Building Dept. (live)  
Mike Craig, Senior Planner (live)  
Susanna Finn, Community Dev. Planner (live)  
Cathy Eckles, Administrative Assistant (live)

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**1. CALL TO ORDER**

This meeting was held live and electronically by "Go to Meeting" application, pursuant to City Council Ord. 20-05, An Ordinance to Address Continuity of City Government during the Pendency of a Pandemic Disaster.

Members of the public were invited to attend in person with social distancing practices and masks required or access this meeting by public access television Cox Channel 84, Verizon Channel 42, online at [www.regionalwebtv.com/fredcc](http://www.regionalwebtv.com/fredcc), or Facebook live at [www.facebook.com/FXBGgov](http://www.facebook.com/FXBGgov).

Chairman Rodriguez called the meeting to order at 7:30 p.m. and explained electronic meeting procedures.

**2. PLEDGE OF ALLEGIANCE**

**3. DETERMINATION OF A QUORUM**

All members were present except Tom O'Toole.

**4. APPROVAL OF AGENDA**

Mr. Gantt moved for approval of the agenda as submitted. Mr. Durham seconded.

**Motion passed 6-0-1**

## 5. DECLARATION OF CONFLICT OF INTEREST

None.

## 6. UNFINISHED BUSINESS (continuation of Public Hearing from June 24, 2020)

- A. Area 7 Small Area Downtown Plan** – The City of Fredericksburg proposes to amend Chapter 10 Land Use Plan and Chapter 11 Planning Areas of the City’s Comprehensive Plan to adopt the Area 7 Downtown Small Area Plan.

Ms. Finn reviewed a power point presentation (Att. 1) showing what was changed in the proposed Downtown Plan since the June 24, 2020 presentation to the Commission.

Mr. Durham noted the addition of proposed Trestle Park at the corner of Caroline and Frederick Streets to Table 4-7 City-Owned property for Future Parks and asked how to add future parks, specifically in Area 2. He was specifically focused on the land donated to the City for open space approximately 4 years ago and possibilities in Area 1, wherein there may be some open space that needs to be designated. He said that he wants to be sure the City will be using Table 4-7, Future Parks, to designate any potential future park or open space areas. Ms. Finn said that the City modified this table for Trestle Park based on his recommendation from the last Commission meeting and will check into any other possibilities.

Chairman Rodriguez opened the public hearing and Ms. Finn read in the public comment letter received from:

Rebecca Hanmer                      138 Caroline Street                      (Att. 2)

There being no public speakers, Chairman Rodriguez closed the public hearing.

Mr. Gantt motioned to recommend approval of the Comprehensive Plan Amendments for the Downtown Small Area Plan. Chairman Rodriguez seconded. Mr. Durham commended staff for the tireless work done in the last two years. Mr. Pates said, although he is supporting the motion, he does not agree with Trestle Park as open space and believes this area is intrinsically tied to the development of the new train station.

**Motion passed 6-0-1.**

- B. UDOTA2020-02 Creative Maker District - The City of Fredericksburg** proposes to amend the Unified Development Ordinance to establish a new zoning district entitled “the Creative Maker District”.

- C. RZ2020-02 – The City of Fredericksburg** proposes to amend the Zoning Map to change the existing zoning of about 78 acres of land to the Creative Maker Zoning District.

Mr. Craig reviewed the staff report for Items 6B and 6C jointly. Mr. Craig stated the commercial Floor Area Ratio (FAR) maximum was modified from 0.70 to 0.75 for a more logical incremental scale relative to other commercial zoning districts.

Mr. Hornung said in light of the critical public comments about reduced residential density, would staff refresh the Commissioners about the proposed changes. Mr. Craig summarized that density would change as follows:

CT – currently 12 units per acre by right, changed to 8 and 12 units per acre by right, depending on location;

CH – currently 12 units per acre by right with no change; and

R30 – currently 30 units per acre by right, changing to 12 units per acre by right;

Mr. Craig said that these changes reduce on paper the net number of units permitted by right by 114. This is balanced by providing for no automatic limit to residential units allowed through the Special Use Permit process. Structuring residential density in this way sets a by-right limit at or below neighborhood residential levels yet permits creative housing proposals that would be dense enough to meet

environmental and economic development goals as they could create a walkable vibrant core. Mr. Craig noted there are other performance standards in place to keep the density in check. Mr. Durham clarified that the types of developments that will come through are likely to be a variety of types, densities, and sizes, no inundation of only really large developments.

Chairman Rodriguez opened the public hearing and Mr. Craig read in the public comment letters received from the following:

Will Macintosh	905 Mortimer Avenue	(Att. 4);
Alexanna Hengy	2412 Lafayette Boulevard	(Att. 5);
Sean Imanian	no address given	(Att. 6); and
Rupert Farley	1305 Caroline Street	(Att. 7).

Adam Lynch, 1108 Sophia Street, spoke against the residential density limits in the Creative Maker District stating that even if this district is built out to its full capacity, the proposed residential downsizing will ensure less units per acre than in Bunker Hill and that environmentally friendly missing middle housing cannot be constructed under these density limits. He feels that this proposal will take a growing area in a growing city and saddle it with limits, which will underutilize a promising urban area. Mr. Lynch further noted that this proposed text amendment will not only apply to Area 6 but is a blueprint for future maker districts as it creates two new zoning classes, with primary input from homeowners in a single area of the City. Mr. Lynch believes the special use permit process built into the proposal places disproportionate power in the hands of an organization that has a vested interest in suppressing housing supplies and that creating a precedent setting zoning code under the influence of a small cross section of one neighborhood discourages new growth. Mr. Lynch believes there is also another dynamic at play in that this proposal was developed with only input from a neighborhood comprised mostly of older, financially stable homeowners and that to develop a maker district vision that truly reflects the will of the people, the City needs to seek out Fredericksburg residents of all backgrounds and all neighborhoods to be sure the City includes affordable housing opportunities.

There being no further public speakers, Chairman Rodriguez closed the public hearing.

Chairman Rodriguez noted that he actively worked with the Canal Quarter group and disputed Mr. Lynch's notion that the group was not diverse.

Mr. Durham believes that the goals he has heard staff talk about seeking to create and the goals in the citizen comments mirror each other and asked Mr. Craig to comment on that dynamic. Mr. Craig said the core issue with any zoning district is how to handle residential growth and the City developed a strategy for urban infill. The urban infill strategy, permitting residential density to be set on a project basis by special use permit, can be followed with potential changes to the Commercial Downtown zoning district where there is such a disparity between units per acre on the ground. The elimination of the suburban artificial maximum "caps" will legalize creative housing proposals on a variety of lot sizes in place of the current suburban dynamic superimposed on urban settings where artificial "caps" create market and legal pressure that results in a limited residential marketplace comprised of either large lot single family homes or acres of land being consolidated by heavily capitalized firms for garden apartment complexes.

The balanced approach in the Creative Maker District permits residents to have a voice in the development process. The process permits the City to be ambitious, to meet climate goals, and to be environmentally sustainable, permitting infill residential development at a scale that can absorb the growth in places where it does the most good. Mr. Craig said that the City has kept Area 6 as a mixed use district, kept the by-right residential levels relatively stable, structured the area as a creative and inclusive marketplace, and provided the form-based code to limit building heights, widths, and footprints, which is the critical way to control the intensity.

Mr. Durham said that the primary goal of this zoning district process is not to establish residential developments, but to encourage mixed use, adaptive reuse, and to allow different sorts of uses than what

is currently used in order to have more creative approaches to attract entrepreneurial types into this area. Mr. Craig agreed.

Mr. Gantt motioned to recommend approval to City Council of UDOTA2020-02 creating the Creative Maker District and consolidating form-based regulations. Mr. Durham seconded. Mr. Pates said that he disagrees with the public comment about the characterization of his neighborhood. He also said that he plans to vote against the recommendation. He disagrees with the opposition to the residential limits from people who are claiming the City is promoting suburban sprawl. Mr. Pates stated his opposition to this is because there are no caps on residential density through the special use permit process.

Chairman Rodriguez said he would be supporting this proposal as he has been working with the very diverse Canal Quarter group throughout the process.

**Motion passed 5-1-1.**

Mr. Durham motioned to recommend approval to City Council of RZ2020-02 to amend the Zoning Map to change the existing zoning of about 78 acres of land to the Creative Maker Zoning District. Mr. Slominski seconded.

**Motion passed 5-1-1.**

## **7. GENERAL PUBLIC COMMENT**

None.

## **8. OTHER BUSINESS**

### **A. Area 1 and 2 Small Area Plan Concept Preview**

Mr. Craig and Ms. Finn did a general review of Area 1 Celebrate Virginia / Central Park and Area 2 Fall Hill Small Area Plans with a power point presentation (Att. 8) noting that these items will be discussed at the Commissioner's August 12, 2020 meeting with reports from Streetsense (on Area 1) and City staff (on Area 2).

### **B. Next Phase UDO Text Amendments**

1. Transfer of Development Rights
2. Industrial Use / Performance Standard Review
3. Planned Development – Mixed Use Ordinance Revisions
4. Conservation District Overlay / Neighborhood Infill
5. Area 7 Text and Zoning Map Amendment

Mr. Craig did a general review of the upcoming Planning Commission work seasons.

### **C. Planning Commissioner Comments**

Mr. Pates noted his displeasure of the Commissioner's motion to recommend approval of SE2020-02 to City Council as he still feels there is nothing special about it. Mr. Pates believes an Accessory Dwelling Unit should have a more distinctive definition and should only apply to separate buildings, not changing the interior of a single family home.

Mr. Durham said the George Washington Regional Commission has created a survey regarding housing affordability and would like to have it more broadly advertised. Ms. Finn said she had forwarded the survey to the City Manager's Office and the Public Information Officer for posting.

### **D. Planning Director Comments**

Mr. Johnston noted that Council will discuss the ADU Special Exception and Cowan Station Comprehensive Plan amendments, rezoning, and street vacations at its upcoming July 14, 2020 meeting. The August 12 Commissioner's meeting will primarily be a working session with a transmittal of the Area 1 (Central Park/Celebrate) and 2 (Fall Hill) Plans as a joint work session with City Council. The timing and format of the meeting is yet to be determined.

Mr. Johnston discussed that Streetsense's Area 1 ideas may differ from staff. Staff will transmit Streetsense's report, following up at a subsequent meeting with alternatives and options. He noted Streetsense's base premises were that commercial and retail development is shrinking, while the potential for residential is growing.

The Downtown Plan and the Creative Maker District and rezoning will be discussed with Council at a work session on August 11 and then a public hearing on August 25, along with the Parking Ordinance amendments.

Mr. Gantt asked about the comparison between Streetsense's views and the City's alternate plans and why the need for two meetings. Mr. Johnston said that it is appropriate to present all of Streetsense's information, but after the Commission has had a chance to absorb this, to then present the alternate concepts.

Mr. Pates asked if the Commissioners will have any chance to talk and question Streetsense about their report. Mr. Johnston said their staff should be available electronically.

**9. ADJOURNMENT**

There being no further items to be discussed, the Planning Commission meeting adjourned at 8:49 p.m.

Next meeting is August 12, 2020.

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**Rene Rodriguez, Chairman**



## Open Space

11(7)14 - Formalize the City owned parcel adjacent to the Janney-Marshall Building (called Trestle Park by nearby residents) as a City park. Regarding the section of green space north of the concrete wall, adjacent to the access lanes and parking, flexibility may be needed for a future new and expanded Train Station and access lanes. However, the green space and its healthy tree canopy are an asset that should be maintained for now, and as much as possible in the future Train Station expansion.

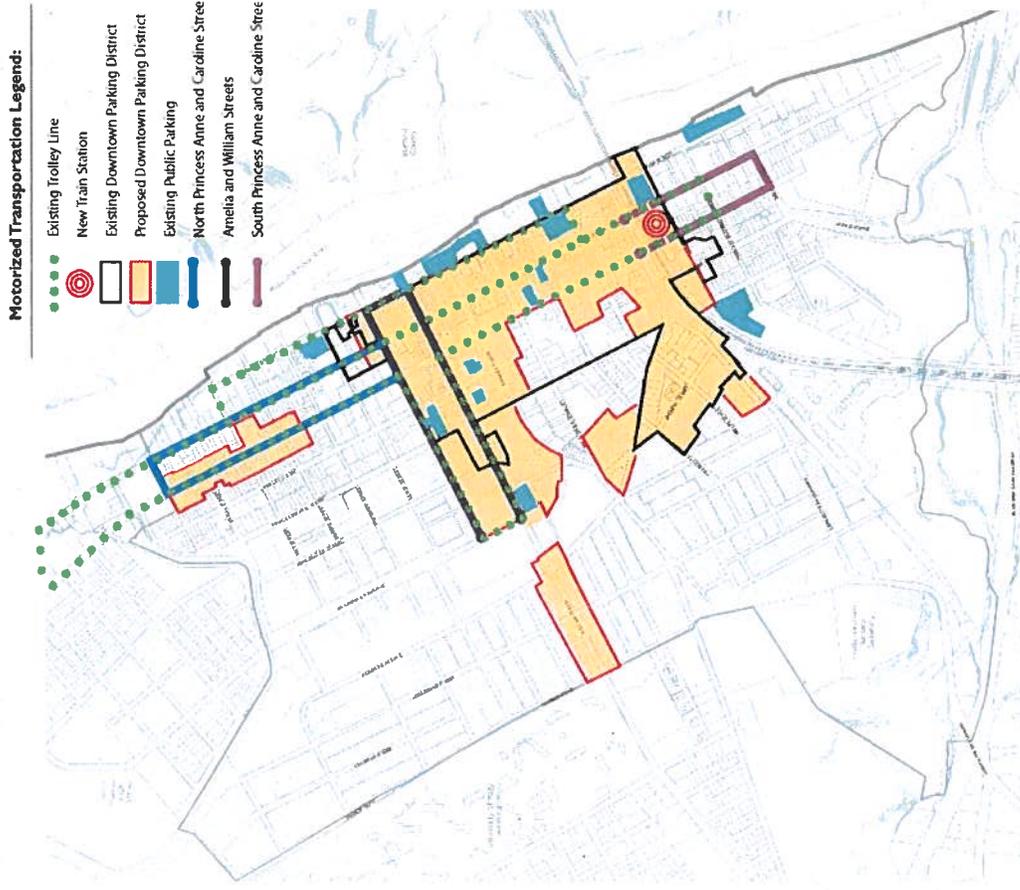
11(7)9 - Recognize the historic John DeBaptiste Ferry Landing on Canal Street with water access and interpretation, formalizing this as a City park.

**TABLE 4-7 CITY-OWNED PROPERTY FOR FUTURE PARKS**

RESOURCE	ACREAGE	PLANNED USE
Natural area on Fall Hill	56.9	Open space, picnicking, pathways along river bluffs
Zig-Zag Trenches (Civil War)	4.758	Historic site
Smith Run Battle Site	11.0	Historic site
Trestle Park	.25	Open space
DeBaptiste Ferry Landing	.50	Historic site, open space and water access

## Access and Mobility - Vehicle

11(7)24 - Particular attention should be paid to the effects traffic pattern changes may have on parking, visibility, and speed. This study should evaluate the potential to remove access to Princess Anne Street from Dixon Street.



**From:** [Michael J. Craig](#)  
**To:** [C. Hornung \(chornung@ymail.com\)](#); [David Durham](#); [James Pates](#); [Kenneth Gantt \(kdgantt.fredoc@gmail.com\)](#); [Rene Rodriguez](#); [Steve Slominski](#); [Tom O'Toole \(totoole@verizon.net\)](#)  
**Cc:** [Charles R. Johnston](#); [Cathryn A. Eckles](#); [Susanna R. Finn](#)  
**Subject:** FW: [EXTERNAL] Area 7 Plan - Trestle Park  
**Date:** Wednesday, July 08, 2020 4:29:56 PM

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Planning Commissioners,

See below comment regarding the Area 7 Downtown Plan.

Mike Craig

---

**From:** Rebecca Hanmer [  
**Sent:** Wednesday, July 08, 2020 3:56 PM  
**To:** Michael J. Craig; Susanna R. Finn  
**Cc:** Maureen Widic; Ed Sandtner; Linda Coker; Anne Little; Andre Pineda  
**Subject:** [EXTERNAL] Area 7 Plan - Trestle Park

Dear Susanna, we have read the memorandum that you wrote to the Planning Commission for tonight's meeting (July 8). This concerns the Comprehensive Plan amendments for the Area Plan for Small Area 7.

As you can imagine, the Trestle Park Committee is thrilled to see the proposed additions to the Area Plan's discussion of Trestle Park on page 11(7)14, responding to our comments for the June 24 public hearing. I am referring to: (1) the specific reference to "park" for protecting the green space adjacent to the Janney-Marshall Building, which we call "Trestle Park;" and (2) the addition of our requested language regarding the value and maintenance of the green space north of the concrete wall.

We thank you, Susanna and Mike, and all in the Planning Department who have had a role in this action and have been so responsive to our neighborhood concerns. You may be sure that we will follow the Commission's action on this closely, and support final approval by the City Council.

We also thank you wholeheartedly for reaching out to the Parks and Recreation department to further the process. I will be writing Ms. Shelhorse as well to offer our help and support.

Best wishes in these challenging times, Rebecca Hanmer for the Trestle Park Committee.

Sent from my iPad

**From:** [Michael J. Craig](#)  
**To:** [C. Hornung \(chornung@vmail.com\)](#); [David Durham](#); [James Pates](#); [Kenneth Gantt \(kdgantt.fredpc@gmail.com\)](#); [Rene Rodriguez](#); [Steve Slominski](#); [Tom O'Toole \(tjotoole@verizon.net\)](#)  
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Best wishes in these challenging times, Rebecca Hanmer for the Trestle Park Committee.

Sent from my iPad

**From:** [Will Mackintosh](#)  
**To:** [Planning](#)  
**Subject:** [EXTERNAL] Comment for July 8 Planning Commission Meeting  
**Date:** Tuesday, July 07, 2020 10:46:02 AM

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This public comment is intended for the July 8th Planning Commission Meeting.

From Will Mackintosh, citizen of the City of Fredericksburg.

Dear Members of the Planning Commission,

I am writing to voice my concern about the rezoning of the Canal Quarter Creative Maker district. I am supportive of the move to a form-based code, but I am concerned that the T-4M and T-5M designations will not allow enough by-right density to allow this crucial corridor to thrive and develop the way we all hope it will.

I am a member of the Fredericksburg Economic Development Authority, and although I do not speak for them in an official capacity (I am writing a private citizen), I believe that the T-4M and T-5M designations will inhibit our ability to pursue the Economic Development Strategic Plan that we have jointly adopted with City Council.

Goal #10 of our Strategic Plan is “enhance gateways into the city.” Thus it is critically important that we support the redevelopment of critical entrance corridors to our City, including Route 1 and Princess Anne Street. Thriving commercial corridors like those we hope to see in the Canal Quarter need a critical mass of nearby residents to support their businesses. That’s why our downtown is so thriving; it is surrounded by a dense concentration of residents who patronize the businesses. The Canal Quarter has struggled in relative terms because the surrounding blocks are less densely populated or are in many cases depopulated, because they are filled with parking lots and other nonproductive uses. Allowing greater residential density in those unoccupied blocks will provide the customer base needed to make the businesses along the revitalizing Route 1 and Princess Anne corridors thrive.

Another goal of our strategic plan (#2) is “develop the workforce of tomorrow.” In order to do so, we must support workforce housing in the City, meaning housing that is affordable for all segments of our workforce. I am concerned that the low densities allowed by the T-4M and T-5M designations will only allow relatively large and therefore relatively expensive housing to be built. The Canal Quarter is ideally located to host some of the right-sized, right-priced housing that is so desperately needed by our young families and our growing population of retirees. Adopting such restrictive zoning would necessarily price them out of our market.

I hope that the Planning Commission will consider allowing a considerably higher by-right residential density in the Canal Quarter in order to support the City Council and the EDA’s jointly shared economic development goals.

Sincerely,  
Will Mackintosh

**From:** [Alexanna Hengy](#)  
**To:** [Planning](#)  
**Subject:** [EXTERNAL] Re: RCM comment on proposal  
**Date:** Wednesday, July 08, 2020 4:33:30 PM

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Hello Members if City Planning,

My apologies that my comment was sent without a greeting at the top or a signature at the bottom. I realized how little time was remaining and hit send before before able to add those components out of concern for the deadline.

Thank you for taking the time to read the Rappahannock Climate Mobilization's thoughts on this matter.

Sincerely,  
Alexanna Hengy  
RCM Board Member  
(540)760-1215

On Jul 8, 2020, at 4:29 PM, Alexanna Hengy < > wrote:

My name is Alexanna Hengy and I live at 2412 Lafayette Blvd Fredericksburg VA 22401. I am a Board Member of the Rappahannock Climate Mobilization (RCM), a coalition-based organization dedicated to intersectional climate justice. I speak on behalf of RCM when I say I oppose the proposal to create a new special zoning district called the "Canal Quarter Maker District" in the area around Carl's. The reason for this opposition is that it would "down-zone" 78 acres of land, lowering the allowable density of residential units in this area which could otherwise be a highly walkable community with denser development like apartments. Sprawl is one of the biggest threats to the environment, requiring increased use of cars, and larger residences without shared walls require more energy use. This is also a matter of housing justice, economic justice, and racial justice. Often older, upper-middle-class white property owners will resist apartments and other denser, more affordable housing falsely claiming that these forms of housing bring in "bad elements".

What this denser, more affordable housing actually brings is quite positive. It brings increased walkability to our city, allowing Fredericksburg to be a car-optional city, which is highly appealing to many people. It brings us closer to achieving the environmental goals the city has committed to, and closer to the scientific imperative of achieving essentially zero emissions city-wide by 2030. It brings greater health and protection to our Rappahannock River, with sprawl being one of the highest water-quality challenges it faces. It brings greater

equality and opportunity for low-income families and renters, which often due to generations of systemic racism, is disproportionately composed of the black community and other minority communities. It also brings more customers to our small businesses; having more people living in walking distance of these businesses will offer much needed help.

If aesthetics are of concern to our residents, we can put requirements in place that the apartment adhere to the similar style and look of the downtown buildings. We can also include a requirement for flowers and trees to be sustainably maintained in a green space around the apartment which would both be environmentally beneficial and likely make our residents feel favorably about the apartments. We should but a requirement that any apartments or other dense housing built in this area stay below a certain rent level, ensuring that this is affordable housing.

**From:** [Charles R. Johnston](#)  
**To:** \_\_\_\_\_  
**Cc:** [Michael J. Craig](#); [Cathryn A. Eckles](#); [C. Hornung \(chornung@ymail.com\)](#); [David Durham \(daviddurham.fxbgpc@gmail.com\)](#); [James Pates](#); [Kenneth Gantt \(kdgantt.fredpc@gmail.com\)](#); [Rene Rodriguez](#); [Steve Slominski](#); [Tom O'Toole \(tjotoole@verizon.net\)](#)  
**Subject:** RE: [EXTERNAL] Online Form Submittal: Contact Us - Charles R. Johnston, Community Planning and Building Director  
**Date:** Wednesday, July 08, 2020 4:50:52 PM

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**Mr. Imanian**  
 Thank you for your comments.  
 They will be read into the record at tonight's Planning Commission meeting.  
 Chuck Johnston

**Charles Johnston** AICP CNU-A  
 Director  
 Community Planning & Building Department  
  
 City of Fredericksburg  
 715 Princess Anne Street  
 Fredericksburg, VA 22401  
 540-372-1180

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**From:** noreply@fredericksburgva.gov [mailto:noreply@fredericksburgva.gov]  
**Sent:** Wednesday, July 08, 2020 4:30 PM  
**To:** Charles R. Johnston  
**Subject:** [EXTERNAL] Online Form Submittal: Contact Us - Charles R. Johnston, Community Planning and Building Director

**Contact Us - Charles R. Johnston, Community Planning and Building Director**

Name	Sean Imanian
Email	
Phone	
Preferred Method of Contact	Email
Are You a Fredericksburg Resident?	Yes
Question or Comment	Hello,

This is from Rappahannock Climate Mobilization a local environmental group.

