

LEXINGTON PLANNING COMMISSION

April 13, 2023 - 5:00 P.M

**Rockbridge County Administrative Offices – First Floor Meeting Room
150 South Main Street, Lexington, VA 24450**

AGENDA

- 1. CALL TO ORDER**
- 2. APPROVAL OF THE AGENDA**
- 3. APPROVAL OF MINUTES**
Minutes from March 23, 2023*
Minutes from March 2, 2023 Joint Work Session with City Council*
- 4. CITIZENS' COMMENTS ON MATTERS NOT ON THE AGENDA**
- 5. NEW BUSINESS**
 - A. ZO 2023-02: An application by the City of Lexington to amend Article IV. Zoning District Regulations. of the Zoning Ordinance to amend the lot width requirements for multi-family dwelling units and townhouses.
 - 1) Staff Report*
 - 2) Applicant Statement
 - 3) Public Comment
 - 4) Commission Discussion & Decision
 - B. ZO 2023-01: Annual Zoning Ordinance Amendments. Accessory Dwelling Units (A.D.U).
 - 1) Staff Report* and continued Commission Discussion
 - 2) Public Comment
- 6. OTHER BUSINESS**
 - A. Zoning and Planning Report – If applicable
 - B. Catalyst Project Updates – If applicable
 - 1) Bike/Ped Plan: Complete
 - 2) Increase Sidewalk Connectivity: Ongoing
 - 3) Accessory Dwelling Unit Ordinance: Ongoing
 - 4) Jordan's Point Park Plan Implementation: Ongoing
 - 5) Reprogram Traffic Signals Downtown: Complete
 - 6) Assess Stormwater Fees: Tabled until next year
 - 7) Green Infrastructure Group: Complete

- C. Key Annual PC Milestones: Ongoing. Remaining items:
 - 1) Zoning Text Amendments: Ongoing. Remaining items:
 - a. Cottage Housing
 - b. What else, if any?
 - 2) Comp Plan Review: Ongoing

7. CITY COUNCIL REPORT

8. ADJOURN

*indicates attachment

MINUTES

The Lexington Planning Commission
Thursday, March 23, 2023 – 5:00 p.m.
Rockbridge County Administrative Offices – First Floor Meeting Room
150 South Main Street, Lexington, VA 24450

Planning Commission:

Presiding: Blake Shester, Chair
Present: Pat Bradley
John Driscoll
Leslie Straughan, Council Liaison
Matt Tuchler, Vice-Chair

City Staff:

Arne Glaeser, Planning Director
Kate Beard, Administrative Assistant

Absent: Shannon Spencer

CALL TO ORDER

Chair Shester called the meeting to order at 5:03 p.m.

AGENDA

The agenda was unanimously approved as presented. (J. Driscoll / P. Bradley)

MINUTES

Several Commissioners made appreciative comments about the minutes from the March 9, 2023 meeting which were unanimously approved as presented. (L. Straughan / P. Bradley)

CITIZENS' COMMENTS ON MATTERS NOT ON THE AGENDA

None

NEW BUSINESS

A. PS 2023-02: An application by Chris Pappas proposing a Preliminary Subdivision Plat (boundary line adjustment and boundary line vacations) for parcels located at 317 Massie Street (Tax Parcels #24-5-19 & #24-5-8A) and 23 Marble Lane (Tax Parcels #24-5-17 & #24-5-15).

- 1) Staff Report – The owners of 317 Massie Street have listed their property for sale, and in anticipation of a sale, they a) have removed a carport that encroached onto their neighbor's property, b) propose to adjust a boundary line, and c) create an easement for the maintenance of a retaining wall and driveway that serve 317 Massie Street. The applicant is therefore requesting to add a portion of 23 Marble Lane (Tax Map #24-5-17) to 317 Massie Street (Tax Map #24-5-19) in accordance with the survey submitted by Green Forest Surveys, LLC. In addition to the boundary line adjustment, the applicant is also requesting to vacate the boundary line between Tax Parcels #24-5-19 and #24-5-8A, owned by Bernard Brown and Antonia Albano, and to vacate the boundary line between Tax Parcels #24-5-17 and #24-5-19, owned by Sonia Watts. A. Glaeser answered a question from L. Straughan by explaining that, though the resulting parcels will remain nonconforming, they will be less nonconforming than the existing conditions.

