



**CITY OF FREDERICKSBURG  
PLANNING COMMISSION  
MINUTES**

**October 24, 2018  
7:30 p.m.**

**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:**

**<http://fredericksburg.pc.regionalwebtv.com/2018/1024.html>**

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

**MEMBERS**

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

**CITY STAFF**

Chuck Johnston, Director of Planning & Building  
Mike Craig, Senior Planner  
Susanna Finn, Community Development Planner  
Camilla Jacobs, Secretary

---

**CALL TO ORDER**

Chairman Hornung called the meeting to order at 7:30 p.m. Chairman Hornung added Elections of Officers to the agenda.

**PLEDGE OF ALLEGIANCE**

**ADOPTION OF MINUTES**

- September 26, 2018 - Regular Meeting Minutes - **Adopted (5-0) (Mr. Gantt Abstained)**
- October 10, 2018 - Work Session

Mr. Pates commented that Work Session minutes need to reflect what was discussed. He asked that the approval be postponed until the November 14, 2018 meeting so that staff can elaborate on the items discussed.

Mr. Gantt commented that he was absent from the September 26, 2018 meeting and the vote to approve the minutes from that meeting should be (5-0).

Mr. Pates noted he arrived late to the October 10, 2018 work session, he was not absent.

### **DECLARATION OF CONFLICT OF INTEREST**

There were no conflicts of interest reported.

### **PUBLIC HEARING** – Continuation

#### **A. Area 6 Small Area Plan - The City of Fredericksburg** proposes to amend Chapter 10 Land Use Plan and Chapter 11 Planning Areas of the City's Comprehensive Plan.

Ms. Finn presented the staff report with a power point presentation. She reviewed the changes made to the draft Small Area Plan that were noted in red. School parking was a concern of the Fall Hill Neighborhood Association, not to include as a civic use, but school parking should function well with residential neighborhoods in terms of parking. Secondly, to ensure consistency, City Staff discussed that the T-4 and T-4m transects would allow single-family detached homes and explained that they had amended the matrix to make sure that was noted. The graphic was updated to show it as well. In the historic district resources section, the Economy Food Mart and the Quarles Petroleum Offices (former Pratt Medical Clinic) were added as worthy of note.

Chairman Hornung asked if Economy Food Mart and the Quarles Petroleum Offices would be contributing structures. Ms. Finn said they were outside of the Maker District but planning staff wanted to recognize them as being of a similar character and nature and from the same period of significance as the Fall Hill medical corridor. It is appropriate to recognize the structures as being worthy of inventory because the Architectural Review Board (ARB) recognized them as being worthy of the local inventory of historic structures.

Ms. Finn thanked the Commissioners for meeting with staff and taking the tours of the Small Area 6. It was beneficial to see what the areas looked like on the ground and be able to discuss the shopping centers and what T-5C redevelopment may look like, as well as discuss the Maker District corridors of Fall Hill Avenue and Princess Anne Street, to see what structures define the corridors and what their evolution might look like. Discussion also included residential neighborhoods and how to transition and protect them. Ms. Finn also addressed the issue of mobility, specifically regarding Fall Hill Avenue and Washington Avenue one-way and two-way conversion for traffic calming efforts and neighborhood protection reasons. Ms. Finn also showed illustrations of the proposed improvements to the two intersections on Route 1 and Fall Hill Avenue and Route 1 at Princess Anne Street as part of the Virginia Department of Transportation (VDOT), Strategically Targeted Affordable Roadway Solutions (STARS) project for the Route 1 corridor. Staff are focusing on increased capacity to improve the flow of what is really a larger regional traffic issue. The Comprehensive Plan answered calls for the implementation of the STARS recommendations which includes this as well as other elements.

Chairman Hornung asked if there has been any discussion of closing the connection of Bridgewater Street to Fall Hill Avenue. Ms. Finn said no. Chairman Hornung commented that it causes a lot of congestion in that area.

Mr. Beavers commented on the parking around the high school and doesn't disagree with the concept but does not like the wording that the "school board should make student parking at

James Monroe High School free". He prefers that we not dictate what another unit of government should be doing. Mr. Beavers preferred wording such as, "the School Board should find solutions or alternatives" rather than mandating the School Board make it free. The free parking may not solve the problem anyway. Ms. Finn agreed to reword.