When we were informed that the Fredericksburg Planning Commission is deliberating on a proposal to create a new special

zoning district called the "Canal Quarter Market District" in the area around Carl's.

This was brought to our attention and we have a few concerns about it. The proposal would downsize 78 acres of land in a very walkable area, meaning that it would lower the allowable density of residential units in an area that we believe is well-suited for denser development like apartments. We take issue with this because urban sprawl is the most pressing water quality challenge facing the Rappahannock River and we are trying to turn toward a more sustainable form of development. We want more small apartments and other denser developments in walkable areas.

Here are a few brief reasons why I think you should consider

- Walkability - Downtown Fredericksburg is a walkable space that has the potential to be a car-optional city, reducing carbon usage. But the proposal puts arbitrary units/acre limits that make it unfriendly to environmentally friendly compact development.
- Sustainability - Infill is more environmentally friendly than building on our urban fringe, but the proposal does not allow adequate density of infill. The end result is, development instead occurs on the suburban fringe and the result is more car-dependent sprawl and more carbon emissions
- Affordability and Equity. Putting strict density limits hurts housing affordability, which hurts low-income people and renters most.
- Helping local business. The neighborhood is near several local businesses and the new FXBG Food Coop. Having customers within walking distance can help businesses stay afloat.

Kind Regards,  
Rappahannock Climate Mobilization

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Email not displaying correctly? [View it in your browser.](#)

**From:** Farley  
**To:** Planning  
**Subject:** [EXTERNAL] Maker District proposal  
**Date:** Wednesday, July 08, 2020 4:16:33 PM

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Dear Commissioners,

My last presentation at City Hall was to voice concerns about legislation that would restrict higher density development; the type of density necessary to efficiently provide city services and extract ourselves from automobile dependency.

I have similar concerns with the proposed Maker District, and hope you will direct your attention to the density issue. Many denser communities - such as the Fan in Richmond and Georgetown in DC - are very attractive and pedestrian-friendly. It's my hope that we don't discourage that from happening here.

Rupert Farley  
1305 Caroline Street  
785-7900

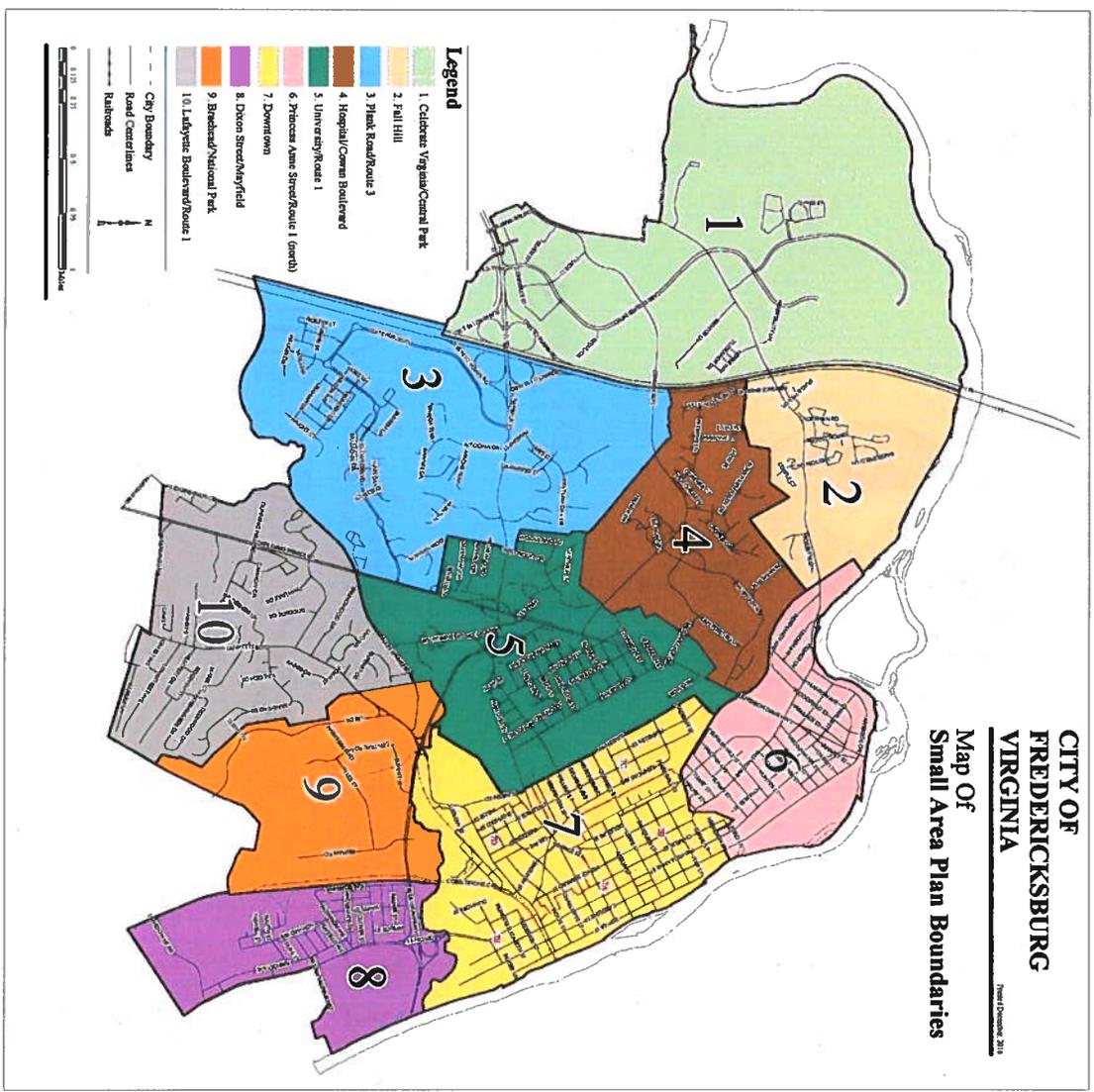


## Small Area Plans:

Area 1 Celebrate Virginia / Central Park  
Area 2 Fall Hill

**CITY OF  
FREDERICKSBURG  
VIRGINIA**  
Map Of  
Small Area Plan Boundaries

Revised December, 2010



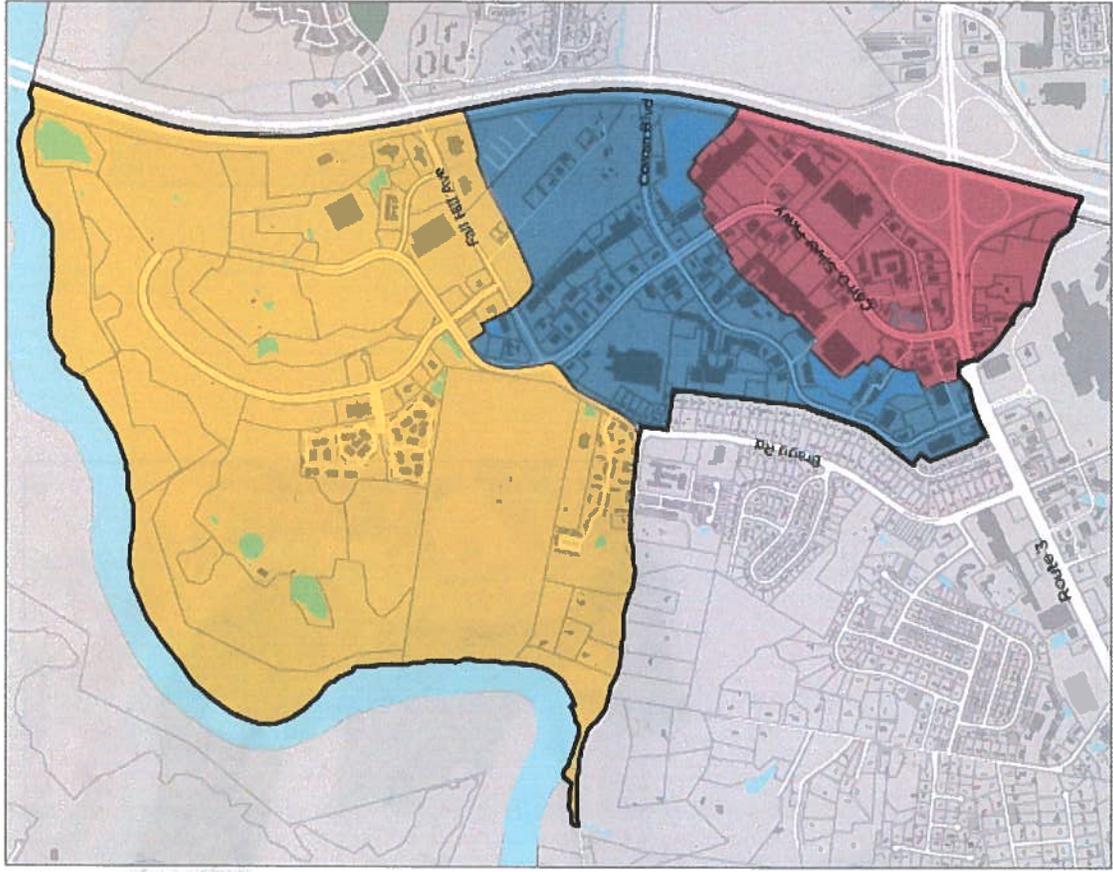
**Legend**

- 1. Oxden/Virginia/Central Park
- 2. Fall Hill
- 3. Plink Road/Route 3
- 4. Hospital/Cornum Boulevard
- 5. University/Route 1
- 6. Princess Anne Street/Route 1 (north)
- 7. Downtown
- 8. Dixon Street/Maryfield
- 9. Brookside/Victoria Park
- 10. Ladysman Boulevard/Route 1

City Boundary  
 Road Centerlines  
 Railroads

0 1/2 1 2 3 4 5 Miles

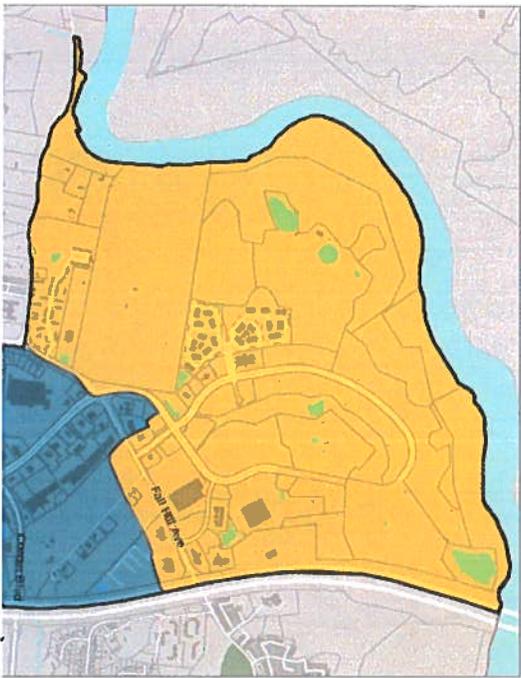
# 1. Area 1



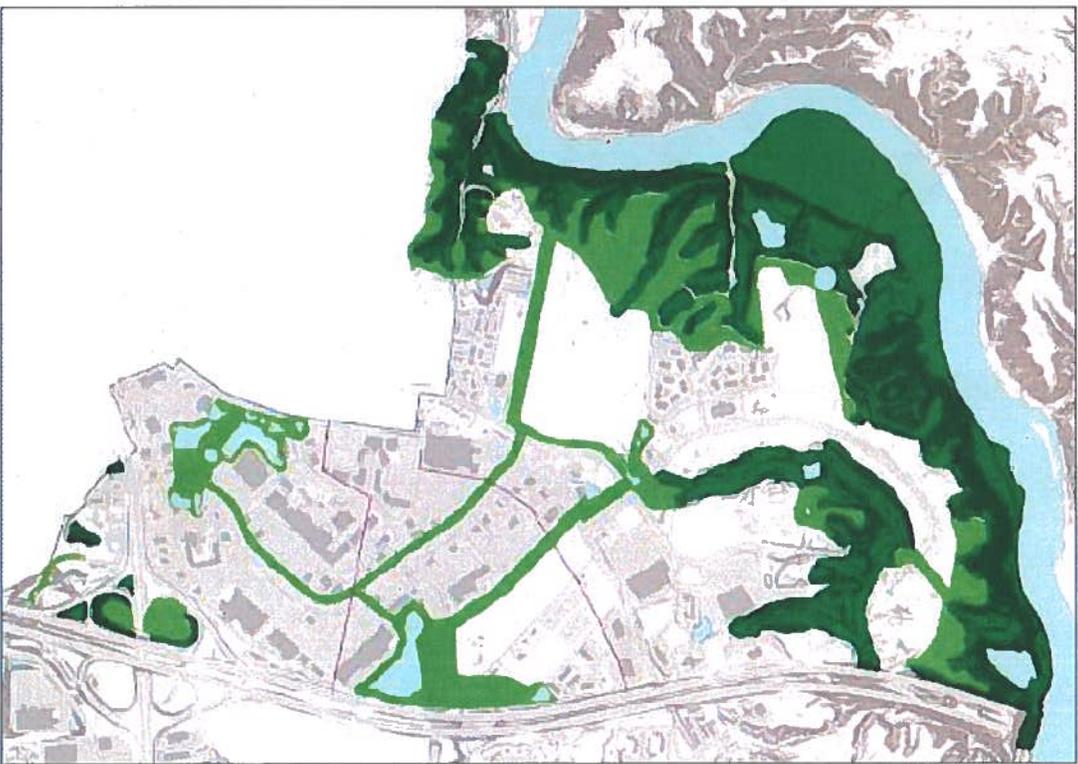
KEY

- NORTH**
- CENTRAL**
- SOUTH**

# 1. Area 1 – North

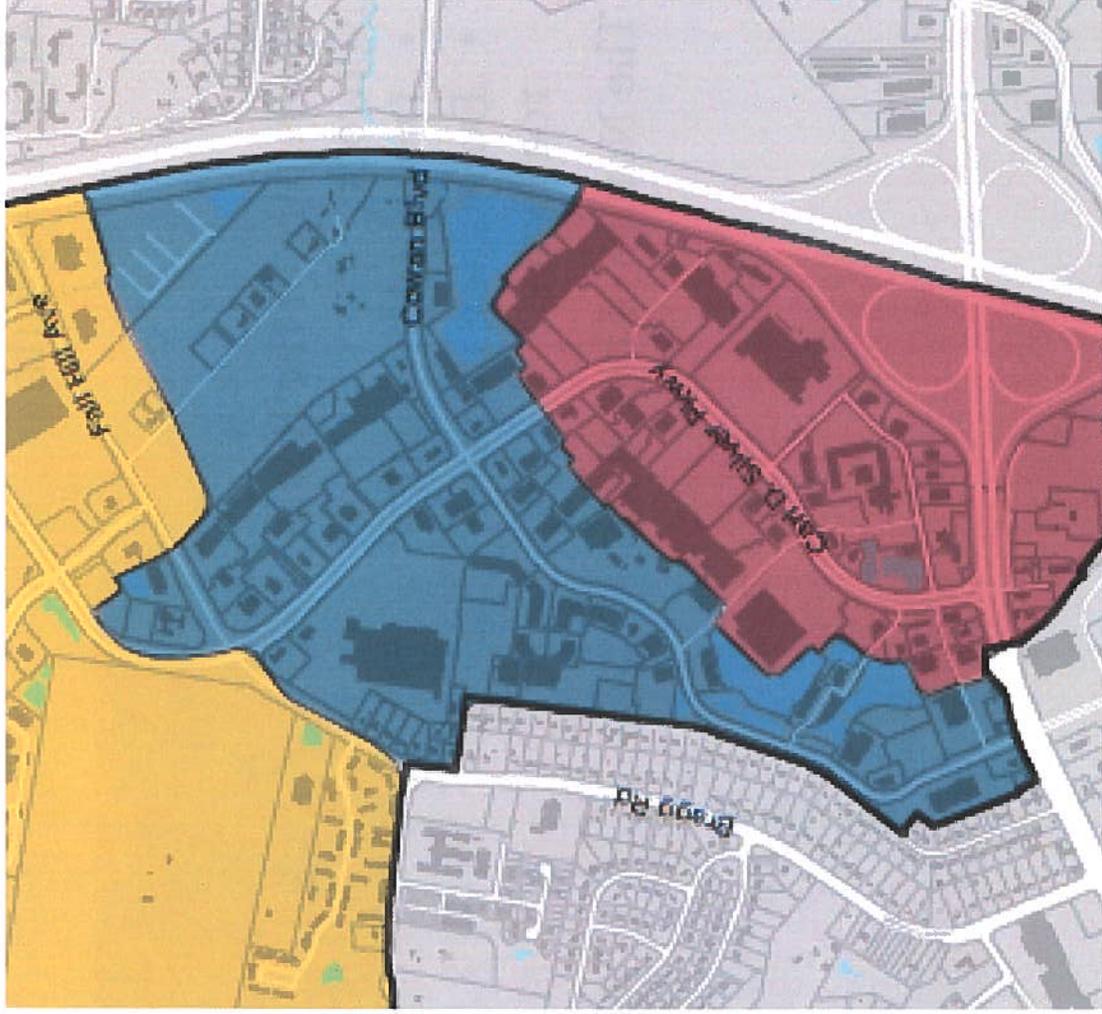


- Green Print.
- Connectivity:
  - To Transportation Networks.
  - To Open Spaces.
- Utility Availability.



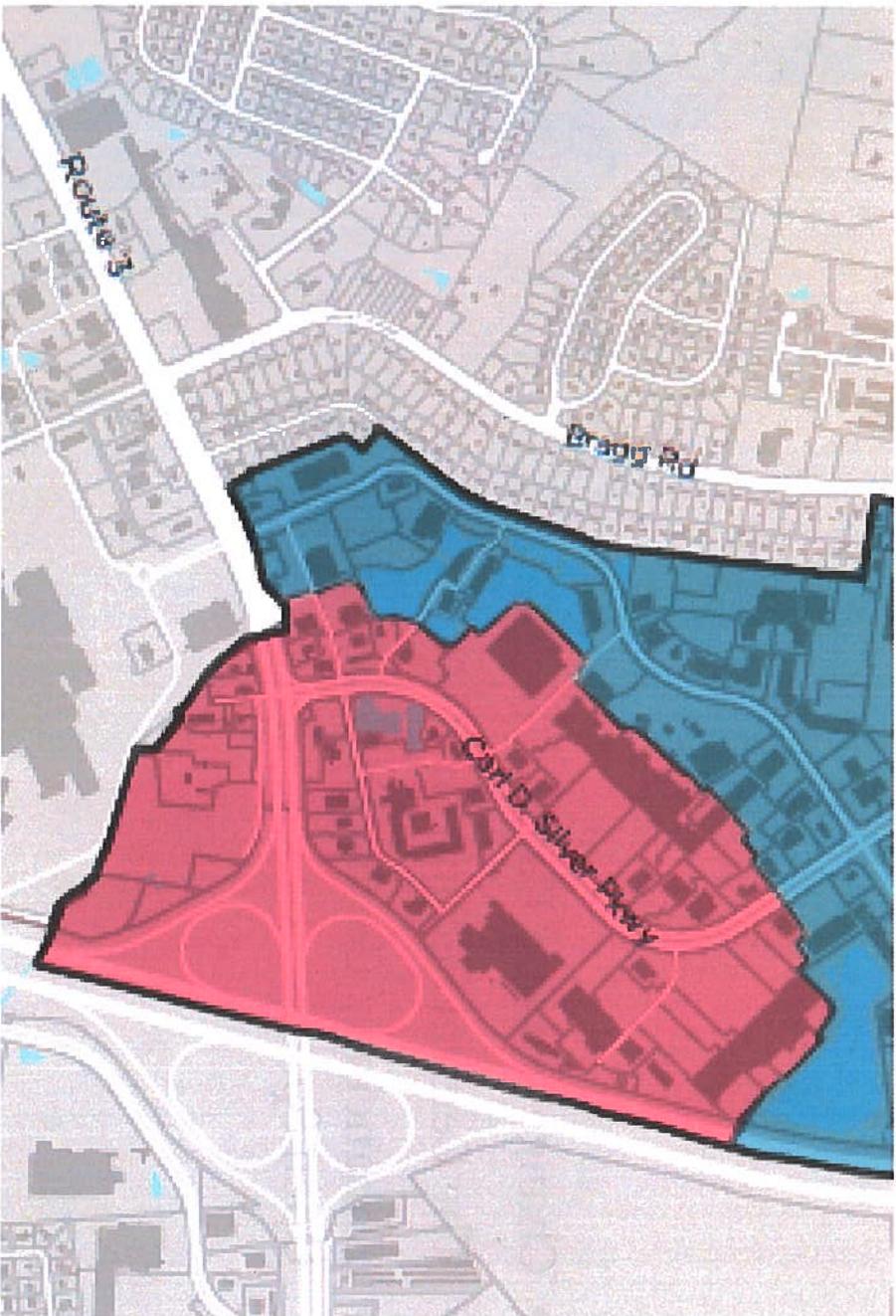
## 1. Area 1 – Central

- Change in Land Use.
- The Central Section Grid.
- Enhancing / Connecting Existing Open Spaces.



## 1. Area 1 – South

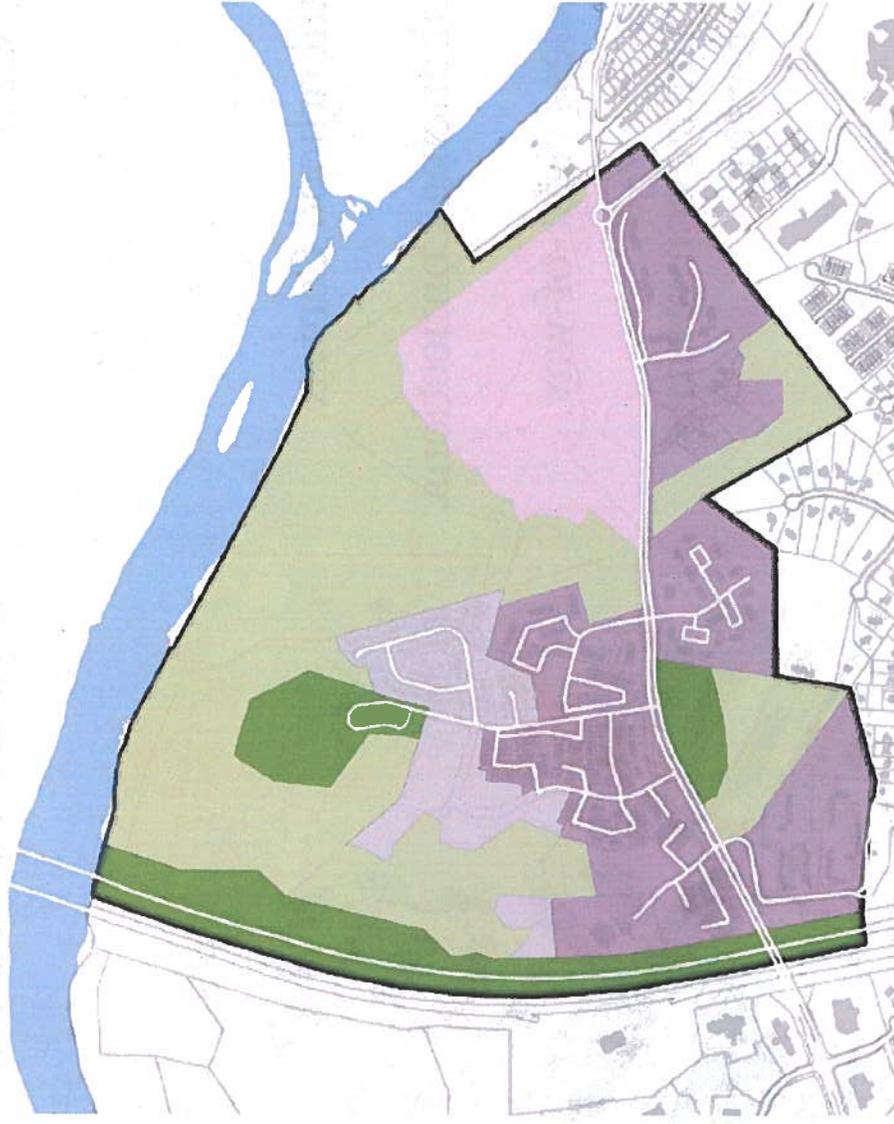
- The Future of the Road Network:
  - Drive aisle retrofit?
  - Evaluating major roadways.
- The Nature of the Place.



