



**PLANNING COMMISSION
WORK SESSION**

MINUTES

April 18, 2018

6:30 p.m.

**City of Fredericksburg
715 Princess Anne Street
Council Chambers**

MEMBERS

Chris Hornung, Chair
Kenneth Gantt, Vice-Chair
Tom O'Toole, Secretary
Jim Beavers
Jim Pates
Steve Slominski
Rene Rodriguez

CITY STAFF

Chuck Johnston, Director of Planning
Mike Craig, Senior Planner
Bill Freehling, Director of Economic Dev.
Allyson Finchum, Zoning Administrator
Angela Freeman, Business Dev. Mgr.
Kathleen Dooley, City Attorney

APPLICANT REPRESENTATIVES

Mike Blair and Mark King

CALL TO ORDER

Mr. Hornung called the April 18, 2018 Planning Commission work session to order at 6:30 p.m.

The following was the structure for the work-session discussion of the rezoning of 90.9 acres from R-2 and Commercial-Highway (C-H) to Planned Development-Medical Center (PD-MC) (RZ2018-01). The topics were derived from notes taken during the public hearing held on April 11, 2018, and from a follow up e-mail from Chris Hornung, Planning Commission Chairman.

The applicant had the opportunity to address each item at the start of discussion, followed by Planning Commissioner comment and / or questions. Planning and Economic Development Staff were available to provide technical information on each issue as needed. In light of Planning Commission discussion, staff

indicated that the City would be willing to consider the following voluntary revisions potentially offered by the applicant to its proffer statement and GDP:

1. *Percentage of the property dedicated to medical uses:*

Proffer 3A: Increase the applicant's commitment from 30% to 35% for medical-related uses and add additional committed uses: pharmacy (clarify), business and professional services office; and hotel (by SUP). This would also address a potential problem for administrative review: How can City staff be sure an office will be a medical office and not a general office? What about Mary Washington Hospital administrative offices? Would they be medical or general office uses?

2. *Permitted uses on site:*

Proffer 3: Exclude warehouses. Exclude heliports, except as accessory to a hospital/clinic use.

Proffer 3: Prohibition on residential uses:

Mr. Hornung had asked whether the applicant would permit "dwelling upper story" uses, up to 72 units. The Planning Commission was of two minds on this topic. Pates, Gantt, and Rodriguez indicated they were opposed to all residential uses and supported Proffer 3 as written.

Commissioners Hornung, Beavers, and Slominski indicated that they would support adding "dwelling upper story" residential uses - looking for consistency with Area 3 Small Area Plan (i.e., vertical mix of uses, with commercial downstairs and residential upstairs). Commissioner Slominski would tie residential uses to the construction/development of Gateway Boulevard. PC would leave it up to the applicant to propose what works. Commissioners acknowledged that the residential-uses issue was one that it had raised, not the applicant.

3. *Buffering for adjacent uses and Interstate 95:*

New Potential Proffers: Buffer for Great Oaks Subdivision – Mr. Craig pointed out that the building setback in the PD-MC Zoning District was 70 feet (plus 1/1 for building taller than 50 feet tall), but a parking lot could be built closer to adjacent residential uses. Mike Craig also indicated that the "Type D" buffer proffered by the applicant was the most opaque class of buffer in the City Code.

Mark King mentioned that the topography/grade of the Hylton site was about 30 feet higher than adjacent residential uses (i.e., Great Oaks Subdivision). This grade would [naturally] buffer the view of the proposed project from adjacent residential uses.

Commissioner Hornung stated that he believed the existing slope was probably uneconomical to develop and could be proffered as a buffer, but Mr. King pointed out that Hylton was trying to preserve as much buildable area as possible. A larger buffer proffer would be too restrictive from the applicant's perspective.

Commissioner Hornung reiterated that he would like to see a better buffer between Hylton's property and Great Oaks residences - 50 feet undisturbed seemed reasonable to him. Commission members expressed a desire to protect adjacent residential uses from the commercial uses on the Hylton site and indicated a willingness to go to Great Oaks for a site visit.

Commissioner Hornung also asked about preservation of the existing tree growth. Mr. King responded that the City's ordinance permits the developer to preserve existing trees as part of its buffer.

Commissioner Pates asked how the proposed development would buffer residential uses from light and noise pollution from I-95. Mr. Blair mentioned that there were existing pine trees along I-95 and that the applicant would leave as many as they could. Again, he said, the grade of the Hylton site would buffer the residences from I-95. The proposed Outpatient Clinic will be located between the Central Park big red sign and the adjacent residences, so the residents' view of that sign would be obstructed.