Mr. Pates asked about the two new properties being added to the list of historic resources and whether all the other properties listed were within the Maker District. Ms. Finn said yes. Mr. Pates asked why these two other properties were being added if they weren't eligible for the TDR. Ms. Finn commented that the ARB wanted them to be identified as other historic resources in the area and to serve as a good reference point that defines the character of the neighborhoods.

Chairman Hornung asked for clarification on page 123, regarding semi-detached dwellings and single-family attached. How does the City define those to differentiate them vs. a 2-4 unit building? Ms. Finn explained they are a different kind of form or scale. In some neighborhoods there are single-family attached homes as a mix of single-family housing. These are a different kind of scale, if going down a long block without a break, whereas the semi-detached is a way to offer more types of housing in neighborhoods and they currently exist. Ms. Finn explained that the form of the single-family house may have one door and you may not realize that there are four units within that form. It is a different kind of housing that already exists and we want to be able to formally recognize it as already being part of our character, and yes, it is different than townhomes. Chairman Hornung clarified that "it takes the form of the single-family house".

Chairman Hornung asked City staff to better define, graphically, the transects that will be forthcoming on the diagram. He also asked for clarification regarding allowed heights and whether more than three stories would be allowed. Mr. Craig commented that everything is under the current zoning guidelines.

Mr. Pates disagreed, commenting that the proposed transect zones would necessitate increased or different zoning than what's in place today. Mr. Craig commented that there are 4 zoning districts listed and the goal for the existing neighborhoods is their protection. The goal is to create transects and zoning regulations that are consistent with the current character of the neighborhood.

Mr. Craig suggested a rezoning of the T-3 areas to R-8 to make them more conforming like the neighborhoods south of William Street, which are zoned R-8. If that is done, then only one additional lot would be permitted on Green Street.

Mr. Pates said he believed that the City should look at implementing ordinances for Area 6 in conjunction with the Small Area Plan to make sure they are consistent with each other. Not having the zoning ordinances at this point means that there are many unknowns about how the Small Area Plan would be implemented. For example, with the TDR, Mr. Pates said he felt "the devil is in the details" that while the concept may be very good, the two ought to be considered together.

Mr. Pates said he had many other questions but recommended that the Public Hearing be opened.

Chairman Hornung opened the public hearing.

#### **PUBLIC COMMENT**

Bill Leonard – 2109 Fall Hill Avenue – Spoke against the Land Use Plan. He is against the Maker District name and the concept of encouraging small businesses [in this area], which often have a high failure rate. He felt this would not revitalize the Princess Anne Corridor and suggested that

City staff develop a program for the TDR. He said he didn't support the TDR, as there isn't a proposal in place.

Christian Zammas – 616 Greenbrier at Alum Springs. Owner of Katora Coffee – 615 Caroline Street. Mr. Zammas spoke in favor of the Small Area Plans and the Maker District concept.

Chairman Hornung closed the public hearing.

Vice-Chairman Gantt thanked the planning staff for their time and information on the tours. Mr. Gantt asked if there was a deadline for making a recommendation to City Council. Chairman Hornung stated the deadline was 90 days from August 14, 2018, making the deadline November 14, 2018.

Mr. Pates expressed that he hoped the City Council would allow the Planning Commission more time.

Ms. Finn shared that if more time was needed the Planning Commission could ask City Council for an extension of perhaps 30 days; until December 14, 2018, due to the complexity of the issues.

Chairman Hornung addressed items Mr. Leonard had mentioned that are listed in the City Council Vision Statement that he did not think were in the proposed plan. Chairman Hornung said training facilities and job skills do fit into the Maker District idea and it would be good to incorporate them into the definition of the Maker District. Mr. Johnston commented that the whole point of the Maker District is to be an employment epicenter.

Ms. Finn commented that the plan shown in the Streetsense Market Study Area 6 is already an employment hub. Mr. Gantt asked if maybe there was a lack of understanding of the terminology of the Maker District and how could the City better market phrase the concept.

Ms. Finn agreed and the goal is to get to a good name. Mr. Craig commented that the term 'maker' has taken root in the community. Mr. Gantt asked if it is a generational aspect with an understanding of adventurism as well as stability. Mr. Craig agreed and commented he wished Mr. Leonard was still present at the meeting. Chairman Hornung said this is a good tool in the right place. He feels what most people are uncomfortable with wanting to be able to define the right place. This is the first part and there is a lot of data without having worked out the mechanism for achieving those goals.