## 2. Area 2

### Land Use:

- Environmental Protection.
- Recreational Opportunities.
- Potential infill.



### KEY

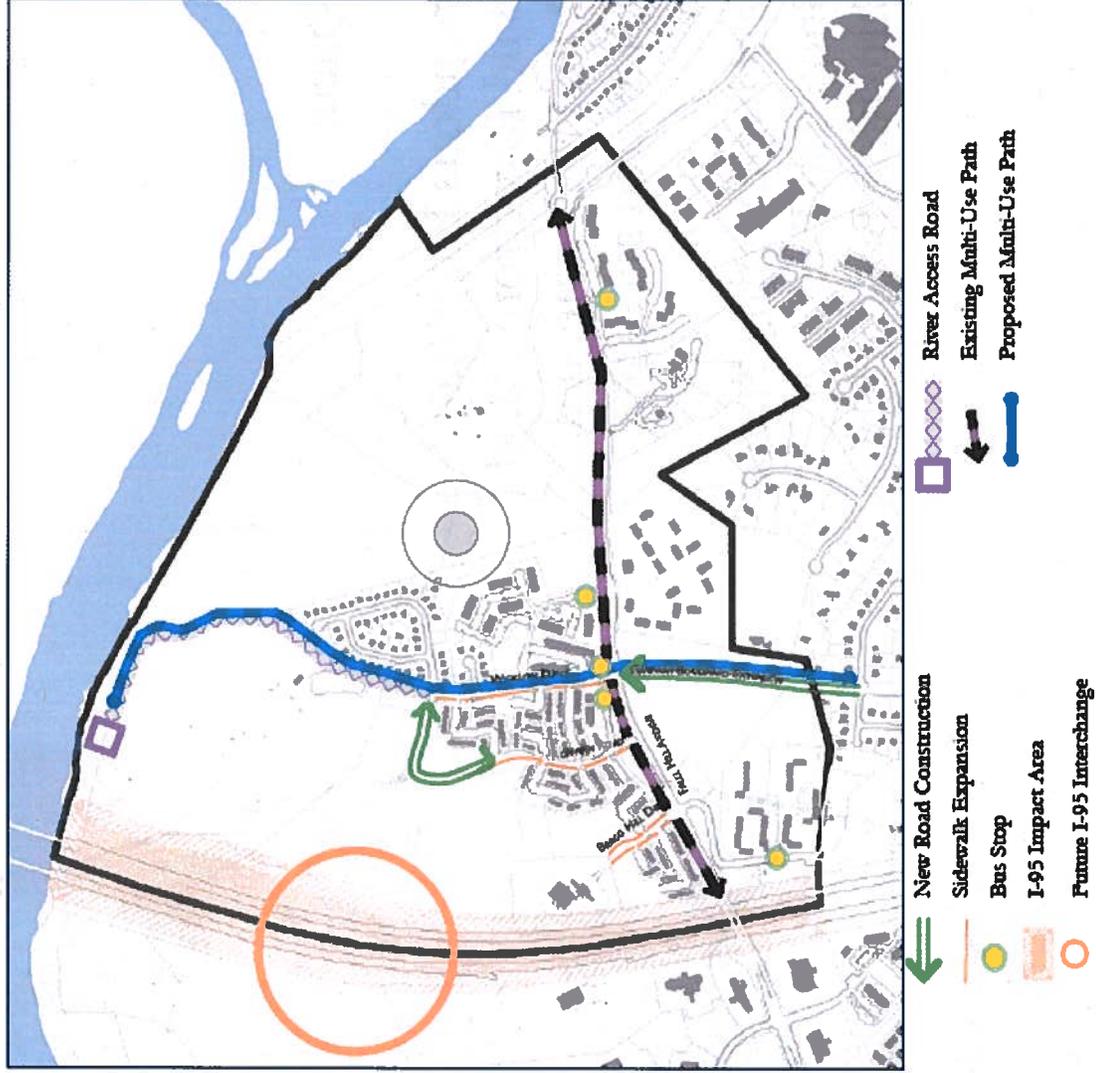




## 2. Area 2

### Access and Mobility:

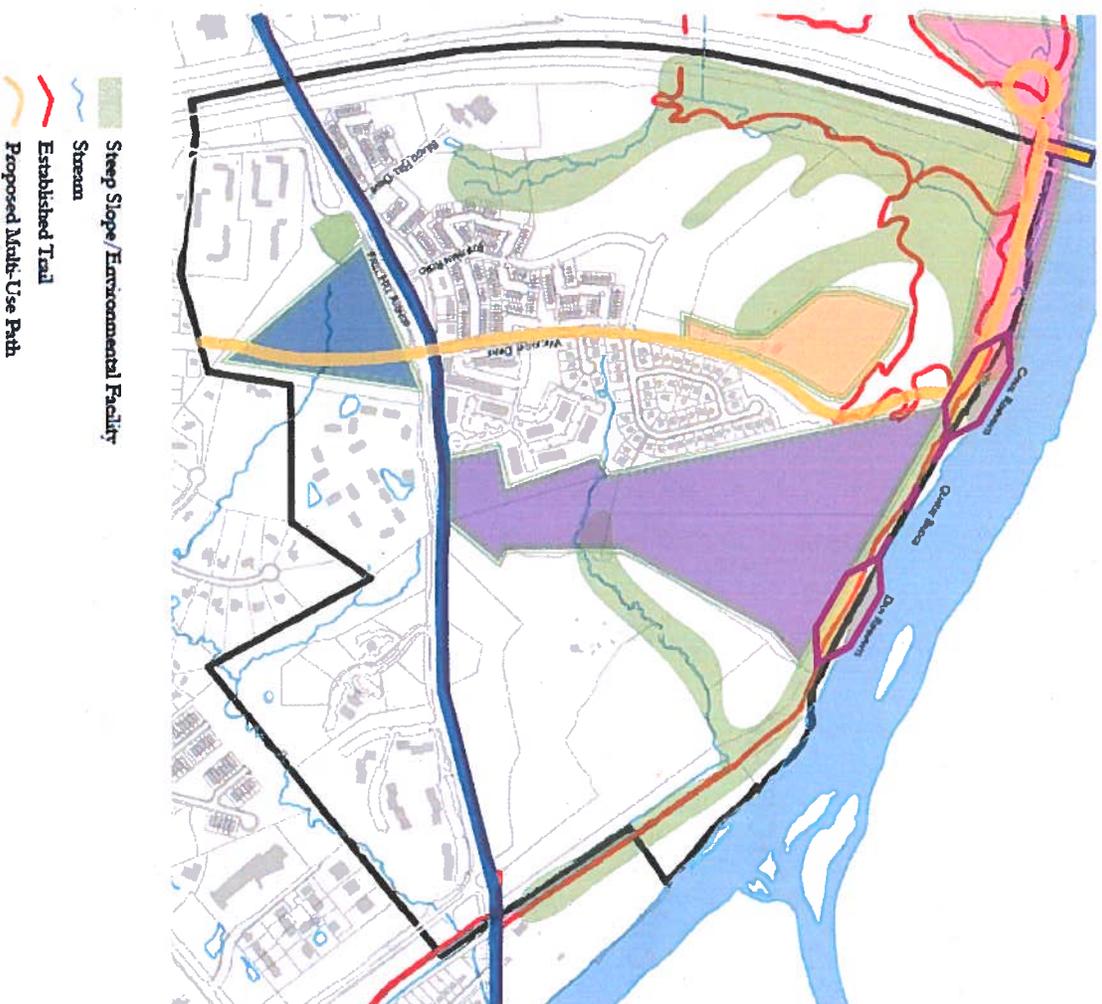
- Network Completion.
- Gateway Blvd. Extended.
- Formalize River Access.



## 2. Area 2

Open Space:

- Tremendous Potential:
  - Wild Riverfront Park!
  - Bulter / Brayne and associated acreage.
- Enhancing Existing Space:
  - Snowden Park.
  - Sunshine Ballpark.



### **3. Next Steps**

**Finalize reports:**

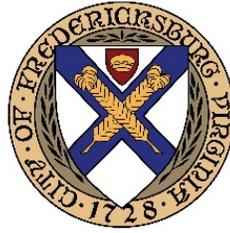
- **Area 1 – Streetsense.**
- **Area 2 – City Staff**

**Transmit reports to Planning Commission and City Council (August 12).**

**Convert reports into Comprehensive Plan Amendments (Fall / Winter).**

## **Upcoming UDO Text Amendments:**

- 1. Transfer of Development Rights**
- 2. Industrial Use / Performance Standard Review**
- 3. Planned Development – Mixed Use Ordinance Revisions**
- 4. Conservation District Overlay / Neighborhood Infill**
- 5. Area 7 Text and Zoning Map Amendments**



## MEMORANDUM

**TO:** Chairman Rodriguez, Planning Commission  
**FROM:** James Newman, Zoning Administrator  
**DATE:** September 4, 2020 for the September 9 meeting  
**SUBJECT:** *SE2020-05, Thomas Mitchell* requests a Special Exception to revise the approved General Development Plan for a mixed-use structure to be located at the corner of Sophia and Hanover Streets, at 100, 106, and 108 Hanover, and 718 Sophia Street.

---

### ISSUE

Should the Planning Commission recommend approval for a modified General Development Plan (GDP) from a 45,000 sq ft. mixed-use structure to a 28,566 sq. ft. predominantly residential structure?



### RECOMMENDATION AND CONDITIONS

Approve the Special Exception subject to the following conditions:

- 1) The project shall be developed in substantial accordance with the application for special exception dated August 27, 2020, subject to review and approval by the Architectural Review Board (“ARB”). Changes in the mass, scale, and final architectural details of the project required by the ARB do not require an amendment of this special exception if there is no substantial revision to the project as proposed. The Owner shall obtain all ARB approvals necessary for the project.

- 2) Thomas H. Mitchell or successor in interest (“Owner”) shall record an approved plat of resubdivision and dedicate an easement to the City widening the Hanover Street alley its entire length, from Hanover Street to its terminus point, so that it will have a minimum width of 20 feet.
- 3) Based on the identification-level archaeology survey completed by Dovetail Cultural Resource Group in 2019, an archaeological site has been determined to exist and is likely to be significant. The Owner shall conduct additional archaeological investigation and mitigation of impacts, as appropriate.
  - a) The major site plan shall incorporate mitigation measures to preserve or accommodate archaeological resources, such as avoidance or recovery, reduction in the size or scope of land-disturbing activities, or the implementation of other mitigation measures, such as Phase II evaluation testing, Phase III data recovery, and interpretation of the site, as recommended by the archaeologist, to the degree possible.
  - b) Should avoidance not be achievable, a memorandum of agreement shall be crafted to outline the steps required to meet this ordinance. The memorandum of agreement shall be prepared in accordance with Virginia Department of Historic Resources procedures, and the Development Administrator and the landowner shall be signatories on the ensuing document.
  - c) The Development Administrator may approve the major site plan application before the completion of the required Phase II or Phase III investigations, only if feasible and consistent with the purposes of the district and upon ratification of the memorandum of agreement.
  - d) If unexpected archaeological resources are discovered on the development site after approval of the major site plan without the imposition of appropriate mitigation measures, then the Development Administrator shall issue an order to cease and desist all development activity in the affected area for up to seven days in order to develop and implement mitigation measures that meet the criteria in section (b).
- 4) The development of the project shall include the following pedestrian improvements:
  - a) The Owner shall install a streetscape along the Sophia and Hanover Street frontages consisting of at a minimum a full width brick sidewalk, street trees as required under § 72-55.6, and pedestrian scaled site lights (standard downtown lighting), subject to review and approval by the City and Public Utility Review Committee under City Code Chapter 66, Article V.
  - b) The Owner shall install mirrors at the entrance to the parking garage to ensure adequate visibility of cars and pedestrians.
- 5) Four units, comprised of one studio, one one-bedroom, and two two-bedrooms, shall be reserved as affordable to those earning 50% of Area Median Income as defined by the HUD HOME program, low rent limit. The owner shall submit annually to the Zoning Administrator a report outlining the rents being charged and confirmation that all households in those units are verified to be under 50% of AMI, as defined by HUD based on household size. The affordability standard will apply as long as the development remains a rental property. Annual reports shall be sent starting one year after approval of the site plan.
- 6) The site plan for the project shall include the grading, paving, and improvement of the Hanover Street alley to conform to the development standards in Article V of the Unified Development Ordinance.

## **GENERAL BACKGROUND AND EXISTING SPECIAL EXCEPTIONS**

The One Hanover project is proposed on four lots at the south west intersection of Hanover and Sophia Streets. The lots are identified as GPIN 7789-24-0627, 7789-24-0658, 7789-24-0697, and 7789-24-1509 and are a total of 0.45 acres. The parcels are zoned Commercial Downtown, are within the Old and Historic Fredericksburg Overlay District (subject to Architectural Review Board oversight), and are within the Floodplain Overlay District.

The parcels are all within the 100 year floodplain and as such are subject to the Floodplain Overlay District. The Floodplain Overlay District requires that all residential development be elevated 1 ½ feet above the established Base Flood Elevation on a property. It also requires that all commercial development that is not elevated out of the floodplain be flood-proofed to the level of the one-hundred-year flood in accordance with the Virginia Uniform Statewide Building Code.

On August 27, 2013, the City Council approved four special exceptions and a special use permit related to a previous version of the One Hanover project. The special exceptions were for building height (increased from 50 to 56 feet), floor area ratio (increased from 3.0 to 3.225), required ground floor non-residential percentage (decreased from 100% to 15%), and residential density (increased from 36 units an acre to 40 units per acre to permit a total of 18 units). The special use permit was for construction of a building within the flood plain.

The adoption of the Unified Development Ordinance in October 2013 rendered three out of the five required approvals obsolete. The required ground floor non-residential percentage in the CD zoning district is now required to be 15%, the floor area ratio calculation no longer includes parking garage or residential square footage, and building within the floodplain no longer requires a special use permit.

A revised version of the project again went before public hearings in 2018 and 2019. The mass and scale of this of the One Hanover proposal was approved by the Architectural Review Board on December 10, 2018. Council approved a Special Exception for 24 units (53 units/acre) in a four-story, 45,000 sq. ft. building at this site with 13,068 sq. ft. of commercial space, in February 2019.

This application is intended to modify the GDP. This proposal would decrease the building to 28,566 sq. ft. with 24 residential units and 2,755 sq. ft. of commercial space.

## **PROPOSED SPECIAL EXCEPTION REQUEST**

The applicant seeks to decrease the width of the structure, minimize the space devoted to non-residential uses, and therefore decrease parking. The number of residential units does not change from previous approvals. 24 parking spaces will be provided on-site with four parking spaces adjacent to the site on Hanover Street.

## **SPECIAL EXCEPTION ANALYSIS**

Unified Development Ordinance (UDO) § 72-22.7 contains review criteria that the Planning Commission and City Council shall use when evaluating an application for a Special Exception. These criteria are:

### ***1. Consistency with the UDO:***

The proposed One Hanover project is zoned Commercial Downtown (CD) and is within the Old and Historic Fredericksburg Overlay District and the Floodplain Overlay District. The purpose of the CD Zoning District is

*“to promote harmonious development, redevelopment, and rehabilitation of uses in the commercial areas of the Old and Historic Fredericksburg (HFD) Overlay District. The regulations of this district are intended to implement the goals of the Comprehensive Plan for historic district development while encouraging mixed uses in the downtown area. The emphasis in site planning is to be placed upon enhancing pedestrian circulation, minimizing vehicular and pedestrian access conflicts among uses, respecting the geometry of the downtown streetscape, and maintaining continuity with the architectural precedents of the historic area.”*

The proposed project would provide for redevelopment of a vacant site. It would provide additional housing, some commercial space, and would bring about pedestrian-scale improvements to lighting, street trees, and sidewalks, while preserving the historic character of Downtown. The applicant must obtain Architectural Review Board approval of one or more certificates of appropriateness for the proposed construction, including approvals of site planning, mass and scale, and detailed design.

## ***2. Consistency with the Comprehensive Plan (CP)***

### ***Transportation Goals (page 8)***

Goal 8: Urban Development Areas. *Recognize that the entire City of Fredericksburg is a strategic growth area within the region and continue to ensure that land use decisions recognize that compact, integrated development is the best use of finite urban space.*

This project is an integrated, compact, multi-story development that makes efficient use of finite urban space. Increasing density is in keeping with the desire for compact walkable development.

### ***Business Opportunity Goals (page 10)***

Goal 1: Downtown as a Center for Commerce, Culture, and Community. *Ensure that downtown Fredericksburg continues to serve as a center of commerce, art, culture, recreation, historic amenities, and government, in order to provide economic stability and a sense of community. Actively pursue the preservation and adaptive reuse of downtown buildings and ensure that infill projects are designed with sensitivity to the City’s historic character.*

This infill mixed-use project serves as a reuse of vacant space in the Historic Core of the City, and provides for economic development and living space, contributing to a vibrant downtown.

Goal 2: A well-balanced mix of uses Downtown. *Achieve a sustainable mix of commercial and residential development downtown that fits the historic character of the urban core and helps people to live, shop, and work in the city center.*

This mixed-use project provides places to live and shop. The building design is meant to evoke the historic building style associated with the City center, and the previous iteration was approved by the ARB.

Goal 4: Community Character. *Preserve and enhance the City’s visual appeal by pursuing patterns of development that respect the City’s historic growth pattern (mixed-use development) and by installing landscaping and street trees (complete streets).*

The applicant has designed the project to be consistent with its historic context, responding to the architectural character of downtown Fredericksburg, without copying architectural details. The project will also enhance downtown’s economic strength.

### **Residential Neighborhood Goals (page 11)**

Goal 1: Neighborhood Character. *Preserve the character of the City's neighborhoods, by respecting and maintaining their functional design (sidewalks, alleys, street trees, etc.).*

Conditions for approval require the alley to be widened to permit service and emergency vehicles, street trees and wide sidewalks be provided for pedestrians, and colonial lighting provided as a tie to the history of the downtown core.

Goal 2: Neighborhood Quality. *Enhance the quality of the City's residential areas, to promote livability and a sense of community. Livability is defined as safe and walkable, with a variety of housing choices and ready access (walking, biking, transit, automobile) to work, shopping, and services.*

The project included walkability upgrades (sidewalk, pedestrian lighting, widened alleys), a mixture of commercial and residential uses, and on-site parking.

Goal 3: Distinct and Attractive Neighborhoods. *Ensure the residential areas of the City continue to comprise a collection of distinct and attractive neighborhoods, each possessing a sense of place, history, and shared identity.*

Previous iterations of this structure have been approved by the Architectural Review Board, though this current application is undergoing ARB review.

Goal 4: Adequate Public Services and Facilities. *Ensure that residential neighborhoods are adequately served with efficient and multi-modal transportation, available parking, street trees, and public services such as trash pickup, leaf removal, and snow plowing*

Parking is provided on-site, the applicant will be planting new street trees, and will be placing pedestrian level lighting along a widened sidewalk. The alley will be widened, with improved paving and drainage.

### **Historic Resources Goals (page 12)**

GOAL 1: City Character. *Protect and enhance the character of Fredericksburg's historic area and city center as a means to preserve the community's sense of place, to promote economic strength, and to ensure the City's continued appeal to residents, businesses, and visitors.*

The revised design of the structure is in keeping with historically appropriate designs, but has not yet been approved by the ARB. Goal 2 of the City's Historic preservation Plan calls for: "*Establish controls to assure that archaeological sites and subsurface materials are properly identified, evaluated and mitigated prior to excavation projects throughout the city.*" An archaeology study is required as a condition of the Special Exception.

GOAL 2: Redevelopment. *Promote redevelopment of downtown properties in a manner that reflects the character of the City as a vibrant and growing community.*

This project promotes redevelopment of vacant space with a vibrant mixed use property.

### **3. Other Goals and Initiatives – Affordable Housing**

Goal 7 of **Residential Neighborhood Goals** calls for "*Affordable Housing: All persons who live and work in Fredericksburg should have the opportunity to rent or purchase safe, decent, and accessible housing within their means*", while Goal 8 calls for "*Variety of Housing: Provide a variety of housing opportunities throughout the City that respect the character of the community.*"

As a condition of approval, the applicant will be providing 4 units of affordable housing, for the duration of time that they are rental properties.

Fredericksburg is located within the Washington D.C. Metropolitan Statistical Area. 50% of the Average Median Income (AMI) for 1 person is \$41,050; for a family of 2 it's \$46,900; and for a family of 3 it's \$52,750.

Rent based on a 30% affordability for those making 50% of AMI would be: An Efficiency unit at \$1,100 a month; A One-Bedroom Unit at \$1,120 a month; a Two-Bedroom at \$1,280 a month. These figures come from the Housing Opportunities Made Equal organization in conjunction with Department of Housing and Urban Development, and are subject to change on a yearly basis.

#### **SPECIAL EXCEPTION ANALYSIS**

***4. Whether there has been a sufficient period of time for investigation and community planning with respect to the application.***

The Technical Review Committee has completed its review and the Applicant has responded to comments made. The application is a modification of a proposal that was vetted by the Architectural Review Board in 2018 and the Planning Commission and City Council in 2019.

***5. Whether the special exception is consistent with the principles of good zoning practice, including the purposes of the district in which the special exception would be located, existing and planned uses of surrounding land, and the characteristics of the property involved.***

The Downtown is comprised of a mix of commercial and residential use types and is a focal point for City investment in infrastructure and services. The applicant will making improvements to the streetscape. Its location across from Riverfront Park will help extend pedestrian amenities and the streetscape, better linking the commercial street frontage with Riverfront Park.

***6. Whether the proposed use or aspect of the development requiring the special exception is special, extraordinary or unusual.***

The request is special. It fulfills the vision of the Comprehensive Plan for the revitalization of neighborhoods and businesses within the historic district. It can allow for an increase in the supply of affordable housing stock within the City, while filling in vacant space with a structure that harkens back to the historic design of buildings in the downtown core. A Phase I archaeological dig has already been carried out at the site, and further artefacts may be found in development.

***7. Whether the proposed exception potentially results in any adverse impacts on the surrounding neighborhood, or the community in general; and if so, whether there are any reasonable conditions of approval that would satisfactorily mitigate such impacts.***

#### **Parking:**

The applicant is required to have 28 spaces. There are 24 parking spaces in the on-site garage, plus four spaces on Hanover Street.

### **Transportation:**

The properties are zoned Commercial-Downtown (CD). The use of commercial retail space, and multi-family housing are allowed by-right in CD zoning. This application asks for 24 residential uses with a commercial space. The Institute of Transportation Engineers (ITE) Trip Generation Manual estimates that apartment units generate 10 trips (5 leaving and 5 arriving) every day. The City's version of the ITE notes that these numbers are geared toward garden apartment complexes in single use automobile environments. The trip generation in a Downtown environments is likely to be substantially less.

