

City of Fredericksburg, Virginia

City Council

AGENDA

Council Chambers

715 Princess Anne Street

Fredericksburg, Virginia 22401

Hon. Mary Katherine Greenlaw, Mayor
Hon. William C. Withers, Jr., Vice-Mayor, Ward Two
Hon. Kerry P. Devine, At-Large
Hon. Matthew J. Kelly, At-Large
Hon. Bradford C. Ellis, Ward One
Hon. Timothy P. Duffy, Ph.D., Ward Three
Hon. Charlie L. Frye, Jr., Ward Four

January 26, 2016

7:30 P.M.

Mayor Mary Katherine Greenlaw, Presiding

1. **Call To Order**

2. **Invocation**

Councilor Matthew J. Kelly

3. **Pledge Of Allegiance**

Mayor Mary Katherine Greenlaw

4. **Presentations**

5. **Public Hearing**

- A. Resolution 16-___, Authorizing The City Manager To Execute A Comprehensive Agreement And Design-Build Contract With English Construction Company, Inc. For Design And Construction Of Dewatering Equipment And Related Improvements At The City's Wastewater Treatment Plant

Documents: [5A WWTP IMPROVEMENTS.PDF](#)

- B. Ordinance 16-___, First And Second Read, Vacating A Portion Of The Amelia Street Right Of Way To Resolve The Former Union Bank And Trust Building Encroachment

Documents: [5B AMELIA ST ROW.PDF](#)

- C. Ordinance 16-___, First Read, Authorizing The City Manager To Execute A Deed Of Lease Agreement With Stafford County And Milestone Communication Management III, Inc. For Construction And Operation Of A Telecommunications Tower At The Regional Landfill, 489 Eskimo Hill Road, Stafford, VA 22554

Documents: [5C RBOARD CELL TOWER.PDF](#)

6. **Comments From The Public**

City Council provides this opportunity each regular meeting for comments from citizens who have signed up to speak before the start of the meeting. To be fair to everyone, please observe the five-minute time limit and yield the floor when the Clerk of Council indicates that your time has expired. Decorum in the Council Chambers will be maintained. Comments that are not relevant to City business and disruptive are inappropriate and out of order.

7. **Council Agenda**

8. **Consent Agenda**

A. Transmittal Of FRED Transit Progress Report - December 2015

Documents: [8A FRED PROGRESS REPORT.PDF](#)

B. Ordinance 16-02, Second Read, Rezoning Approximately 3.049 Acres Of Land From Commercial Highway C-H And Residential R-2 To Planned Development Mixed Use PDMU For The "Mill District"

Documents: [8B MILL DISTRICT.PDF](#)

C. Resolution 16-04, Second Read, Amending The Fiscal Year 2016 Budget By Appropriating Fiscal Year 2015 Encumbrances And Carryovers

Documents: [8C CARRYOVER-ENCUMBRANCES.PDF](#)

D. Resolution 16-___, Authorizing The City Manager To Execute A Revised Fire And EMS Mutual Aid Agreement With Spotsylvania County

Documents: [8D MUTUAL AID-SPOTSY.PDF](#)

E. Resolution 16-___, Authorizing The City Manager To Execute A Fire And EMS Mutual Aid Agreement With King George County

Documents: [8E MUTUAL AID-KG.PDF](#)

F. Resolution 16-___, Releasing Prior Allocations Of \$121,703 In Motor Fuels Tax Funds For Various Projects

Documents: [8F MOTOR FUELS TAX ALLOCATION.PDF](#)

G. Resolution 16-___, Accepting Recently Completed Streets Within The City Of Fredericksburg Into The City Street System And Petitioning The Virginia Department Of Transportation To Add The Streets To The State Urban Street System

Documents: [8G ACCEPTANCE OF ST.PDF](#)

H. Transmittal Of Boards And Commission Minutes

H.i. Architectural Review Board - November 9, 2015

Documents: [8H1 ARB 11-9-15.PDF](#)

H.ii. Architectural Review Board Supplemental - November 26, 2015

Documents: [8H2 ARB SUPP MTG11-26-15.PDF](#)

H.iii. Architectural Review Board Supplemental - December 7, 2015

Documents: [8H3 ARB SUPP MTG 12-07-15.PDF](#)

H.iv. Board Of Zoning Appeals - September 21, 2015

Documents: [8H4 BZA 9-21-15.PDF](#)

H.v. Planning Commission - December 9, 2015

Documents: [8H5 PLANNING 12-9-15.PDF](#)

H.vi. Potomac & Rappahannock Transportation Commission - December 3, 2015

Documents: [8H6 PRTC 12-3-15.PDF](#)

9. Minutes

A. Public Hearing - January 12, 2016

Documents: [9A 1-12-16 PUBLIC HEARING MINUTES.PDF](#)

B. Regular Session - January 12, 2016

Documents: [9B 1-12-16 REGULAR SESSION MINUTES.PDF](#)

10. City Manager Agenda

A. Resolution 16-___, Granting Lincoln Terminal Company An Amended Special Use Permit For An Expansion Of The Bulk Storage Facility At 1500 Beulah Salisbury Road

Documents: [10A LINCCOLN TERMINAL.PDF](#)

B. Ordinance 16-01, Second Read, Amending The Zoning Regulation In The R-4 And R-8 Residential Zoning Districts And The C-T Commercial/Office-Transitional District, To Require The Front Building Façade To Be Oriented Toward The Front Yard, And, For Lots Of Record Prior To April 25, 1984, To Make The Infill Front Yard Setback Mandatory, And To Reduce The Minimum Infill Side Yard Setback; Amending The Method For Calculating Average Yard Setbacks

Documents: [10B R4-R8 TEXT AMEND.PDF](#)

C. Resolution 16-___, Authorizing Use Of \$1,244,725 Of Motor Fuels Tax Funds For Various Transportation Projects

Documents: [10C MOTOR FUELS TAXES.PDF](#)

- D. Resolution 16-___, Authorizing The City Manager To Apply To The Virginia Resources Authority For Financing For Public Safety Radio Replacements And The Renovation Of The Original Walker-Grant Middle School

Documents: [10D BOND POOL.PDF](#)

- E. City Manager's Update

Documents: [10E CITY MANAGER REPORT.PDF](#)

- F. Calendar

Documents: [10F CALENDAR.PDF](#)

11. **Adjournment**



MEMORANDUM

TO: Beverly R. Cameron, City Manager
FROM: Martin Schlesinger, Assistant Director of Public Works (Utilities)
DATE: January 19, 2016
SUBJECT: Wastewater Treatment Plant - Dewatering Project

ISSUE

Approval of a Comprehensive Agreement and Design-Build Contract for design and installation of dewatering equipment at the Wastewater Treatment Plant.

RECOMMENDATION

Staff recommends that the City Council accept the unsolicited proposal presented by English Construction Company, Inc. and adopt the attached resolution, authorizing the City Manager to execute a contract with English Construction Company, Inc. in an amount not to exceed \$1,250,000.

DISCUSSION

On October 14, 2015, the City of Fredericksburg received an unsolicited proposal under the Public-Private Education Facilities and Infrastructure Act (PPEA) from English Construction Company, Inc., in partnership with Reid Engineering, a Fredericksburg based engineering firm, for improvements to the Wastewater Treatment Plant. These improvements consisted of removal of the existing gravity belt thickener and installation of a new dewatering belt press.

The required Notice of Acceptance of Unsolicited Proposal was published on October 16, 2015 and invited submission of competing proposals. Although we received several inquiries, no competing proposals were received by the December 7, 2015 deadline.

The English Construction proposal was then evaluated by Public Works staff and staff now recommends acceptance of the proposal.

The existing gravity belt filter has not been used for several years. This unit is to be removed and a new belt filter press installed in its place. A belt filter press removes solids from the wastewater stream and creates the “sludge” that is then transported to the Livingston Landfill in Spotsylvania County, where it is then mixed with various organics to make mulch.

The plan is to operate the new belt press and maintain the two existing aged belt presses as redundant back-up. In addition to the new belt press, the proposal includes installation of a new polymer feed system, appropriate electrical power and control equipment and related process improvements.

FISCAL IMPACT

Funds for this project are included in the proceeds of the 2015 bond issue.

Attachment: Resolution



January 12, 2016
Regular Meeting
Resolution No. 16-__

MOTION:

SECOND:

**RE: AUTHORIZING THE CITY MANAGER TO EXECUTE A
COMPREHENSIVE AGREEMENT AND DESIGN-BUILD CONTRACT
WITH ENGLISH CONSTRUCTION COMPANY, INC. FOR DESIGN AND
CONSTRUCTION OF DEWATERING EQUIPMENT AND RELATED
IMPROVEMENTS AT THE CITY'S WASTEWATER TREATMENT
PLANT**

ACTION: APPROVED: Ayes: 0; Nays: 0

WHEREAS, the City of Fredericksburg, received a Public Private Educational Facilities and Infrastructure Act (PPEA) proposal from English Construction Company, Inc. on October 14, 2015 to perform improvements at the City's Wastewater Treatment Plant; and

WHEREAS, City staff has advertised for competing proposals, but received no competing proposals in the specified time; and

WHEREAS, City staff has evaluated the proposal and determined that it meets the City's needs related to the design and installation of new dewatering equipment at the Waste Water Treatment Plant.

NOW THEREFORE, BE IT RESOLVED, that the City Manager is hereby authorized to execute a Comprehensive Agreement and Design-Build Contract with English Construction Company, Inc. in an amount not to exceed \$ 1,250,000 for improvements to the City's Wastewater Treatment Plant, including the design and installation of a belt filter press and related process improvements.

Votes:

Ayes:

Nays:

Absent from Vote:

Absent from Meeting:

Clerk's Certificate

I, the undersigned, certify that I am Clerk of Council of the City of Fredericksburg, Virginia, and that the foregoing is a true copy of Resolution No. 16-__ duly adopted at the City Council meeting held January 26, 2016 at which a quorum was present and voted.

***Tonya Lacey, CMC
Clerk of Council***



MEMORANDUM

TO: Beverly R. Cameron, City Manager
FROM: Marne E. Sherman, Development Administrator
RE: Request to Vacate a Portion of Amelia Street Right-of-Way, adjacent to GPIN 7789-05-6246 (1016 Charles Street)
DATE: January 26, 2016 – First and Second Reading

ISSUE

The Fredericksburg Economic Development Authority (EDA) is requesting that City Council vacate public right-of-way containing a portion of Amelia Street, west of Charles Street. The 400 square foot (0.01 acres) area runs along the south side of Amelia Street adjacent to GPIN # 7789-05-6246 (1016 Charles Street).

RECOMMENDATION

Adoption of the attached ordinance on first and second reading, approving the vacation of public right-of-way. The ordinance includes one condition:

1. The final subdivision plat showing the vacation shall be recorded within 12 months of the date of this ordinance, with a certified copy of this ordinance.

PLANNING COMMISSION RECOMMENDATION

On January 13, 2016, the Planning Commission voted unanimously to approve the attached resolution, finding the application to be in substantial accordance with the 2015 Comprehensive Plan under the Code of Virginia §15.2-2232.

BACKGROUND

Amelia Street is an improved public right-of-way of varying widths, beginning at Sophia Street and continuing west to Washington Avenue. The roadway contains two lanes of traffic with curb, gutter, and parallel parking on each side of the street. The right-of-way also contains sidewalks ranging from four feet to eight and a half feet in width, grass strips, utilities, and street trees along its course. Between Charles Street and Prince Edward Street, the existing right-of-way for Amelia Street varies from approximately 63' in width adjacent to GPIN 7789-05-6246 to approximately 56' in width at the corner of Prince Edward Street.

The EDA, in partnership with the City of Fredericksburg, purchased GPIN # 7789-05-6246 (1016 Charles Street) and 7789-05-5139 (adjoining parking lot) to increase the inventory of public parking spaces in the downtown. Following a boundary line adjustment and minor site improvements, the existing building and surrounding property to remain on GPIN 7789-05-6246

will be resold to a private entity for reuse. The EDA will deed the parking lot on GPIN 7789-05-5139 to the City.

The building at 1016 Charles Street was originally constructed in 1966. In 1973, an addition was built along the Amelia Street side resulting in a 0.9' encroachment into the Amelia Street right-of-way. The encroachment was identified by survey in 1996, with the purchase of the property by Virginia Heartland Bank. On May 2, 1996, the City Manager granted conditional approval for the continued encroachment of the building within the right-of-way. The conditional approval is revocable at any time and denies liability from expenses or damages arising out of the use of the encroachment area.

To permanently relieve the encroachment and encourage the sale and reuse of the building at 1016 Charles Street, the EDA requests the vacation of 400 square feet (0.01 acres) of right-of-way along the south side Amelia Street. This acreage equates to approximately three feet of right-of-way along the frontage of Amelia Street, reducing the remaining right-of-way width to approximately 60', or 30' from the centerline. The area to be vacated will be consolidated into GPIN 7789-05-6246. The proposed right-of-way boundary would become more consistent with the adjacent right-of-way limits along the Amelia Street corridor.

Public Works has evaluated the request and finds that the vacation of the right-of-way will not adversely affect the ability to maintain existing or planned transportation, landscaping, or utility infrastructure. The proposed right-of-way line will extend to approximately one foot behind the sidewalk to allow for maintenance of the pedestrian facility. The private landscaping and driveway would be more contained within the private property limits, relieving the City of the potential request for maintenance. No existing public infrastructure will change.