Mr. Pates said he struggled with the Maker District and how it would be implemented. It's a good idea but what zoning changes would be needed? Ms. Finn and Mr. Craig commented that it would be a new zoning district. Mr. Craig offered an outline of what the zoning ordinance would contain, which would not change the base uses, with minor exceptions. Retail, offices and employment would be a part of this district. Staff would work out the definition of "light manufacturing and production." Mr. Craig gave the example of Frasier Wood Elements and the violin maker in the Jackson Street Warehouse District as constituting this type of "manufacturing and production." There is residential also in that draft zoning district.

Mr. Craig discussed the various tools in the implementation tool kit and said he would share the outlines with the Planning Commission. Mr. Pates commented that it is hard for the public to wrap their minds around some of these concepts when they don't know how it's going to work in practice. He gave the old Coca-Cola building as an example. If somebody wanted to redevelop that building, currently its zoned C-H, where residential would also be allowed. Under the current

proposal, if the owner wanted to take that one property and put a maker use in it, the only thing you would add to the zoning ordinance would be to add the “light manufacturing” use to the C-H zoning district. Mr. Craig stated that after the Area 6 plan is adopted, staff will then work on what are acceptable versions of light manufacturing for this district and acceptable uses. Mr. Pates said that he did not necessarily think we need to be creating a new district but instead take what we have [now in the C-H zoning district] and look at how it might be changed in terms of uses. Mr. Pates said that often the proposed industrial-type uses of properties are not very appealing. This district would be different from what we have now, but similar to the downtown mixed usage of retail with people living upstairs. Mr. Pates said he understood that a property such as the Coca-Cola building might become “light manufacturing,” with some residential space upstairs.

Mr. Pates questioned the Maker District in terms of it being a vehicle for the transfer of development rights (TDR) and wondered if it were viable to implement the new zoning district with or without TDR. Mr. Craig stated he believed it could be, but that we should come up with boxes of tools for the Maker transects to avoid certain problems that occur throughout the City and avoid planning retail uses on every single block. Aging retail [and shopping centers] will need the same treatment in Area 6 as in Area 3, so that box is already built. The maker transect is a similar concept – its part use, part affordable housing, and part preservation. TDR is one idea for how to achieve these goals, but there are others. A “strategic acquisition” program was mentioned by Chairman Hornung as another idea to put in the toolbox for this corridor. Chairman Hornung agreed and stated he believed TDR was more aimed at the preservation of a structure, rather than tied [exclusively] to the Maker District. Rather than the structure being torn down, we could use [TDR] to incentivize reuse of those buildings.

Mr. Johnston agreed that the verbiage of the text has some strong verbs, which might cause some hesitancy in committing to a TDR program without knowing all the details.

Mr. Pates suggested that staff rework this “Revitalization” section to discuss our *goals* of redeveloping, improving, and upgrading our existing shopping centers, of preserving historic resources, and adding mixed uses. We could then create a toolbox for ways to achieve these goals, TDR being just one. Some other strategies might include strategic acquisitions, an historic district, and a conservation district, but there could be more. Mr. Pates said he thought people would be more comfortable agreeing on the goals and deferring decisions on how these goals would be achieved. Chairman Hornung agreed with Mr. Pates and believed it was the plan, but that specific mentions of this that might be putting us a little ahead of ourselves.

Chairman Hornung mentioned the Map 23 showing the TDR sending and receiving areas and feels we are ahead of ourselves. Ms. Finn commented that there is a legal requirement, stemming from the state code, to designate the sending and receiving areas in the Comprehensive Plan in the event we want to implement the TDR program.

Ms. Finn commented that more generalized statements can be added about pursuing all options for incentives for targeted strategic redevelopment. She elaborated that in one of the implementation steps expanding the arts and cultural district is mentioned to incentivize creation and expansion of businesses. In another area of the text it talks about bringing back façade improvements. Ms. Finn agrees that having one paragraph to layout the tools in the tool box would be useful in discussing all of our options. Mr. Pates agrees that if agreement can be reached on the tools that might work, then developing a road map on how to achieve what is envisioned.

Chairman Hornung asked if the Commission is comfortable with the transect areas and definitions. He would like to give staff some solid direction moving forward. Two new transects

are being added to Chapter 10. Mr. Pates commented that he doesn't have any problems with the transects but does have some concerns with the transects map, T-3E and T-3. Discussion continued about zoning and leaving those transects zoned as they currently are. Ms. Finn commented that the 3e tends to be slightly larger lots and setbacks, the 3 is smaller lots and setbacks, more of the mix. They could be denser in the future and still be R-8. Discussion continued about if rezoning would be necessary. Mr. Johnston commented that the zoning reflects the actual land use. What's on the ground in the T-3 area is not conforming when it comes to the R-4 zoning district, we should be fixing these for accuracy. Mr. Pates is in favor of keeping the residential neighborhoods pretty much as they are. Discussion continued regarding issues with density and zoning.