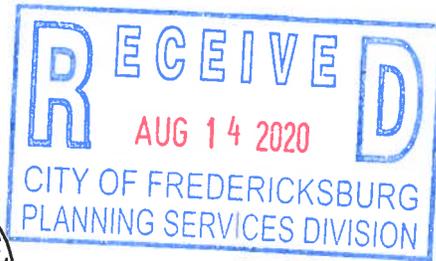
Pedestrian environment --- The transportation focus of the application is on ensuring that the pedestrian environment is cohesive, safe, and accessible. To ensure the appropriate improvements are constructed, several conditions were added to the staff recommendation for approval. The applicant shall construct the full pedestrian streetscape (including wide brick sidewalks, street lights, and street trees) along Hanover and Sophia Street frontages. The geometry of the entrances to the buildings should be designed so that any required ramps into the building or the paths of opening doors do not restrict the sidewalk area. The exterior entrance to the garage along Sophia Street shall contain mirrors to enhance pedestrian and vehicular visibility at the point the garage discharges over the sidewalk.

### **CONCLUSION**

The proposal is to turn a mixed-use project into a predominantly residential structure with one 2,755 sq. ft. commercial space. Density of 53 units an acre was previously approved by Council. It meets the goals of the Comprehensive Plan. The Planning Commission should recommend approval to City Council.

### **ATTACHMENTS**

1. Application



Application #SE: 2020-05  
Date: 8-14-20  
Fee/Check#: 3642, \$900\*  
\$750.00 + \$150.00 Per Acre

### APPLICATION SPECIAL EXCEPTION

APPLICANT NAME: Thomas Mitchell

MAILING ADDRESS: 1414B Caroline St Fredbg Va 22401

TELEPHONE: 5408471066 E-MAIL: Tommy Mitchell 2217@gmail.com

THE UNDERSIGNED HEREBY APPLIES FOR AN EXCEPTION FOR: Approval  
of 24 unit alternative density mixed use project  
located at 100/106/108 Hanover St and 718 Sophia St.

THE SUBJECT PROPERTY IS DESCRIBED AS FOLLOWS:

Property Location 100/106 + 108 Hanover St 718 Sophia St.

Property Owned By Thomas Mitchell

Owner's Mailing Address same as above

Proposed Use of Property (*be specific*) 28,500 square foot 4 story mixed use building with 24 residential units and 2755 square foot commercial space.

HOURS OF OPERATION \_\_\_\_\_ NUMBER OF EMPLOYEES not sure

Anticipated Number of Patrons or Clients \_\_\_\_\_

Description of the development's impact on neighboring and adjacent properties, please be specific (attach additional sheet if necessary):



**OWNERSHIP**

**Applicant is (Circle One):**

**Property Owner**    Agent of Owner    Lessee    Property Purchaser    Other

**If 'Other', describe:**

---

**Source of Property Title / Instrument #:**

---

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**If Property is owned by a Limited Liability Corporation (LLC):**

1. Attach a "Certificate of Fact of Existence" from the State Corporation Commission; and
2. List the names and titles with authority to sign on behalf of the LLC (add additional sheets if needed):

---

N/A

---

---

**OR**

**If Property is owned by a Corporation (Inc.):**

1. Attach a "Certificate of Good Standing" from the State Corporation Commission; and
2. List the names and titles with authority to sign on behalf of the corporation (add additional sheets if needed):

---

N/A

---

---

## SIGN POSTING PROCEDURES

### Instructions

It is the applicant's responsibility to ensure that the sign(s) remain on the project site for the required time and are maintained in good/legible condition until after the public hearing date.

### Site Posting Procedure

Sign(s) shall be posted at least five (5) business days before the public hearing/meeting. The applicant shall complete a notarized affidavit stating the sign(s) shall be posted in accordance with these procedures. Within three (3) days of posting the sign the applicant shall provide a photograph of the posted sign to the Community Planning and Building Department. **Failure to submit a notarized affidavit and/or photograph of the posted sign may result in the removal of the application from the scheduled meeting agenda.**

Information required on the sign(s) shall be completed by a member of the planning staff and provided to the applicant for posting. Signs shall be removed within three (3) days of the public hearing/meeting. Sign(s) should **not** be returned to the Community Planning & Building Department.

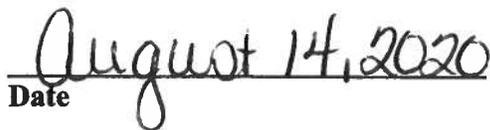
A minimum of one sign shall be placed along any adjacent arterial street. Signs should be posted every 600 feet when a street frontage adjacent to a project exceeds that distance. Sign(s) shall be placed parallel to the roadway.

Sign(s) shall be placed on the property in the most visible location available in such a manner that landscaping or other obstructions do not impair the visibility of the sign(s) from the street. The sign(s) shall not be placed on the public street right-of-way. The sign(s) should not be placed more than 10 feet behind the property line adjacent to the street.

The Community Planning and Building Department may vary any of the above guidelines where there are special circumstances in order to ensure that the sign(s) will be visible to the general public.

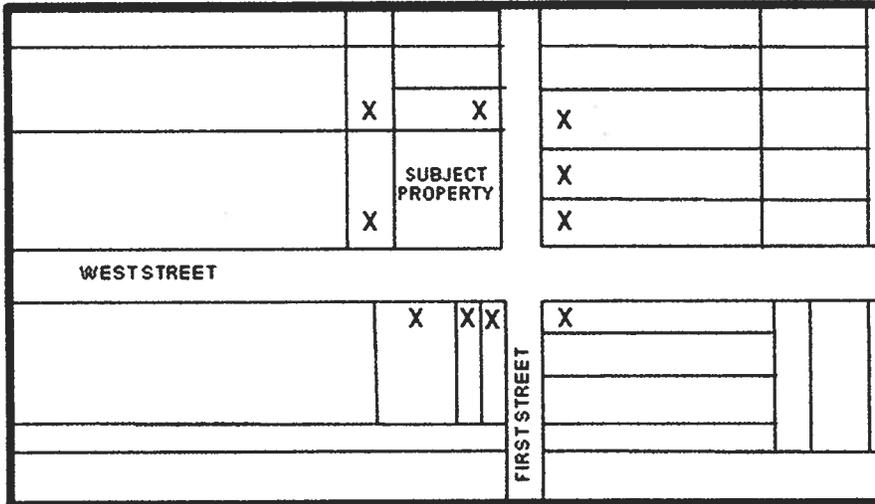
**The undersigned acknowledges that he/she has read this procedure and understands how and where to post the required sign(s).**

  
Applicant Signature

  
Date

**EXAMPLE DIAGRAM OF ADJACENT PROPERTY OWNERS**

X = Property owners to be notified



**PROPERTY OWNERS LIST**

*106/108/100 Hanover Street 0 Sophia St (alley) 718 Sophia Street*  
**PROPERTY ADDRESS** *Fredericksburg Va 22401*

Adjacent property owner names and addresses can be obtained by visiting the City website at [www.fredericksburgva.gov](http://www.fredericksburgva.gov) and following the link to GIS, or by visiting the Office of Real Estate at City Hall, 715 Princess Anne Street, Room 107.

**Adjacent Property Owner's Name and Mailing Address**

<b>Property Address</b>	801 SOPHIA ST	<b>Notes:</b>
<b>Owner Name</b>	SHILOH BAPTIST CHURCH OLD SITE	
<b>Mailing Address</b>	801 SOPHIA ST FREDERICKSBURG, VA 22401	
<b>City, State, Zip</b>	FREDERICKSBURG, VA 22401	

<b>Property Address</b>	800 SOPHIA ST & 101 HANOVER ST	<b>Notes:</b>
<b>Owner Name</b>	KO SANG GIL & SOOK KUN	
<b>Mailing Address</b>	5070 GALLAGER DR FREDERICKSBURG, VA 22407	
<b>City, State, Zip</b>	FREDERICKSBURG, VA 22401	

<b>Property Address</b>	717 CAROLINE ST	<b>Notes:</b>
<b>Owner Name</b>	WILKENING FORREST B & JEANETTE A	
<b>Mailing Address</b>	5059 MACNAMARA DR FREDERICKSBURG, VA 22407	
<b>City, State, Zip</b>	FREDERICKSBURG, VA 22401	

<b>Property Address</b>	723 CAROLINE ST	<b>Notes:</b>
<b>Owner Name</b>	SMITH THOMAS S & ANN R	
<b>Mailing Address</b>	1310 KENMORE AVE FREDERICKSBURG, VA 22401	
<b>City, State, Zip</b>	FREDERICKSBURG, VA 22401	

<b>Property Address</b>	717 & 719 SOPHIA ST	<b>Notes:</b>
<b>Owner Name</b>	CITY OF FREDERICKSBURG	
<b>Mailing Address</b>	PO BOX 7447 FREDERICKSBURG, VA 22404	
<b>City, State, Zip</b>	FREDERICKSBURG, VA 22401	

<b>Property Address</b>	713 SOPHIA ST	<b>Notes:</b>
<b>Owner Name</b>	CITY OF FREDERICKSBURG	
<b>Mailing Address</b>	PO BOX 7447 FREDERICKSBURG, VA 22404	
<b>City, State, Zip</b>	FREDERICKSBURG, VA 22401	

<b>Property Address</b>	801 CAROLINE ST & 115 HANOVER ST	<b>Notes:</b>
<b>Owner Name</b>	FALLKOS LLC	
<b>Mailing Address</b>	1206 WASHINGTON AVE FREDERICKSBURG, VA 22401	
<b>City, State, Zip</b>	FREDERICKSBURG, VA 22401	

<b>Property Address</b>	707 SOPHIA ST	<b>Notes:</b>
<b>Owner Name</b>	CITY OF FREDERICKSBURG	
<b>Mailing Address</b>	PO BOX 7447 FREDERICKSBURG, VA 22404	
<b>City, State, Zip</b>	FREDERICKSBURG, VA 22401	

<b>Property Address</b>	711 CAROLINE ST	<b>Notes:</b>
<b>Owner Name</b>	711 CAROLINE ST LLC	
<b>Mailing Address</b>	4300 PR WILLIAM PKWY WOODBRIDGE, VA 22192	
<b>City, State, Zip</b>	FREDERICKSBURG, VA 22401	

<b>Property Address</b>	715 CAROLINE ST	<b>Notes:</b>
<b>Owner Name</b>	715 CAROLINE ST LLC	
<b>Mailing Address</b>	614-B CAROLINE ST FREDERICKSBURG, VA 22401	
<b>City, State, Zip</b>	FREDERICKSBURG, VA 22401	

<b>Property Address</b>	719 & 721 CAROLINE ST	<b>Notes:</b>
<b>Owner Name</b>	MITCHELL THOMAS H	
<b>Mailing Address</b>	614-B CAROLINE ST FREDERICKSBURG, VA 22401	
<b>City, State, Zip</b>	FREDERICKSBURG, VA 22401	

<b>Property Address</b>	110 HANOVER ST	<b>Notes:</b>
<b>Owner Name</b>	MITCHELL THOMAS H	
<b>Mailing Address</b>	614-B CAROLINE ST FREDERICKSBURG, VA 22401	
<b>City, State, Zip</b>	FREDERICKSBURG, VA 22401	

**ATTACH ADDITIONAL SHEETS IF NECESSARY**



**TO:**

James Newman, AICP, CZO  
Zoning Administrator  
Planning Services Division  
715 Princess Anne Street, Room 209  
P.O. Box 7447  
Fredericksburg, VA 22404

**MEMORANDUM – SPECIAL EXCEPTION REVISION**

Project: 100,106 ,108 Hanover Street  
Memo Date: 8/17/20

Project No.: 2.200064.0

1. Please provide a write up of the differences between this application and previously approved plans, including the reasons why the changes are necessary.
  - a. The revisions are driven by changes in national and global economic conditions and impact on demand for new restaurant space. The primary change removes 10,313 SF of restaurant lease space from the second floor.
  - b.

	Previously Approved	Rev. Dwgs. Dated 6/18/20
Site Area	19,539 SF	No change
Parking Spaces	40 (on site)	28 (on site)
Gross SF	41,432 SF	28,566 SF
Commercial SF	13,068 SF (1 <sup>st</sup> and 2 <sup>nd</sup> Floor)	2,755 SF (1 <sup>st</sup> Floor only)
Apartments	24 (eighteen 1 br, six 2br) including four units designated affordable (50% AMI)	24 (fourteen 1 br, seven 2br, 3 studio) including four units designated affordable (50% AMI)
Building Height	48'-4" (avg. grade plane to avg. roof slope)	44'-0" (avg. grade plane to avg. roof slope)

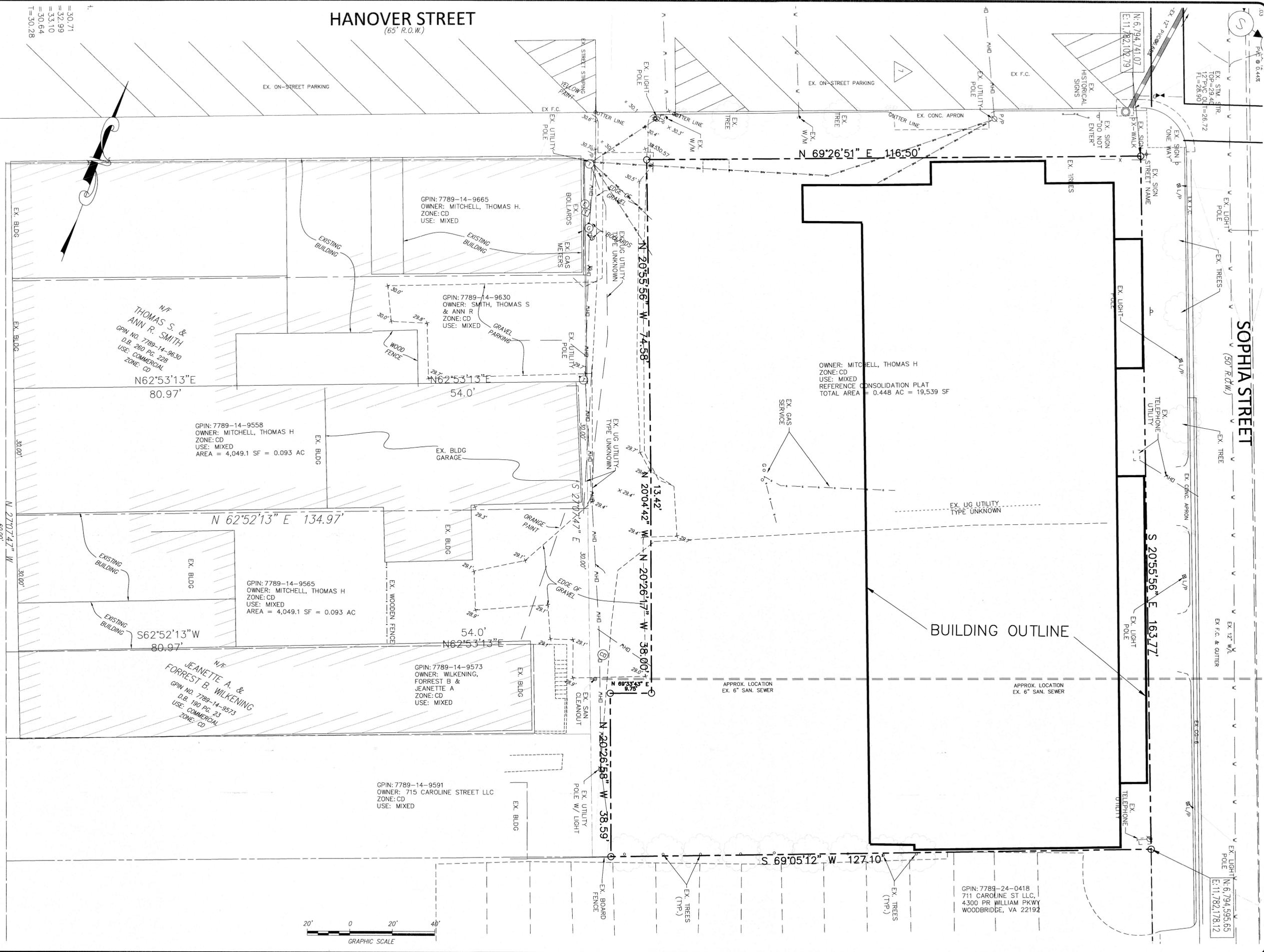
2. Please include information on the total number of residential tenants you anticipate having, as well as the potential number of employees for the commercial space.
  - a. Residential tenants (based on # of bedrooms) = 31

- b. Potential no. of employees for commercial space = 3
- 3. Please provide information on how this modification is consistent with the City's Comprehensive Plan, meets the goals, purposes, and standards of the City's Ordinance, and the potential impact the revised plan will have on surrounding properties.
  - a. The revised design maintains the same approach to the 2015 comp plan goals and standards of the City Ordinance and will remain in substantial compliance with the special exception dated Feb. 26, 2019. The new project excludes the restaurant space on the second floor.

Distribution: City of Fredericksburg Planning Division, Thomas Mitchell, file

**HANOVER STREET**  
(65' R.O.W.)

**SOPHIA STREET**  
(50' R.O.W.)

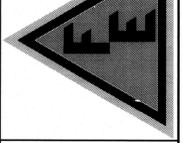


1.  
= 30.71  
= 32.99  
= 33.10  
= 30.64  
T = 30.28



REVISION	DATE	REVISED PER CITY COMMENTS
	07/29/2019	

**Freeland Engineering, PC**  
www.freelandengineering.com  
10814 Courthouse Road  
Fredericksburg, Virginia 22408  
Phone: 540.898.3092  
Fax: 877.658.7735

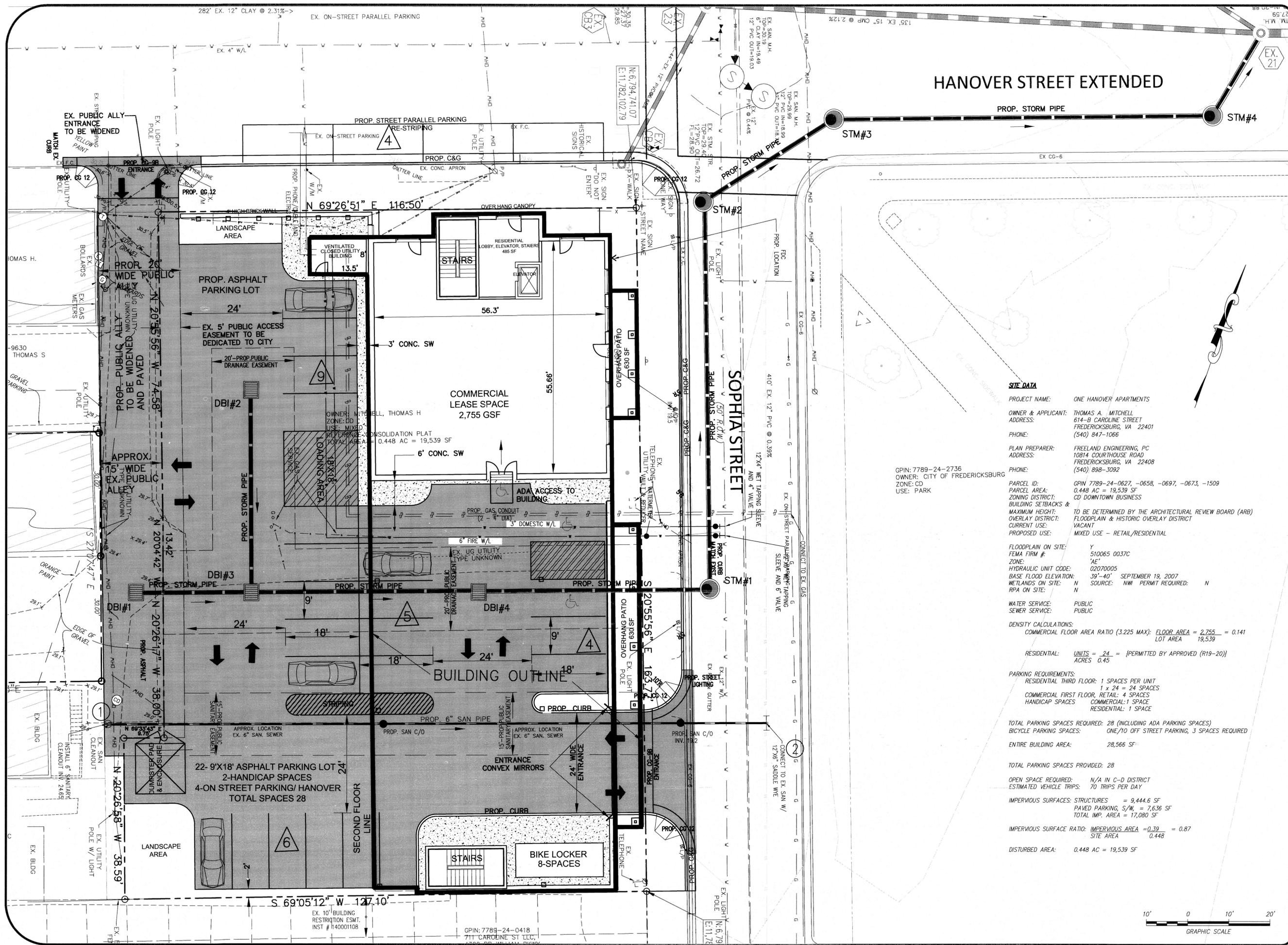


**BOUNDARY SURVEY**  
**ONE HANOVER APARTMENTS**  
CITY OF FREDERICKSBURG  
VIRGINIA

**RECEIVED**  
SEP 03 2020  
CITY OF FREDERICKSBURG  
PLANNING SERVICES DIVISION

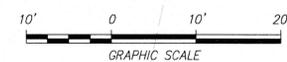
COMMONWEALTH OF VIRGINIA  
RAYMOND P. FREELAND  
Lic. No. 040752  
08/27/2020  
PROFESSIONAL ENGINEER  
SEAL

County Plan Number:  
SPMAJ2019-09  
Drawn By: SAR  
Designed By: SAR  
Checked By: RPF  
Date: 08/27/2020  
Scale: 1"=20'  
Sheet: 1 of 3  
PROJECT # 4464



**SITE DATA**

PROJECT NAME: ONE HANOVER APARTMENTS  
 OWNER & APPLICANT: THOMAS A. MITCHELL  
 ADDRESS: 614-B CAROLINE STREET, FREDERICKSBURG, VA 22401  
 PHONE: (540) 847-1066  
 PLAN PREPARER: FREELAND ENGINEERING, PC  
 ADDRESS: 10814 COURTHOUSE ROAD, FREDERICKSBURG, VA 22408  
 PHONE: (540) 898-3092  
 PARCEL ID: 7789-24-0627, -0658, -0697, -0673, -1509  
 PARCEL AREA: 0.448 AC = 19,539 SF  
 ZONING DISTRICT: CD DOWNTOWN BUSINESS  
 BUILDING SETBACKS & MAXIMUM HEIGHT: TO BE DETERMINED BY THE ARCHITECTURAL REVIEW BOARD (ARB)  
 OVERLAY DISTRICT: FLOODPLAIN & HISTORIC OVERLAY DISTRICT  
 CURRENT USE: VACANT  
 PROPOSED USE: MIXED USE - RETAIL/RESIDENTIAL  
 FLOODPLAIN ON SITE: Y  
 FEMA FIRM #: 510065 0037C  
 ZONE: 'AE'  
 HYDRAULIC UNIT CODE: 02070005  
 BASE FLOOD ELEVATION: 39'-40" SEPTEMBER 19, 2007  
 WETLANDS ON SITE: N SOURCE: NW PERMIT REQUIRED: N  
 RPA ON SITE: N  
 WATER SERVICE: PUBLIC  
 SEWER SERVICE: PUBLIC  
 DENSITY CALCULATIONS:  
 COMMERCIAL FLOOR AREA RATIO (3.225 MAX): FLOOR AREA = 2,755 = 0.141  
 LOT AREA 19,539  
 RESIDENTIAL: UNITS = 24 = [PERMITTED BY APPROVED (R19-20)]  
 ACRES 0.45  
 PARKING REQUIREMENTS:  
 RESIDENTIAL THIRD FLOOR: 1 SPACES PER UNIT  
 1 x 24 = 24 SPACES  
 COMMERCIAL FIRST FLOOR: RETAIL: 4 SPACES  
 COMMERCIAL: 1 SPACE  
 RESIDENTIAL: 1 SPACE  
 TOTAL PARKING SPACES REQUIRED: 28 (INCLUDING ADA PARKING SPACES)  
 BICYCLE PARKING SPACES: ONE/10 OFF STREET PARKING, 3 SPACES REQUIRED  
 ENTIRE BUILDING AREA: 28,566 SF  
 TOTAL PARKING SPACES PROVIDED: 28  
 OPEN SPACE REQUIRED: N/A IN C-D DISTRICT  
 ESTIMATED VEHICLE TRIPS: 70 TRIPS PER DAY  
 IMPERVIOUS SURFACES: STRUCTURES = 9,444.6 SF  
 PAVED PARKING, S/W, = 7,636 SF  
 TOTAL IMP. AREA = 17,080 SF  
 IMPERVIOUS SURFACE RATIO: IMPERVIOUS AREA = 0.39 = 0.87  
 SITE AREA 0.448  
 DISTURBED AREA: 0.448 AC = 19,539 SF