Recent Comparable

On August 12, 2014, following the Planning Commission's finding of substantial accord with the 2007 Comprehensive Plan, the City Council approved a request to vacate 0.04 acres of Amelia Street right-of-way between Winchester Street and Douglas Street to accommodate the Liberty Place project. This acreage equated to vacation of approximately 10' of right-of-way along the south side of Amelia Street, reducing the remaining right-of-way width to approximately 54', or 27' from the centerline. The developer proposed an easement over the proposed widened sidewalk to accommodate the pedestrian facility along Amelia Street.

Zoning

The underlying zoning district within the subject right-of-way is Commercial-Downtown (C-D).

FISCAL IMPACT

The 400 square foot (0.01 acres) of vacated right-of-way will be taxed, adding to the revenue of the City. Costs associated with the sale of land will be at the discretion of City Council. Based on the acreage and assessed values per square foot of adjacent properties, the 0.01 acres is valued at \$18,478.

CHECKLIST AND DISCUSSION – City Code §66-42

The following table outlines the requirements for the vacation of public rights-of-way under the City Code. The City Code is modeled on the Code of Virginia §15.2-2006.

Subsection	Requirement	Notes
A	Ordinance adopted by City Council	See Attached Ordinance
B	Written Application & \$100 Fee	The cover letter, along with supporting materials, constitutes the application. The fee was waived.
C	Public Hearing and Notice to Adjoining Property Owners	January 26, 2016 public hearing. Notice includes a sign on Amelia Street, published notice in the <i>Free Lance-Star</i> newspaper, and certified letters to adjoining property owners.
D	At the conclusion of the hearing, the Council may appoint a committee of between three and five viewers to report any inconvenience from discontinuing the street or alley.	Council's discretion, but staff recommends that in this case viewers would not be necessary.
E	Council may vacate after public hearing and viewer's report (if any). May be conditioned if the vacation is an accommodation of an expansion or development of a business.	First and second read of the ordinance would take place after the required public hearing has taken place. The Planning Commission provided its recommendation in the attached resolution. The conditioning of the vacation as an accommodation of business development applies at the discretion of Council.
F	If an abutting property owner is among the applicants applying for the vacation, that person may be required by Council to purchase the vacated right-of-way at a mutually agreeable price.	The cost of the land can be negotiated by Council. The 400 square foot (0.01 acres) of vacated right-of-way will be taxed, adding to the revenue of the City. Costs associated with the sale of land will be at the discretion of City Council. Based on the acreage and assessed values per square foot of adjacent properties, the 400 square foot (0.01 acres) is valued at \$18,478.
G	Appeals of Council decisions must be filed within 60 days of the final ordinance adoption in the City's Circuit Court.	Information only – no bearing on consideration of the vacation.

COMPREHENSIVE PLAN COMPLIANCE REVIEW ANALYSIS

The City of Fredericksburg's 2015 Comprehensive Plan addresses goals, policies, and initiatives for transportation, business development, and historic preservation in the Downtown Planning Area.

Transportation Policies and Initiatives, Chapter 3, pages 59-61:

Policy 2: "Maintain the integrity of the City's traditional street grid by keeping streets open."

Initiative 11: "Actively examine the potential for redesigning the one-way paired streets (William-Amelia and Princess Anne-Caroline) to better accommodate local traffic, pedestrian safety, and parking."

This section of Amelia Street is improved and currently used for vehicular, pedestrian, and transit travel routes and parking. Based upon the review by Public Works, the vacation of 400 square feet (0.01 acres) of right-of-way on the south side of Amelia Street, adjacent to GPIN 7789-05-6246, would not adversely affect the existing or planned infrastructure along Amelia Street. The integrity of the City's traditional street grid will remain intact with a more consistent right-of-way boundary along the length of the street. The remaining right-of-way would accommodate for the potential transportation and utility uses along Amelia Street. Further, it would not preclude a redesign of the street into two-way travel should the City Council move forward with Initiative 11.

Business Opportunities Goals, Chapter 6, page 119:

Goal 1: Downtown as a Center for Commerce, Culture, and Community

"Ensure that downtown Fredericksburg continues to serve as a center of commerce, art, culture, recreation, historic amenities, and government, in order to provide economic stability and a sense of community. Actively pursue the preservation and adaptive reuse of downtown buildings and ensure that infill projects are designed with sensitivity to the City's historic character."

Goal 3: Business Development

"Ensure the City can accommodate and capture its projected share of regional economic growth, by actively recruiting desired new businesses and providing retail and office space development in areas identified for growth."

The EDA is currently marketing the 1016 Charles Street property for sale and reuse to provide economic stability and capture new business development. A permanent solution to address the existing building encroachment will enhance the marketability of the downtown property and likelihood for business growth.

Historic Preservation Goals, Chapter 8, page 152:

Goal 1: City Character

"Protect and enhance the character of Fredericksburg's historic area and city center as a means to preserve the community's sense of place, to promote economic strength, and to ensure the City's continued appeal to residents, businesses, and visitors."

On November 9, 2015, the City's Architectural Review Board, denied a Certificate of Appropriateness to demolish the building at 1016 Charles Street. The Notification of Action provided that "keeping the solid Colonial Revival structure at the corner of the lot, even if the lot is used for parking, would retain an urban element at the street edge to mitigate the visual impact of the surface parking." The vacation of right-of-way to relieve the encroachment would ensure that the existing building could continue to enhance the character of the downtown and mitigate impacts of the future public parking lot behind it.

Attachments:

Draft Ordinance

Planning Commission Resolution 16-01, January 13, 2016 Meeting

Cover letter, dated December 16, 2015

Right-of-Way Vacation Exhibit, prepared by Webb and Associates, dated December 16, 2015

Aerial Photo from FredGIS

Public Works Memo, dated December 18, 2015

Amelia Street Vacation Value

cc: Doug Fawcett, Director of Public Works



January 26, 2016
Regular Meeting
Ordinance No. 16-__

MOTION:

SECOND:

RE: VACATING A PORTION OF THE AMELIA STREET RIGHT OF WAY TO RESOLVE THE FORMER UNION BANK & TRUST BUILDING ENCROACHMENT

ACTION: APPROVED; Ayes: 0; Nays: 0

FIRST READ: _____ SECOND READ: _____

IT IS HEREBY ORDAINED by the Fredericksburg City Council:

SEC. I. Background and Introduction.

The City has received an application from the Fredericksburg Economic Development Authority to vacate a portion of the Amelia Street right of way, consisting of approximately 400 square feet. The purpose of the vacation application is to resolve the encroachment of a one story brick building into the Amelia Street right of way at this location (GPIN 7789-05-6246), as shown on the Plat of Survey entitled "1016 Charles Street & 1011 Prince Edward Street," by Webb and Associates, dated October 27, 2014.

The Planning Commission determined that the vacation of this right of way was substantially in accord with the Comprehensive Plan (2015) at its meeting on January 13, 2016. After notice as required by law, the City Council held a public hearing on the application on January 26, 2016.

SEC. II. Vacation of Right of Way

The City Council hereby vacates a portion of the Amelia Street public right of way consisting of approximately 400 square feet, as shown on the "Right of Way Vacation Exhibit, 400 Block of Amelia Street," by Webb and Associates, dated December 16, 2015. This vacation is conditioned as follows:

The final subdivision plat showing the vacation shall be recorded within 12 months of the date of this ordinance, with a certified copy of this ordinance.

Votes:

Ayes:

Nays:

Absent from Vote:

Absent from Meeting:

Approved as to form:

Kathleen Dooley, City Attorney

Clerk's Certificate

I, the undersigned, certify that I am Clerk of Council of the City of Fredericksburg, Virginia, and that the foregoing is a true copy of Ordinance No. 16- duly adopted at a meeting of the City Council meeting held January 26, 2016 at which a quorum was present and voted.

Tonya B. Lacey, CMC
Clerk of Council



MOTION: PATES
SECOND: FRIESNER

January 13, 2016
Planning Commission
Resolution No. 16-01

RE: APPROVAL OF THE PROPOSED VACATION OF A PORTION OF THE AMELIA STREET RIGHT OF WAY AS SUBSTANTIALLY IN ACCORD WITH THE 2015 COMPREHENSIVE PLAN

ACTION: APPROVED; Ayes: 7; Nays: 0

The City Council has received an application from the Fredericksburg Economic Development Authority to vacate a portion of the Amelia Street right of way, consisting of approximately 400 square feet. The purpose of the vacation application is to resolve the encroachment of a one story brick building into the Amelia Street right of way at this location (GPIN 7789-05-6246), as shown on the Plat of Survey entitled "1016 Charles Street & 1011 Prince Edward Street," by Webb and Associates, dated October 27, 2014. The area to be vacated is shown on a plat entitled "Right of Way Vacation Exhibit, 400 Block of Amelia Street," by Webb and Associates, dated December 16, 2015.

Under Code of Virginia §15.2-2232(C) and City Code §72-22.2, an application for the vacation of a public street right of way shall be submitted to the Planning Commission for review for substantial conformance with the Comprehensive Plan.

The proposed vacation of a portion of the Amelia Street right of way, to resolve the encroachment, is consistent with the transportation and downtown chapters of the 2015 Comprehensive Plan, as stated more fully in the staff report.

The Fredericksburg Planning Commission therefore resolves the proposed vacation of a portion of the Amelia Street right of way is substantially in accord with the 2015 Comprehensive Plan.

Votes:

Ayes: McAfee, Beavers, Friesner, Gratz, Pates, O'Toole, Dynes

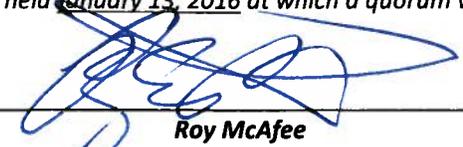
Nays: 0

Absent from Vote: 0

Absent from Meeting: 0

Chairman's Certificate

I, the undersigned, certify that I am Chairman of the Planning Commission of the City of Fredericksburg, Virginia, and that the foregoing is a true copy of Resolution No. 16-01 duly adopted at a meeting of the Planning Commission meeting held January 13, 2016 at which a quorum was present and voted.



Roy McAfee
Chairman of the Planning Commission

FREDERICKSBURG
ECONOMIC
DEVELOPMENT
AUTHORITY

December 16, 2015

Mrs. Marne Sherman
Development Administrator, City of Fredericksburg
715 Princess Anne St.
Fredericksburg, VA 22401

Dear Mrs. Sherman,

Please accept this request for a right-of-way vacation to be considered for the property at 1016 Charles St. (GPIN 7789-05-6246). As you know, the Fredericksburg Economic Development Authority plans to purchase this property December 29 from Union Bank & Trust as part of a partnership with the City of Fredericksburg. The EDA plans to subdivide a portion of the property for sale to a private buyer, while the remainder will be deeded to the City of Fredericksburg for public parking. The project will create 42 public parking spaces during peak demand on nights and weekends, helping to attract visitors and area residents to downtown.

We are requesting that the boundary line on the north side of the property (along Amelia Street) be moved from its current location as shown on the provided Webb & Associates survey from Oct. 27, 2014, to a line that runs parallel near the edge of the Amelia Street sidewalk. The line would be moved to the north 3.03 feet. This would make the property's northern boundary line more consistent with the two properties directly to the east along Amelia Street (GPINs 7789-05-5246 and 7789-05-4282). The City of Fredericksburg would be vacating approximately 400 square feet (approximately 0.01 acres) of Amelia Street right-of-way as part of this request. We are not seeking any changes to the boundary line along Charles Street.

We are making this request because a small portion of the brick building currently encroaches into the public right of way, which could create problems for the ultimate purchaser of the subdivided property due to the defective title. There is landscaping, asphalt and gravel in the remaining portions of the right-of-way that we are seeking to vacate. This vacation would not negatively affect the width of Amelia Street, the sidewalk or the travel lanes.

Chad Webb of Webb & Associates has sent you a plat showing the proposed changes. We are also including the October 27, 2014, survey with this application.

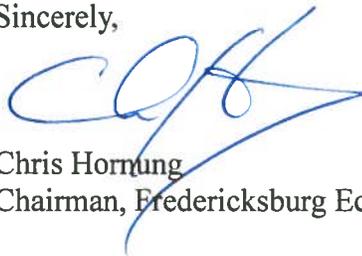
This vacation is one small step in the process of creating a municipal parking lot at 1016 Charles St. It will make the property more marketable for the EDA, whose involvement in this project reduced the City of Fredericksburg's originally budgeted costs by approximately \$750,000. The EDA will use the proceeds from the sale to foster economic development in Fredericksburg, including its downtown.

Fredericksburg's Department of Public Works has stated that it does not need the requested right of way, and indeed does not want to be responsible for maintaining any landscaping that is in the right of way in question. The vacated right of way would be used as it is currently should this request be approved. The request does not affect any adjacent landowners.

We believe that this overall project, which will save a building deemed worthy of preservation by the city's Architectural Review Board, is very much in keeping with the city's 2015 Comprehensive Plan. The business going into the building will help "ensure that downtown continues to serve as a center of commerce" and develop the city's tax base. The overall project "supports redevelopment that respects historic structures," and helps to "evaluate parking needs and develop appropriate strategies ... that provide for the continued viability of downtown Fredericksburg as well as its further growth and development."