Mr. Craig commented that the density levels of 4 and 8 units an acre are not what your neighborhoods are, they are up to 16 units per acre. The reason for the change is to get the lot and the use types into conformance with the zoning.

Mr. Pates commented about "tear-downs" like the one that recently took place on Bunker Hill Street. Those new houses were not in conformity with the existing housing pattern on Bunker Hill; in fact, the solution of building the two new structures may have been an inadequate or improper solution. He said he would like to see something in the Small Area Plan to address "tear-downs." Ms. Finn reviewed the text in Chapter 10, Small Area Plans and T-3 in Area 6 which addresses what is or isn't appropriate in the neighborhood.

Mr. Pates said he would prefer a [City-wide] zoning ordinance change that would limit the size of residences to make them more compatible with their neighboring properties. Mr. Craig commented that can be addressed.

Chairman Hornung asked about T-3 and current non-conforming lots in R-4. Mr. Craig commented there isn't enough existing land area to take a single-family home to put more units into it. There are non-conforming units in the housing inventory and we want to recognize them. Chairman Hornung asked for explanation regarding "recognizing" them and permitting them in the future. Mr. Craig said the lot sizes don't allow for tear downs and rebuilds on a single-family lot. Discussion continued about Bunker Hill. Mr. Craig commented that Bunker Hill was on 2 lots. A duplex wouldn't be allowed in the R-4 zoning district.

Ms. Finn commented that part of the way they drew the boundary between the T-3E and the T-3, was by looking at the existing patterns and what types of housing already exists so not to put rules on the neighborhood that didn't fit that character. Mr. Johnston commented that there would only be duplexes if there are larger parcels that are subdivided or two lots exist.

Chairman Hornung is comfortable with the delineation with the T-4 in Area 6 but would like more information on how we modify and the TDR maps. Mr. Beavers doesn't agree with mandating that if a structure is torn down, having to replicate the building that was built 60, 70 years ago versus property rights. Cities and residences will and should evolve.

Mr. Pates also recommended showing the T-1 [open-space] areas that are adjacent to Area 6 and show them on the map, if feasible. Discussion continued on how to show areas in progress and completed on the maps.

Ms. Finn expressed that public space can be anywhere and isn't represented in the T-1 transects. Mr. Johnston reviewed page 189 showing public and open spaces.

Chairman Hornung said he was apprehensive about identifying T-1 spots on private property that we feel should be public space. Development should be encouraged but other than City owned land designated as a park, it's not our place. Mr. Johnston commented that it is the nature of T-1 generically defined to be large open space areas such as Old Mill Park, not the hospital park across the street from open space. We can do a better job of clarifying the T-1 areas that already exist.

Mr. Pates would like to see the public lands combined with the T-1 so you would have open space. Mr. Johnston explained the concept of the transects in regards to civic spaces vs. open spaces. In the redevelopment of transects, we ought to be setting some sort of expectation. Chairman Hornung disagrees with showing the future public spaces on the map. Discussion continued regarding what should be shown on the map and how it's interpreted, designated or shown in regards to future development.

Mr. Slominski expressed the view that we should go through a more formal process and show guidance on how to show pocket parks etc. in the future. Mr. Pates wants the Planning Commission to look into the future and have a vision of the amenities the neighborhood should have. Chairman Hornung wants to see the plan layout where we think there should be public spaces and then take on the task of identifying where those places should be. Designating a third space in the comprehensive plan is setting an expectation is that it will be public and will be developed that way. Mr. Johnston expressed a lot of thought has been put into the plan by looking at distribution patterns and it is a very valid concept. Mr. Johnston doesn't see anything wrong with the designation as it's laid out. Mr. Pates agrees, they may be publically, privately owned or a joint venture. There are a lot of different ways to keep these spaces usable by the public. Mr. Pates feels it is useful, and an important part of our planning process, to express our view that this would be a cool space to be used by the community.