- 2) Applicant Statement – None
- 3) Public Comment – None
- 4) Commission Discussion & Decision – **P. Bradley moved to approve Preliminary Subdivision Application PS 2023-02 for a) the adjustment of boundary lines between 317 Massie Street (Tax Map # 24-5-19) and 23 Marble Lane (Tax Map # 24-5-17), b) the vacation of the boundary line between Tax Parcels #24-5-19 and #24-5-8A, and c) the vacation of the boundary line between Tax Parcels #24-5-17 and #24-5-15, in accordance with the Boundary Line Adjustment Survey for 317 Massie Street completed by Green Forest Surveys, LLC submitted by the applicant. L. Straughan seconded and the motion passed unanimously. (5-0)**

B. ZOA 2023-01: Annual Zoning Ordinance Amendments. Accessory Dwelling Units (A.D.U.)

- 1) Staff Report and Continued Commission Discussion –

Director Glaeser began the discussion by directing the Commissioners’ attention to the Architectural Consistency and Design Review section of the staff report. He remarked that current standards would require any new detached ADU in the Residential Historic District to be approved by the Architectural Review Board, and the Lexington Design Guidelines provide guidance for the appropriate treatment of out buildings. If additional design oversight is desired, those standards would need to be included in this section. In addition to the language from Strasburg, included in the staff report, he provided language from Williamsburg requiring an ADU have the appearance of a single family dwelling and from Waynesboro requiring an ADU be built in an architectural style and of materials similar to the principal structure. L. Straughan indicated she saw no reason to require that an ADU mimic the main structure. B. Shester agreed and noted that such a restriction would apply only to ADUs and not to additions or other accessory structures. J. Driscoll suggested the Commission invite Tom Contos, an architect in attendance, to give his opinion on this issue. Chair Shester opened the floor to public comment.

- 2) Public Comment –

Tom Contos, 301 McLaughlin Street, recommended not including the more restrictive language, mostly to avoid extraneous design input from the public. He added that an ADU project would represent a big investment for most homeowners - one which they would likely be thoughtful about. He said he believed a design that complements a primary structure can be just as successful as one that matches the structure.

- 3) Continued Staff Report and Discussion -

There was general agreement to include a sentence referencing the requirement that an attached ADU located in the Residential Historic District be approved by the ARB, but to include no additional standards concerning style.

A. Glaeser provided an explanation of the staff recommended language for the Orientation of Entrance section of the ordinance and asked for feedback from the Commissioners. There was some discussion about what the sample language would actually allow. Eventually there seemed to be agreement to use the staff recommended language from Arlington County, with the added understanding that stairs leading to the

entrance of an upstairs ADU could not face the side of a lot fronting a street, but could face the rear of a lot fronting an alley. Exterior stairs facing a side street existing prior to the adoption of the ADU ordinance would become legally nonconforming.

Addressing the ADU Screening, Landscaping and Orientation section, A. Glaeser remarked that Lexington does not currently have this type of requirement between single family dwellings and pointed out that there were no examples from other local jurisdictions. There was general agreement to not include screening, landscaping and orientation requirements specific to ADUs.