Thank you for your consideration, and please call or e-mail if you need any additional information.

Sincerely,



Chris Hornung
Chairman, Fredericksburg Economic Development Authority

CHARLES STREET
(66' R/W)

PRINCE EDWARD ST.
(66' R/W)

(66' R/W)

N/F
VIRGINIA HEARTLAND BANK
C/O UNION BANK & TRUST
GPIN 7789-05-6246
DB291 P25

N/F
VIRGINIA HEARTLAND BANK
C/O UNION BANK & TRUST
GPIN 7789-05-5139
DB291 P25

**GPIN
7789-05-6246**
DB291 P25

1-STORY BRICK
BUILDING
(#1016)

PROPOSED ROW
VACATION
(400 S.F.)

FRAME DWELLING
(#406)

N/F
GPIN 7789-05-5246
JAMES V. VENTURA
INSTR.#070002459

FRAME DWELLING
(#1015)

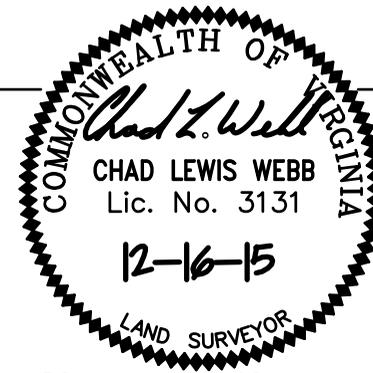
N/F
JOHN & SUSAN MOSS
INSTR.#110002670
GPIN 7789-05-4282

 -DENOTES PROPOSED ROW VACATION

AMELIA STREET
(VARIABLE WIDTH R/W)

N/F
GPIN 7789-05-5493
DAVID SCOTT, III
INSTR.#130001023

N/F
GPIN 7789-05-5339
WILSON REALTY LLC
INSTR.#040000189



N/F
GPIN 7789-05-4347
PRINCE EDWARD APARTMENTS LLC
INSTR.#060000420

**RIGHT OF WAY VACATION EXHIBIT
400 BLOCK OF AMELIA STREET
GPIN 7789-05-6246
CITY OF FREDERICKSBURG, VA.**



SCALE: 1"=30' DECEMBER 16, 2015

WEBB AND ASSOCIATES
11903 BOWMAN DRIVE, SUITE 106
FREDERICKSBURG, VA. 22408
PHONE: (540) 371-1209 FAX: (540) 371-4650

1016 Charles Street / Amelia Street ROW Vacation



- Existing Property Boundary/ROW Line
- Existing ROW Line along Amelia Street for Adjacent Properties
- - - Proposed ROW Line along Amelia Street for 1016 Charles Street / GPIN 7789-05-6246



MEMORANDUM

TO: Charles Johnston, Director of Community Planning and Building
Development
FROM: Doug Fawcett, Director of Public Works
RE: 1016 Charles Street –Public Works Staff Review for Request to Vacate
Public Right of Way
DATE: December 18, 2015

Public Works staff has completed its review of the issues for which you have requested such review related to the proposed vacation of public right of way on the Amelia Street side of 1016 Charles Street. Our review is based on information provided in a letter from the Fredericksburg Economic Development Authority (EDA) dated December 16, 2015 and a survey plat prepared by Chad Webb of same date.

The purpose of the below comments is to provide responses to your request for review of the proposed vacation of public right of way on Amelia Street

The issues and our comments are as follows:

1. The EDA has proposed vacation of approximately 400 square feet (0.01 acre) of City right of way along the Amelia Street frontage of the property. (See above referenced Webb and Associates survey plat.)

Public Works has no concern about this proposed vacation. The portion of the ROW proposed for vacation appears to be behind the existing sidewalk and not needed by the City for any anticipated purpose.

2. Any existing or proposed utilities within the area to be vacated for which the City may need to reserve an easement.

We are not aware of any public utilities, existing or future, that require reservation of a utility easement in the area to be vacated.

3. The possibility that Amelia Street may become a 2 way street with on-street parking.

Although we are not aware of any current plans to convert Amelia Street to 2-way traffic, nor are we suggesting any plans to do so, the City's comprehensive plan includes the following statement:

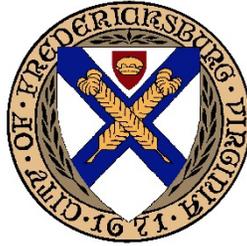
"To enhance safety and promote development, consideration should be given to returning the existing one-way traffic patterns to traditional two-way traffic and/or expanding on-street parking to help reduce speeds (traffic calming)."

We do not foresee the vacation of the Amelia Street right way causing any conflicts or concerns should the City decide to convert the traffic pattern in the future. Additionally, we do not foresee any impacts with on-street parking regardless of the traffic pattern on Amelia Street.

Amelia Street Vacation Valuation

January 26, 2016 Council Mtg

Adjacent GPINs zoned C-D	Assessed Value of Land	Area (Square Feet)	Value per Square Foot
7789-05-6246	\$658,500	14,592.6	\$45.13
7789-05-5246	\$149,700	3,310.6	\$45.22
7789-05-7377	\$168,100	3,484.8	\$48.24
		Average per Square Foot	\$46.19
	0.01 acres of Right-of-Way	Area (Square Feet) 400	Total Value (Area x Value per Sqft) \$18,477.68



MEMORANDUM

TO: Beverly R. Cameron, City Manager
FROM: Mark Whitley, Assistant City Manager
RE: Telecommunications Cell Tower Lease – R-Board
DATE: January 20, 2016

ISSUE

Shall the City Council approve a lease between the City and Stafford County, as co-owners of the Rappahannock Regional Solid Waste Management Board landfill, and Milestone Communications for a communications tower?

RECOMMENDATION

Staff recommends hearing public testimony at the public hearing. Barring additional information or developments, staff recommends approval of the attached ordinance on first reading on January 26th, 2016.

BACKGROUND

Milestone Communications, Inc., wishes to build a communications tower on the site of the R-Board landfill at 489 Eskimo Hill Road. The City and Stafford County jointly own the land, and have been approached with a lease document.

The Stafford Board of Supervisors is scheduled to act on this request after a public hearing on January 19th, 2016. The City's first reading is scheduled for this evening, and the second reading would be scheduled for February 9, 2016.

The tower has been sited such that there is no impact to either landfill operations or the Civil War Park. The R-Board Resolution approving the request subject to the approval of the City Council and the Stafford County Board of Supervisors is attached, as are the Exhibits showing the location of the proposed tower.

FISCAL IMPACT

The R-Board would receive a cash contribution of \$25,000 and then 40% of sublease rent. This revenue would be available to meet the various liabilities and expenses of the R-Board landfill.

Attachments: Ordinance
R-Board Resolution 15-11
Draft Lease Exhibit A & B

ITEM #5C



January 26, 2016
Regular Meeting
Ordinance No. 16-__

MOTION:

SECOND:

RE: AUTHORIZING THE CITY MANAGER TO EXECUTE A DEED OF LEASE AGREEMENT WITH STAFFORD COUNTY AND MILESTONE COMMUNICATIONS MANAGEMENT III, INC. FOR CONSTRUCTION AND OPERATION OF A TELECOMMUNICATIONS TOWER AT THE REGIONAL LANDFILL, 489 ESKIMO HILL ROAD, STAFFORD, VA 22554

ACTION: APPROVED: Ayes: 0; Nays: 0

FIRST READ: _____ SECOND READ: _____

SEC. I. Introduction.

The City and Stafford County jointly own the land at 489 Eskimo Hill Road in Stafford County, on which the regional landfill is located. The Rappahannock Regional Solid Waste Management Board (R-Board) manages the landfill. The R-Board has been approached by Milestone Communications Management III, Inc., which would like to construct and operate a telecommunications tower on the property. As landowners, the City and the County would be named as lessors on any lease of the land.

The R-Board has approved the attached lease, subject to the approval of the County and the City. The Stafford County Board of Supervisors is scheduled to act on the lease request after a public hearing on January 19. The City is holding a public hearing on the lease request on January 26.

SEC. II. Grant of Lease.

The City Manager is authorized to execute the attached Deed of Lease Agreement between Stafford County, the City of Fredericksburg, and Milestone Communications Management III, Inc., in substantially the form submitted for approval.

SEC. III. Effective Date.

This ordinance is effective immediately.

Votes:

Ayes:

Nays:

Absent from Vote:

Absent from Meeting:

Approved as to form:

Kathleen Dooley, City Attorney

Clerk's Certificate

I, the undersigned, certify that I am Clerk of Council of the City of Fredericksburg, Virginia, and that the foregoing is a true copy of Ordinance No. 16- duly adopted at a meeting of the City Council meeting held January 26, 2016 at which a quorum was present and voted.

Tonya B. Lacey, CMC
Clerk of Council



Rappahannock Regional Solid Waste Management Board

489 Eskimo Hill Road • Stafford, Virginia 22554 • 540-658-5279 • FAX 540-658-4523

RB15-11

RAPPAHANNOCK REGIONAL SOLID WASTE MANAGEMENT BOARD

RESOLUTION

At the regular meeting of the Rappahannock Regional Solid Waste Management Board (R-Board) held in the Board of Supervisors Chamber, Stafford County Administration Center, Stafford, Virginia on the 19th day of August, 2015;

<u>Members:</u>	<u>Vote:</u>
Paul V. Milde, III, Chairman	Yes
Mathew J. Kelly, Vice-chairman	Yes
Beverly R. Cameron	Yes
Keith C. Dayton	Yes
Gary Snellings	Yes
William C. Withers, Jr.	Yes

On motion of Mr. Milde, seconded by Mr. Withers, which carried by a vote of 6 to 0, the following was adopted:

A RESOLUTION TO APPROVE THE INSTALLATION OF A CELLULAR TOWER AT THE REGIONAL LANDFILL

WHEREAS, the Milestone Communications Management III, Inc. (Milestone), has requested approval to construct a cellular service communications tower on landfill property; and

WHEREAS, R-Board staff have coordinated the proposed location for this tower so that there would be no impacts to operation of the Civil War Park or landfill operations; and

WHEREAS, residents of the county and commuters using Virginia Railway Express will have enhanced cellular service as a result of this tower; and

WHEREAS, there are monetary benefits to the R-Board should the lease ultimately be approved; and

WHEREAS, both the Fredericksburg City Council and Stafford County Board of Supervisors must hold public hearings to solicit public input before the site is approved;

NOW, THEREFORE, BE IT RESOLVED by the Rappahannock Regional Solid Waste Management Board on this the 19th day of August, 2015, that the site identified for a cellular communications tower is approved, subject to consideration and approval by the Fredericksburg City Council and the Stafford County Board of Supervisors.



Rappahannock Regional Solid Waste Management Board

489 Eskimo Hill Road • Stafford, Virginia 22554 • 540-658-5279 • FAX 540-658-4523

BE IT FURTHER RESOLVED that a copy of this resolution be provided to the City of Fredericksburg and Stafford County.

A Copy, teste:

