



PLANNING COMMISSION MINUTES

April 25, 2018

7:30 p.m.

City of Fredericksburg
715 Princess Anne Street
Council Chambers

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

MEMBERS

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

CITY STAFF

Chuck Johnston, Director of Planning
Mike Craig, Senior Planner
Kathleen Dooley, City Attorney
Erik Nelson, Transportation Admin

1. CALL TO ORDER

Mr. Hornung called the April 25, 2018, Planning Commission meeting to order at 7:30 p.m. Mr. Hornung explained meeting procedures for the public, as well as expected decorum during public comment.

2. PLEDGE OF ALLEGIANCE

3. DECLARATION OF CONFLICT OF INTEREST

None.

OLD BUSINESS

4. **Continuation of RZ2018-01 - Fredericksburg Economic Development Authority (owner's agent)** requests a zoning map amendment of 90.06 acres from R-2 Residential and Commercial-Highway, to Planned Development – Medical Center (PD-MC) with proffered conditions in order

to create a new medical campus centered on a 378,400 square foot outpatient clinic and spin-off medical office and commercial uses.

Mr. Craig provided an update and PowerPoint presentation since the April 18, 2018 work session on this rezoning request. He reviewed answers to questions that were raised at the April 11, 2018 public hearing by four members of the public:

- Whether or not the Central Park, or I-95, would be visible from homes in the Great Oaks Subdivision;
- Whether or not “residential” uses would be included as part of the project;
- The impacts of the project on both Great Oaks and the Preserve at Smith Run;
- The transportation connections – both sidewalk and roadway to the overall network and what impacts will the development have on adjacent properties; and
- A general comment that the proposed project and roadway will be an overall benefit to the City.

Mr. Craig also noted that the applicant had presented a revised Proffer Statement, which has been provided to Commissioners, and provided the key components. The applicant resubmitted the Proffer Statement as a result of the public hearing on April 11 and the work session on April 18. Revisions include:

- Proffer 3 has been modified to permit up to 72 residential dwelling units in vertically mixed-use buildings above non-residential uses.
- Proffer 3 has been modified to prohibit warehouses and heliports (except where accessory to hospital or clinic uses) on the Property.
- Proffer 3(a) has been modified in three ways. The percentage of the required medical use has been raised from 30% to 35%. The number of uses included in this percentage has been increased to include business or professional offices and hotels and motels.
- Proffer 5(e) has been added to state that *“In the event the Outpatient Clinic Site is not selected for the Property, the Applicant agrees, after the initial review and comments by the City’s administrative planning staff, in accordance with the City’s Uniform Development Ordinance, to solicit advisory comments, pursuant to a scheduled work session, from the City Planning Commission prior to the final approval of a site plan or subdivision plat for any Land Bay.”*
- Proffer 7(d) has been modified to state that *“in the event the City does vacate and convey back the right of way area described above under Section 5(a), and thereafter desires to move forward with the construction*

of the Future Gateway Blvd. and Future Gateway Blvd Extension, the Owner agrees to then rededicate the right of way area (as may be adjusted) required for the construction of the Future Gateway Blvd. and "Future Gateway Blvd. Extension."

Mr. Gantt confirmed that there had been no change by the applicant to the proposed buffer. He asked if this was because with the "protected areas," an increased buffer would not be needed.

Mr. Craig referred to the map and said that there were existing features that provided for natural buffering – the pond, Resource Protection Area (RPA); and a deeded Homeowners Open Space. He said the applicants had provided (just prior to the meeting this evening) a couple of photographs of what an Opaque Buffer might look like, and he would allow the applicant to speak to that.

Mr. Charlie Payne, Attorney for the Property Owner with Hirschler Fleischer said that the 25' buffer that is currently proposed is consistent with the UDO. He noted that Mr. Mark King, Bowman, was also present to answer additional questions. He said that making any adjustment to the buffer would take away from the medical building significantly.

Mr. Hornung asked what was the most intensive or restrictive buffer listed in the UDO.

Mr. Craig said a Type D opaque buffer, which is what has been proposed for this site. He explained what the Type D Buffer consists of.

Mr. Hornung asked if the evergreens make it an opaque buffer.

Mr. Craig said evergreens are not required.

Mr. Hornung asked Mr. Payne if the applicant would be willing to state that they would use a certain amount of evergreens.

Mr. Payne said he believes that would be fine.

Mr. Hornung asked what the timing of the buffer would be.

Mr. Payne said that, according to Mr. King, it would go in as part of the initial development – clearing, infrastructure and buffer.

Mr. Gantt asked Mr. Payne what he believed would be feasible as an increase in the buffer.

Mr. Payne explained, once again, that you would lose square footage in the building because you would lose parking.

Mr. Mark King, civil engineer for Bowman Consulting said that as Mr. Payne explained, this area is on a hill and sits approximately 60-70 feet above the homes. He said they will have to cut some of the hill down to generate dirt and balance the entire site. He explained what the work they would have to accomplish if the VA picks this site for the new clinic. He said the maximum buffer they could propose may be up to 30 feet.

Mr. Hornung referenced the traffic study and asked what square footage [of development] was considered in that study.

Mr. King said it was 1.96 million square feet. However, the proposed project was a little less than half of that. He said they were still in line with the Star study that VDOT conducted.

Mr. Hornung said one of his biggest concerns related to the traffic impact of this project, especially along Route 3. He asked Mr. Freehling if he had heard anything from the City Manager or City Council, related to support for those improvements.

Mr. Freehling deferred the question to Mr. Erik Nelson, Transportation Administrator.