Mr. Pates was interested in a potential proffer to preserve trees along I-95, but Mr. King felt that this was too restrictive at this point in time. The developer would need flexibility and visibility along I-95. Commissioner Hornung agreed that the landowner would have to cut the slope down. The other Commissioners expressed a greater interest in buffering the adjacent residential area from the Hylton development than anything from I-95 or Central Park.

4. *Transportation impacts/ off-site sidewalks:*

New Potential Proffer: Off-site Transportation Improvements - Mark King addressed a citizen's question about the extension of a sidewalk along Gateway Boulevard and shared with Commissioners an exhibit.

Transportation improvements: Planning Director Johnston acknowledged that transportation improvements might include improvements to Route 3. Commissioners remained interested in the fiscal commitment that the City would be making by approving this rezoning. It could be more than \$15 million.

Mr. King referenced VDOT's "Star Study" of this area and the conservative [floor area ratio] (worst case scenario) used for projecting traffic impacts of the Hylton development. PC final word: be sure that City Council is informed that there will

be many more transportation improvements required in addition to Gateway Boulevard —Route 3 impacts and costly off-site improvements.

Commissioner Rodriguez asked how long it would take for the City to recoup the cost of constructing the road. Mr. Freehling replied that tax revenues were estimated at \$1M annually, which is roughly the debt service on the road over about 20 years. Commissioners generally have this concept, with Commissioner Beavers adding that civic pride is also important and the VA clinic would be really good.

5. *Dedication of ROW:*

Proffer 7: Mr. Blair indicated that the applicant was concerned that the future was unknown on the dedication of the Gateway Boulevard right-of-way and wanted to keep flexibility.

Commissioner Hornung asked what future use of the property would not benefit from Gateway Boulevard? It would add value to the property and any high-paying use would want to have this road.

Mr. Blair responded that a data center was looking at the entire 90 acres and suggested that such a use would not need the road.

Commissioner Hornung noted, however, that a data center was not an allowed use in the PD-MC district and would require a rezoning.

Commissioners Pates and Rodriguez commented that Gateway Boulevard is envisioned as a major transportation improvement in the Comprehensive Plan. Why would the City ever agree to let it go and not require its dedication with any proposed use?

Width of Gateway Boulevard: Mr. Johnston commented that beyond Home Depot, the road widens out to the 110'-width modern standard.

Mr. Blair proposed that, if Hylton applies for the vacation of the ROW, then it would promise to re-dedicate the ROW when the City was prepared to construct.

6. *Master plan approvals*

Proffer 4: Involvement of the Planning Commission in the Land Bay Master Plans. Mr. Johnston commented that under a Plan B situation (i.e., if the VA Outpatient Clinic did not materialize), Planning Department staff would support the notion of the property owner returning to the Commission for advisory review of the Infrastructure Master Plan and Land Bay Master Plans.

Mr. Pates indicated he would like for a public hearing to be included with such a review process. Planning staff would support this approach - if the VA Outpatient Clinic did not come, then Infrastructure and Land Bay master plans would be reviewed by the Commission, with a public hearing, but approved administratively. Mr. Pates indicated that he did not favor administrative review of such plans.

Mr. Blair said that he would need to discuss this with Mr. Payne. Mr. King favored Planning Commission review in a work session, but not a public hearing. Commissioner Hornung could go with either a work session or a public hearing. Mr. Pates indicated that he favored the need for a public hearing.

Mr. King stated that Stafford and Spotsylvania have both promised expedited review of the VA clinic proposal, which makes their sites attractive. The City staff responded that Commission review of master plans would happen only in the "Plan B" situation. Mr. King felt strongly that even a Plan B review should be in a work session setting. Mr. Blair added that the work session setting has been very productive and he would prefer advisory review in a work session meeting because it resulted in more valuable dialogue and problem-solving.

Mr. Pates responded that if the VA clinic doesn't come, then the whole project is a bit of a "blank slate," and the public would like to know what is going to happen. Mr. Hornung indicated that he supported Mr. Pates' position. This is for landowner to review with its attorney.

Potential resolution: Just say it comes back to the Commission for advisory review, and let the Commission decide what type of notice to post and when/whether to hold a public hearing or just take comment. The Commission can do whatever it wants with its meeting agenda. It may be better for staff to hold an open house so there can be informal dialogue.

Conclusion:

Mr. Hornung thanked everyone for coming to meet with City staff and the Commission. He indicated that the Commission was "rooting for you," but wanted to protect the citizens if the clinic didn't come.

Mr. Blair agreed that this work session had been productive and appreciated what City staff and the Planning Commission were doing.

Work Session Adjourned.



Chris Hornung, Chair