RAPPAHANNOCK REGIONAL SOLID WASTE
MANAGEMENT BOARD

Keith C. Dayton, Director

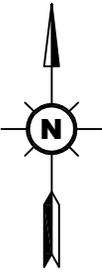
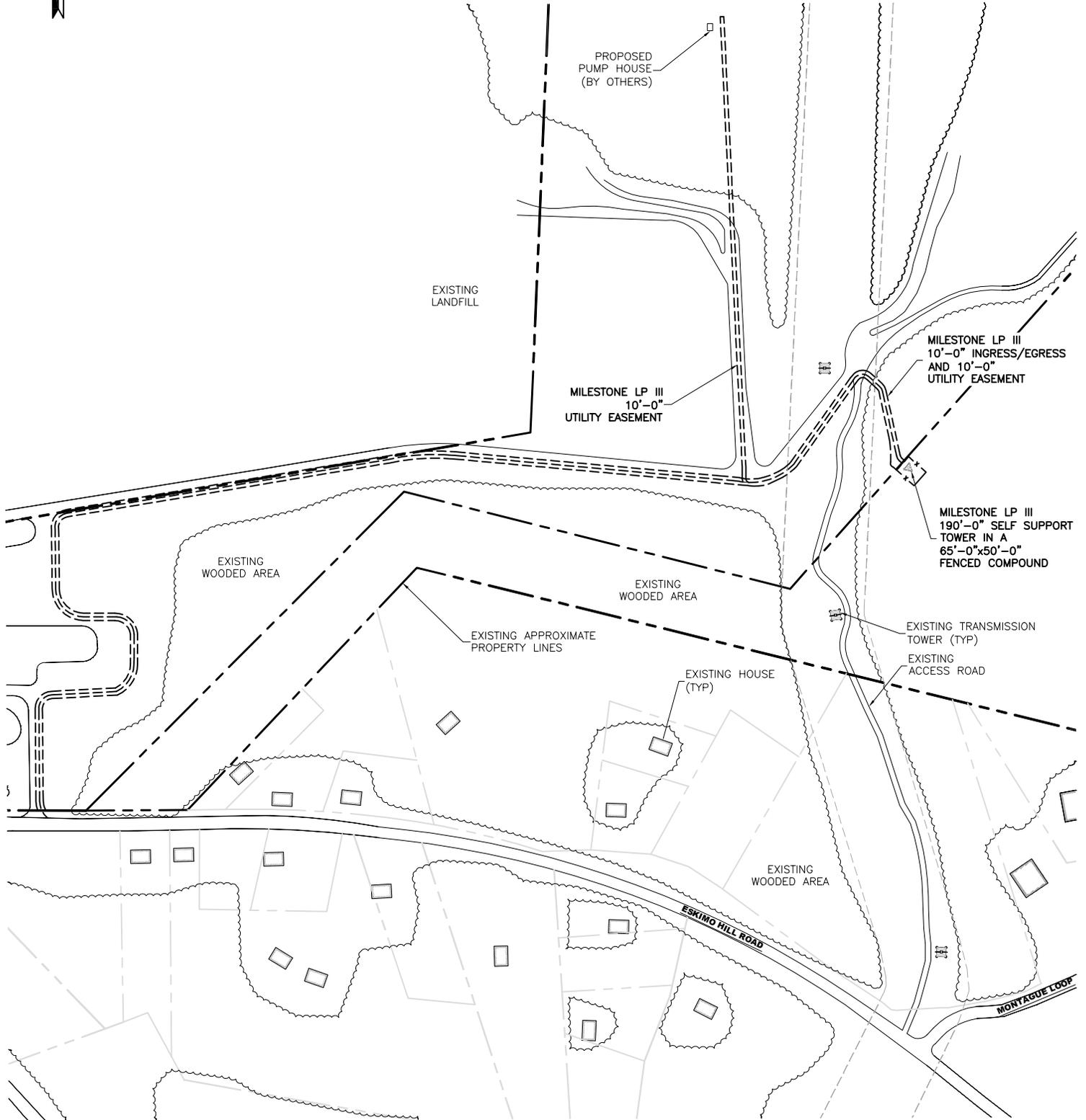
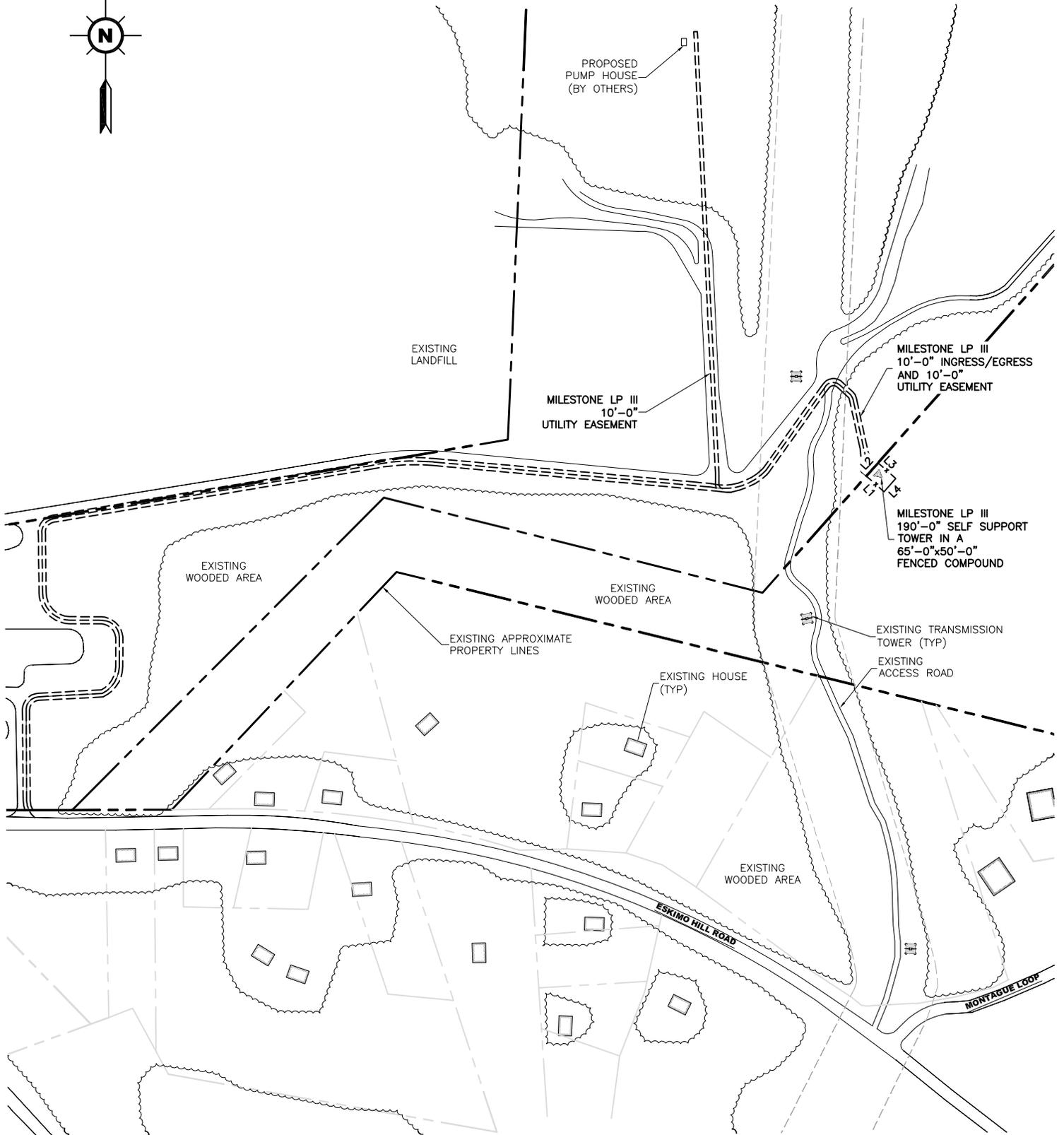
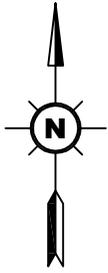


EXHIBIT A
MILESTONE LP III - STAFFORD COUNTY LANDFILL
ELECTION DISTRICT: AQUIA LRSN: 24069
PAGE: 39 LOT: 26 SUB LOT: B
489 ESKIMO HILL ROAD
STAFFORD, VIRGINIA 22554



**EXHIBIT A-1
MILESTONE LP III - STAFFORD COUNTY LANDFILL
LEASED PREMISES**

PAGE 1 OF 3



LINE TABLE		
LINE	LENGTH	BEARING
L1	65'-0"	N48°23'37"W
L2	50'-0"	N41°36'23"E
L3	65'-0"	S48°23'37"E
L4	50'-0"	S41°36'23"W

EXHIBIT A-1
MILESTONE LP III - STAFFORD COUNTY LANDFILL
LEASED PREMISES

PAGE 2 OF 3

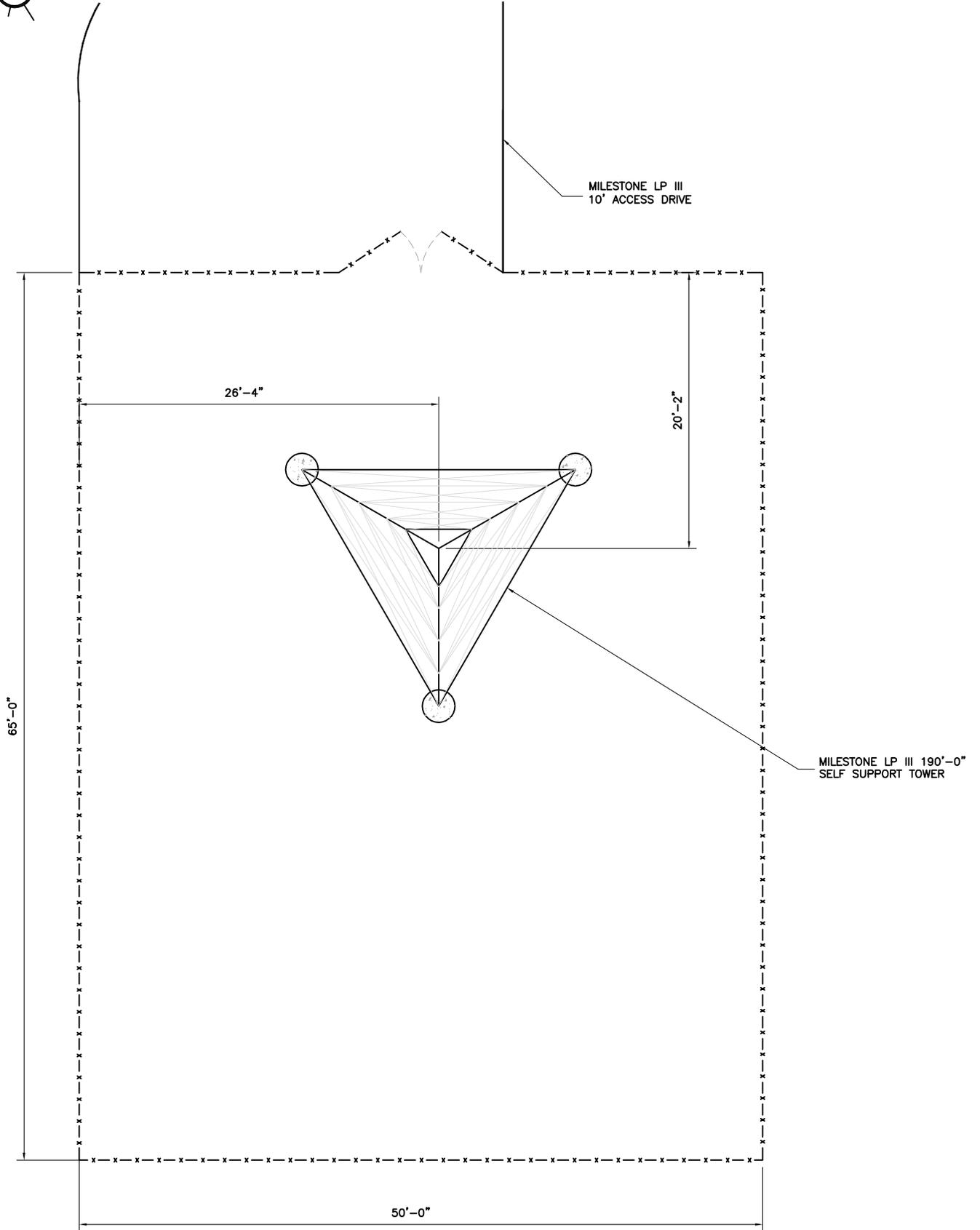
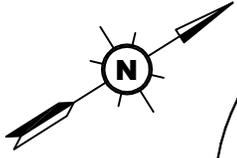


EXHIBIT A-1
MILESTONE LP III - STAFFORD COUNTY LANDFILL
LEASED PREMISES

PAGE 3 OF 3

LEGAL DESCRIPTION FOR LEASED AREA

DESCRIPTION OF A TELECOMMUNICATION LEASED AREA

BEING A LEASE AREA FOR A TELECOMMUNICATIONS TOWER IN, THROUGH, OVER AND ACROSS A PARCEL OF LAND OWNED BY THE COUNTY OF STAFFORD VIRGINIA, A POLITICAL SUBDIVISION OF THE COMMONWEALTH OF VIRGINIA, AS SHOWN ON A PLAT ENTITLED 'PLAT SURVEY OF 71.339 ACRES' DATED JULY 17, 2003 AND RECORDED AMONG THE LAND RECORDS OF STAFFORD COUNTY, COMMONWEALTH OF VIRGINIA IN PLAT BOOK 41, PAGE 169, CONTAINING 71.34 ACRES, MORE OR LESS, SAID LEASE AREA BEING FURTHER DESCRIBED AS;

COMMENCING AT AN IRON PIPE FOUND AT THE EASTERLY END OF THE S71°00'13"E, 1113.41' LINE AS SHOWN ON SAID PLAT, HAVING THE COORDINATES OF NORTH 6,824,248.35', EAST 11,797,209.86' IN THE VIRGINIA STATE COORDINATE SYSTEM NORTH ZONE; THENCE, WITH BEARINGS BASED ON SAID SYSTEM, N41°36'23"E, A DISTANCE OF 441.57'; THENCE, S48°23'37"E, A DISTANCE OF 2.00' TO THE POINT OF BEGINNING; THENCE,

