



CITY OF FREDERICKSBURG, VIRGINIA

CITY COUNCIL

MINUTES

Council Chambers, 715 Princess Anne Street
Fredericksburg, Virginia 22401

HON. MARY KATHERINE GREENLAW, MAYOR
HON. CHARLIE L. FRYE, JR., VICE -MAYOR, WARD FOUR
HON. KERRY P. DEVINE, AT-LARGE
HON. MATTHEW J. KELLY, AT-LARGE
HON. JASON N. GRAHAM, WARD ONE
HON. WILLIAM C. WITHERS, JR., WARD TWO
HON. DR. TIMOTHY P. DUFFY, WARD THREE

August 25, 2020

The Council of the City of Fredericksburg, Virginia, held a public hearing on Tuesday, August 25, 2020, beginning at 7:38 p.m. using electronic communication through GoToMeeting pursuant to and in compliance with the City Council Ordinance 20-05, an ordinance to address Continuity of City Government during the pendency of a pandemic disaster.

City Council Present. Mayor Mary Katherine Greenlaw. Vice-Mayor Charlie L. Frye, Jr., Council members Kerry P. Devine, Dr. Timothy P. Duffy, Jason N. Graham, Matthew J. Kelly and William C. Withers, Jr.

Also Present. City Manager Timothy J. Baroody, Assistant City Manager Mark Whitley, City Attorney Kathleen Dooley, Assistant City Attorney Dori Martin, Community Planning and Building Services Director Charles Johnston, Senior Planner Michael Craig, Fire Chief Mike Jones, Director of Parks, Recreation and Special Events Jane Shelhorse and Clerk of Council Tonya B. Lacey.

Notice of Public Hearings (D20-__ thru D20-__). The Clerk read the notice of the public hearings as they appeared in the local newspaper, the purpose being to solicit citizen input.

Ordinance Authorizing the Conveyance of a Parcel of Land Containing Approximately 1.95 Acres in Celebrate Virginia South to

Celebrate Virginia South, LLC as Provided for in the September 5, 2008

Deed of Gift of the Parcel to the City (D20-___). no speakers. Fire Chief Jones

reported that in 2005 they identified sites in the City and in 2008 they entered into an agreement between the City and Celebrate Virginia South on a parcel of land that was 1.95 acres on Gordon W. Shelton Boulevard. In 2008, there was an economic downturn that forced the City to delay actions for several years.

In 2017, the City did a Fire Feasibility Study with Manitou Consultants. In the report they did not recommend that site for a third station. They recommended a site somewhere along Cowan Boulevard east of Interstate 95 or on Fall Hill Avenue in the vicinity where Gateway Boulevard extended may go through or at Wicklow Drive.

In 2018, the 10 year deed of gift expired to construct a public safety building on the site and owners of Celebrate Virginia asked to have the site conveyed back to them.

Resolution Approving an Amendment to the 2015 Comprehensive Plan to Amend Chapter 4, “Public Services, Public Facilities, and Preserved Open Space,” Chapter 10, “Land Use,” and Chapter 11, “Planning Areas,” to Adopt a New Small Area Plan for Planning Area 7

Downtown (D20-___). 1 speaker. Community Development Planner Ms. Finn

presented a PowerPoint presentation and she discussed the land use and zoning, implementation of neighborhood commercial residential (NCR), walkable urban places, William Street corridor, Lafayette Boulevard corridor, Sophia Street corridor, implementation – Bankside Trail, implementation – Canal Street Wharf, Train Station district, open space – uplands, access and mobility – pedestrian, access and mobility – bicycle

trail, implementations – Dixon Park Connector, access and mobility – vehicle and access and mobility – mass transit.

Rebecca Hamner, 138 Caroline Street, stated that their committee had participated throughout the small area planning process for Area 7 and they commented at the Planning Commission public hearings. Ms. Hamner added that their suggestions were taken seriously. She asked the Council to make sure the three provisions that addressed their concerns were approved: Page 11(7)-14, “Formalize the City owned parcel adjacent to the Janney-Marshall Building (called Trestle Park by nearby residents) as a City park.”; Page 11(7)-14, “Regarding the section of the green space north of the concrete wall...the green space and its healthy tree canopy were assets that should be maintained for now, and as much as possible in the future Train Station expansion.”; Page 11(7)-29, “Work with the community to develop a focused Train Station Area infrastructure plan. Set a short term and long term implementation strategy.”

Mayor Greenlaw closed the public hearing but noted that the public comments will be accepted through September 8.

Mayor Greenlaw realized she had not closed the public hearing to the Ordinance authorizing the conveyance of a parcel of land containing approximately 1.95 acres in Celebrate Virginia South to Celebrate Virginia South, LLC as provided for in the September 5, 2008 Deed of Gift of the parcel to the City and she did so at this time but noted that comments would be accepted through September 8, 2020.