REVISION  
 DATE 07/29/2019 REVISED PER CITY COMMENTS  
 11/25/2019 REVISED PER CITY COMMENTS

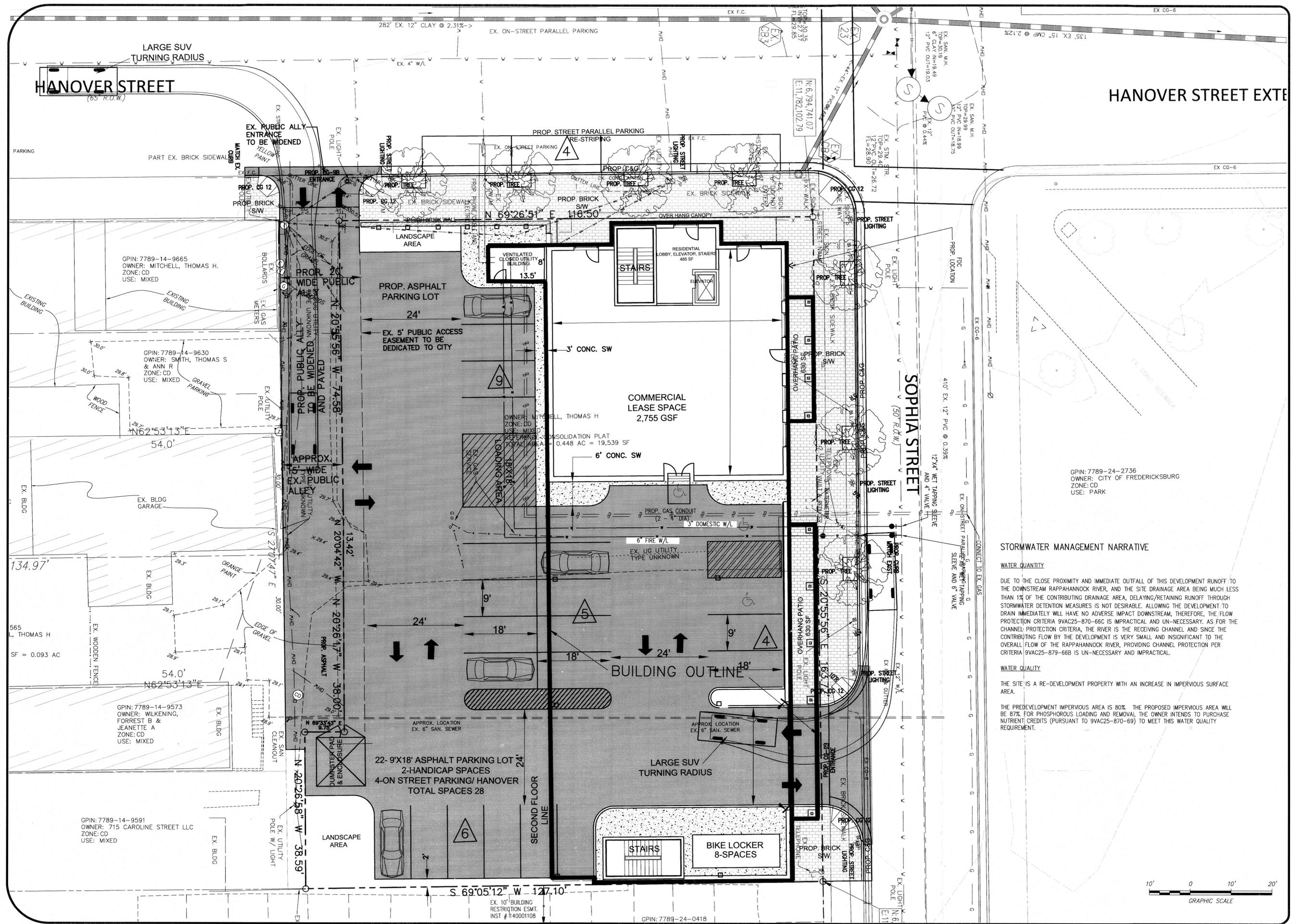
Freeland Engineering, PC  
 10814 Courthouse Road  
 Fredericksburg, Virginia 22408  
 Phone: 540.898.3092  
 Fax: 877.658.7735  
 www.freelandengineering.com

**SITE LAYOUT**

**ONE HANOVER APARTMENTS**

CITY OF FREDERICKSBURG  
 VIRGINIA

SEAL  
 County Plan Number: SPMAJ2019-09  
 Drawn By: SAR  
 Designed By: SAR  
 Checked By: RPF  
 Date: 08/26/2020  
 Scale: 1"=10'  
 Sheet: 2 of 3  
 PROJECT # 4464



**STORMWATER MANAGEMENT NARRATIVE**

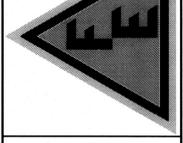
**WATER QUANTITY**  
 DUE TO THE CLOSE PROXIMITY AND IMMEDIATE OUTFALL OF THIS DEVELOPMENT RUNOFF TO THE DOWNSTREAM RAPPAHANNOCK RIVER, AND THE SITE DRAINAGE AREA BEING MUCH LESS THAN 1% OF THE CONTRIBUTING DRAINAGE AREA, DELAYING/RETAINING RUNOFF THROUGH STORMWATER DETENTION MEASURES IS NOT DESIRABLE. ALLOWING THE DEVELOPMENT TO DRAIN IMMEDIATELY WILL HAVE NO ADVERSE IMPACT DOWNSTREAM, THEREFORE, THE FLOW PROTECTION CRITERIA 9VAC25-870-66C IS IMPRACTICAL AND UN-NECESSARY. AS FOR THE CHANNEL PROTECTION CRITERIA, THE RIVER IS THE RECEIVING CHANNEL AND SINCE THE CONTRIBUTING FLOW BY THE DEVELOPMENT IS VERY SMALL AND INSIGNIFICANT TO THE OVERALL FLOW OF THE RAPPAHANNOCK RIVER, PROVIDING CHANNEL PROTECTION PER CRITERIA 9VAC25-879-66B IS UN-NECESSARY AND IMPRACTICAL.

**WATER QUALITY**  
 THE SITE IS A RE-DEVELOPMENT PROPERTY WITH AN INCREASE IN IMPERVIOUS SURFACE AREA. THE PREDEVELOPMENT IMPERVIOUS AREA IS 80%. THE PROPOSED IMPERVIOUS AREA WILL BE 87%. FOR PHOSPHOROUS LOADING AND REMOVAL THE OWNER INTENDS TO PURCHASE NUTRIENT CREDITS (PURSUANT TO 9VAC25-870-69) TO MEET THIS WATER QUALITY REQUIREMENT.



DATE	REVISION	REVISED PER CITY COMMENTS
07/29/2019		
11/25/2019		

**Freeland Engineering, PC**  
 10814 Courthouse Road  
 Fredericksburg, Virginia 22408  
 Phone: 540.898.3092  
 Fax: 877.658.7735  
 www.freelandengineering.com

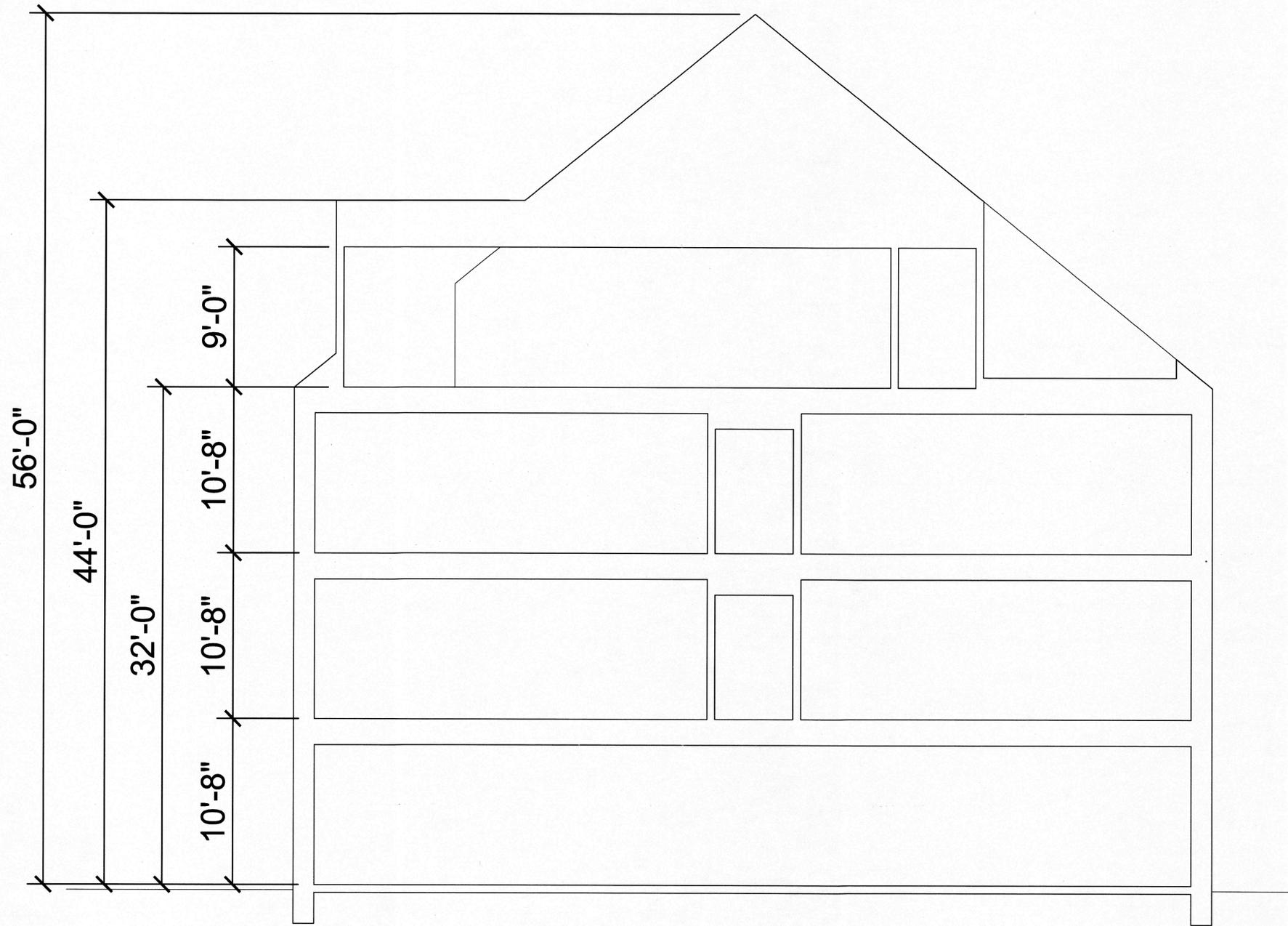


**TRAFFIC FLOW, LANDSCAPING & SWM NARRATIVE**  
**ONE HANOVER APARTMENTS**  
 CITY OF FREDERICKSBURG  
 VIRGINIA

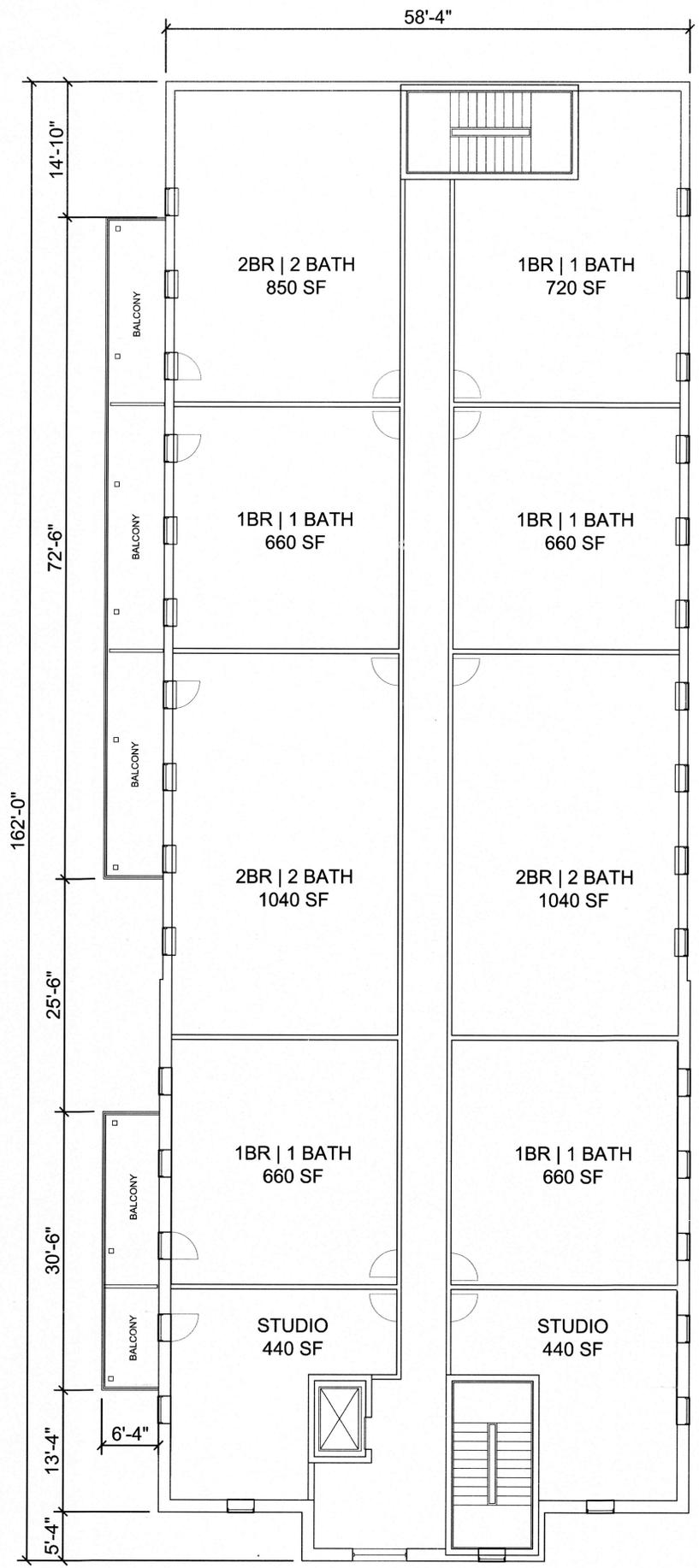


**SEAL**  
 County Plan Number: SPMAJ2019-09  
 Drawn By: SAR  
 Designed By: SAR  
 Checked By: RPF  
 Date: 08/26/2020  
 Scale: 1"=10'  
 Sheet: 3 of 3  
 PROJECT #4464

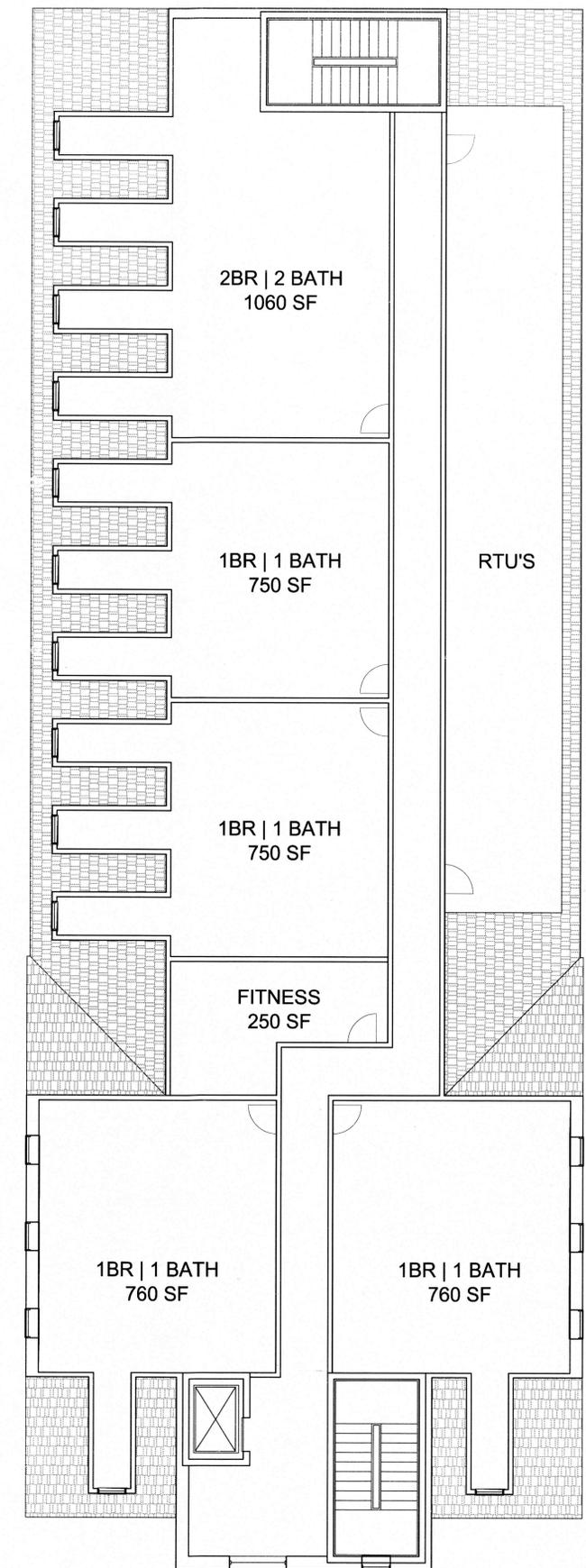




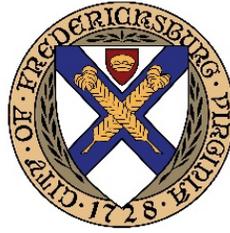
SECTION



THIRD FLOOR  
9,330 GSF



FOURTH FLOOR  
6,320 GSF



## MEMORANDUM

**TO:** Chairman Rodriguez and Planning Commissioners  
**FROM:** James Newman, Zoning Administrator  
**DATE:** September 4, 2020 for the September 9 Planning Commission public hearing  
**RE:** **SE 2020-04: Haven for Heroes Inc.** requests a Special Exception from City Code §72-40.2, Use Table, to permit a duplex at 315/317 McKinney Street/GPIN 7788-18-9981.

### ISSUE

Proposed special exception request is to permit a former duplex to be renovated into a duplex.



### PROPOSED SPECIAL EXCEPTION REQUEST

The applicant seeks an exception to Code §72-40.2, Use Table, which does not list 'Dwelling, Duplex' as an allowed use. 'Dwelling, Duplex' is defined in §72-84, Definitions. Granting this Special Exception would permit a duplex at 315/317 McKinney Street/GPIN 7788-18-9981.

### RECOMMENDATION

Recommend to the City Council approval of the Special Exception subject to the following conditions:

1. Prior to occupancy the three lots must be consolidated to make the structure conform to the Unified Development Ordinance;
2. The use shall commence within 24 months of the date of adoption of this resolution. The use is permitted only so long as it continues and is not discontinued for more than 24 months.

## **GENERAL BACKGROUND**

The applicant wishes to renovate a dilapidated duplex to make it habitable. The property is zoned R4, and a duplex is not a permitted use in the R4 Zoning District. The use is **not** legally non-conforming as the structure has not been inhabited for over two years.

City Code §72-82.4 defines a “**Dwelling, Duplex**” as

*A single-family dwelling unit attached to one other single-family dwelling unit by a common vertical wall. Each dwelling unit may be located on its own lot, or both may be located on a single lot.*

The structure is a duplex. The house dates to 1949, is 1,426 sq. ft. in area, and is one story with a basement below. The structure is split down the middle, with two separate entrances for each unit. The applicant proposes to remodel the building and split the units horizontally, with one unit in the basement and the other unit on the main floor. Each unit would have its own utility hookup.

The applicant is ‘Haven For Heros’. They work to provide affordable housing for veterans and their families. The applicant proposes to use this duplex for affordable housing.

Per the City’s Community Development Planner Susanna Finn:

*The proposed use of the property is to be affordable housing for low-income veterans and their families. It is generally advised that rents conform to being below the [Small Area Fair Market Rent annually updated by HUD](#). It is further advised, that the property owner coordinate with the Fredericksburg Regional Continuum of Care’s [Stable Homes Partnership](#) to make this housing opportunity available for veterans exiting homelessness.*

Per the Federal Department of Housing and Urban Development (HUD) affordable rent in the 22401 zip code is defined as no more than \$1,120 for a one-bedroom unit, or \$1,280 for a two bedroom unit.

While the applicant has chosen to pursue this special exception as a way to provide affordable housing, approval should be granted regardless. The property was historically used as a duplex. There are eight duplexes in the surrounding neighborhood, the approval of the exception would maintain the historic variety of housing options available in the neighborhood, and approval would lead to the renovation of a visually blighted structure.

## **SPECIAL EXCEPTION ANALYSIS**

Unified Development Ordinance (UDO) §72-22.7 contains review criteria that the Planning Commission and City Council shall use when evaluating an application for a Special Exception. These criteria are:

### ***1. Consistency with the Unified Development Ordinance***

The purpose of the Residential-4 (R4) Zoning District is:

*“established to provide for single-family detached dwellings in both developed and undeveloped areas of the City at densities of up to four units per acre. The district also allows selected uses which are compatible with the medium density residential character of the district and to implement the stated purposes and intent of the Comprehensive Plan. Cluster-style development configured in accordance with the standards in § 72-51.4, Cluster subdivisions, is permitted.”*

The applicant seeks to rehabilitate a vacant duplex to make it habitable. The property is composed of three lots, which could result in 3 new units with a density of 17 units per acre. Renovating the existing duplex would result in a density of 11 units per acre. As a condition of approval, the lots should be combined to bring the property more into conformance with City Code requirements. Consolidating the lots would maintain the two units while reducing the overall density of the lot to the existing 11 units an acre.