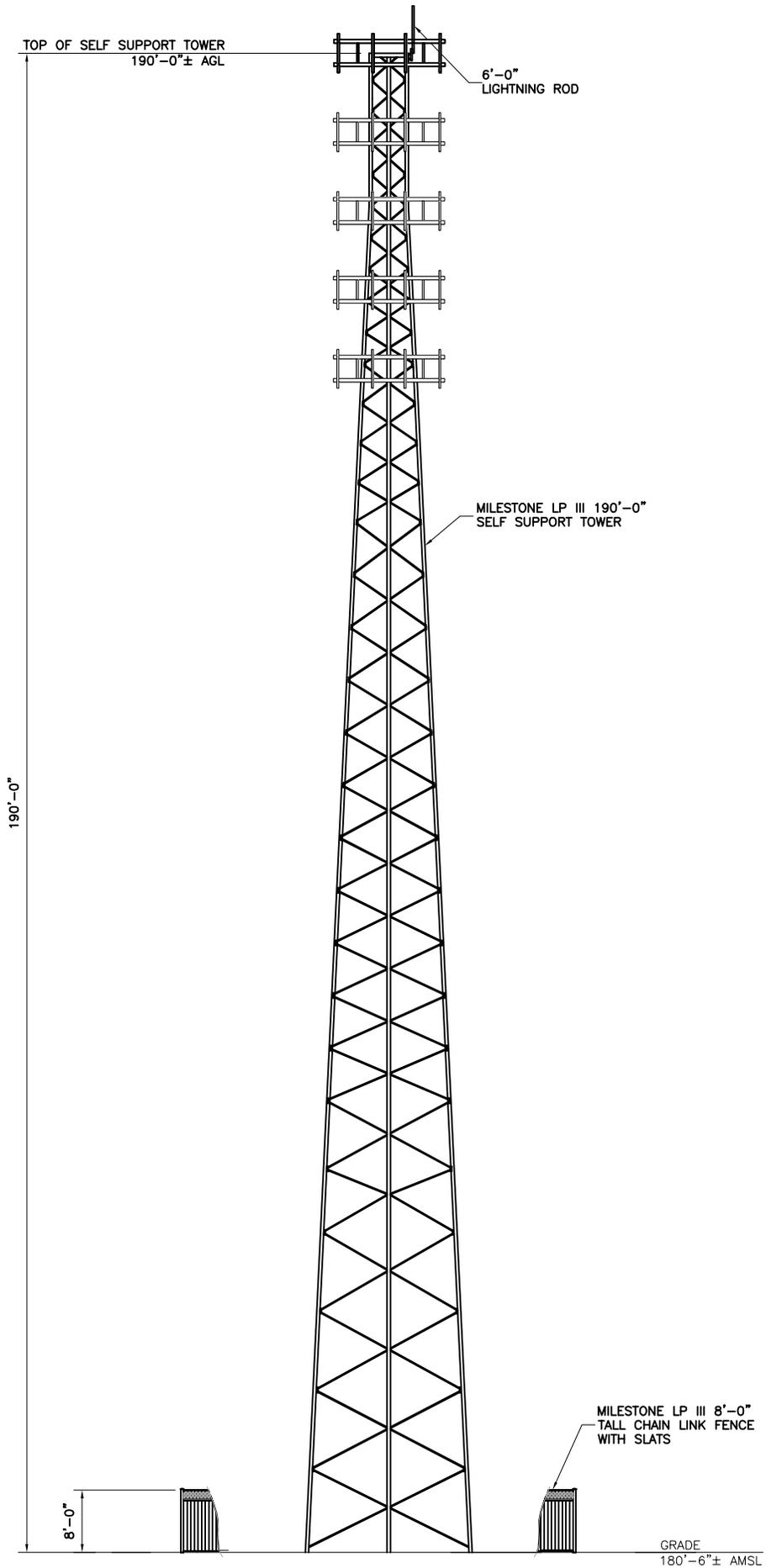
1. N41°36'23"E, A DISTANCE OF 50.00'; THENCE,
2. S48°23'37"E, A DISTANCE OF 65.00'; THENCE,
3. S41°36'23"W, A DISTANCE OF 50.00'; THENCE,
4. N48°23'37"W, A DISTANCE OF 65.00' TO THE POINT OF BEGINNING, HAVING AN AREA OF 3,250 SQUARE FEET, OR 0.075 ACRES, MORE OR LESS.

TOGETHER WITH A 20-FT WIDE EASEMENT FOR ACCESS AND UTILITIES HAVING A CENTERLINE DESCRIBED AS:
COMMENCING AT THE SAME IRON PIPE AS SHOWN ON SAID PLAT; THENCE, N41°36'23"E, A DISTANCE OF 466.57' TO THE POINT OF BEGINNING; THENCE,

1. S48°23'37"E, A DISTANCE OF 2.00' TO THE END OF SAID CENTERLINE HAVING AN AREA OF 40 SQUARE FEET, OR 0.0009 ACRES, MORE OR LESS.

AS SHOWN ON A SURVEY PREPARED FOR ADVANTAGE ENGINEERS BY GEOMATX DATED SEPTEMBER 26, 2015.

EXHIBIT A-2
MILESTONE LP III - STAFFORD COUNTY LANDFILL
SELF SUPPORT TOWER PROFILE



SELF SUPPORT TOWER ELEVATION
SCALE 3/64"=1"

EXHIBIT B
MILESTONE LP III - STAFFORD COUNTY LANDFILL
APPURTENANT EASEMENT
ACCESS EASEMENTS

PAGE 1 OF 3

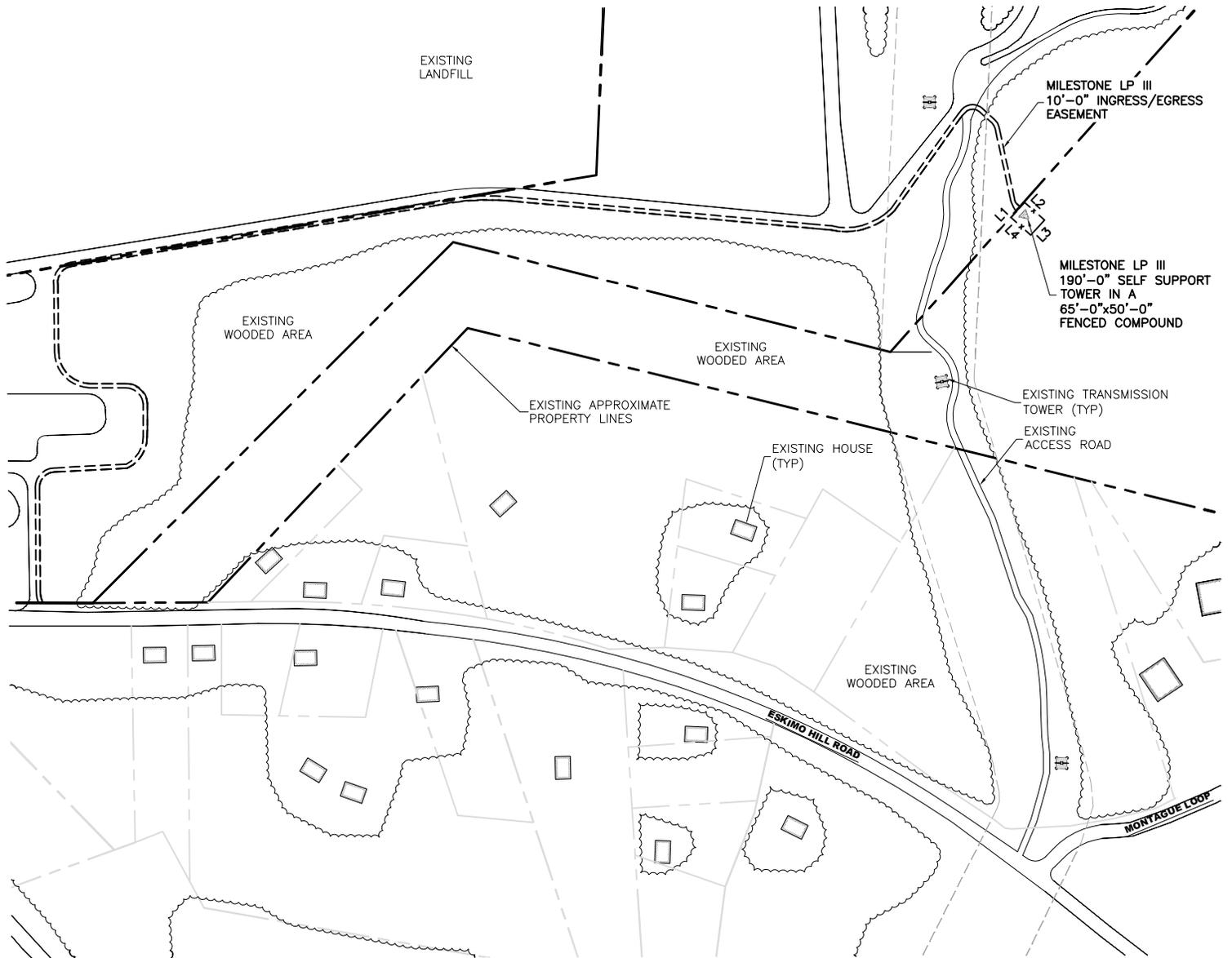
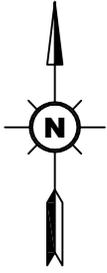


EXHIBIT B
MILESTONE LP III - STAFFORD COUNTY LANDFILL
APPURTENANT EASEMENT
UTILITY EASEMENTS

PAGE 2 OF 3

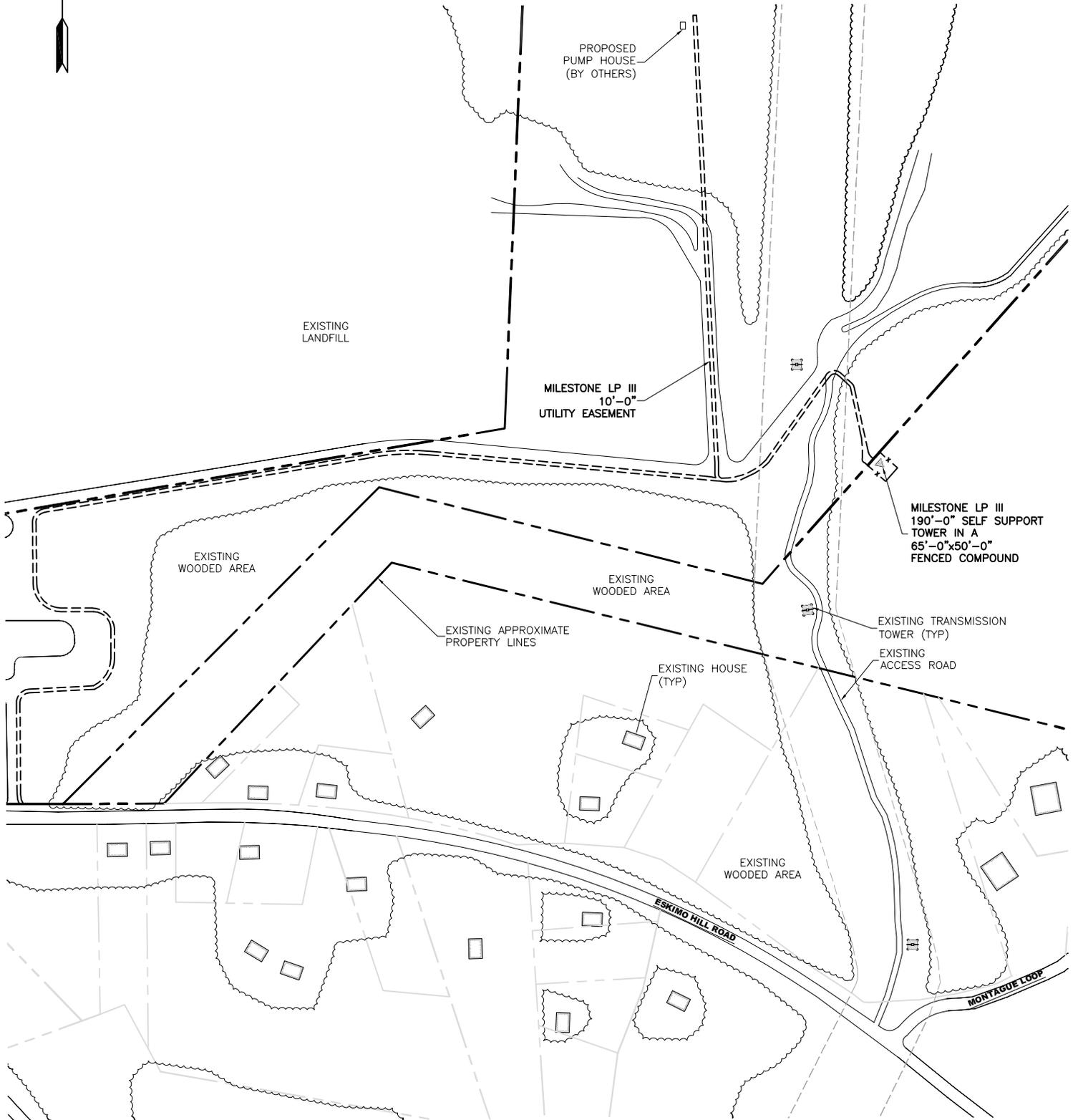
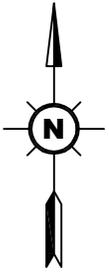
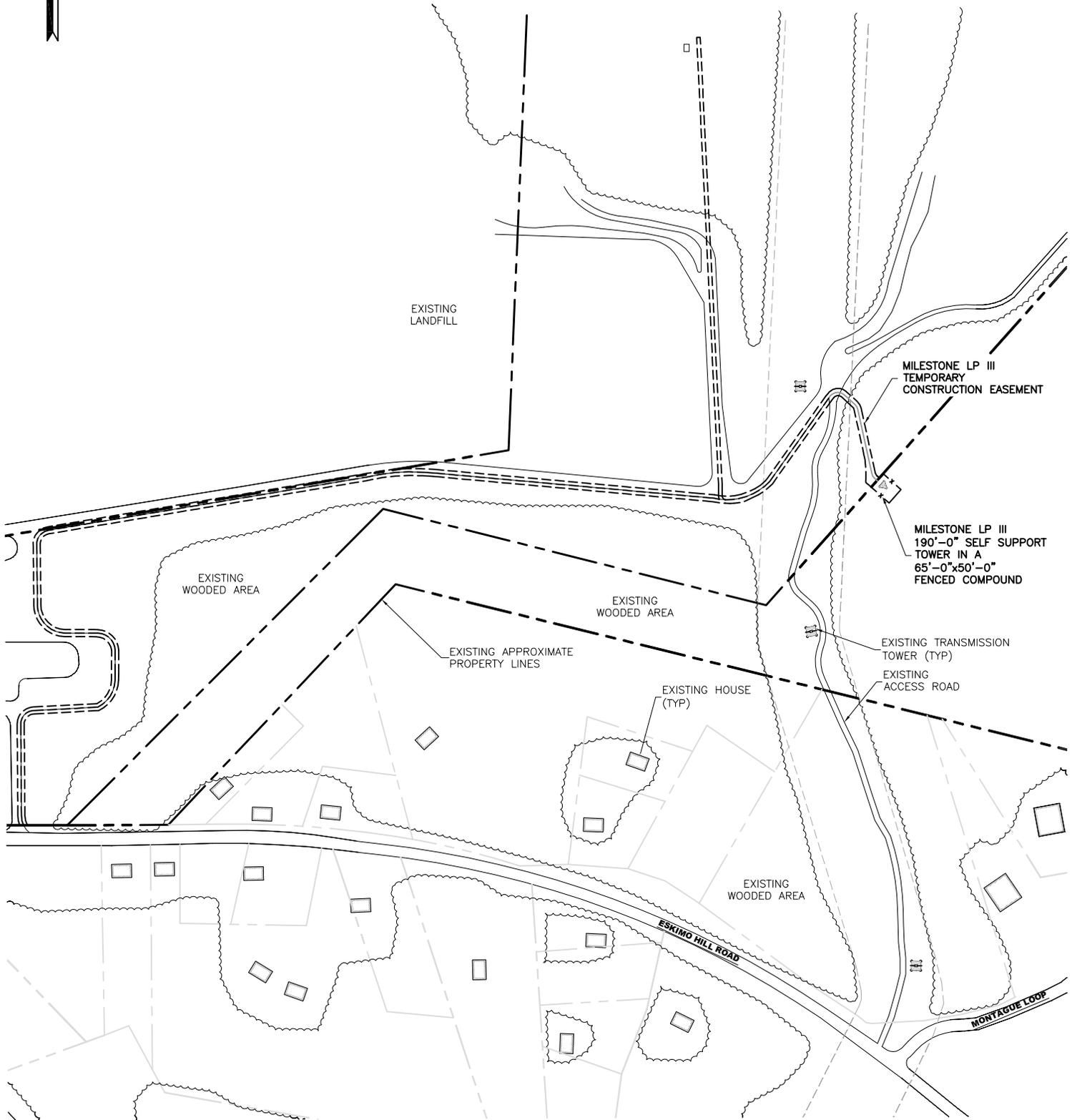
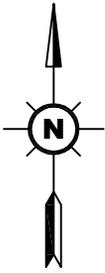