Prior to discussion of the Parking Requirements section of the ordinance, A. Glaeser reminded the Commission of Lexington's existing parking requirements for single family, two-family, accessory apartments and townhouses, and he pointed out that a number of existing single family dwellings do not meet the requirements. L. Straughan asked how difficult it would be to adopt language, similar to Arlington County's, that provided an exception if there was a determination that adequate on street parking existed. A. Glaeser said on street parking is not included in the parking requirement determination but that an exception, provided certain conditions are met, could be added here if desired. While acknowledging that "best practices" literature tends to warn against overly conservative parking requirements for ADUs, B. Shester suggested that requiring one parking space in addition to the parking required for the principal dwelling seemed the safest and simplest way to proceed. J. Driscoll agreed and maintained that it would be best to avoid on-street parking, particularly on narrow streets. A. Glaeser asked the Commission to consider a scenario in which the primary dwelling has no existing off-street parking, but room for a detached ADU and one off-street parking space. He asked if in that situation the property owner should be required to provide one off-street parking space for the ADU, which would be the only change in impact, or if the property owner should be required to "catch up" and also provide the other two parking spaces required for the primary residence. J. Driscoll stated the "catch up" should not be required. L. Straughan agreed and reiterated her support for the Arlington County example which considered on street parking when possible, and required a certain number of existing parking spaces be maintained. M. Tuchler expressed concern that parking requirements would be hard to enforce. A. Glaeser responded that they would be fairly easy to enforce initially, in that a proposed ADU would have to meet the requirements to receive approval, but would become more challenging to enforce over time.

There was discussion about the provision from Arlington County allowing for an exception to the parking requirement if a staff conducted survey determines that the block on which the main dwelling is located is less than 65% parked. Commissioners Straughan and Driscoll voiced support for a similar exemption. B. Shester objected to the survey exemption as being ridiculously complex. He asked if a simpler requirement of one parking space per ADU would be overly restrictive. L. Straughan replied that it would likely eliminate a significant number of properties from being able to have an ADU. A. Glaeser said staff could perform an informal visual survey of the on street parking situation during the conditional use permit process but would need to research how to make calculations based on such a survey. M. Tuchler opined that the only effective way to

measure on-street parking is through a permitting process. A. Glaeser suggested requiring one off-street parking space for an ADU, in addition to the number of parking spaces associated with the primary dwelling existing at the time of the ADU approval. B. Shester expressed support, saying it was simple and dealt only with the additional impact from the ADU. P. Bradley remarked all the literature for ADUs recommended placing as few restrictions as possible and suggested using Arlington County model if it can be made simpler. Following additional discussion, A. Glaeser suggested staff draft two parking options, one modeled on the Arlington County example and one on the Loudon County example. There was general agreement to proceed with his suggestion.

4) Public Comment – None

5) Additional Commission Discussion -

L. Straughan suggested adding “or side street” to the end of the third provision in the ADU Setbacks section and there was general agreement to do so.

J. Driscoll reported on communications he had with two Planners who had differing opinions about whether an ADU should be a conditional or by-right use. He also suggested that staff research Rockbridge County’s standards for ADUs to make sure that the proposed standards for Lexington are not incompatible.

OTHER BUSINESS

A. Zoning and Planning Report – Director Glaeser reported the following:

- A public hearing will be advertised for the April 13th meeting to address the lot frontage requirements as they relate to density for multi-family residential units and townhouses.
- He has been involved in the interview process to select a firm for the City Hall space needs assessment.
- He met with staff from Public Works and RARO about a grant opportunity from Kubota.
- After listening to a webinar regarding charging and fueling infrastructure, he reached out to the CSPDC for guidance with information needed to submit a grant application for an electric vehicle charging station.

Commissioners Straughan and Driscoll each reported attending the VDOT presentation for the North Main Street Smart Scale project.

CITY COUNCIL REPORT -

L. Straughan reported discussion at the March 16th City Council meeting had focused on making adjustments to the proposed Noise Ordinance which will be on the agenda for approval in April.