## ***2. Conformance with the Comprehensive Plan***

The property lies within Land Use Planning Area 8: Dixon Street/Mayfield. The Future Land Use map identifies this area as Low Density Residential. This category states: *“Residential development at four units per acre is generally a conventional subdivision. Some parts of the City are zoned for two units per acre, but these districts are typically rezoned to a higher density so that can be developed in a manner more appropriate to an urban location. Where the land has historic resources and/or attractive natural features, the City encourages innovative layouts and clustering, to retain attractive open space and to protect sensitive lands.”*

The requested special exceptions and associated development are in accordance with goals of the Comprehensive Plan:

### Environmental Protection Goals – pg. 1-8

#### Goal 6. Livability

*“Strengthen existing policies and develop new ones to actively promote a sustainable future by promoting clustered and compact development, which would be balanced by additional open space, and redevelopment of land and repurposing of structures”.*

### Residential Neighborhoods – pg. 1-10

#### Goal 1. Neighborhood Character

*“Preserve the character of the City’s neighborhoods, by respecting and maintaining their functional design (sidewalks, alleys, street trees, etc.)”*

#### Goal 2. Neighborhood Quality

*“Enhance the quality of the City’s residential areas, to promote livability and a sense of community. Livability is defined as safe and walkable, with a variety of housing choices and ready access (walking, biking, transit, automobile) to work, shopping, and services.”*

#### Goal 7. Affordable Housing

*“All persons who live and work in Fredericksburg should have the opportunity to rent or purchase safe, decent, and accessible housing within their means.”*

#### **Goal 8. Variety of Housing**

*“Provide a variety of housing opportunities throughout the City that respect the character of the community.”*

## ***3. Whether there has been a sufficient period of time for investigation and community planning with respect to the application.***

The Technical Review Committee has completed its review. If approved, work would be required to be performed in accordance with all Building Code requirements, which requires that there must be a complete 1-hour fire separation between units and all supporting construction of the 1-hour horizontal fire separation assembly must be equally fire rated. Egress from the basement unit is possible via the

rear door at the basement ground level and via the windows, which meet current Building Code requirements to be emergency egress points.

- 4. *Whether the special exception is consistent with the principles of good zoning practice, including the purposes of the district in which the special exception would be located, existing and planned uses of surrounding land, and the characteristics of the property involved.***

Section 72-12 of the UDO states that “*The City Council has adopted this chapter to promote the health, safety, convenience, and general welfare of the public, to plan for the future development of the community, and to accomplish the objectives of the Code of Virginia and the City of Fredericksburg Comprehensive Plan*”. As stated in that Code Section, zoning is intended to be a tool that provides for, amongst other things:

- A. *...Adequate light, air, convenience of access, and safety from fire, flood, impounding structural failure, crime, and other dangers;*
- C. *To facilitate the creation of a convenient, attractive, and harmonious community;*
- G. *To encourage economic development that provides desirable employment, including high wage jobs, and enlarge the tax base;*
- J. *To implement the Fredericksburg Comprehensive Plan and any special area plan adopted by the City;*

The property is not located within a floodplain or floodway. Approval will allow for the rehabilitation of a vacant, dilapidated structure, and provide housing choice.

- 5. *Whether the proposed use or aspect of the development requiring the special exception is special, extraordinary or unusual.***

The property was developed as duplex in 1949. It was inhabited until 2013. The applicant proposes to restore the structure to its historic use.

- 6. *Whether the proposed exception potentially results in any adverse impacts on the surrounding neighborhood, or the community in general; and if so, whether there are any reasonable conditions of approval that would satisfactorily mitigate such impacts.***

The current structure is vacant and blighted, having a negative impact on the aesthesis of the community. Approval would permit a duplex built to current Building Code requirements, and would eliminate blight. There are eight other duplexes in the neighborhood; approval would not lead to a standalone situation. Rehabilitant the structure would keep the number of dwelling units that already exist on site. If the structure was torn down, three dwelling units could be placed on the property.

## **CONCLUSION**

This is a proposal for a special exception to reestablish a duplex use in a structure originally designed and built for that purpose. The use is compatible with the surrounding neighborhood and meets the goals of the Comprehensive Plan. The Planning Commission should recommend approval to City Council.

## **ATTACHMENTS**

1. Resolution
2. Application



Application #SE: 2020-04  
Date: 7.1.20  
Fee/Check#: CX 1016 \$900  
**\$750.00 + \$150.00 Per Acre**

## APPLICATION SPECIAL EXCEPTION

**APPLICANT**

NAME: Haven For Heros INC (Barzel Mckinney)

MAILING ADDRESS: 2217 Princess Anne St, Suite 106-1L, Fredericksburg, VA 22401

TELEPHONE: 540-479-1044 E-MAIL: barzel@haven4heros.org

THE UNDERSIGNED HEREBY APPLIES FOR AN EXCEPTION FOR: Duplex use in the R4 zoning district.

**THE SUBJECT PROPERTY IS DESCRIBED AS FOLLOWS:**

Property Location 315/317 Mckinney St, Fredericksburg, VA 22401

Property Owned By Bobby L. Smith

Owner's Mailing Address 616 Spottswood, St, Fredericksburg, VA 22401

Proposed Use of Property (*be specific*) To be renovated and used as a modern duplex for the purpose of providing affordable housing for low income veterans and their families.

HOURS OF OPERATION N/A NUMBER OF EMPLOYEES N/A

Anticipated Number of Patrons or Clients 8

Description of the development's impact on neighboring and adjacent properties, please be specific (attach additional sheet if necessary): The neighboring and adjacent properties would benefit from the upgrade of having a blighted eye soar of a property enhance the community and increase other property values. this request would be consisent with the Cities comprehensive plan to increase affordable housing units and to help our fellow veterans. The home is currently a duplex and was previously zoned in R4, the current footprint would not change. This exception in consistent with the principles f zoning and good zoning practice.

(Application Continued)

**Criteria for a Special Exception: Use Separate Sheets for Explanations and be Specific and Thorough.**

Whether the grant of the special exception is consistent with the City's Comprehensive Plan;

1. Whether the special exception is consistent with the goals, purposes and objectives of the City's zoning ordinance;
2. Whether there has been a sufficient period of time for investigation and community planning with respect to the application;
3. Whether the special exception is consistent with the principles of zoning and good zoning practice, including the purposes of the district in which the special exception would be located, existing and planned uses of surrounding land, the characteristics of the property involved, and the adverse impacts of the proposed use;
4. Whether the proposed use or aspect of the development requiring the special exception is special, extraordinary or unusual;
5. Whether the applicant has demonstrated that its application meets all these criteria;

*I do hereby make oath or affirmation that to the best of my knowledge, the foregoing information contained in this application is true.*

*Barzel b. McKinney*  
Signature of Applicant

06/22/2020  
Date

PRINT NAME OF APPLICANT Barzel b. McKinney, President of Haven For Heros Inc

The above oath or affirmation was signed before me and witnessed by me this 22<sup>nd</sup> day of JUNE, 2020 in the County/City of Fredericksburg in the state of Virginia.

Notary Signature *Rebecca Jane Easterling*

Notary Registration # 7546298 Commission Expires 08/31/2021

*Bobbie L. Smith, Sr.*  
Signature of Owner Date

PRINT NAME OF OWNER Bobbie L. Smith, Sr.

The above oath or affirmation was signed before me and witnessed by me this 22<sup>nd</sup> day of JUNE, 2020 in the County/City of Fredericksburg in the state of Virginia.

Notary Signature *Rebecca Jane Easterling*

Notary Registration # 7546298 Commission expires 08/31/2021

REBECCA JANE EASTERLING  
NOTARY PUBLIC  
REG. #7546298  
COMMONWEALTH OF VIRGINIA  
MY COMMISSION EXPIRES AUG. 31, 2021

REBECCA JANE EASTERLING  
NOTARY PUBLIC  
REG. #7546298  
COMMONWEALTH OF VIRGINIA  
MY COMMISSION EXPIRES AUG. 31, 2021

**OWNERSHIP**

**Applicant is (Circle One):**

Property Owner

Agent of Owner

Lessee

Property Purchaser

Other

**If 'Other', describe:**

---

**Source of Property Title / Instrument #:**

---

---

**If Property is owned by a Limited Liability Corporation (LLC):**

1. Attach a "Certificate of Fact of Existence" from the State Corporation Commission; and
2. List the names and titles with authority to sign on behalf of the LLC (add additional sheets if needed):

N/A

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**OR**

**If Property is owned by a Corporation (Inc.):**

1. Attach a "Certificate of Good Standing" from the State Corporation Commission; and
2. List the names and titles with authority to sign on behalf of the corporation (add additional sheets if needed):

N/A

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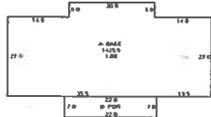
# Fredericksburg, Virginia

**GPIN**  
7788-18-9981

**Property Address**  
315 MCKINNEY ST

**Record #**  
3307

## General

<b>Owner's Name:</b>	SMITH BOBBIE L	<b>Site Information</b>		 
<b>Mailing Address:</b>	616 SPOTTSWOOD ST FREDERICKSBURG, VA 22401	<b>Acres:</b>	0.00000000	
<b>Description:</b>	LTS 56-58 BL 178-38-L56	<b>Zoning :</b>	R4	
	315 317 MCKINNEY ST	<b>Terrain Type:</b>	On	
		<b>Terrain Character:</b>	Open	
		<b>Right of Way:</b>	Public	
		<b>Easements:</b>	Paved	
		<b>Other Description:</b>	LOT: 75 X 105	

## Details

<b>Size in Sq. Ft.:</b>	1,426		
<b>Value:</b>	\$77,400.00		
<b>Exterior Information</b>		<b>Interior Information</b>	
<b>Year Built:</b>	1949	<b># of Rooms:</b>	8
<b>Occupancy:</b>	Dwelling	<b># of Bedrooms:</b>	4
<b>Foundation:</b>	Concrete	<b>Full Bathrooms:</b>	2
<b># of Stories:</b>	1.0	<b>Half Bathrooms:</b>	0
<b>Ext. Walls:</b>	Brick	<b>Floors:</b>	Wood, Carpet
<b>Roofing:</b>	Comp Shg	<b>Fireplaces:</b>	0
<b>Roof Type:</b>	Hip	<b>Stacked Fireplaces:</b>	0
<b>Garage:</b>	None	<b>Flues:</b>	0
<b>Garage - # Of Cars:</b>	0	<b>Metal Flues:</b>	0
<b>Built-In Garage - # Of Cars:</b>	0	<b>Stacked Flues:</b>	0
<b>Carpport:</b>	None	<b>Inoperable Flues/Fireplaces:</b>	0
<b>Carpport - # Of Cars:</b>	0	<b>Gas Log Fireplaces:</b>	0
		<b>Total SqFt:</b>	1,426
		<b>Basement Type:</b>	Full
		<b>Basement SqFT:</b>	0
		<b>Finished Basement SqFt:</b>	0
		<b>Interior Walls:</b>	Plaster
		<b>Heating:</b>	Forced Air
		<b>A/C:</b>	No
		<b>Utilities</b>	
		<b>Water:</b>	Public
		<b>Sewer:</b>	Public
		<b>Electric:</b>	Yes
		<b>Gas:</b>	Yes
		<b>Fuel Type:</b>	Gas

## Assessments

Improvements Details				Assessment Year:	2016
				Building Value:	\$14,912
<b>Sale Date</b>	<b>Sale Amount</b>	<b>Document No</b>	<b>Deed Bk / Pg</b>	Total Other Improvements:	\$0
<b>Total Other Improvements Value:</b>				Total Land Value:	\$62,500
\$				Rounded Taxable Value:	\$77,400
				Percent Complete:	
				Assessment Neighbourhood:	3 - MAYFIELD RESIDENTIAL

Description	Size in Acres	Lump Sum/Per Acres	Unit Value	Adj	Utility Value	Acreage Value
Other		Lump Sum	\$62,500	.00%	0	62,500

**Total Value:**  
\$77,412

## Ownership

Current Ownership Details							
Name	Sale Date	Sale Price	Instrument	Plat Book/Page	Deed Book/Page	Will Book/Page	Grantor
SMITH BOBBIE L	1/1/1979	\$17,500.00			171 / 657		

Previous Ownership Details							
Name	Sale Date	Sale Price	Instrument	Deed Book/Page	Will Book/Page	Grantor	

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				Building Value:	\$14,912	
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				Percent Complete:		
				Assessment Neighbourhood:	3 - MAYFIELD RESIDENTIAL	
Total Other Improvements Value:						
S						
Description	Size in Acres	Lump Sum/Per Acres	Unit Value	Adj	Utility Value	Acreage Value
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Total Value:						
\$77,412						

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# Fredericksburg, Virginia

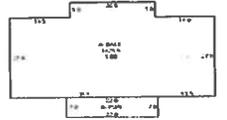
**GPIN**  
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**Property Address**  
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**Record #**  
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## General

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		<b>Terrain Type:</b>	On
		<b>Terrain Character:</b>	Open
		<b>Right of Way:</b>	Public
		<b>Easements:</b>	Paved
		<b>Other Description:</b>	LOT: 75 X 105



## Details

<b>Size in Sq. Ft.:</b>	1,426		
<b>Value:</b>	\$77,400.00		
<b>Exterior Information</b>	<b>Interior Information</b>	<b>Total SqFt:</b> 1,426	<b>Utilities</b>
<b>Year Built:</b> 1949	<b># of Rooms:</b> 8	<b>Basement Type:</b> Full	<b>Water:</b> Public
<b>Occupancy:</b> Dwelling	<b># of Bedrooms:</b> 4	<b>Basement SqFT:</b> 0	<b>Sewer:</b> Public
<b>Foundation:</b> Concrete	<b>Full Bathrooms:</b> 2	<b>Finished Basement SqFt:</b> 0	<b>Electric:</b> Yes
<b># of Stories:</b> 1.0	<b>Half Bathrooms:</b> 0	<b>Interior Walls:</b> Plaster	<b>Gas:</b> Yes
<b>Ext. Walls:</b> Brick	<b>Floors:</b> Wood, Carpet	<b>Heating:</b> Forced Air	<b>Fuel Type:</b> Gas
<b>Roofing:</b> Comp Shg	<b>Fireplaces:</b> 0	<b>A/C:</b> No	
<b>Roof Type:</b> Hip	<b>Stacked Fireplaces:</b> 0		
<b>Garage:</b> None	<b>Flues:</b> 0		
<b>Garage - # Of Cars:</b> 0	<b>Metal Flues:</b> 0		
<b>Built-In Garage - # Of Cars:</b> 0	<b>Stacked Flues:</b> 0		
<b>Carport:</b> None	<b>Inoperable Flues/Fireplaces:</b> 0		
<b>Carport - # Of Cars:</b> 0	<b>Gas Log Fireplaces:</b> 0		

DISCLAIMER: This data is provided without warranty of any kind, either expressed or implied, including, but not limited to, the implied warranties of merchantability and fitness for a particular purpose. Any person, firm, or corporation which uses this map or any of the enclosed information assumes all risk for the inaccuracy thereof, as City of Fredericksburg expressly disclaims any liability for loss or damage arising from the use of said information by any third party.

**barzel.mckinney@gmail.com**

---

**From:** Nick Feaster <nfeaster@jeswork.com>  
**Sent:** Tuesday, June 30, 2020 8:13 PM  
**To:** Barzel.mckinney@gmail.com  
**Subject:** Fw: 315 McKinney Street Fredericksburg, VA Inspection

---

**From:** Nick Feaster  
**Sent:** Monday, June 29, 2020 10:49 PM  
**To:** info@havenforheroes.org <info@havenforheroes.org>  
**Subject:** 315 McKinney Street Fredericksburg, VA Inspection

Mr. McKinney,

Thanks again for having me out to review the foundation of this home, as discussed on site, structurally the building is actually in pretty good shape, the brick that was falling was just sitting on a surface footing (basically formed on top of the loose back fill soil, which settled) After the brick was demoed you can clearly see the foundation which did not appear to have any major issues and was actually down about 3-4' deeper to the footings, no signs of settlement on that. The inside joist have slight amounts of deflection (mostly from moisture and sitting empty for so long) but nothing is in danger of falling down other than the steps going to the front door which can easily be repaired.

It is my personal belief that this house will turn out great and should be able to be repaired. Just make sure to repair any rot as you come in and renovate before installation of siding.

Best of luck and don't hesitate to call if you have any questions.

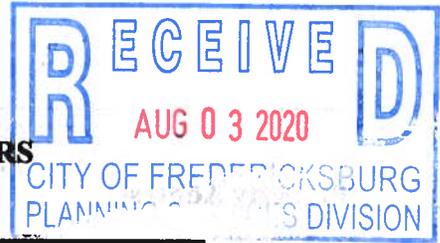
**Nick Feaster**

Inspection Manager  
JES Foundation Repair  
**Office:** 804-425-9912  
**Cell:** : 757-435-3197

*Serving VA, DC, MD, NC, SC, GA FL, MO, OH & IN*

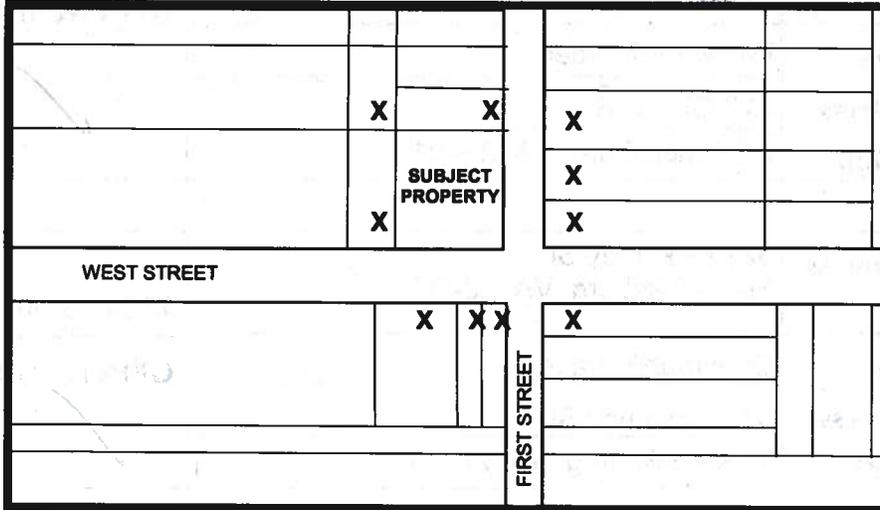
**70,000+ Homes Repaired Since 1993**

[www.jeswork.com](http://www.jeswork.com) |



**EXAMPLE DIAGRAM OF ADJOINING PROPERTY OWNERS**

**X = Property owners to be notified**



**PROPERTY OWNERS LIST**

315 Mckinney St, Fredericksburg, VA 22401

7788-18-9981

**SUBJECT ADDRESS**

**GPIN #**

Adjoining property owner names and addresses can be obtained by visiting the City website at [www.fredericksburgva.gov](http://www.fredericksburgva.gov) and following the link to GIS, or by visiting the Office of Real Estate at City Hall, 715 Princess Anne Street, Room 107.

**Adjoining Property Owner's Name and Mailing Address**

<b>Property Address</b>	318 Glover St, Fredericksburg VA 22401	7788-19-9032
<b>Owner Name</b>	Lucille B. Jackson	<b>GPIN NUMBER</b> ✓
<b>Mailing Address</b>	318 Glover St,	
<b>City, State, Zip</b>	Fredericksburg, VA 22401	

<b>Property Address</b>		
<b>Owner Name</b>		<b>GPIN NUMBER</b>
<b>Mailing Address</b>		
<b>City, State, Zip</b>		

<b>Property Address</b>	312 Glover St Fredericksburg, VA 22401	7788-29-0013
		<b>GPIN NUMBER</b>
<b>Owner Name</b>	William A Mercer	✓
<b>Mailing Address</b>	312 Glover St	
<b>City, State, Zip</b>	Fredericksburg, VA 22401	

<b>Property Address</b>	321 Mckinney St Fredericksburg, VA 22401	7788-18-9921
		<b>GPIN NUMBER</b>
<b>Owner Name</b>	Christopher Page	✓
<b>Mailing Address</b>	321 Mckinney St	
<b>City, State, Zip</b>	Fredericksburg, VA 22401	

<b>Property Address</b>	311 Mckinney St Fredericksburg, VA 22401	7788-28-0941
		<b>GPIN NUMBER</b>
<b>Owner Name</b>	3337 LLC	✓
<b>Mailing Address</b>	1003 Bragg Rd	
<b>City, State, Zip</b>	Fredericksburg, VA 22407	

<b>Property Address</b>	320 Mckinney St Fredericksburg, VA 22401	7788-18-8787
		<b>GPIN NUMBER</b>
<b>Owner Name</b>	Taylor Jennings and Audrey Young	✓
<b>Mailing Address</b>	10863 Harmel Dr.	
<b>City, State, Zip</b>	Columbia, MD 21044	

<b>Property Address</b>	314 Mckinney St Fredericksburg, VA 22401	7788-28-0768
		<b>GPIN NUMBER</b>
<b>Owner Name</b>	Carlos Calderon Hernandez	✓
<b>Mailing Address</b>	314 Mckinney St	
<b>City, State, Zip</b>	Fredericksburg, VA	



<b>Property Address</b>	308 Mckinney St Fredericksburg, VA 22401	7788-28-1725
<b>Owner Name</b>	Denise Armstead	<b>GPIN NUMBER</b>  /
<b>Mailing Address</b>	308 Mckinney St	
<b>City, State, Zip</b>	Fredericksburg, VA 22401	

<b>Property Address</b>		
<b>Owner Name</b>		<b>GPIN NUMBER</b>
<b>Mailing Address</b>		
<b>City, State, Zip</b>		

<b>Property Address</b>		
<b>Owner Name</b>		<b>GPIN NUMBER</b>
<b>Mailing Address</b>		
<b>City, State, Zip</b>		

<b>Property Address</b>		
<b>Owner Name</b>		<b>GPIN NUMBER</b>
<b>Mailing Address</b>		
<b>City, State, Zip</b>		

<b>Property Address</b>		
<b>Owner Name</b>		<b>GPIN NUMBER</b>
<b>Mailing Address</b>		
<b>City, State, Zip</b>		

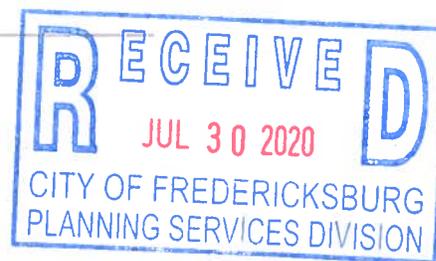
**ATTACH ADDITIONAL SHEETS IF NECESSARY**

**NOTE: Applicant to return all notice documents at least five days or prior to the public hearing to:  
Office of the Zoning Administrator, 715 Princess Anne Street, Fredericksburg, VA 22401**

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# Haven For Heros INC

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## Memorandum

To: City of Fredericksbur Planning Services Division  
715 Princess Anne St, Rm 209, P.O. Box 7447  
Fredericksburg, VA 22404

From: Barzel B. Mckiney (Haven For Heros INC)

CC: James Newman

Ref: 315/317 Mckinney St, Fredericksburg VA 22401(Special Exception Application)

Statement: No member of the City Council / Planning Commission or any member of their immediate household or family owns or has any financial interest in such property or has any financial interest in the outcome of the decision.