EXHIBIT B
MILESTONE LP III - STAFFORD COUNTY LANDFILL
APPURTENANT EASEMENT
TEMPORARY CONSTRUCTION EASEMENT

PAGE 3 OF 3





FREDERICKSBURG REGIONAL TRANSIT
History in Motion

MEMORANDUM

TO : Beverly R. Cameron, Fredericksburg City Manager

FROM: Wendy L. Kimball, Director of Public Transit

DATE : January 15, 2016

RE : December 2015 Progress Report on FRED

Below for your consideration are the December 2015 ridership totals for the City of Fredericksburg. As highlighted in the chart below, both the monthly and annual VRE ridership show a decrease during this period. This decrease could be directly linked to lower fuel cost which makes it more affordable for motorists to use other forms of transportation. In addition, the new Spotsylvania VRE station opened mid-November 2015 which provides another commuting option for Fredericksburg riders. The December 2015 ridership total shows a decrease compared to December 2014. FRED operations were closed for Christmas Eve and Christmas Day. However, monthly ridership has **increased** from November to December 2015.

Also listed below are completed quarterly community outreach and employee training events which benefit your jurisdiction. If you have any questions concerning the routes in your jurisdiction or the ridership totals below, please let me know.

	FRED Total	Fredericksburg		Spotsylvania		Stafford	Caroline
December	Ridership	Ridership	VRE	Ridership	VRE	Ridership	Ridership
December 2015	34,663	17,109	443	5,739	1,632	7,846	823
November 2015	34,839	16,444	542	5,808	2,168	7,736	817
Monthly Percent Difference	-0.51%	+4.04%	-18.27%	-1.19%	-24.72%	+1.42%	+0.73%
December 2014	39,011	19,121	798	6,340	2,943	8,061	1,046
Annual Percent Difference	-11.15%	-10.52%	-44.49%	-9.48%	-44.55%	-2.67%	-21.32%

Quarterly Community Outreach:

- October 1, 2015 – RAAA Training Trip to FRED Central
- October 20, 2015 – RAAA Training Trip to Mary Washington Hospital
- November 5, 2015 – RAAA Training Trip to Central Park/FRED Central

ITEM #8A

- November 13, 2015 – FRED Driver Trainer and RAAA Travel Trainer presentation at the VFW Post for Veteran’s Stand-Down Event
- November 20, 2015 – RAAA Training Trip to The Evergreens Apartments
- December 1, 2015 – RAAA Travel Trainer presentation at Alexander Heights Apartments

Quarterly Staff Training:

- November 8 – 11, 2015 – FRED Assistant Director attended the Procurement System Review Workshop in Philadelphia, PA
- November 29 – December 2, 2015 – FRED Director attended the FTA Disadvantaged Business Enterprise (DBE) Training in Baltimore, MD
- December 1 – 3 and 5, 2015 – Safety Awareness Training
- December 13 – 16, 2015 – FRED Director attended the FTA FY16 Triennial Review Workshop in Baltimore, MD

December 2015 RIDERSHIP

Date:	City VRE	Spotsy VRE	Spotsy VRE	City	City	City	City	City	City	City	Spotsylvania	Spotsylvania	Spotsylvania	Spotsylvania	Spotsylvania	Caroline	Caroline	Caroline	Stafford	Stafford	Stafford	Stafford	Stafford	Stafford	Stafford	Stafford	EAGLE	EAGLE	DAILY									
	VF 1	VS 1	VS 2	F1	F2	F3	F4A	F4B	F5	Extras	S1A	S1B	S4	S5	Extras	C1	C2	Extras	D1	D2	D3	D4	D5	D6	Extras	Express	Extras	TOTAL										
1-Dec	20	61	49	176	87	188	134	100	122	0	38	37	57	79	0	24	17	0	40	111	59	41	74	20	0			1,534										
2-Dec	30	60	40	127	109	180	122	92	118	0	79	44	45	106	0	28	20	0	48	100	73	38	93	30	0			1,582										
3-Dec	28	59	45	201	166	220	156	136	128	0	106	76	71	127	0	14	18	0	60	157	87	51	97	24	0	7		2,034										
4-Dec	29	39	38	182	116	161	160	122	167	0	77	53	54	85	0	28	14	0	45	113	84	37	92	4	0	10		1,710										
5-Dec																											276		276									
6-Dec																											117		117									
7-Dec	20	51	47	218	127	194	137	103	116	0	111	85	64	124	0	21	16	0	28	137	75	44	96	17	0			1,831										
8-Dec	29	50	39	215	132	169	157	128	113	0	103	72	59	89	0	26	17	0	52	125	84	21	112	24	0			1,816										
9-Dec	21	50	44	178	104	190	142	103	120	0	91	56	55	110	0	27	17	0	45	118	76	44	82	17	0			1,690										
10-Dec	29	38	48	223	121	207	142	114	128	0	128	67	45	104	0	28	17	0	42	124	89	41	104	26	0	6		1,871										
11-Dec	23	39	33	189	117	170	173	75	136	0	103	65	60	83	0	29	14	0	49	131	101	35	83	1	0	2		1,711										
12-Dec																											145		145									
13-Dec																											98		98									
14-Dec	17	56	38	137	135	167	172	104	110	0	99	57	31	90	0	29	16	0	42	141	100	28	109	16	0			1,694										
15-Dec	23	53	46	175	111	175	146	107	131	0	101	41	46	74	0	35	25	0	43	128	89	30	103	36	0			1,718										
16-Dec	31	58	38	166	94	168	158	94	110	0	79	72	55	78	0	25	16	0	40	107	78	35	93	18	0			1,613										
17-Dec	26	47	46	140	76	132	126	83	87	0	67	51	51	49	0	16	11	0	30	117	78	40	77	8	0	0		1,358										
18-Dec	13	34	29	185	117	178	120	97	124	0	97	45	62	81	0	21	20	0	43	111	85	32	87	0	0	0		1,581										
19-Dec																											107		107									
20-Dec																											63		63									
21-Dec	25	40	29	174	124	202	175	119	116	0	94	74	49	73	0	26	15	0	29	127	93	46	102	5	0			1,737										
22-Dec	17	42	29	128	104	147	142	97	119	0	61	51	56	66	0	19	15	0	33	84	84	35	78	4	0			1,411										
23-Dec	14	42	20	146	72	134	124	87	86	0	68	42	46	61	0	15	14	0	22	87	63	29	60	1	0			1,233										
24-Dec																													0									
25-Dec																													0									
26-Dec																												120		120								
27-Dec																												120		120								
28-Dec	11	43	5	126	107	126	129	83	112	0	69	66	50	59	0	25	17	0	16	117	61	30	98	0	0			1,350										
29-Dec	12	39	4	157	81	155	134	76	107	0	66	67	39	44	0	17	12	0	32	113	71	40	69	0	0			1,335										
30-Dec	14	36	7	177	84	134	129	88	127	0	68	40	45	57	0	19	15	0	41	130	79	41	92	0	0			1,423										
31-Dec	11	18	3	202	127	171	131	98	116	0	59	46	59	30	0	14	11	0	31	117	51	20	70	0	0			1,385										
		VS Total: 1,632		City Total: 17,109							W/VRE 17,552			Spotsy Total: 5,739				W/VRE 7,371			Caroline Total: 823			Stafford Total: 2,669						N 5,177		S 7,846		T		Total for Month		34,663
TOTAL # of Riders	443	955	677	3,622	2,311	3,568	3,009	2,106	2,493	0	1,764	1,207	1,099	1,669	0	486	337	0	811	2,495	1,660	758	1,871	251	0	1,071	0			#N/A								
Average Ridership Per Day	21	45	32	172	110	170	143	100	119		84	57	52	79		23	16		39	119	79	36	89	12		77				33,840								
Average Ridership Per Hour	5	17	13	16	8	13	10	13	10		7	7	4	7		2	4		4	10	7	5	7	3		5												

MONTHLY RIDERSHIP BY LOCATION December 2015

DATE	FRED VRE	FREDERICKSBURG	SPOTSY VRE	SPOTSylvania	STAFFORD	CAROLINE	UMW	DAILY TOTAL
1-Dec	20	807	110	211	345	41		1,534
2-Dec	30	748	100	274	382	48		1,582
3-Dec	28	1007	104	380	476	32	7	2,034
4-Dec	29	908	77	269	375	42	10	1,710
5-Dec							276	276
6-Dec							117	117
7-Dec	20	895	98	384	397	37		1,831
8-Dec	29	914	89	323	418	43		1,816
9-Dec	21	837	94	312	382	44		1,690
10-Dec	29	935	86	344	426	45	6	1,871
11-Dec	23	860	72	311	400	43	2	1,711
12-Dec							145	145
13-Dec							98	98
14-Dec	17	825	94	277	436	45		1,694
15-Dec	23	845	99	262	429	60		1,718
16-Dec	31	790	96	284	371	41		1,613
17-Dec	26	644	93	218	350	27	0	1,358
18-Dec	13	821	63	285	358	41	0	1,581
19-Dec							107	107
20-Dec							63	63
21-Dec	25	910	69	290	402	41		1,737
22-Dec	17	737	71	234	318	34		1,411
23-Dec	14	649	62	217	262	29		1,233
24-Dec								
25-Dec								
26-Dec							120	120
27-Dec							120	120
28-Dec	11	683	48	244	322	42		
29-Dec	12	710	43	216	325	29		
30-Dec	14	739	43	210	383	34		1,423
31-Dec	11	845	21	194	289	25		1,385
TOTAL	443	17,109	1,632	5,739	7,846	823	1,071	34,663
	0	0	0	0	0	0	0	Grand Total

0



MEMORANDUM

TO: Beverly R. Cameron, City Manager
FROM: Mike Craig, Zoning Administrator
DATE: January 19, 2016 (for the January 26 meeting)
SUBJECT: RZ2014-05 – Dreamland, LLC (agent for Princess Anne Restoration) requests the amendment of the Official Zoning District Map so as to rezone property in the Mill District from Commercial-Highway, CH and Residential 2, R2, to Planned Development - Mixed Use, PD-MU.