The Creative Maker District Located Generally Along US Route 1, Fall Hill Avenue, and Princess Anne Street in Planning Area 6 north of the Rappahannock Canal:

1. Ordinance Amending the Unified Development Ordinance to Add the Creative Maker District, and Consolidating Form-Based Regulations in a New Appendix 72-A.

2. Ordinance Rezoning Approximately 78 Acres of Land Located in Planning Area 6, Designated as Transect T-4M or T-5M, to the Creative Maker District as Recommended in the Small Area Plan for Area 6; and Adopting Transect Maps and Frontage Maps for the District.

(D20-__). 1 speaker. Senior Planner Mr. Craig presented a PowerPoint presentation and he discussed what the Creative Maker District is, Smart growth and residential density, Citizen voice in the development process, form based code and transitional zones, open space, adaptive reuse, and next steps.

Councilor Graham expressed his concern with density and whether it goes far enough to allow for middle housing. He wanted to be sure those who would be working in the maker district could afford to live in the district. Mr. Craig stated that the twelve units per acre could allow for the more affordable housing but he said special use permits could be used to allow for many different housing patterns. The ordinance would allow for housing creativity, it would not allow for the area to be overbuilt, out of scale, out of character but they are trying to get out the current model on ratio between land area and unit which exacerbates housing affordability crisis. Mr. Craig explained that they were trying to strike a balance for appropriate affordability, density and economic sustainability.

Tracy Marino, 430 Hunter Street, expressed the Canal Quarter Neighborhood Association concurrence of the amendment to add the Creative Maker District to the

Unified Development Ordinance and consolidating the form-based regulations. They were also concerned with the lack of density caps on special use permits. The association was also concurred with the adoption of the transect maps and frontage maps for the district.

Mayor Greenlaw closed the public hearing but noted that public comments will be accepted through September 8.

Ordinance Amending the Unified Development Ordinance to Amend Off-Street Parking Regulations. Community Planning and Building Director Mr. Johnston presented a PowerPoint and he discussed why there was a need for the change, Comprehensive Plan Guidance, community involvement, Smart Code Model, Smart Code Transects, minimum off-street parking ratios, what this change would do, shared parking factor, required number of spaces, Downtown Parking District and change bicycle parking standards.

Councilor Graham expressed concern that there was a slight increase in the parking for multi-family and single family attached and he asked if could be that could be decreased and Mr. Johnston explained that there have been issues with a shortage of parking in townhome areas.

Councilor Withers said he would prefer to stay with the recommendation of the Planning Commission and the planning staff.

Mayor Greenlaw closed the public hearing but noted that public comments will be accepted through September 8.

Ordinance Amending Section 72-41.1 (Residential Uses) and Section 72-84 (Definitions) of the Unified Development Ordinance to Make Revisions of General Application to the Definitions of Duplex,

Single-Family Attached, and Multi-Family Dwellings. Senior Planner Mr. Craig stated that the existing residential housing definitions in the Unified Development Ordinance (UDO) should better reflect the existing conditions in City neighborhoods. The current definitions contain overlaps and contradictory language. The single-family attached definition also includes some Missing Middle Housing like “garden court dwellings, patio houses, zero-lot-line dwellings, and townhouses.” It does not include triplexes and quadplexes, which are common attached housing arrangements in the City.

The proposed changes would not impact the level of residential use in the City. The ordinance would specifically identify that triplexes and quadplexes are part of that use and would ensure that those uses were considered conforming under today’s zoning.

The use standards associated with single-family attached uses are problematic and difficult to enforce. For example, the use standards prohibit an attached building from being within 15 feet from private driveways, parking areas, or *walkways*. A basis for this regulation is not readily apparent; it appears to prohibit an attached building from having a sidewalk connect to the building’s front door or a residential driveway from connecting to an attached garage.

The proposed text amendment would create a clearer gradation within the residential use definitions: Two units, however connected, are a Duplex; Three to four attached units on a single parcel, or three to eight attached units on separate parcels arranged as townhomes are Single-Family Attached; Five or more units on a single parcel is a multifamily use.

The change would clarify that triplexes and quadplexes would be permitted within the C-T zoning district. Under the existing and proposed regulations infill housing would still require half an acre to construct four residential units.

Finally, the changes would sharpen the rules for infill development. The City's zoning ordinance should be set up so that infill development along corridors and in new form based code districts can replicate the City's successful variety of housing.

Mayor Greenlaw closed the public hearing but noted that public comments will be accepted through September 8.

Adjourned. There being no more speakers to come before the Council at this time, Mayor Greenlaw declared the hearing officially adjourned at 8:37 p.m.

Mary Katherine Greenlaw, Mayor

Tonya B. Lacey, Clerk of Council, CMC