BARZEL B. MCKINNEY

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# Haven For Heros INC

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## Memorandum

To: City of Fredericksburg Planning Services Division  
715 Princess Anne St, Rm 209, P.O. Box 7447  
Fredericksburg, VA 22404

From: Barzel B. Mckinney (Haven For Heros INC)

CC: James Newman

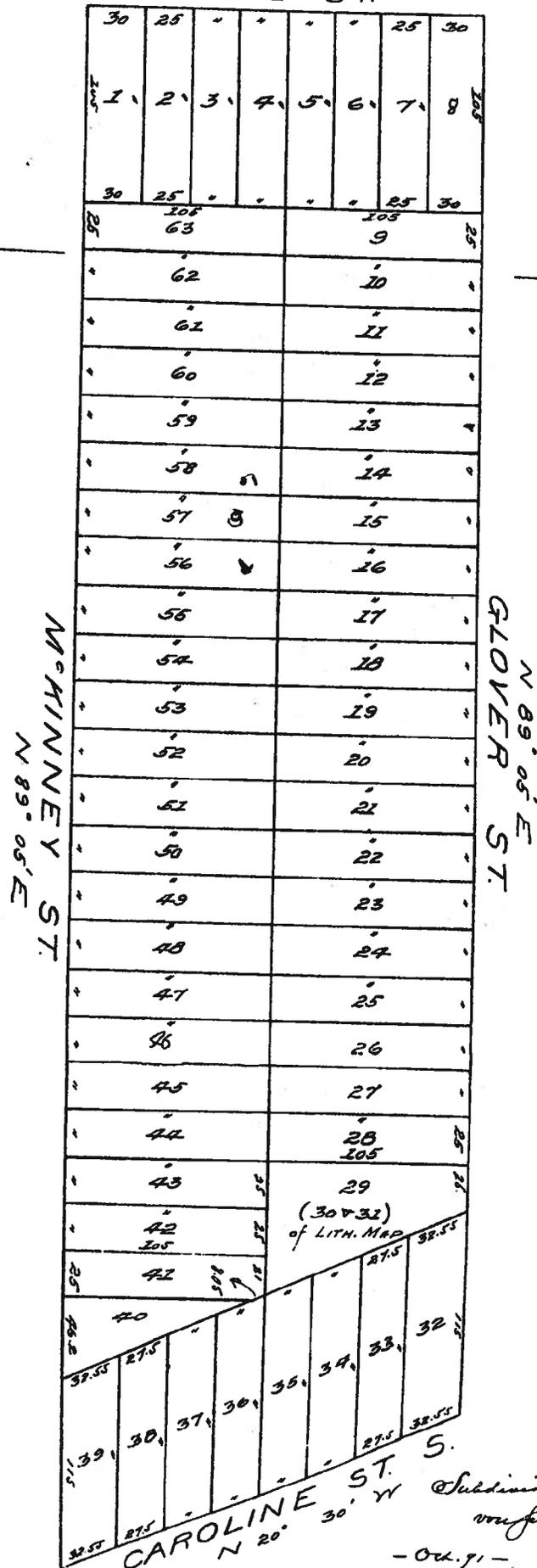
Ref: 315/317 Mckinney St, Fredericksburg VA 22401(Special Exception Application)

1. This request is consistent with the City's Comprehensive Plan Section II (Housing and Affordable Housing Page 7-6) providing safe/secure affordable housing.
2. Th request is consistent with the goals, purpose and standards of the City's UDO. Goal 7: Affordable Housing All persons who live and work in Fredericksburg should have the opportunity to rent or purchase safe, decent, and accessible housing within their means
3. This development's impact on adjacent and neighboring properties would eliminate a long standing blighted property eyesore within the community, adding a new more modern and appealing residence within the community with new families adding value to existing adjacent property.
4. This request is consistent with the principles of the zoning and good zoning practice. The subject property was and currently is a multi unit property, the community consist of many multi units so this would not be an unusual project for the area. The characteristics of the property involved does not constitute a tear down but a rehab that would not negatively affect the adjacent property owners at all. There are no adverse impacts on the propsed use.

  
Barzel B. Mckinney



BLOCK No 38  
 N 0° 55' W  
 WHITE ST.



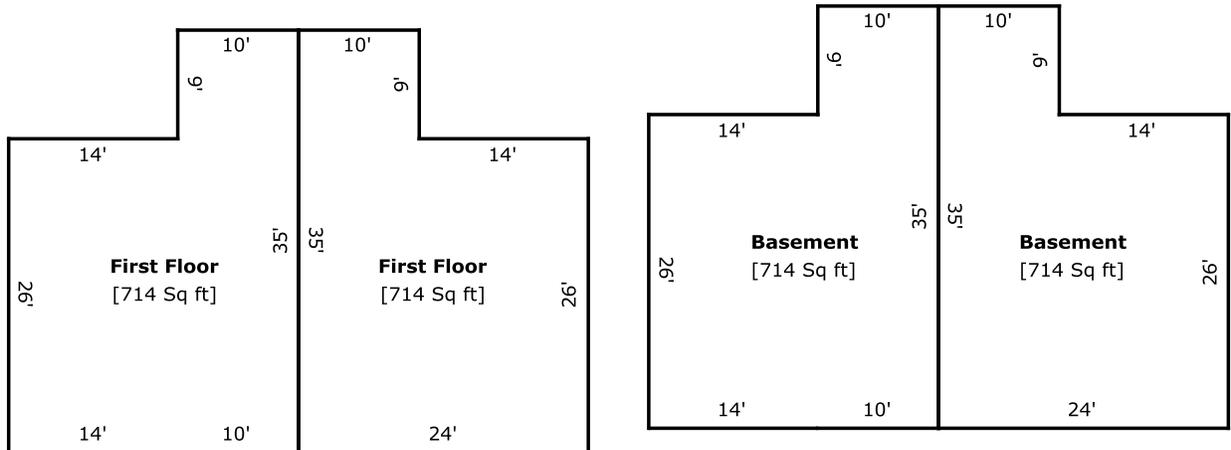
(30 & 32)  
 of LITH. MAP

Submitted by  
 [Signature]

# Building Sketch

Borrower	Private				
Property Address	315 McKinney St				
City	Fredericksburg	County	City of Fredericksburg	State	VA
Lender/Client	Private	Zip Code	22401		

This sketch is provided in all good faith and intention. The appraiser is neither architect nor surveyor. Dimensions noted are those recorded by the appraiser in the field. They may or may not match those dimensions reported by a survey crew or architectural drawings. No attempt has been made to create a perfect architectural rendering of the improvement.



### Area Calculations Summary

Living Area	Calculation Details	
First Floor	714 Sq ft	24 × 26 = 624 9 × 10 = 90



**MOTION:**

**SECOND:**

**DRAFT**  
**Regular Meeting**  
**Resolution 20-\_\_**

**RE: Granting a special exception to permit a duplex dwelling at 315/317 McKinney Street.**

**ACTION: APPROVED: Ayes: 0; Nays: 0**

Haven for Heros, Inc. has applied for a special exception to permit a duplex dwelling at 315/317 McKinney Street, GPIN #7788-18-9981. The property is situated at the intersection of McKinney Street and King Street in the Mayfield neighborhood, and it is zoned R-4 Residential.

The proposed special exception would permit the applicant to renovate an existing dilapidated structure, which was historically used as a duplex, into a duplex configuration. The primary structure is a 1,426 square-foot one-story duplex with a basement. It is currently split by a vertical wall through the center of the structure, with two separate entrances on the main floor, one for each unit. The proposed renovation would split the units horizontally, with one unit in the basement and the other on the main floor.

The R4 zoning district does not permit a duplex dwelling as a permitted use. However, this particular neighborhood features a variety of housing types, including duplexes, and the proposed renovation would rehabilitate a visually blighted structure and restore the property to its historic use.

Therefore, the City Council hereby resolves that:

- Council has reviewed and considered the following criteria with respect to the special exception applications: (a) whether the grant of the special exceptions is consistent with the City's Comprehensive Plan; (b) whether the special exceptions are consistent with the goals, purposes and objectives of the City's zoning ordinance; (c) whether there has been a sufficient period of time for investigation and community planning with respect to the applications; (d) whether the special exceptions are consistent with the principles of zoning and good zoning practice, including the purposes of the district in which the special exception would be located, existing and planned uses of surrounding land, the characteristics of the property involved, and the adverse impacts of the proposed use; and (e) whether the proposed use or aspect of the development requiring the special exceptions is special, extraordinary or unusual.
- Pursuant to Section 72.22.7 of the City of Fredericksburg Uniform Development Ordinance, Council hereby grants a special exception for 315/317 McKinney Street from Fredericksburg City Code Section 72-40.2, to permit a duplex in the R4 Zoning District.
- The special exception is subject to the following conditions:
  1. Prior to occupancy, the three existing lots must be consolidated to make the structure conform to the Unified Development Ordinance.
  2. The use shall commence within 24 months of the date of adoption of this resolution. The use is permitted only so long as it continues and is not discontinued for more than 24 months.

**Votes:**  
**Ayes:**  
**Nays:**  
**Absent from Vote:**  
**Absent from Meeting:**

\*\*\*\*\*

***Clerk's Certificate***

*I certify that I am Clerk of Council of the City of Fredericksburg, Virginia, and that the foregoing is a true copy of Resolution No. 20-\_\_\_\_\_, adopted at a meeting of the City Council held \_\_\_\_\_, 2020, at which a quorum was present and voted.*

|

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***Tonya B. Lacey, CMC***  
***Clerk of Council***



## MEMORANDUM

**TO:** Chairman Rodriguez, Planning Commissioners  
**FROM:** James Newman, Zoning Administrator  
**DATE:** September 4, 2020 for the September 9<sup>th</sup> meeting  
**RE:** *SUP 2020-04, Crown Trophy*, requests a Special Use Permit to allow for a 3,200 sq. ft. retail sales establishment at 1529 Olde William Street.

### ISSUE

Should the Planning Commission recommend approval for the proposed special use permit for retail sales?



### RECOMMENDATION

Approval subject to the following conditions:

1. Hours of operation shall be limited from 9AM to 10PM Monday through Sunday.
2. The use shall commence within 24 months of the date of adoption of this resolution. The use is permitted only so long as it continues and is not discontinued for more than 24 months.

## **GENERAL BACKGROUND**

Virginia Awards Inc., doing business as Crown Trophy, wishes to operate a retail sales establishment at 1529 Olde William Street. The business is currently located at 810 Westwood Office Park. They create custom trophies, screen prints, embroideries, and other custom award design work.

The 1529 Olde William Street is located in the same building as 1527 Olde William Street. The structure was built in 1959. The previous use of the 1529 address was as office space. Adjacent uses include business offices, a veterinary clinic, and parking lots.

The total size of the unit is 3,200 sq. ft. There will be a showroom approximately 800 sq. ft. in area and a manufacturing area approximately 800 sq. ft. in area. The rest of the space will be devoted to office and storage use.

The business will be owner-operated. The applicant has requested hours of operation being 9AM-5PM. Per the property owner, there are 18 parking spaces adjacent to the building, 14 in a common area behind, and space for additional parking on-street.

The applicant states that there will be seven employees (four full-time and three part-time). Tools used for their work include laser etching machines, hand tools, and an embroidery machine. No noxious fumes, vapors, or other nuisance factors will be an issue.

## **RETAIL SALES**

Retail Sales is defined in City Code Section 72-84 as:

*“Any building wherein the primary occupation is the sale of merchandise in small quantities, in broken lots or parcels, not in bulk, for use or consumption by the immediate purchaser. The term shall not include automobile-oriented uses, quick-service food stores, or vehicle sale, rental or ancillary service establishments.”*

City Code Section 72-83.4 defines the characteristics of retail sales as:

*“...use types involved in the sale, lease, or rent of new or used products to the general public. They may also provide personal services or entertainment, or provide product repair or services for consumer and business goods. Accessory uses may include offices, storage of goods, manufacture or repackaging of goods for on-site sale, concessions, ATM machines, outdoor display/sales areas, gasoline sales, and parking.”*

The primary focus of the business is the display and sale of goods to customers. The manufacturing aspect is accessory to the sales; the application meets the definition of retail sales establishment.

For manufacturing, all parts used are pre-assembled materials. Parts are pieced together using hand-tools or light machinery to bring about the final product, which is then displayed or sold to the customer.

## **SPECIAL USE PERMIT ANALYSIS**

Special Use Permits apply to the property indefinitely per Virginia Code, regardless of ownership. They are evaluated according to the criteria contained in the UDO, Section 72-22.6, as follows:

**(1) The proposed special use at a specified location shall be:**

**(a) In harmony with the adopted Comprehensive Plan;**

The property lies within Land Use Planning Area 5: University/Route 1 (Central), Sub-Planning Area 5B. This area is described on page 11 (5)-4, which states in part:

*“This area is uniquely positioned near major roadways, regional transit, and two major institutional anchors and could provide space for commercial and office activity.”*

The future land use map in the Comprehensive Plan designates this property as Transitional/Office. This category provides for:

*“The areas between residential and commercial districts are transitional spaces. This Commercial-Transitional/Office category provides for limited retail uses and small scale offices, with appropriate landscaping and screening, to provide a transition between quiet residential areas and more intense commercial districts.”*

Page 6-8 of the Comprehensive Plan lists Business Opportunity Goals. Relevant goals are:

Goal 3: Be a Business-Friendly City

*Small and large businesses are the lifeblood of the community as well as the City’s tax base, and steps must be taken to ensure they feel appreciated and fairly treated. That is accomplished through superior customer service, a reasonable regulatory environment, fair tax rates and excellent business retention efforts.*

Goal 13: Business Development

*Ensure the City can accommodate and capture its projected share of regional economic growth, by actively recruiting desired new businesses and providing for retail and office space development in areas identified for growth.*

**(b) In harmony with the purpose and intent of the zoning district regulations;**

The purpose of the Commercial-Transitional (CT) Zoning District is *“to provide for the location of predominantly nonresidential commercial uses in a low-intensity manner such that they can be employed as transitional land uses between residential neighborhoods and higher-intensity uses.”*

The use of a retail sales establishment in this space fits this definition well. It is a low intensity, nonresidential use. It is located within a commercial area.

**(c) In harmony with the existing uses or planned uses of neighboring properties.**

Olde William Street is a commercial thoroughfare. All the adjacent uses are offices or commercial uses. This use will be in harmony with the surrounding land use pattern.

**In considering an application for a Special Use Permit, the City Council shall consider potential adverse impacts including:**

**1. Traffic or parking congestion;**

The site is situated on and has access from Olde William Street. On street parking is available on Olde William Street as well as Spotsylvania Avenue. On-site parking is also available.

**2. Noise, lights, dust, odor, fumes, vibration, and other factors which adversely affect the natural environment;**

No excessive noise, odor, fumes, or vibration are associated with the proposed use. The size of the use would be limited to the particular suite (1529 Olde William) to be occupied by the applicant, and the hours of operation listed in Condition 1 would limit the business to operate from 9am-10pm.

**3. Discouragement of economic development activities that may provide desirable employment or enlarge the tax base;**

The use constitutes economic development.

**4. Undue density of population or intensity of use in relation to the community facilities existing or available;**

There are sufficient public utilities to serve the site.

**5. Reduction in the availability of affordable housing in the neighborhood;**

Not applicable, this Special Use application is for a commercial use in an existing building.

**6. Impact on school population and facilities;**

Not applicable, this Special Use application is for a commercial use in an existing building.

**7. Destruction of or encroachment upon conservation or historic districts;**

Not applicable.

**8. Conformity with federal, state and local laws, as demonstrated and certified by the applicant; and**

The applicant states they have conformed to all federal, state, and local laws.

**9. Massing and scale of the project.**

The business will operate within the existing building, no expansion is proposed as part of this Special Use Permit.

**CONCLUSION**

This is an application to permit a retail sales establishment in a CT Zoned property. It is located in a commercial area. The application meets the criteria required for approval. Approval is recommended.

**ATTACHMENTS:**

1. Resolution
2. Application



Application #SUP: 2020-04  
Date: 8.14.20  
Fee/Check#: ck 3304 \$900  
\$300.00 for an Individual Single-Family Lot; or  
\$750.00 + \$150.00 per Acre for All Others

**APPLICATION  
SPECIAL USE PERMIT**

(CROWN TROPHY)

APPLICANT NAME: CHRIS AND LINDA HARA  
MAILING ADDRESS: 11314 MANSFIELD CLUB DRIVE F'burg, VA  
TELEPHONE: (540) 899-8995 E-MAIL: CHARA20895@AOL.COM  
22408

THE UNDERSIGNED HEREBY APPLIES FOR A SPECIAL USE FOR: \_\_\_\_\_

Trophy And Embroidery Shop  
1529 Olde William Street

THE SUBJECT PROPERTY IS DESCRIBED AS FOLLOWS:

Property Location 1529 Olde William Street

Property Owned By RONALD L. HICKS

Owner's Mailing Address 1107 Westwood Drive Fred'burg VA 22401

Proposed Use of Property (be specific) Trophy And Embroidery Shop

HOURS OF OPERATION 9-5, M-F NUMBER OF EMPLOYEES 7

Anticipated Number of Patrons or Clients 10-20 per day  
Description of the development's impact on neighboring and adjacent properties (please submit a complete and accurate description on a separate sheet of paper):

1. Compliance with Comprehensive Plan:
2. In harmony with the purpose and intent of the zoning district regulations:
3. In harmony with the existing uses or planned use of the neighboring properties:
4. Traffic Impact:

Special Use Permit Request  
(Application Continued)

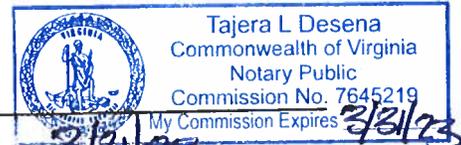
I do hereby make oath or affirmation that to the best of my knowledge, the foregoing information contained in this application is true.

Chris & Linda Hara Linda Hara AUGUST 14, 2020  
Signature of Applicant Date

PRINT NAME OF APPLICANT CHRIS AND LINDA HARA

The above oath or affirmation was signed before me and witnessed by me this 14<sup>th</sup> day of August, 2020 in the County / City of Fredericksburg in the state of Virginia.

Notary Signature Tajera L Desena  
Notary Registration # 7645219 Commission Expires 3/31/23



Ronald L Hicks AUGUST 14, 2020  
Signature of Owner Date

PRINT NAME OF OWNER RONALD L. HICKS

The above oath or affirmation was signed before me and witnessed by me this 14<sup>th</sup> day of August, 2020 in the County / City of Fredericksburg in the state of Virginia.

Notary Signature Tajera L Desena

Notary Registration # 7645219

Commission expires: 3/31/23



**OWNERSHIP**

**Applicant is (Circle One):**

Property Owner

Agent of Owner

Lessee

Property Purchaser

Other

If 'Other', describe: \_\_\_\_\_

**Source of Property Title / Instrument #:**

PURCHASED BY OWNER 30 YEARS AGO  
JANUARY 1, 1989 Deed Book 225 Page 734

**If Property is owned by a Limited Liability Corporation (LLC):**

1. Attach a "Certificate of Fact of Existence" from the State Corporation Commission; and
2. List the names and titles with authority to sign on behalf of the LLC (add additional sheets if needed):

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**OR**

**If Property is owned by a Corporation (Inc.):**

1. Attach a "Certificate of Good Standing" from the State Corporation Commission; and
2. List the names and titles with authority to sign on behalf of the corporation (add additional sheets if needed):

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

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DEED OF EXCHANGE

THIS DEED OF EXCHANGE, made and entered into this 28th day of February, 1989, by and between LEE'S HILL PARTNERSHIP, a Virginia General Partnership, party of the first part; and RONALD L. HICKS, party of the second part.

WHEREAS, the party of the second part is part owner of a certain tract of real estate located in Spotsylvania County, Virginia, on State Route 635 containing 76.0255 acres, having a fair market value of \$2,090,701.00; and

WHEREAS, the party of the first part owns certain lots in the City of Fredericksburg, Virginia, containing a total of 0.704 acre, having a fair market value of \$525,000.00; and a certain lot in Spotsylvania County, Virginia, designated Lot 114, Spotslee Subdivision, having a fair market value of \$62,500.00; and

WHEREAS, it is the desire of the party of the first part to exchange the above lots in partial consideration for the property of the party of the second part.

NOW, THEREFORE, WITNESSETH, that for and in consideration of the mutual exchange of real estate, and other good and valuable consideration, the receipt of which is hereby acknowledged, the party of the first part does hereby bargain, grant, convey and exchange unto the party of the second part, RONALD L. HICKS, in fee simple and with SPECIAL WARRANTY and all Virginia statutory covenants of title, the following described real estate, to-wit:

All those certain lots or parcels of land, with all buildings and improvements thereon and all rights and privileges thereto appurtenant, situate, lying and being in the City of Fredericksburg, Virginia, containing a total of 0.704 acre as shown on plat thereof dated July 15, 1988, prepared by Everett D. Grissom, CLS, a copy of which plat is recorded in the Clerk's Office of the Circuit Court of the City of Fredericksburg, Virginia, in Plat Book 5, Page 14.

Being all the same real estate conveyed unto the party of the first part by deed dated February

Att: JARRELL HICKS & BARBER ATTORNEYS AT LAW • P. O. BOX 127 • SPOTSYLVANIA, VIRGINIA 22153-0127

28, 1989, from Spotsylvania Avenue Partnership which deed is recorded in said Clerk's Office immediately preceding this deed.

This conveyance is made EXPRESSLY SUBJECT TO all restrictions, covenants and easements now of record on said property as the same may lawfully apply.

WITNESS the following signature and seal:

LEE'S HILL PARTNERSHIP,  
A VIRGINIA GENERAL PARTNERSHIP

BY: LEEWOOD, L. P.,  
GENERAL PARTNER

BY: BEECHLEE DEVELOPMENT CORP.,  
GENERAL PARTNER

BY: J.E. Goodwin (SEAL)  
TITLE: Partner

ATTORNEYS AT LAW • P O BOX 127 • SPOTSYLVANIA, VIRGINIA 22432-0127  
JAMES L. WOODS & GASSER

STATE OF VIRGINIA

CITY/COUNTY OF Stafford, to-wit:

The foregoing deed of trust acknowledged before me this 28 day of February, 1989, by Thomas E. Goodwin, President of Beechlee Development Corp., General Partner of Leewood, L. P., General Partner of Lee's Hill Partnership, a Virginia General Partnership, on behalf of said Lee's Hill Partnership, a Virginia General Partnership.

My commission expires: December 10, 1990.