ISSUE

Shall the City Council approve a revised request from Dreamland, LLC (agent) for the amendment of the Official Zoning Map so as to rezone the following parcels to PD-MU:

GPIN	Address	Acres	Owner	On-site Feature
7779-98-5465	1901 Princess Anne St	0.650	Marianne C. Whelan Revocable Trust	Ice Plant
7779-98-5248	1821 Princess Anne St	0.399	Seibert Properties, Inc.	Old BP Station
7789-07-0802	1700 Caroline St	2.000	Princess Anne Restoration, LLC	Old Silk Mill
	1701-1709 Princess Anne St			Inn at the Old Silk Mill
<i>Current Total:</i>		<i>3.049 acres</i>		

RECOMMENDATION

Approve on second read the revised requested rezoning subject to the Generalized Development Plan, “Mill District Planned Development-Mixed Use District Regulations”, and Proffer Statement.

BACKGROUND JANUARY 19, 2016

On January 12, 2016 the City Council reconsidered the Mill District project. During the Public Comment portion of the meeting 6 people spoke in favor of the project. The City Council then voted to approve the Mill District rezoning on first read unanimously. This item is now before the Council on second read. There has been no change to the application. The remainder of the staff report is identical to what was presented to the Council on the 12th.

CITY COUNCIL PUBLIC HEARING

On November 24, 2015 the City Council reconsidered the proposed Mill District rezoning. Five people spoke about the project during the public comment portion of the meeting including the Applicant. One person was in favor of the project citing the opportunity for the Mill District area and the Princess Anne Street Corridor. The other people spoke against the proposal citing the project density, impacts on the trail, and traffic impacts. The Applicant also spoke and stated his intention to further reduce his project and bring it back for consideration at the January 12 meeting.

REVISED DEVELOPMENT PROPOSAL

The following is an executive summary of the current proposal. A more in depth comparison between the November 10, 2015 and December 22, 2015 proposals is included as Appendix A and B:

a. Proposed Zoning

The revised proposal is now two land bays, formerly Phase I and Phase III of the November 2015 proposal with 90 multi-family dwelling units (30 units per acre) and 83,500 square feet of non-residential space (0.62 FAR) on 3.049 total acres, as broken out in the following chart:

Current Address	Prop. Development	Land Use Characteristics	Overall Density
1901 Princess Anne St 1821 Princess Anne St	The Germania Mills Flats	70 Residential Units	Residential: - 90 Total Units - 3.046 acres (total and excludng strictly non-residential lands) - 30 units per acre
		8,200 Commercial Square Feet	
		Parking Underneath Germania Mills Bldg	
		1.049 acres (Total and excluding strictly NR land)	
		Site density: 67 units per acre in the Germania Mills Flats	
1700 Caroline St 1701-1709 Princess Anne Street	The Silk Mill Block	20 Residential Units	Non-residential: - 83,500 square feet - 3.049 acres * 65% = 1.98 acres - 0.97 FAR
		15,300 Commercial Square Feet (Existing)	
		60,000 Commercial Square Feet (New and including 100 hotel rooms)	
		2.000 acres (Total and excluding strictly NR land)	
		Site density: 10 units per acre	

The project will be developed as two mixed-use blocks. The Germania Mills building has been reduced in bulk, mass, scale, and density since the previous proposal. The building is 5,000 square feet smaller, the fourth story has been stepped back from the primary façade, and the total number of units has been reduced by 20. The 20 residential units have been relocated to the Silk Mill Block which has no other proposed changes from the November 2015 proposal.

The Applicant has added a proffer stating that:

“Germania Mills shall be developed and leased as individual units as may be required by governmental loan restrictions, the units may be leased for no more than 10 years from the date of issuance of an occupancy permit, and then shall be offered for sale if not so offered sooner.”

The proposed rezoning also includes a cash proffer for the schools, architectural proffers and a commitment to build any public utility upgrades necessitated by the project during site development. For more background information and a further discussion of the proposed residential density please see Appendix B.

b. Existing Zoning

The existing zoning provides for highway commercial and mixed use development with residential densities up to 12 units per acre and maximum commercial density of a 0.7 floor area ratio. The CH / R2 zoning designation would allow 37 residential units and 90,225 square feet of commercial space. The existing land uses within the boundary of the proposed Mill District are a vacant building, an old gas station that is now a used car lot, and hotel, retail and conference center uses in the Silk Mill block.

The existing zoning permits uses like gasoline sales and car washes that are not permitted in the PD-MU district. The most significant effect of the rezoning would be an increase in residential density on the Germania Mills site. The rezoning would also slightly reduce the residential density

on the Silk Mill Block and shifts non-residential square footage from the Germania Mills site to the Silk Mill block. The 3.9 +/- acres removed from this proposal will remain in the CH zoning district.

c. Relationship to the Comprehensive Plan

The project conforms to the JumpStart Plan and the Comprehensive Plan's Future Land Use Map. The project furthers the Business Opportunity goals within the Comprehensive Plan. The discussion of the Princess Anne Street Corridor on page 116 of the CP specifically cites the Mill District as a place for redevelopment. The project conforms to the Environmental Protection goal of redeveloping within the City in a compact pattern. The project furthers most of the CP's Transportation goals, however, the development includes an at grade crossing of the Rappahannock River Heritage Trail which, should be made as safe for pedestrians and bicyclists as possible according to the Transportation section's Walkability Goal and Transportation Policy 3.

d. Public Facilities

The proposed rezoning includes a \$70,000 lump sum schools proffer (\$777.77 per unit). This amount is a decrease in the overall lump sum but an increase in cash per unit from the November 2015 proposal. The proposed project will generate approximately 23 school age children (which is 12 less than would be generated by the November 2015 proposal).

The Applicant has reduced the number of units in the Germania Mills phase of the project from 90 to 70. According to the Applicant's traffic engineer, the reduction in units will reduce trips across the trail to 204 VPD. The engineer asserts that only residential traffic would use the entrance. The entrance onto Caroline Street is important from an automobile standpoint. Currently, 10,404 VPD travel along Princess Anne Street. Only 2,817 VPD, or less than 30% of the amount on Princess Anne Street, travel on Caroline Street.

Attachments:

1. Ordinance
2. Appendix A-D

APPENDIX A --- BACKGROUND

Initially, a Mill District rezoning was discussed by the Planning Commission at several meetings starting in January 2014. The property owner submitted a rezoning application in August 2014. It was heard by the Planning Commission in September and October 2014, and was the subject of a joint public hearing between the Planning Commission and the City Council in November of that year. After the joint public hearing the project was further revised because the Applicant had both lost a real estate contract and wanted to address public comments received during the public hearings in 2014. The project was then taken back through the Planning Commission in October of 2015 and was the subject of a public hearing before the City Council on November 10, 2015. A final revised proposal was submitted on December 22, 2015. The proposal had been revised based on public comment as detailed below:

		Nov. 10, 2015 Proposal	Dec. 22, 2015 Proposal
Development Variable			
	Acreage	6.977	3.049
	Dwelling Units Proposed	138	90
	Dwelling Units By-right	84	37
	Residential Density Proposed	41 DU/Acr.	30 DU/Acr. *
	Commercial S.F. Proposed	117,400	83,500
Environmental Impact			
	Dev. in Floodway	Yes	No
Trail System Impact			
	Number of Crossings	1	1
	VPD Across Trail	425	204 **
Public Facilities Impact			
	Students Generated (Total Units)	35	23
	School Proffer Total	\$100,000	\$70,000
	School Proffer / Total Units	\$724.64	\$777.78
	Comm. / Res. Link	Yes	Yes
	Vehicles Per Day	2650	1921 ***
District Character			
	Architectural Standards	Yes	Yes
	Unified District	No	No
	Historic Buildings Renovated	2	1

* Residential density in the PD-MU District is calculated by "the gross land area of the district minus any portion of the gross land area to be devoted to nonresidential uses." Part of the difference in residential density between the two proposals is that the December 22, 2015 proposal is more mixed and therefore has more land area available to use in the denominator of the density calculation.

** Vehicle trips taken from "Memorandum RE: Mill District" dated December 23, 2015 and attached to this report.

*** Estimate based on trip generation for Silk Mill Block development shown on pg 16 of the "Revised Traffic Impact Analysis for the Mill District Rezoning" dated September 19, 2014 (pg 16) and revised Germania Mills trip generation shown in Memorandum RE: Mill District dated December 23, 2015.

APPENDIX B – EXISTING AND PROPOSED ZONING

1. EXISTING ZONING

The December 22, 2015 Mill District area contains 2.959 acres zoned Commercial-Highway (CH) and 0.09 acres are zoned Residential-2 (R2). The purpose of the CH district is, “to provide locations on heavily traveled collector and arterial highways for those commercial and service uses which are oriented to the automobile and require good access but not dependence on adjacent uses or pedestrian trade.” The purpose of R2 is to provide for single-family detached dwellings in suburban-style subdivisions.

The existing zoning provides for highway commercial development, residential, or mixed use development with residential densities up to 12 units per acre. The CH / R2 zoning designation would allow 37 residential units and 90,226 square feet of commercial space. Setbacks in the CH zoning district are 25 foot front, 15 foot side, 20 foot rear (though the Princess Anne Corridor Overlay’s 15 foot maximum front setback would supersede the front requirement along that street).

CH permits virtually all commercial uses by-right, including heavy uses like Gasoline Sales and Car Washes (uses allowed in CH but not in PD-MU) and Convenience Stores with Gas and Fast Food Restaurants (uses allowed in CH that are special uses in PD-MU) by-right. CH also permits residential including multi-family, single family attached, and upper-story dwelling units. R2 primarily permits single-family detached.

The Mill District is subject to several existing overlay districts:

Overlay District	Ches. Bay	Floodplain	Historic	Pr Anne Corridor
• Germania Mills residential		X		X
• Old Silk Mill			X	X
• Inn at the Old Silk Mill				X

2. PROPOSED ZONING

The 3.049 acre development is proposed to be rezoned to PD-MU. The purpose of the PD-MU district is, “to promote areas appropriate for office, retail, and residential uses, designed in a unified and cohesive manner in order to create an attractive environment in which to live, work and recreate.”

a. *The General Development Plan and Development.*

The Mill District GDP contains 90 multi-family dwelling units and 83,500 square feet of non-residential commercial, office, event, and hotel space dispersed on two future parcels. Compared to the proposal from November 2015, the current proposal has less residential units and non-residential space. It will produce less automobile traffic and school children, which were identified as issues by the public during the numerous public hearings on this item.

Another main concern raised by the public was the development’s impact on the City’s trail system. The Applicant reduced the number of residential units in the Germania Mills block from 90 to 70. When combined with the Applicant’s addition of a second entrance to that phase (the previous means to reduce impacts on the trail), the vehicle trips per day across the trail have been reduced to 204 (or less than a third of the number of trips generated by the original iteration of the Mill District heard before Council in November 2014).

Another concern about the Germania Mills building was its mass and scale in relation to Princess Anne Street. The Applicant first addressed this concern with the November 2015 submission by incorporating two facades into the building to give it a less imposing appearance. With the December 22, 2015 submission Germania Mills was reduced by 5,000 square feet and the fourth story was recessed as seen on sheet C-9 of the GDP.

The final major concern raised about the impact of this project was the inclusion of development in the Floodway of the Rappahannock River. The portion of the project within the Floodway has been removed from the project.

b. Proffers

The December 22, 2015 proffer statement contains one significant change. The schools cash proffer has been reduced from \$100,000 (for 138 units) to \$70,000 (for 90 units). The number is still higher than the November 2015 proposal on an overall per unit basis. The original cash proffer amount proposed in November 2014 was \$26,000 (for 162 units).

c. The Mill District PD-MU.

The Applicant's "Mill District Planned Development-Mixed-Use District Regulations" (MDR) has not changed significantly since November 2015.

3. COMPARABLE NON-RESIDENTIAL SQUARE FOOTAGE

Overall, the rezoning from CH / R2 to PD-MU will reduce the permitted amount of non-residential square footage on the 3.049 acres. The rezoning will also shift non-residential land use from the Germania Mills building to the Silk Mill Block as seen in the following chart:

Block	NR Acreage	By-right NR SF	Proposed NR SF
Germania Mills	0.959*	29,242	8,200
Old Silk Mill	2.000	60,984	75,300
Total	2.959	90,226	83,500

* The Germanial Mills block contains 0.959 acres of CH and 0.09 acres of R2.

4. COMPARABLE RESIDENTIAL DENSITY

a. Overall Residential Density

The Mill District's overall residential density is proposed at 30 units an acre (90 units over 3.049 acres). The PD-MU district requires density to be calculated differently than is otherwise calculated in the ordinance. Residential density in the PD-MU District is calculated by "the gross land area of the district minus any portion of the gross land area to be devoted to noresidential uses." Both the Germania Mills site and, now, the Silk Mill Block are proposed to include a mix of commercial and residential uses. The result is that all 3.049 acres of the project is used in the denominator of the residential density calculation. Here is a comparative chart showing the residential density in relation to some other recent projects:

Development	# of Units	Acres	Overall Density
Mill District	90	3.046	30 units per acre
Liberty Place	53	1.46	36 units per acre
Eagle Village Phase I	156	7.13	22 units per acre
Amelia Square	22	1.61	14 units per acre
Cobblestone Square	398	30	13 units per acre

b. Comparable Residential Density and Development Pattern for Germania Mills

Within its land bay, the Germania Mills building is 67 units per acre. The density number has been identified by public comment as an issue. The intent of this section is to provide context about density levels, density's relationship to infrastructure and development pattern, and to find some comparables that can help put Germania Mills into context.