ADJOURN

The meeting was adjourned at 6:25 p.m. with unanimous approval. (J. Driscoll / P. Bradley)

B. Shester, Chair, Planning Commission



MINUTES

City Council Joint Work Sessions

Thursday, March 2, 2023 @ 6:00 PM

Rockbridge County Administrative Offices - First Floor Meeting Room

CITY COUNCIL PRESENT: Councilmember David Sigler, Councilmember Chuck Smith, Mayor Frank Friedman, Councilmember Nick Betts, Councilmember Marylin Alexander, Councilmember Leslie Straughan, and Councilmember Charles Aligood

CITY COUNCIL ABSENT:

PLANNING COMMISSION PRESENT: Chairman Blake Shester, Commissioner Pat Bradley, Commissioner Shannon Spencer and Commissioner John Driscoll

PLANNING COMMISSION ABSENT: Commissioner Matt Tuchler

CITY COUNCIL CALL TO ORDER - MAYOR FRANK FRIEDMAN
Mayor Friedman called the City Council Work Session to order at 6:00 p.m.

PLANNING COMMISSION CALL TO ORDER - CHAIR BLAKE SHESTER
Chairman Shester called the Planning Commission Work Session to order at 6:01 p.m.

GREEN INFRASTRUCTURE WORKING GROUP OVERVIEW

- **Planning Commission Report**
[Dave Walsh Green Infrastructure Support Letter](#)

Start Time: 6:02 p.m. (DropBox Audio: 00:00)

Commissioners Pat Bradley and John Driscoll, Holly Otsby with Carilion, Elise Sheffield with Boxerwood and Betty Besal with the Tree Board discussed the Planning Commissions Green Infrastructure working groups progress.

Discussion: City Council and the Planning Commission discussed-

- examples of expanding the tree canopy and working with the Tree Board
- looking into Blacksburg's tree planting program
- replacing the older trees as they come down
- Arbor Day tree planting
- City being a strong partner
- appropriate representative for the City
- representatives for the Green Infrastructure plan implementation
- position being grant funded annually or funded another way
- beneficial to educate the public
- public awareness campaign

Comments: Councilmember Straughan, Councilmember Aligood, Councilmember Alexander, Mayor Friedman, Councilmember Sigler

OTHER BUSINESS

None.

ADJOURNMENT

Chairman Shester adjourned the Planning Commission Work Session to order at 6:55 p.m.

Mayor Friedman adjourned the City Council Work Session at 6:55 p.m.

Mayor Frank W. Friedman, Lexington, VA

Jani L. Hostetter, Clerk of Council

March 2, 2023

Hello, I'm Dave Walsh; I live in Rockbridge County at 950 Turkey Hill Road.

I am writing a letter to express my support for the work of the Green infrastructure group.

I've advocated for bicycle and pedestrian infrastructure here and elsewhere for a couple of decades.

How healthy we are as a community and how often we walk or bicycle rather than drive is largely determined by the complex interactions of the prevailing culture and our environment. It's hard to say that any one thing will make a difference: any change to the steady or regular state will result from the cumulative effect of many factors. A healthier community is worth working for, but it will only come from a multifaceted approach that deals with the many interwoven aspects of our community and the challenges unique to Lexington: its history, topography, and climate.

The Green Infrastructure report is a complex document, and I think the analogy of a plant and gardening will be useful to help me explain my support. Any sort of programmatic elements in the report map to the work of a gardener, while infrastructure recommendations are analogous to the local climate and soil. Many plants wither without the gardener's weeding, pruning, watering, and other work. In analogy, if the volunteers leave, the grant runs out, or the municipal funding gets cut, whatever gains in increased community health tend to wither as well.

It's been different with the plants I put in that are native to this climate. They've thrived despite my intermittent work caring for them. And in this analogy, I have seen that happen in many places – the installation of multi-use paths and other infrastructure leading to increases in the number of trips people take walking or riding a bicycle, leading to improved community health, whether there were accompanying programs or not.

At the same time, most infrastructure improvements are expensive, and I suppose, in a realistic view, we can only expect larger projects to be funded every 10-15 years or so. It's a slow process. The advantage of programmatic efforts is clear in that they are much less expensive and can be started relatively quickly.

