

MINUTES

The Lexington Planning Commission
Thursday, April 25, 2024 – 5:00 p.m.
Rockbridge County Administrative Offices – First Floor Meeting Room
150 South Main Street, Lexington, VA 24450

Planning Commission:

Presiding: Pat Bradley, Chair
Present: John Driscoll
Jon Eastwood
Mary Stuart Harlow
Gladys Hopkins
Shannon Spencer, Vice-Chair
Leslie Straughan, Council Liaison

City Staff:

Arne Glaeser, Planning Director
Kate Beard, Administrative Assistant

CALL TO ORDER

Chair Bradley called the meeting to order at 5:00 p.m.

AGENDA

The agenda was unanimously approved as presented. (S. Spencer / J. Eastwood)

MINUTES

The April 11, 2024 minutes were unanimously approved as presented. (J. Driscoll / L. Straughan)

CITIZENS' COMMENTS ON MATTERS NOT ON THE AGENDA

None

NEW BUSINESS

A. ZOA 2024-02: Annual Zoning Ordinance Amendments. Batch B – Mobile Restaurants.

- 1) Staff Report – A. Glaeser noted that the staff report contained the amendments to the Use Matrix and to the use and design standards for *Mobile Restaurants* developed at the last meeting, with the intent of allowing mobile restaurants to operate in Jordan's Point Park and the Brewbaker Field Sports Complex outside of special events. The amendment to the Use Matrix would allow mobile restaurants as a by-right use in the P-OS zoning district, with a note specifying the use would only be allowed in those two parks, and only with a written agreement with the City. The use and design standards were amended to reflect those conditions and to clarify proper trash disposal.
- 2) Public Comment - None
- 3) Commission Discussion & Decision – **S. Spencer moved to approve the zoning ordinance amendment for Mobile Restaurants as presented. J. Eastwood seconded and the motion passed unanimously. (7-0)** Director Glaeser said he would hold a work session with City Council on the zoning amendments recommended by the Commission before advertising them for a public hearing. The work session had not yet been scheduled, but he intended to brief Council on this amendment as well as those recommended by the

Commission as Batch A on March 28, 2024. This amendment would then be advertised with the others for a public hearing.

B. ZOA 2024-03: Annual Zoning Ordinance Amendments. Cottage Housing.

- 1) Staff Report – A. Glaeser led the Commission through a slide show presentation as an introduction to Cottage Housing. He reminded the Commission of the Comprehensive Plan strategies that had provided direction for the amendments for the PD-MU zoning district and Accessory Dwelling Units, and he offered the Comprehensive Plan strategy to “explore modifying the City’s zoning regulations to facilitate the creation of a variety of ... housing types that achieve higher densities and a diversity of housing options” as informing the consideration of this amendment to allow Cottage Housing. He noted that each of these amendments was intended to be a nontraditional zoning tool that could help to address Missing Middle Housing - types of housing that have not been allowed by traditional zoning. Cottage Housing developments are groupings of small, single family dwellings clustered around a common area with internal pedestrian paths and parking corralled to the side or rear. They are characterized by increased density, smaller units, shared common areas, shared ownership, corralled cars, connected internal paths, porches facing the common area, and layered spaces from public to private fostering an increased sense of community. They are typically structured similarly to condos, with HOAs to oversee/maintain the common areas and buildings. The presentation included sketches and photographs of examples of existing Cottage Housing developments around the country, as well as a concept plan that was completed for a lot on Thornhill Road in Lexington. Director Glaeser explained a cottage housing development would differ from the Weatherburn PUD in that the dwellings would be smaller and oriented inward, toward the common area, rather than toward the street. Also cars would largely be out of view and the development itself would contain many fewer units. He said the benefits associated with cottage housing include increased housing supply, increased housing variety, increased sense of community within the development, and increased housing affordability, provided the regulations do not impose too much design detail. He offered some policy questions to consider as the ordinance is being developed which included: maximum size, parking details, the degree to which cottage design would be regulated, and how cottage housing should fit into adjacent single family development. The final slides showed views of a cottage housing development in Langley, Washington which is located on a parcel that shares very similar dimensions with two specific vacant properties in Lexington. Maps of the Lexington parcels were provided for context.
- 2) Public Comment – None
- 3) Commission Discussion – S. Spencer voiced concern about how a cottage housing development might interact with or detract from its surrounding neighborhood, both visually and an in transition from public to private space. Responding to G. Hopkin’s concern that there might be inadequate parking, P. Bradley remarked that this form of development was intended to support fewer cars and greater walkability. J. Driscoll believed it would be helpful to keep minimum lot size in mind. Citing an example from Seattle, he said it was possible that cottage housing developments could be located in more

places than was immediately apparent. P. Bradley stressed that it would be important to keep the public informed and involved in the process. J. Eastwood commented that even a small number of cottage housing projects would result in a non-trivial number of new units. He expressed enthusiasm for the endeavor. Director Glaeser pledged to provide the Commission with the Cottage Housing ordinance from Winchester at the next meeting.