Linda C. Burrell  
Notary Public

VIRGINIA. In the Clerk's Office of the Circuit Court of the City of Fredericksburg on the 28 day of Feb 1989 at 3:30 o'clock p. m., this instrument was presented to me, Clerk of the Court, and the same was read and indexed. The taxes imposed by such Article of the code have been paid.  
881-808 & 525

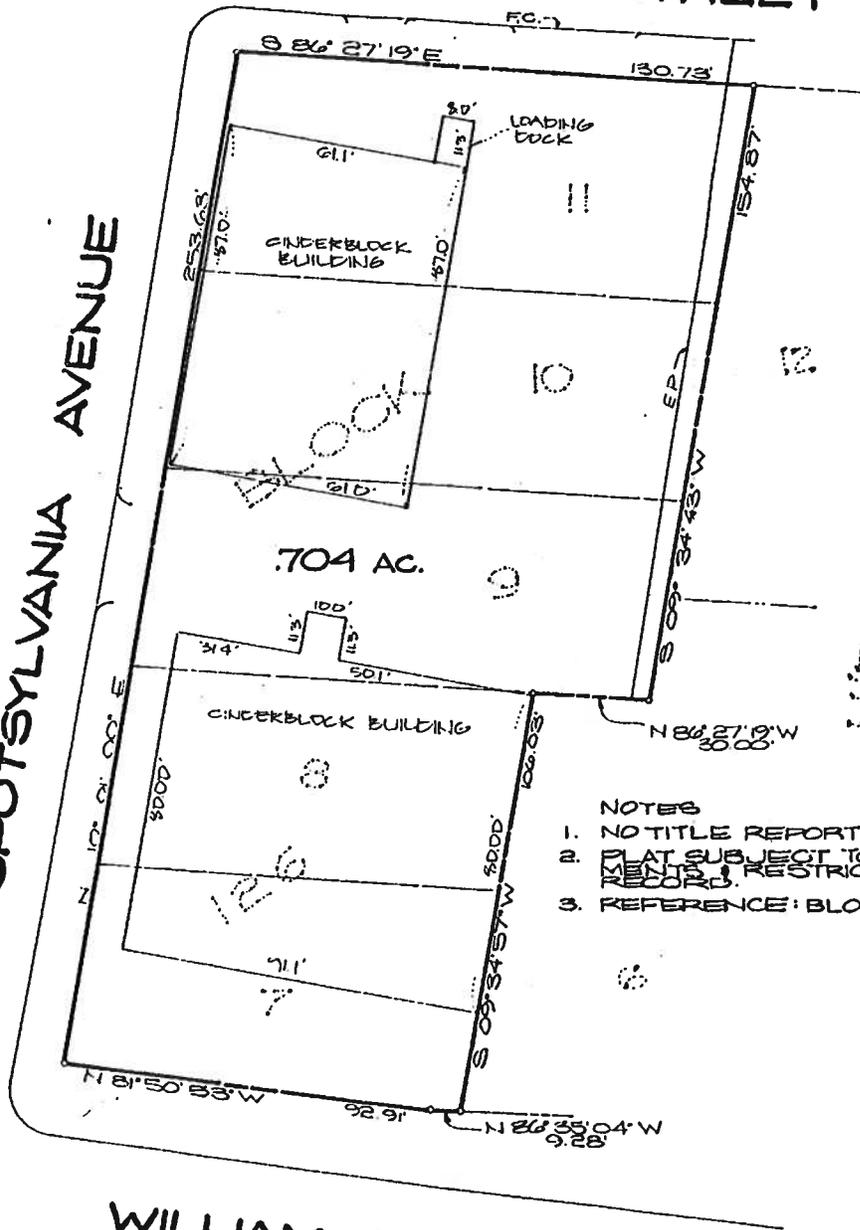
Tate: Georgia K. Sutton  
By: GK Sutton Deputy Clerk

*Recd James Woods Gasser 3/15/89*



BUCKNER STREET

SPOTSYLVANIA AVENUE



*W.F. WAGNER*

NOTES

- 1. NO TITLE REPORT FURNISHED
- 2. PLAT SUBJECT TO EASEMENTS & RESTRICTIONS OF RECORD.
- 3. REFERENCE: BLOCK 126

WILLIAM STREET



PLAT SHOWING  
LOTS 7, 8, 9, 10 & 11

**BLOCK 126**

**CITY OF FREDERICKSBURG, VIRGINIA**

DATE - JULY 1980 SCALE - 1" = 30'

**R.C. HARROVER & ASSOCIATES, P.C.**

701 WEST 4TH STREET, FREDERICKSBURG, VA 22401

CHRIS AND LINDA HARA  
(CROWN TROPHY)

1. COMPLIANCE WITH COMPREHENSIVE PLAN:

PROPERTY CURRENTLY ZONED C-T. PROPOSED USE IS SIMILAR TO PAST USES OF THE PROPERTY. BUSINESS TAKES ORDERS MAINLY FOR CUSTOMER PICKUP, AND DOES MUCH WORK FOR THE CITY. BUSINESS IS MOVING FROM WESTWOOD OFFICE PARK TO OLDE WILLIAM ST. TRAFFIC IS MINIMAL BECAUSE THIS IS A DESTINATION BUSINESS.

2. IN HARMONY WITH THE PURPOSE AND INTENT OF ZONING DISTRICT REGULATIONS: YES, IN HARMONY WITH SURROUNDING BUSINESSES WITH LIGHT RETAIL. C-T ZONING PROVIDES FOR SPECIAL USE FOR THE PROPOSED BUSINESS USE AND PROFESSIONAL SERVICES.

3. IN HARMONY WITH EXISTING USES OR PLANNED USE OF NEIGHBORING PROPERTIES: YES, IN HARMONY WITH SURROUNDING BUSINESSES.

4. TRAFFIC IMPACT: 10 TO 20 CUSTOMERS PER DAY, TRAFFIC WOULD BE VERY LIGHT. A PERCENTAGE OF THE BUSINESS IS DELIVERY. CURRENTLY, LUCKY TO HAVE 10 CUSTOMERS PER DAY BECAUSE OF COVID.

**Ronald L. Hicks**  
1107 Westwood Drive  
Fredericksburg, VA, 22401  
(540)847-3697



Mr. James Newman, AICP, CZO  
Zoning Administrator  
Planning Services Division  
715 Princess Anne Street, Room 209  
Fredericksburg, VA 22404

August 17, 2020

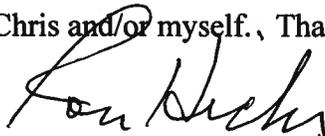
Re: SUP for Retail Sales Establishment  
1529 Olde William St/ GPIN 7779-52-2314

Dear Mr. Newman,

This comes in response to yours of August 14, 2020 requesting supplemental answers to the application for Special Exception SUP 2020-04.

1. Provide source of property title. Property was acquired in January 1989 in Deed Book 225 Page 734. Copy of Deed is attached.
2. Statement of financial interests in the subject property. No member of City Council or the Planning Commission or any member of their immediate household or family has any financial interest in the outcome of the decision.
3. Statement of charges/liens. There are no delinquent real estate taxes, nuisance charges, storm water management utility fees or other charges that constitute a lien on the subject property. All charges have been paid and nothing is owed on the property.
4. Hours of operation: 9:00am to 5:00pm, Monday through Friday  
Anticipated number of employees: 7, INCLUDING THE APPLICANTS AND 2 DAUGHTERS  
There will be no changes made to the site.
5. List of adjacent property owners is attached.

Please advise if you have any further questions for Chris and/or myself., Thanks,

  
Ron Hicks, Owner

Chris Hara, Applicant



Linda Hara, Applicant



**Legend**

- City Boundary
- WVS Centerlines Back (12,000)
- Interstate
- US Highway
- VA Primary
- Others
- WVS Centerlines Back (12,000)
- Interstate
- US Highway
- VA Primary
- Others
- Parcels



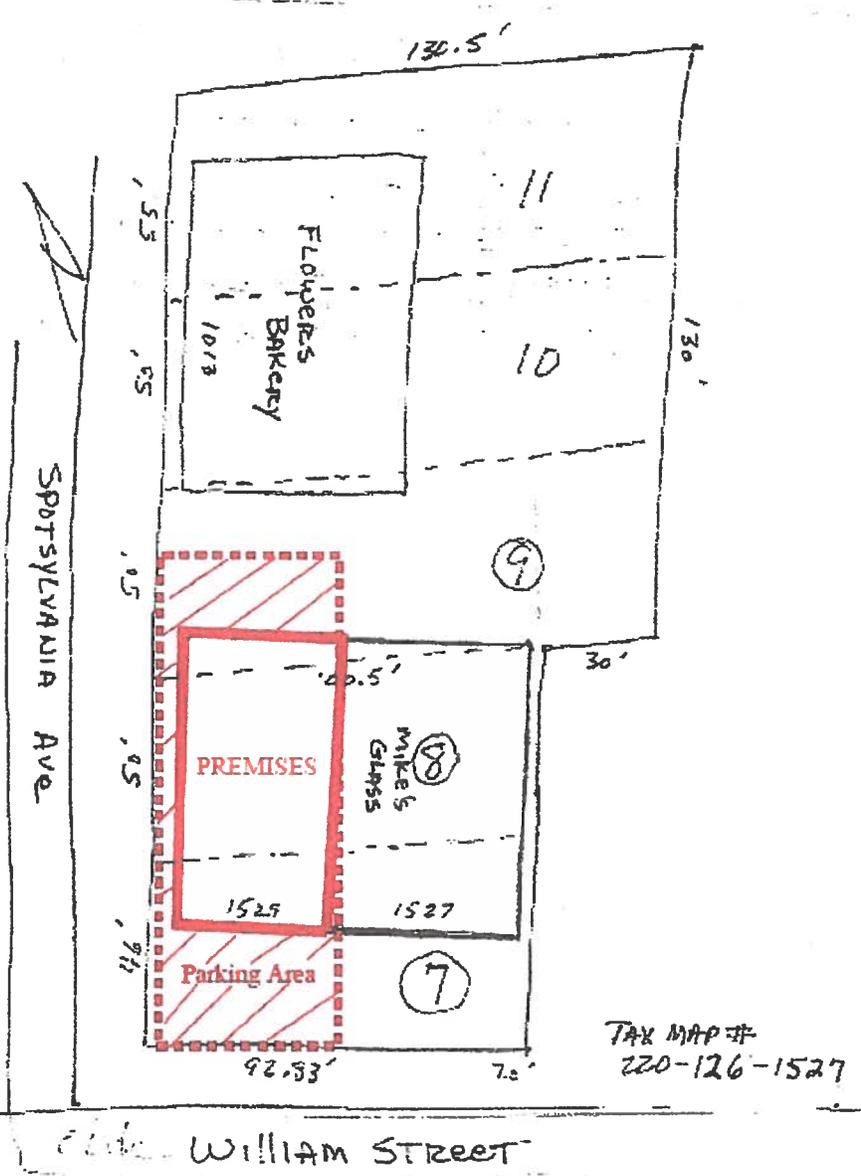
**Title: Parcels**

**Date: 8/14/2020**



DISCLAIMER: All information depicted on this map shall be treated as confidential information and shall only be used for the sole purpose for which it was provided. Another use of this map or the information included thereon is strictly prohibited. The data shown on this map is for information purposes only and shall not be relied upon for the specific location of map features. The City of Fredericksburg makes no representation or warranty as to the accuracy of the map, or the information shown thereon. This map may not be copied or otherwise made available to any other party in paper or electronic format without written consent from the City of Fredericksburg.

EXHIBIT B  
(Sketch)  
TAX MAP

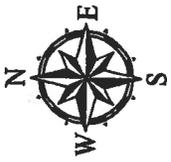
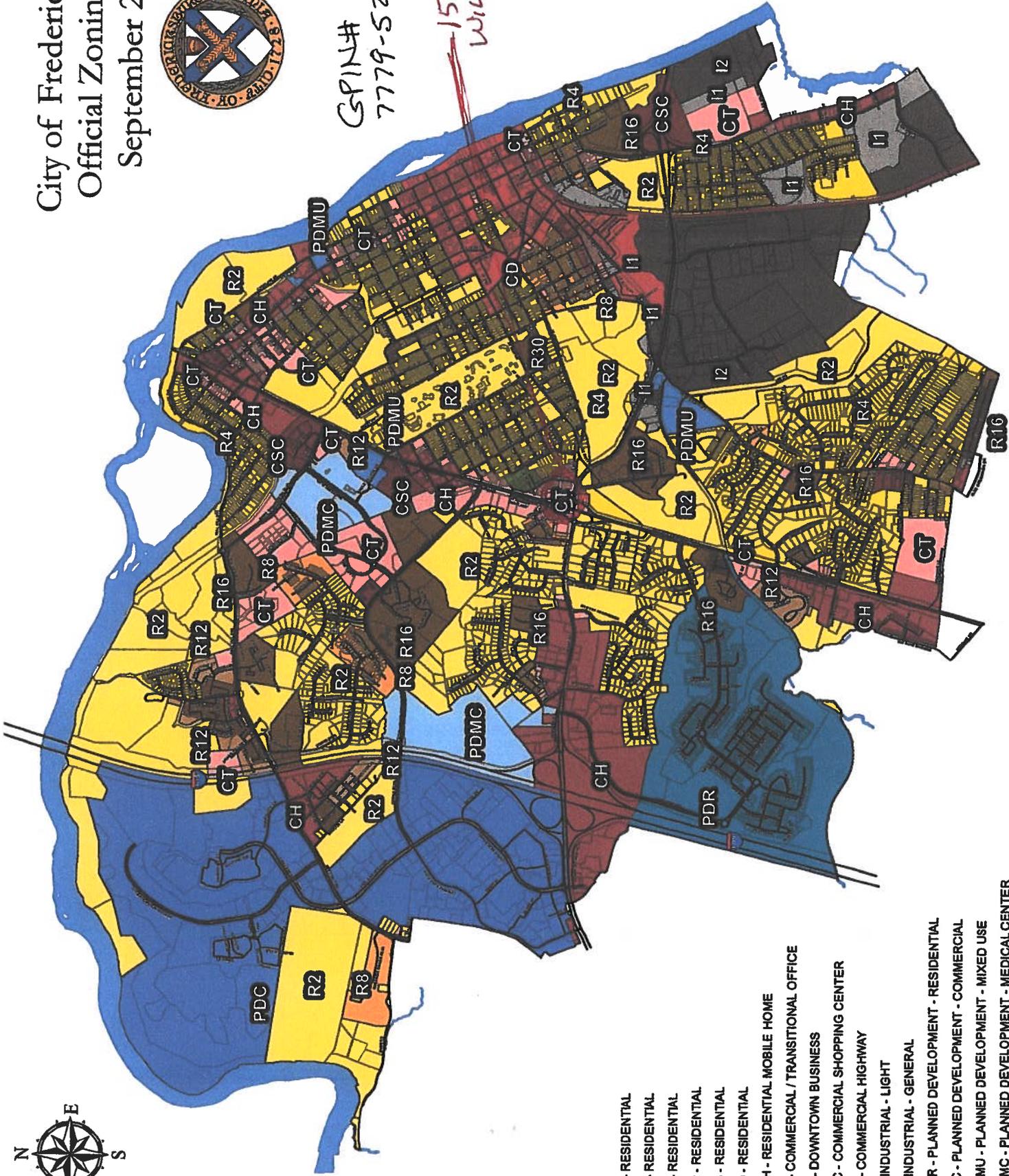


GPIN # 7779-52-2314

City of Fredericksburg  
 Official Zoning Map  
 September 2019

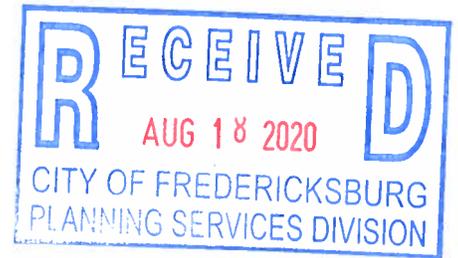


SPIN#  
 7779-52-2314  
 1529 Olde  
 WILLIAM ST



- Legend**
- Zoning**
- R2 - RESIDENTIAL
  - R4 - RESIDENTIAL
  - R8 - RESIDENTIAL
  - R12 - RESIDENTIAL
  - R16 - RESIDENTIAL
  - R30 - RESIDENTIAL
  - RMH - RESIDENTIAL MOBILE HOME
  - CT - COMMERCIAL / TRANSITIONAL OFFICE
  - CD - DOWNTOWN BUSINESS
  - CSC - COMMERCIAL SHOPPING CENTER
  - CH - COMMERCIAL HIGHWAY
  - I1 - INDUSTRIAL - LIGHT
  - I2 - INDUSTRIAL - GENERAL
  - PD-R - PLANNED DEVELOPMENT - RESIDENTIAL
  - PDC - PLANNED DEVELOPMENT - COMMERCIAL
  - PD-MU - PLANNED DEVELOPMENT - MIXED USE
  - PD-MC - PLANNED DEVELOPMENT - MEDICAL CENTER
- Rail Lines  
 Road Centerlines

**Ronald L. Hicks**  
1107 Westwood Drive  
Fredericksburg, VA, 22401  
(540)847-3697



Mr. James Newman, AICP, CZO  
Zoning Administrator  
Planning Services Division  
715 Princess Anne Street, Room 209  
Fredericksburg, VA 22404

August 18, 2020

Re: SUP for Retail Sales Establishment  
1529 Olde William St/ GPIN 7779-52-2314  
REVISED List of Adjoining Property Owners

Dear Mr. Newman,

This comes in response to yours of August 18, 2020 requesting additional listings of Adjacent Property Owners for the application for Special Exception SUP 2020-04.

1. GPIN# 7779-52-0434 owned by Smith Run Center Condominium has been added.
2. GPIN# 7779-52-0467 was included on Page 2 of the original List.
3. GPIN# 7779-52-0572 was included on Page 2 of the original List

Per your suggestion, I have not removed GPIN#s 7779-52-2682, 7779-52-0675, and 7779-52-3666, property owned by Duffee Keene Delahay Embrey, but have noted that no mailing is required to this property owner.

Please see the REVISED List of Adjoining Property Owners attached.

A handwritten signature in black ink that reads "Ron Hicks".

Ron Hicks, Owner

A handwritten signature in black ink that reads "Chris Hara".

Chris Hara, Applicant

A handwritten signature in black ink that reads "Linda Hara".

Linda Hara, Applicant

*James,*  
I tried to call to make sure I wasn't missing something on "2 and 3," but wanted to get this in today. I know this is a busy day for you! Ron

**Ronald L. Hicks, Owner  
Chris and Linda Hara, Applicant  
1529 Olde William Street  
GPin#7779-52-2314**

**REVISED**

**LIST OF ADJOINING PROPERTY OWNERS**

<b>Property Address</b>	0 Spotsylvania Avenue	Mailing Not Required Per Zoning Dept
<b>Owners Name</b>	Duffee Keene Delahay Embrey c/o James B. Franklin	<b>GPIN NUMBER</b>  7779-52-2682
<b>Mailing Address</b>	308 Lee Dr	
<b>City, State, Zip</b>	Fredericksburg, VA 22401	

<b>Property Address</b>	0 Spotsylvania Avenue	Mailing No Required Per Zoning Dept
<b>Owners Name</b>	Duffee Keene Delahay Embrey c/o James B. Franklin	<b>GPIN NUMBER</b>  7779-52-0675
<b>Mailing Address</b>	308 Lee Dr	
<b>City, State, Zip</b>	Fredericksburg, VA 22401	

<b>Property Address</b>	0 Buckner Street	Mailing Not Required Per Zoning Dept
<b>Owners Name</b>	Duffee Keene Delahay Embrey c/o James B. Franklin	<b>GPIN NUMBER</b>  7779-52-3666
<b>Mailing Address</b>	308 Lee Dr	
<b>City, State, Zip</b>	Fredericksburg, VA 22401	

<b>Property Address</b>	1601 Olde William Street	
<b>Owners Name</b>	1601-C Olde William LLC	<b>GPIN NUMBER</b> 7779-52-0572
<b>Mailing Address</b>	1601-C Olde William Street	
<b>City, State, Zip</b>	Fredericksburg, VA 22401	

<b>Property Address</b>	1601 Olde William Street	
<b>Owners Name</b>	Cryscos LLC	<b>GPIN NUMBER</b> 7779-52-0467
<b>Mailing Address</b>	1601 Olde William Street, Ste B	
<b>City, State, Zip</b>	Fredericksburg, VA 22401	

<b>Property Address</b>	1601 Olde William Street	
<b>Owners Name</b>	S F Sales, LLC	<b>GPIN NUMBER</b> 7779-52-0463
<b>Mailing Address</b>	11505 General Wadsworth Drive	
<b>City, State, Zip</b>	Spotsylvania, VA, 22553	

<b>Property Address</b>	1525 Olde William Street	
<b>Owners Name</b>	G. Frank and Margote Wagner	<b>GPIN NUMBER</b> 7779-52-3325
<b>Mailing Address</b>	1525 Olde William Street	
<b>City, State, Zip</b>	Fredericksburg, VA 22401	

<b>Property Address</b>	0 Buckner Street	
<b>Owners Name</b>	G. Frank and Margote Wagner	<b>GPIN NUMBER</b> 7779-52-3448
<b>Mailing Address</b>	1525 Olde William Street	
<b>City, State, Zip</b>	Fredericksburg, VA 22401	

<b>Property Address</b>	1191 Armory Drive	
<b>Owners Name</b>	City of Fredericksburg	<b>GPIN NUMBER</b> 7779-42-9136
<b>Mailing Address</b>	P. O. Box 7447	
<b>City, State, Zip</b>	Fredericksburg, VA 22404	

<b>Property Address</b>	1013 Spotsylvania Avenue	
<b>Owners Name</b>	Ronald L. Hicks	<b>GPIN NUMBER</b> 7779-52-2447
<b>Mailing Address</b>	1107 Westwood Drive	
<b>City, State, Zip</b>	Fredericksburg, VA 22401	

<b>Property Address</b>	0	
<b>Owners Name</b>	Smith Run Center Condominium	<b>GPIN NUMBER</b> 7779-52-0434
<b>Mailing Address</b>	P. O. Box 605	
<b>City, State, Zip</b>	Burgess, VA 22432	

James Newman, AICP, CZO  
Zoning Administrator  
Planning Services Division  
City of Fredericksburg VA



City of Fredericksburg  
Planning Services Division  
715 Princess Anne Street, Room 209  
P.O. Box 7447  
Fredericksburg VA 22404

August 18, 2020

Crown Trophy  
ATTN: Chris & Linda Hara  
11314 Mansfield Club Drive  
Fredericksburg VA 22408

Delivered via to email to [chara20895@aol.com](mailto:chara20895@aol.com)

**Re: SUP For Retail Sales Establishment at 1529 Olde William Street/GPIN 7779-52-2314**

Dear Applicant,

Your **Special Exception** application SUP 2020-04 at 1529 Olde William Street has been determined to be incomplete. Please address the following issues:

1. GPIN 7779-52-0434 is not listed on the List of Adjoining Property Owners *- Added To LIST*
2. GPIN 7779-52-0467 is not listed on the List of Adjoining Property Owners *- ALREADY LISTED*
3. GPIN 7779-52-0572 is not listed on the List of Adjoining Property Owners *- ALREADY LISTED*

The following GPINS are on the List of Adjoining Property Owners, but are not required. You do not have to remove them, but you are not required to mail a letter to them:

1. GPIN 7779-52-2682
  2. GPIN 7779-52-0675
  3. GPIN 7779-52-3666
- } Keene Embrey - No MAILING NECESSARY*

I must have this information no later than 4:30pm Tuesday August 18<sup>th</sup> in order to get you on a September 2020 Planning Commission Meeting. These items must be provided in order to determine your application as complete. If the meantime, if you need further assistance please feel free to contact me at [jnewman@fredericksburgva.gov](mailto:jnewman@fredericksburgva.gov).

Sincerely,

James Newman, AICP, CZO  
Zoning Administrator  
Planning Services Division  
City of Fredericksburg VA



**MOTION:**

**SECOND:**

**DRAFT  
Regular Meeting  
Resolution 20-\_\_**

**RE: Granting a special use permit for Crown Trophy, a retail sales establishment at 1529 Olde William Street**

**ACTION:**

Chris and Linda Hara have applied to the City Council for a special use permit for Crown Trophy, a trophy and embroidery shop located at 1529 Olde William Street. The subject property is in the Commercial-Transitional (CT) zoning district. This type of shop is classified as a retail sales establishment, a use that is permitted in the CT district only by special use permit. The applicants seek this SUP as part of their plan to relocate their existing shop to this property.

City Council, after notice and a public hearing, has considered the application in light of its conformity with the City's Comprehensive Plan, its harmony with the purposes and standards of the zoning district regulations, its compatibility with existing or planned uses of neighboring properties, and whether the proposed special use and related improvements will be designed, sited, landscaped, and otherwise configured so that the use will not hinder or discourage the appropriate development or use of adjacent, neighboring, or community land or structures, or impair their economic, social, or environmental value.

Therefore, the City Council hereby resolves that:

- City Council grants to Chris and Linda Hara, proprietors of Crown Trophy, a special use permit for a retail sales establishment at 1529 Olde William Street, in accordance with their application dated August 14, 2020, and in accordance with the following conditions:
  - The hours of operation for this special use shall be limited to 9:00 a.m. to 10:00 p.m. Monday through Sunday.
  - The use shall commence within 24 months of the date of adoption of this resolution and is permitted only so long as it continues and is not discontinued for more than 24 months.

**Votes:**

**Ayes:**

**Nays:**

**Absent from Vote:**

**Absent from Meeting:**

\*\*\*\*\*

***Clerk's Certificate***

*I certify that I am Clerk of Council of the City of Fredericksburg, Virginia, and that the foregoing is a true copy of Resolution No. 20-\_\_, adopted at a meeting of the City Council held Date, 2020, at which a quorum was present and voted.*

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***Tonya B. Lacey, CMC***  
***Clerk of Council***