I support the Green Infrastructure report because it accounts for all these factors. The report addresses the complexity of the work, recognizes both the importance and cost of infrastructure development with a carefully thought-out list of priorities and has found opportunities for agile implementation of programmatic elements via the Collective Impact Model. Additionally, the Collective Impact Model firmly anchors the programmatic elements onto a diverse set of foundationally strong local organizations and institutions, ensuring their work's long-term viability. What they need at this point from the Council and the City Staff is your agreement with the report and your support for their work. I hope you offer both. Dave Walsh

Staff Report & Recommendation
Zoning Ordinance Amendment Application
ZOA 2023-02 – Amend Lot Requirements for Multi-Family Dwelling Units & Townhouses

Project Name Zoning Ordinance amendment to amend lot width requirements for multi-family dwelling units & townhouses

Zoning Ord. Section 420-4.6. Lot Requirements

Applicant City of Lexington

PLANNING COMMISSION RECOMMENDATION: pending
STAFF RECOMMENDATION: approval

OVERVIEW OF REQUEST

The Zoning Ordinance contains an inconsistency in the Lot Requirements table with regard to density calculations and City Council requested the inconsistency be addressed.

ISSUE:

Townhouses and multi-family residential units are allowed in the Multi-family Residential (R-M) and Residential-Light Commercial (R-LC) zoning districts. The Lot Requirements Table provides two calculations for the number of townhouses and multi-family units allowed on a parcel. One calculation is based on lot area and the second is based on lot width.

The recent request for Conditional Use Permit approval for the Spotswood parcel revealed this inconsistency. The developer proposed up to 62 apartments on that 2.365 acre ± parcel, and the proposal met the lot area calculation. According to the Lot Requirements table, multi-family dwellings in the R-LC and R-M zoning districts are required to provide 10,000 square feet of lot area plus 1,500 square feet of lot area for each unit in excess of 4. A maximum of 65 units can be constructed on the Spotswood parcel (2.33 acres x 43,560 = 101,494.8 s.f. total – 10,000 s.f. for the first 4 units = 91,494.8 s.f. ÷ 1,500 s.f. = 60.99 units + 4 first units = 65 dwelling units total) according to this lot area standard and the applicant proposed only 62 units.

The Spotswood parcel could not however meet the lot width requirements listed in the Lot Requirements table. Multi-family dwellings in the R-LC and R-M zoning districts are required to provide 50 feet of lot width plus 10 feet for each unit above 4. The lot width required for the 62 proposed multifamily units is 630 feet (50' + (10' x 58) = 630 feet) and the lot width along Spotswood Drive is only 406.44 feet.

There are at least three options for addressing the inconsistency in the Lot Requirements table. First, the requirements for lot area and lot width can be left as is

Staff Report & Recommendation
Zoning Ordinance Amendment Application

ZOA 2023-02 – Amend Lot Requirements for Multi-Family Dwelling Units & Townhouses

with no amendments. The development proposal for the Spotswood parcel however demonstrates that the 62 proposed apartments can fit on the parcel with the existing 406.44 feet of frontage along Spotswood Drive - the additional frontage required by the lot width calculation is excessive. The apartment complex would not have been improved by meeting the required lot width of 630 feet, and in fact, it is difficult to understand how a parcel with 400 feet in width and 280 feet in depth is superior to a parcel with 280 feet in width and 400 feet in depth, provided there is sufficient land area for all of the components for an apartment complex. The lot width requirement may be more appropriate in a suburban setting but perhaps not in an urban setting where the road network and lot dimensions are established.

Second, the lot width requirements for townhouses and multi-family dwellings can be deleted from the Lot Requirements table while retaining the lot area requirements for both townhouses and multi-family dwellings. This alternative is the one recommended by staff, and is also the most expedient solution to address the inconsistency.

Third, a larger discussion about alternative density calculations for townhouses and multi-family units can be undertaken to review whether density limits need to be changed and determine how to establish those density limits in the Zoning Ordinance if not by lot area. A larger density discussion, if even needed, can be added to the next round of zoning text amendments.