OTHER BUSINESS

None

CITY COUNCIL REPORT -

L. Straughan reported that City Council's April 18th meeting was City Manager Jim Halasz's last meeting prior to his retirement, and that Finance Director, Jen Bell, would act as interim City Manager until the new City Manager, Tom Carroll, began on May 20th. Also, Council adopted the 2025 budget and CIP but made no decision on Echelon's request for a tax abatement.

ADJOURN

Much to the dismay of all those present, P. Bradley announced he would not continue as a Planning Commissioner after the end of his term in July. The meeting was adjourned at 6:06 p.m. with unanimous approval. (M. S. Harlow / S. Spencer)

P. Bradley, Chair, Planning Commission

MINUTES

The Lexington Planning Commission
Thursday, May 9, 2024 – 5:00 p.m.
Rockbridge County Administrative Offices – First Floor Meeting Room
150 South Main Street, Lexington, VA 24450

Planning Commission:

Presiding: Pat Bradley, Chair
Present: John Driscoll
Jon Eastwood
Gladys Hopkins
Shannon Spencer, Vice-Chair
Leslie Straughan, Council Liaison

City Staff:

Arne Glaeser, Planning Director
Kate Beard, Administrative Assistant

Absent: Mary Stuart Harlow

CALL TO ORDER

Chair Bradley called the meeting to order at 5:00 p.m.

AGENDA

The agenda was unanimously approved as presented. (S. Spencer / G. Hopkins)

MINUTES

A motion by J. Driscoll to approve the April 25, 2024 minutes as presented died for lack of a second after S. Spencer pointed to a verb tense on the second page in need of correction. The minutes were then unanimously approved as amended by S. Spencer. (J. Driscoll / S. Spencer)

CITIZENS' COMMENTS ON MATTERS NOT ON THE AGENDA

None

NEW BUSINESS

A. ZOA 2024-03: Annual Zoning Ordinance Amendments. Cottage Housing.

- 1) Staff Report & Commission Discussion – A. Glaeser explained he was providing visual renderings of two existing cottage housing developments to help the Commission keep in mind what it was working toward – smaller units, higher density, corralled parking and a shared common area. He also provided an article about the Railroad Cottages development in Falls Church as an example of this type of development being used successfully as infill on an oddly shaped parcel. He suggested the Falls Church regulations might provide a useful comparison after the initial review of the regulations from Winchester. He then led the Commission through the Cottage Housing Development Design Standards from Winchester. He encouraged the Commission to pay particular attention to the structure of the ordinance and to weigh in with preferences. Discussion highlights were as follows:

- PURPOSE AND INTENT – A. Glaeser noted this section of the Winchester code was lengthy, not unlike the Purpose section adopted for ADUs. S. Spencer said she found Winchester’s purpose section to be particularly helpful.
- DENSITY, NUMBER OF UNITS AND MINIMUM LOT AREA – A. Glaeser remarked that he found the inclusion of this type of table to be helpful. For reference, he noted that in three of the zoning districts in which cottage housing is allowed in Winchester, it is as a conditional use. J. Driscoll said the Commission would need to identify which zoning districts in Lexington would be appropriate for this type of development and he encouraged the Commission to be thoughtful about appropriate scale. Using the lots on the corner of Houston and Walker Streets as an example, there was discussion comparing the number of units that would currently be allowed on the property against the number that could be allowed with a cottage housing development. A. Glaeser acknowledged that he had learned from the Winchester Planning Director that the Winchester ordinance was adopted in 2011 but has never been implemented. The Winchester Planner’s observations were that they have a PUD district that is more popular, and that while the cottage housing amendment had good intent and some very good building design provisions, it was poorly calibrated with respect to how much space it would take to accommodate the needed building footprints, green space, stormwater management, emergency access and off street parking. A. Glaeser noted that Lexington had no competing residential PUD district, but that care would need to be taken when developing formulas for density, number of units and lot area requirements. He responded to a question from L. Straughan by saying that standards for a more traditional residential PUD district could be considered if desired, but that they should not be conflated with cottage housing – that they should be separate tools for higher density housing. He said cottage housing could be implemented either as a CUP or as its own, specific PUD, but that the cottage housing development model, if pursued, should be thought of as a package and not watered down. L. Straughan wondered if a more traditional PUD with more design standards might provide greater flexibility. Following discussion of which zoning districts would be appropriate for cottage developments, there was consensus that they should be allowed in the R-1, the R-LC and possibly the R-2 districts.
- EXISTING NONCONFORMING STRUCTURES AND ACCESSORY TWO-FAMILY DWELLING UNITS – A. Glaeser pointed out that this was similar to the section dealing with nonconformities in the ADU ordinance.
- BUILDING HEIGHT – Typically cottage dwellings are 1 or 1 ½ story units. A. Glaeser noted Winchester’s requirements concerning the pitch of the roof tend to result in more attractive structures, but can also lead to greater expense and would preclude modern design.
- VARIATIONS IN BUILDING DESIGN – A. Glaeser reminded the Commission that regulations requiring greater design detail typically lead to a more expensive product. P. Bradley suggested articulation would likely be a detail worth