Chairman Hornung feels we can have general language of where it would be located but on the proposed map 24 he can't tell what's designated. Mr. Johnston offered an opportunity for a tour and addressed that the type of space (public or private open space) can be developed through the development process. Chairman Hornung feels that by showing it on the comprehensive plan we have already designated that the property is as open space, as shown on the proposed plan. There is disagreement on the correct process.

Chairman Hornung is willing to go through the process. Mr. Pates doesn't want to put [property owners] at a disadvantage or do something that might constitute a regulatory taking but, at the same time, these spaces are very important, particularly for the people that live in these neighborhoods and we should have a vision for it.

Mr. Slominski asked for input from the other three members of the Commission. Mr. Slominski agrees with Mr. Hornung. Mr. Gantt has some more questions and wants to know what the median is we are looking for. These changes could be next year or down the road. He understands what is before him and understands the questions posed by his counterparts. He expressed we can get this done by the December 14<sup>th</sup> meeting. Mr. Johnston will work with staff to fine tune the language and better clarify and identify the spaces.

Chairman Hornung commends staff on what they have put in their language identifying contributing structures and the importance of third spaces, but showing the future public spaces has a potential different connotation and he is concerned as to how this plan may be perceived by future planning director or zoning administrator than what you perceive it to mean now.

Chair Hornung asked the Commission if they wanted to ask City Council for more time. Mr. Pates agreed that an additional 30 days would be plenty. Mr. Craig commented that we would put it on the City Council agenda for November 13, 2018.

A motion was made by Mr. Pates that the Planning Commission ask City Council for additional time to make its recommendation on the Area 6 Small Area Plan due to the complexity of the proposed amendment and the press of other business before the Planning Commission. The new due date would be December 14<sup>th</sup> which would be an additional 30 days from the original November 14<sup>th</sup> due date. Mr. Slominski seconded. The motion passed 6-0. (Mr. Rodriguez was absent)

Mr. Pates suggested that anyone who has additional questions or comments and suggestions to please provide them to planning staff as soon as possible. He also asked that a draft be provided that shows the changes that will have been made would be appreciated.

Chairman Hornung would like to have further discussion on the solutions part, page 184 as well.

### **GENERAL PUBLIC COMMENT**

Chairman Hornung opened the floor to general public comment.

There were no speakers.

### **ELECTION OF OFFICERS**

Chairman Hornung asked for nomination of officers.

Mr. Beavers made a motion to nominate Mr. Gantt as Chairman. Mr. O'Toole seconded. Motion passed 6-0. (Mr. Rodriguez absent)

Mr. O'Toole made a motion to nominate Mr. Rodriguez as Vice-Chair. Mr. Beavers seconded. The motion passed 6-0. (Mr. Rodriguez absent)

Mr. Gantt stated he will not be at the November 14<sup>th</sup> meeting.

Mr. Gantt appointed Mr. Slominski as Chairman pro-tem for the next meeting if Vice Chairman Rodriguez is not present.

Mr. O'Toole nominated Mr. Slominski as Secretary. Mr. Gantt seconded. The motion passed 6-0. (Mr. Rodriguez absent)

Mr. Pates commented he may be calling in for the next meeting.

Mr. Beavers asked if there would be a second meeting in November. Mr. Johnston indicated that would be determined at the November 14<sup>th</sup> meeting.

Chairman Hornung turned the meeting over to Chairman Gantt.

**OTHER BUSINESS**

**A. Planning Commissioner Comments**

Chairman Gantt reported on the Affordable Housing Taskforce and that the RFP has been put on hold for action while City Council looks at other regional options.

**B. Planning Director Comments**

Mr. Johnston reported on the following:

- Area 7 Downtown Plan - Mr. Johnston thanked the Commission for attending the Charrette and the City staff continues to work with Streetsense as they draft the Market Report.
- November 7<sup>th</sup> - Staff will be returning to Bethesda, Maryland to meet with Streesense to continue to work through transects, open space and transportation improvements that came out of the charrette.
- A work session to discuss the Market Study has been tentatively set for the 27<sup>th</sup> of November at the Council Meeting.
- Mr. Johnston asked for feedback regarding the charrette from the Commission Members. The next charrette process will be for Area 1 – Central Park / Celebrate Virginia, west of 95.
- November 14<sup>th</sup> Meeting Items:
  - A. Mary Washington Hospital sign plan
  - B. Form Based Code for Area 3

**ADJOURNMENT**

Meeting adjourned at 9:44 p.m.

  
\_\_\_\_\_  
**Chris Hornung, Chair**  
*KENNETH GANTT*