RECOMMENDATION:

Delete the lot width requirements for townhouses and for multi-family dwelling units in the Residential Multi-Family (R-M) and Residential - Light Commercial (R-LC) zoning districts as shown on the following pages.

Staff Report & Recommendation
Zoning Ordinance Amendment Application
ZOA 2023-02 – Amend Lot Requirements for Multi-Family Dwelling Units & Townhouses

§420-4.6. Lot Requirements.

Zoning District	Lot Area	Lot Width	Building Height	Front Yard	Side Yard	Rear Yard
R-1	8,000 sq. ft.; 12,000 sq. ft. for two-family dwellings	60 feet; 80 feet for two-family dwellings	35 feet; up to 45 feet w/30 foot side yard plus 1 foot for each additional foot over 35 feet	15 feet	10 feet	25 feet for main buildings, 5 feet for accessory buildings
R-2	15,000 sq. ft.	80 feet	35 feet; up to 45 feet w/30 foot side yard plus 1 foot for each additional foot over 35 feet	25 feet	15 feet	25 feet for main buildings, 5 feet for accessory buildings
R-M	8,000 sq. ft.; Two-family dwellings-12,000 sq. ft.; Multi-family-10,000 sq. ft. plus 1,500 sq. ft. for each unit in excess of 4; Townhouses - 2,400 sq. ft. per unit	60 feet; Two-family dwellings- 80 feet; Townhouses-20 feet each unit; Multi-family-50 feet plus 10 feet for each unit above 4	45 feet	25 feet	10 feet; 20 feet for multi-family	25 feet; 30 feet for multi-family
R-LC	Residential use: 8,000 sq. ft.; Two-family dwellings-12,000 sq. ft.; Multi-family-10,000 sq. ft. plus 1,500 sq. ft. for each unit in excess of 4; Townhouses - 2,400 sq. ft. per unit; Non-residential: 8,000 s.f.	Residential uses: 60 feet; Two-family dwellings- 80 feet; Townhouses-20 feet each unit; Multi-family-50 feet plus 10 feet for each unit above 4; Non-residential: 60 feet	35 feet, except dwellings may be increased up to 45 feet, provided that each side yard is 20 feet, plus at least one foot for each additional foot of building height over 35 feet.	25 feet	Residential uses: 10 feet, or 20 feet for multi-family Non-residential: 10 feet	Residential uses: 25 feet, or 30 feet for multi-family Non-residential: 25 feet

**Staff Report & Recommendation
Zoning Ordinance Amendment Application
ZOA 2023-02 – Amend Lot Requirements for Multi-Family Dwelling Units &
Townhouses**

Zoning District	Lot Area	Lot Width	Building Height	Front Yard	Side Yard	Rear Yard
C-1	None	None	45 feet; public and governmental buildings up to 60 feet w/CUP	None	10 feet when abutting a residential district	10 feet when abutting a residential district
C-2	None	None	45 feet	30 feet	30 feet when abutting a residential district	30 feet when abutting a residential district
PUD	3 acres		see §420-5.10			
POS	0 sq. ft.	0 feet	15 feet; 35 feet if ≥ 10 feet from a property line	5 feet ¹	5 feet ¹	5 feet ¹

¹Structures located in designated cemeteries and designed to contain human remains, such as but not limited to, mausoleums, columbaria, crypts, and niche walls, are not subject to P-OS yard setback regulations.

PLANNING COMMISSION RECOMMENDATION

pending

STAFF RECOMMENDATION

Delete the lot width requirements for townhouses and for multi-family dwelling units in the Residential Multi-Family (R-M) and Residential - Light Commercial (R-LC) zoning districts.

SUGGESTED MOTION

The public necessity, convenience, general welfare, or good zoning practice warrant the consideration of the following Zoning Ordinance amendment and I move to recommend approval of ZOA 2023-02 to delete the lot width requirement for townhouses and for multi-family dwelling units in the Residential Multi-Family (R-M) and Residential – Light Commercial (R-LC) zoning districts as presented by staff.