encouraging in order to make the street-facing elevations more visually interesting. There was some hesitation about the degree to which Winchester restricted acceptable building materials. P. Bradley cautioned that there had to be some consideration of price point. L. Straughan agreed, saying the result, while attractive, may be counter to what was trying to be accomplished. S. Spencer contended that design standards could be crafted in such a way as to lessen the visual impact of less expensive materials rather than restricting the materials outright.

- COVERED MAIN ENTRY PORCHES – A. Glaeser noted private entry porches are used as a transitional space between the private interior and the shared public outdoor space. S. Spencer pointed out that the ordinance should specify whether or not the porch area is included in a unit’s overall maximum square footage.
- STREET-FACING FACADES – This section reinforces the objective that the development contribute to the neighborhood with attractive design.
- LOT COVERAGE AREA – A. Glaeser reminded the Commission that Lexington does not have regulations governing maximum lot coverage, though low impact stormwater features could be required or encouraged in the standards for cottage housing. J. Driscoll voiced support for including a minimum landscape requirement similar to Winchester’s. L. Straughan questioned whether something similar could be achieved through setback and open space requirements. A. Glaeser commented that another jurisdiction’s ordinance was very specific about what counted toward the required open space. He said staff would find examples from other jurisdictions for comparison.
- COTTAGE FLOOR AREA – A. Glaeser noted the compact footprint and 1 ½ story maximum height of the Winchester cottages was in keeping with the Third Street Cottages in Langley, Washington, one of the examples of an existing cottage development. L. Straughan pointed to the language stating the units are intended for one or two person households, saying the Commission should be clear about the size of household being designed for.
- YARDS – BUILDING SETBACK FROM EXTERIOR LOT LINES – A. Glaeser noted the setbacks listed in this section are not dissimilar to the setbacks in the R-1 zoning district.
- COTTAGE HOUSING DEVELOPMENT BUILDING SEPARATION – Winchester requires a minimum of 12 feet of separation within the development from cottage to cottage. A. Glaeser noted the building code requires a minimum of 10 feet of separation between buildings.
- COMMON OPEN SPACE – This section requires a minimum area of open space per cottage as well as proximity and ease of access from the cottages to both the open space and parking.
- PRIVATE OPEN SPACE – As is typical with cottage developments generally, Winchester’s ordinance requires each dwelling to have a private outdoor space. A. Glaeser explained his understanding of ownership as consisting of ownership

of the dwelling's footprint, a small private yard and a share of the development's common area.

- **TREE CONSERVATION** – Lexington's Tree Ordinance does not require approval for the removal of trees in residential areas. If language encouraging tree conservation is included in the eventual ordinance, attention should be paid to *should vs. shall*.
- **OFF-STREET PARKING** – A. Glaeser said he especially liked the inclusion of drawings providing examples of how to configure the corralled parking.
- **FIRE- LANE ACCESS AND TURNAROUND PROVISIONS** – A. Glaeser voiced concern that the specific standards included in this section of the Winchester code were onerous if not impossible given the minimum lot size being considered. He assured the Commission that the final text would be reviewed by the Fire Marshal, Building Official and Public Works Department to ensure life safety standards are met.