Mr. Nelson said the City had worked very hard to bring this project together. The overall project was approximately a \$27 million project, which included the road improvements – a 4-lane divided road, sidewalk, trail, intersection improvements at Route 3 (which is approximately 1.7 million) as well as improvements/reconfiguration to the Northbound I-95 off ramp. The City is working with numerous parties, including State agencies, the property owner, and internal resources to make it work.

Mr. Hornung asked how much of that cost was in the City's current Transportation Plan, versus things that may be new and driven by the proposed VA project and development of the property.

Mr. Nelson said this roadway plan has been in the City's Comp Plan for approximately 20 years and modeled many times with certain assumptions – the newest thing being the I-95 northbound ramp reconfiguration.

Mr. Rodriguez asked how much the City would pay of the \$27 million.

Mr. Nelson said he thought it wouldn't even come close to \$10 million. He explained how the breakdown of funds could possibly go.

Mr. Freehling reminded Commissioners that the City had conducted an analysis of the tax revenue for this project and it was estimated at \$1.1 million dollars per year, which would support the debt service for the City's part of this project.

Mr. O'Toole made a motion to recommend approval of the rezoning request (RZ2018-01), to include a recommendation to increase the [width of the] buffer to 30 feet; and for the applicant to propose a minimum amount of evergreen trees within the buffer.

Mr. Beavers seconded the motion.

Mr. Hornung said he continued to have concerns regarding the proposed buffer, but also believed that the proposed VA Clinic was a good use of the property and was consistent with the UDO.

Mr. Gantt thanked the applicant his team and staff for working so diligently to come to the best possible scenario after taking into consideration the concerns of City residents.

Motion carried unanimously by a vote of 5 – 0.

5. The Pathways Plan transmitted at the April 11 meeting.

Mr. Nelson distributed a map of the City showing current and proposed trails. He also reminded Commissioners that he had given the draft Pathways Plan to Commissioners at their April 11th meeting. He said staff intended to bring the Plan back to the Planning Commission for public hearing in June, with the hope that the City Council may publicly hear it in July. He said staff has had several neighborhood meetings to discuss the plan and will hold additional meetings as people desire. The City has begun the creation of 10-foot-wide multi-use trails, but that there is a need to link neighborhoods and areas of the City to that network. He briefly went over what is contained in the draft plan.

Mr. Hornung noted that there were some paved trails and some unpaved trails.

Mr. Nelson said there are a lot of unpaved trails and that staff recognizes there are some additional trails that need to accommodate bike and pedestrian traffic.

Mr. O'Toole asked about the funding aspects.

Mr. Nelson said it was a combination of Federal, State, and local funds.

Mr. Gantt noted asked if the Pathways Plan were linked with the VCR trail, as he did not see the VCR trail noted on the large map.

Mr. Nelson noted that the VCR trail was on the map that he distributed and

apologized that the faded color of the trail was very difficult to see. He said he would provide more vibrant and distinguishable maps in the future.

There were no additional Commissioner comments.

GENERAL PUBLIC COMMENT

5. *A general public comment period is provided at each regular meeting for comments by citizens regarding any matter **related to Commission business that is not listed on the Agenda for Public Hearing**. The Chair will request that speakers observe the **three-minute time limit** and yield the floor when the Clerk indicates that their time has expired. **No dialogue between speakers will be permitted.***

None.

OTHER BUSINESS

6. Planning Commissioner Comments

None

7. Planning Director Comments

Mr. Johnston provided an update of recent City Council actions. He said there had been lengthy discussion about initiating a Comprehensive Plan Amendment for property primarily occupied by a mobile home park off of U.S. Route 1. The property owner had approached Council about initiating a Comp Plan Amendment in order to permit a commercial rezoning. However, the way the State Code is structured, only a governing body can initiate a Comprehensive Plan Amendment outside of a Comprehensive Plan Development process. Several Council members expressed concern about the affordable housing issue with the elimination of the mobile home park and expressed concern about Commercial development in this particular area. Therefore, they deferred any action until a June meeting and it will probably move forward from there.

Mr. Hornung gently interrupted Mr. Johnston to announce that the subject property to which Mr. Johnston was referring was his employer and that he would therefore refrain/abstain from taking part in any discussion on the subject. He also asked that Commissioners not include him in any e-mails that may arise as this process moves forward. He said he would pass the gavel on to Mr. Gantt when the issue comes up.

Mr. Beavers asked how many people currently live in the mobile home park community.

Mr. Johnston said when this process started about a year ago, there were 28 mobile homes. Since then, a couple have moved out and a couple units have become vacant. He said there were too many unanswered questions at this point because the Silver Companies cannot give people a timeline until they know for sure what the City intends to do with a Comp Plan Amendment. He said Silver Companies has expressed a willingness to assist people in relocating/moving. He explained the process.

Mr. Hornung said he was very uncomfortable remaining in the chair and said that had he known this was going to be discussed, he would have recused himself. He stepped down and turned the meeting over to Mr. Gantt in order for staff and commissioners to continue their discussion.

Mr. Gantt referred to Mr. Johnston's statement that the Property Owners were willing to help residents find alternative housing. He asked how this was going to be defined.

Mr. Johnston said there has been some discussion and some sort of commitment made by the Silver Companies to make a financial contribution to the United Way and then the United Way would in turn be a source of assistance to the property owners. He gave a couple scenarios that had been discussed such as types of zoning uses, etc.

Mr. Hornung resumed his position as Chair.

Mr. Johnston informed Commissioners that there is no business to bring forward for a May 9, 2018 meeting and therefore would not schedule a meeting for that date.

Mr. Johnston said that City staff intended to bring the Pathways Plan back to the Planning Commission for a public hearing on June 13, 2018.

ADJOURNMENT

Meeting adjourned.



Chris Hornung, Chair