Director Glaeser offered to provide the Falls Church ordinance at a future meeting for comparison. P. Bradley said he thought the Winchester ordinance was thoughtfully put together and worked well as a comprehensive unit. He recommended using it as a model and tweaking the details as needed. Commissioners Spencer and Driscoll agreed. J. Eastwood suggested having details specific to places where cottage housing has been successfully implemented would be helpful. Following additional discussion, A. Glaeser said staff would work on creating tables and visual aids to assist in future discussions about density.

2) Public Comment – None

OTHER BUSINESS

A. Zoning and Planning Report – Director Glaeser reported he had received the updated maps for the Comprehensive Plan amendment relative to the designations of a number of properties along Maple Lane. He indicated the amendment would be advertised in the near future.

CITY COUNCIL REPORT -

L. Straughan reported that Council did not discuss the Echelon tax abatement request at its May 2nd meeting; she anticipated discussion and possible action on the proposal at the next meeting. She added that this week was Municipal Clerks Week and next week would be Police recognition week. Also, the city would no longer recycle glass effective today.

ADJOURN

The meeting was adjourned at 6:15 p.m. with unanimous approval. (S. Spencer / J. Driscoll)

P. Bradley, Chair, Planning Commission

MINUTES

**The Lexington Planning Commission
Thursday, May 23, 2024 – 5:00 p.m.
Rockbridge County Administrative Offices – First Floor Meeting Room
150 South Main Street, Lexington, VA 24450**

Planning Commission:

Presiding: Jon Eastwood
Present: John Driscoll
Mary Stuart Harlow
Leslie Straughan, Council Liaison

Absent: Pat Bradley, Chair
Gladys Hopkins
Shannon Spencer, Vice-Chair

City Staff:

Arne Glaeser, Planning Director
Kate Beard, Administrative Assistant

CALL TO ORDER

Director Glaeser called the meeting to order at 5:03 p.m.

ELECTION OF TEMPORARY CHAIR

- 1) Nominations & Vote – **J. Driscoll nominated Jon Eastwood to serve as Temporary Chair. No other nominations having been made, Mr. Eastwood was elected by acclamation.**

AGENDA

The agenda was unanimously approved as presented. (L. Straughan / J. Driscoll)

MINUTES

The May 9, 2024 minutes were unanimously approved as presented. (J. Driscoll / L. Straughan)

CITIZENS' COMMENTS ON MATTERS NOT ON THE AGENDA

None

NEW BUSINESS

A. EC 2024-04: An application by Serdar Mumcu for approval of a Certificate of Appropriateness (COA) for new signage for Pack and Mail, LLC at 449 E. Nelson Street (Tax Map #30-1-9), owned by Andorra Properties, LLC.

- 1) Staff Report – This was a request for a new double-sided sign panel for Pack & Mail at 449 E. Nelson Street, located in the C-2 zoning district and Entrance Corridor overlay. Director Glaeser reminded the Commission of the wall sign and exterior improvements that were approved for this business's storefront earlier in the year and explained the subject request was to update the Pack & Mail panel in the freestanding multi-tenant sign at the entrance to the Rockbridge Square Shopping Center parking lot.
- 2) Applicant Statement – None
- 3) Public Comment – None

- 4) Commission Discussion & Decision – **L. Straughan moved to approve the Entrance Corridor Certificate of Appropriateness application EC 2024-04 for an illuminated, double-sided freestanding sign panel for the Pack & Mail business at 449 East Nelson Street as proposed by the applicant. M. S. Harlow seconded, and the motion passed unanimously. (4-0)** M. S. Harlow observed the multi-tenant entrance sign contained a panel for a business that no longer existed. She questioned whether the city has a role in assuring signage is relevant or whether that responsibility rests solely with the property owner. A. Glaeser said there is language in the Code that gives the city the authority to have a sign removed for a business that has been closed for two years. He added that, in this case, another tenant was working toward opening in that storefront and he anticipated an application for new signage would be submitted soon.

B. Request to defer CUP 2024-02: An application by John Adamson of Rockbridge Partners, LLC to renew a Conditional Use Permit allowing a portion of the building located at 2 South Main Street (Tax Map #23-1-194) and owned by Rockbridge Partners, LLC to be used as an assembly hall (i.e. *Public Assembly*).

- 1) Staff Report – At the April 25, 2024 meeting, at the applicant’s request, the Commission deferred its decision on this application for 60 days to give the applicant more time to consider his options in light of the expiration of deed restrictions requiring this use on the parcel. A. Glaeser reported the applicant was in the throes of a major development project across the street from this property, had not had an opportunity to adequately investigate this renewal, and was again requesting a deferral.
- 2) Applicant Statement – None
- 3) Public Comment – None
- 4) Commission Discussion & Decision – **L. Straughan moved to defer CUP 2024-02 until the Commission’s August 8, 2024 meeting. M. S. Harlow seconded, and the motion passed unanimously. (4-0)**

C. ZOA 2024-03: Annual Zoning Ordinance Amendments. Cottage Housing.

- 1) Staff Report & Commission Discussion – At the May 9th meeting, the Commission reviewed the Winchester cottage housing regulations and agreed to use its structure as a model for the new cottage housing ordinance, while taking care to adjust the details for a greater likelihood of implementation. For this meeting, A. Glaeser provided an overview of the Railroad Cottages - a fully built-out and successful cottage housing development in Falls Church. He suggested it could be helpful to compare an actual development to the code that allowed it, especially with respect to such details as density, lot size, number of units and parking. He noted the development was allowed as a special exception (i.e. conditional use) and as part of a pilot program which allowed only one cottage development per year, though the program is currently being reassessed and extended. He said the aerial rendering was particularly valuable in depicting the development in the context of its immediate surroundings. He forewarned the Commission to expect a similarly significant contrast between the density of an infill cottage development in Lexington and that of its neighbors. He noted the Railroad Cottages, each at about 1,500 square feet, were larger than some cottage units, and the development itself, with less of a

cottage court and with units very close together, was also denser than others. Discussion yielded the following:

- Responding to a question from M. S. Harlow, Director Glaeser encouraged the Commission to consider whether attached, side-by-side units could be appropriate, particularly given that the owner of the property on the corner of Houston and Walker Streets had submitted a proposal that included duplex-style cottages.
- L. Straughan commented that there could be merit to accepting higher density in instances where the common space is well programmed for actual use.
- The minimum lot area in Falls Church is 45,000 square feet (equivalent of four lots for the zoning district), or slightly more than an acre. L. Straughan was concerned a minimum of one acre would lead to too few parcels in Lexington being available for cottage development and suggested using the equivalent of four R-1 zoned lots, or approximately 0.7 acre. J. Eastwood suggested another approach would be to determine a minimum number of cottages needed for a viable development and to then extrapolate for density to arrive at minimum lot size.
- A. Glaeser recommended including a provision, similar to the one in the Falls Church code, for sites occupied by historic structures.
- The maximum floor area (1,000 square feet on the main level and 1,500 square feet total) and maximum height (1 ½ stories or 25 feet) are fairly typical cottage standards.
- A. Glaeser suggested the sprinkler requirement, though an added cost, may allow for closer proximity of units. He assured the Commission that the Building Official and Fire Marshal would review and provide feedback on the proposed ordinance.
- Because Lexington has no lot coverage requirements, A. Glaeser encouraged the Commission to instead focus on standards for low impact design. L. Straughan and J. Eastwood suggested that lot coverage may also be less of an issue because of the common open space and setback requirements.

2) Public Comment –

Local architect Heidi Schweitzer appreciated the City's efforts in exploring the possibility of embracing cottage communities within the zoning code. She said it is a housing type needed in our community.

Max Ivankov of MaxMark Homes said cottage housing allows cities to increase density without sacrificing the quality of the existing housing stock. He supported extending as much flexibility as possible to the planning authorities so that any site might be considered. He recommended adopting sliding scale lot requirements rather than rigid minimums/maximums.

3) Commission Discussion –

L. Straughan asked Director Glaeser to confirm that the Falls Church requirement that “the entire site area of the development be located within 500 linear feet of a designated revitalization area” was in place only during pilot program and has now been expanded. J. Driscoll suggested getting in touch with the HOA for the Railroad Cottages to inquire about “lessons learned.” He added it would also be helpful to know about ownership structure and to get a sense of the market demographics for the Falls Church cottages. A. Glaeser said he would provide an overview of the Third Street Cottages in Langley, Washington for the Commission’s next meeting, and several schematics proposed by the owner of the property at the corner of Walker and Houston Streets for the following meeting.

OTHER BUSINESS

None

CITY COUNCIL REPORT -

L. Straughan announced it was National EMS Week and National Public Works Week. City Council did not have any discussion and took no action on the Echelon tax abatement request at its May 16th meeting. That matter is ongoing. Council heard from several members of the public who had comments about parking issues on Diamond Hill.

ADJOURN

The meeting was adjourned at 6:14 p.m. with unanimous approval. (M. S. Harlow / L. Straughan)

J. Eastwood, Temporary Chair, Planning Commission