The Germania Mills building will be (along with the Liberty Place buildings) the first of its kind in the City of Fredericksburg in that it has (nearly) all of its parking within the building footprint. This is possible at Germania Mills because the site has unique topography that drops 36 feet from the entrance to the site from Princess Anne Street to its access onto Caroline Street.

With the exception of Liberty Place, the development footprints of all the other projects charted in section 3.a. contain surface parking and vehicular use areas that result in lower units per acre numbers. Cobblestone also has significant amenities and a nature area incorporated into its site that keeps its unit per acre number down. Take the automobile out of the Eagle Village or Cobblestone or internalize it into the building footprint and the corresponding units per acre for these projects would be significantly higher. Here is a comparison of the effect this would have on two of the Cobblestone condominium buildings and Eagle Village:

Germania Mills = 67 units per acre (70 units over 1.046 acres)
 Eagle Village = 56 units per acre (156 units over 2.79 acres) See picture below.
 Cobblestone Condos = 54 units per acre (84 units over 1.55 acres) See picture below.



Cobblestone Square Condos



Eagle Village Residential

Historically, Fredericksburg developed at a higher density in part because sites weren't blown out by surface parking. For example, here is a comparison of units per acre at the intersection of Hanover and Caroline Street in the heart of the Downtown:

Germania Mills	=	67 units per acre (70 units over 1.046 acres)
800 Caroline Street	=	100 units per acre (12 units over 0.12 acres)
200 Hanover Street	=	47 units per acre (8 units over 0.17 acres)



Intersection of Hanover and Caroline



200 Hanover (L) and 800 Caroline (R)

When combined together, the 20 units over 0.29 acres is 69 units per acre. One effect of the higher density is that buildings can be closer together and form part of a historic streetscape that modern planning struggles to replicate.

The Germania Mills building is not easily compared to other development in the City. It has a high unit count (70) which is closer to the levels in modern developments like Cobblestone - 398, Eagle Village - 156, and Liberty Place - 53. Unlike Eagle Village and Cobblestone, it has built in parking and automobile access. Germania Mills has a historical density level and achieved in part by internalizing its required infrastructure and as a result has the potential, like Liberty Place, to recreate an urban fabric comparable to the City's difficult to replicate Downtown.

APPENDIX C --- COMPREHENSIVE PLAN

The Princess Anne Street Corridor Mill District has been a focal point of City planning. The proposed Mill District project is generally in conformance with that planning:

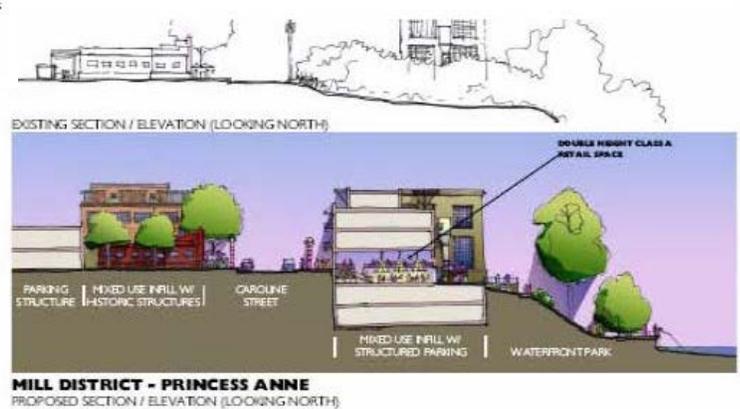
a) JumpStart!

The 2006 JumpStart Plan (JSP) envisioned mixed-use development in the form of adaptive reuse and new development in the Mill District (JSP 53). The plan, from 2006, envisioned a mix of condo and multi-family residential uses, retail and office, all accommodated by structured parking. The JSP envisioned a vertically mixed development (residential over retail) with retail fronting on the River.

Figure 30: Riverfront from Jefferson Davis to Canal Street Site Plan



Figure 31: Riverfront from Jefferson Davis to Canal Street Section – Short Term Opportunity



b) Future Land Use

The 2015 Comprehensive Plan (CP) Land Use Map shows all the subject property as General Commercial use. General Commercial use is characterized by retail and wholesale trade activities, services, offices and restaurants (CP 164). The project is located in Planning Area 6. The first opportunity recognized for Planning Area 6 is to “support redevelopment of the Mill District Area, including adaptive reuse of the Embrey Power Station and older historic mills” (CP 211). The site is further identified as Sub Planning Area 6A which contains “numerous opportunities for adaptive reuse as well as new construction, under a Planned Development-Mixed Use zoning” (CP 216).

c) Transportation, Business Opportunity, and Historic Preservation

The Princess Anne Street corridor, especially the area around the Mill District, is envisioned to redevelop in a mixed-use, compact, traditional style that preserves some of the City’s unique industrial history. Compact urban development is also fiscally sound and is overall better for resident health and well-being.

CP Transportation Goal 8 is Urban Development Areas, which states “recognize that the entire City of Fredericksburg is a strategic growth area within the region and continue to ensure that land use decisions recognize that compact, integrated development is the best use of finite urban space.” The Goal is similar to Environmental Protection Goal 6, Livability, which encourages clustered, compact development that reuses existing structures.

CP Transportation Goal 4 is Walkability, which states that the City should “continue to expand the conditions that make Fredericksburg a pedestrian-friendly city, acknowledging that sidewalks and trails are critical infrastructure and not merely amenities....” Similarly, Transportation Policy 3 states that the City should, “protect and enhance pedestrian safety by providing appropriate travel routes and by addressing bicycle/pedestrian-vehicle conflict areas, such as intersections.” The development proposal includes an at-grade crossing of the Rappahannock River Heritage Trail. The Applicant has taken steps to minimize automobile / pedestrian / bicyclist conflicts at the crossing but 204 cars a day will still cross the trail.

CP Business Opportunity Goal 4 is Community Character, which states “preserve and enhance the City’s visual appeal by pursuing patterns of development that respect the City’s historic growth pattern (mixed-use development) and by installing landscaping and street trees (complete streets). CP Business Opportunity Goal 5 is Mixed-Uses in Corridors, which states “achieve mixed-use development patterns as redevelopment occurs within designated corridors, by blending commercial and residential uses, as appropriate to specific locations.” The discussion of the Princess Anne Street Corridor on page 116 of the CP states that, “of special interest within this corridor is the area called the Mill District, which is an area with large industrial structures and connections to the Rappahannock River. There are substantial opportunities for adaptive reuse of the historic buildings as well as for new construction on nearby vacant land.”

CP Historic Preservation Goal 1 is City Character, which states “protect and enhance the character of Fredericksburg’s historic area and city center as a means to preserve the community’s sense of place, to promote economic strength, and to ensure the City’s continued appeal to residents, businesses, and visitors.” CP Historic Preservation Goal 2 is City Character, which states “promote redevelopment of downtown properties in a manner that reflects the character of the City as a vibrant and growing community.” The property is part of the Old Mills Historic District.

d) Environmental Protection

Environmental Protection is an important element of the 2015 CP. Environmental Protection Goal 1 is Resource Protection and Goal 2 is Watersheds. Both goals envision protecting the different environmental features that feed the Rappahannock River ecosystem.

The proposed River Lofts building contradicted many of the Environmental Protection Goals in the Comprehensive Plan. That portion of the development has been removed from consideration. A portion of the Germania Mills and Silk Mill Block sites are within the 100 year floodplain. A portion of the Germania Mills surface parking lot is shown on the GDP within the floodplain. Otherwise, this project will have no environmental impact.

APPENDIX D --- PUBLIC FACILITIES

1. Public water and sewer

The project will utilize a sanitary sewer pump station on the north western corner of the intersection of Ford and Caroline Streets. The Applicant has proffered that any improvement needed to the City utility system as a result of their project will be designed and completed by the Applicant.

2. Public schools

Fredericksburg City Schools Operation staff estimates that multi-family apartments will generate approximately 0.25 school age children per unit. The Applicant set a maximum of 90 dwelling units. Accordingly, this project will generate approximately 23 school age children. In accordance with public comment received, the Applicant had previously increased his school proffer from a \$26,000 to a \$100,000 lump sum to be paid prior to receiving the Occupancy Permit for Germania Mills. With the reduction in total units with this resubmission (from 138 to 90) the Applicant has reduced the lump sum to \$70,000.

3. Transportation

a. The Heritage Trail:

The new Heritage Trail links to the Canal Path at a trailhead on the western side of Princess Anne Street. The trail is integrated into the sidewalk system on both sides of Princess Anne Street. In the previous application the sole access to the commercial and residential in the Germania Mills land bay was across the Heritage Trail at Caroline Street. In response to citizen concern and input from the Pathways Steering Committee the Applicant has provided a second entrance to the phase and reduced the amount of residential units in the phase from 90 to 70.

b. Public streets:

The Applicant completed a Traffic Impact Analysis along with their previous development proposal which is attached to this Memo. The TIA indicated that the project's traffic did not require any improvements to the road network or any additional intersection signalization. A left turn lane from Princess Anne Street onto the new proposed Germania Mills land bay has been studied and found to be unwarranted.

The City Engineer is concerned that the increase in automobile traffic from this development may negatively impact the convergent traffic pattern at the Caroline Street and Herndon Street intersection. He believes that improvements to the intersection would be warranted to slow automobile speeds. The Applicant has not proffered any improvement to the intersection.



MOTION:

**January 26, 2016
Regular Meeting
Ordinance No. 16-02**

SECOND:

RE: REZONING APPROXIMATELY 3.049ACRES OF LAND FROM COMMERCIAL HIGHWAY C-H AND RESIDENTIAL R-2 TO PLANNED DEVELOPMENT MIXED USE PDMU FOR THE “MILL DISTRICT”

ACTION: APPROVED: Ayes: 0; Nays: 0

FIRST READ: January 12, 2016 SECOND READ: _____

IT IS HEREBY ORDAINED by the Fredericksburg City Council that the official zoning map of the City, established pursuant to City Code §72-30, is amended as follows:

I. Introduction

This is a request to rezone approximately 3.049 acres of land from Highway Commercial C-H and Residential R-2, to Planned Development Mixed Use PDMU for a development called the “Mill District”. The new district is comprised of three lots, identified as GPINs 7789-07-0802, 7779-98-5248, and 7779-98-5465, shown on pages C-4 and C-5 of the Generalized Development Plan for The Mill District. Portions of the lots are overlaid by the Floodplain (FPO), Chesapeake Bay Preservation Area (CBPA), Old and Historic Fredericksburg (HFD) and Princess Anne Street Corridor overlay districts. The overlay district maps and regulations are not proposed to be amended.

In adopting this ordinance, City Council has considered the applicable factors in Virginia Code § 15.2-2284. The City Council has determined that public necessity, convenience, general welfare and good zoning practice favor the requested rezoning.

II. Official Zoning Map Amendment

The official zoning map, prepared in accordance with City Code §72-30, is hereby amended by rezoning approximately 3.049 acres of land comprising three lots, identified as GPINs 7789-07-0802, 7779-98-5248, and 7779-98-5465, shown on page C-3 of the Generalized Development Plan entitled, “The Mill District,” by Welford Engineering Associates, dated June 23, 2014 last revised December 22, 2015, from Commercial Highway and Residential R-2 to Planned Development-Mixed Use.

III. Proffered Conditions

This is a conditional rezoning. The proffers contained in the Voluntary Proffer Statement dated December 22, 2015 are accepted and shall govern the use and development of this land. For future reference, the “Germania Mills” development is shown on the Generalized Development Plan pages C-5 and C-8 as a single, mixed-use building.

IV. Effective Date

This ordinance is effective immediately. The applicant shall record a certified copy of this ordinance with a notice of conditional zoning, in a form approved by the City Attorney, in the land records of the Fredericksburg Circuit Court Clerk, with each owner of land within the district as the “grantor” and the City as the “grantee,” within 30 days of the adoption of this ordinance.

Votes:

Ayes:

Nays:

Absent from Vote:

Absent from Meeting:

Approved as to form:

Kathleen Dooley, City Attorney

Clerk’s Certificate

I, the undersigned, certify that I am Clerk of Council of the City of Fredericksburg, Virginia, and that the foregoing is a true copy of Ordinance No. 16-02 duly adopted at a meeting of the City Council meeting held January 26, 2016 at which a quorum was present and voted.

Tonya B. Lacey, CMC
Clerk of Council



MEMORANDUM

TO: Beverly R. Cameron, City Manager
FROM: Deidre Jett, Budget Manager
DATE: January 19, 2016
SUBJECT: Resolution Re-appropriating FY 2015 Encumbrances and Carryovers in the FY 2016 Budget – 2nd Reading

ISSUE

Shall the City Council amend the FY 2016 budget by appropriating encumbered funds from FY 2015 purchase orders as well as re-appropriating project fund balances?

RECOMMENDATION

The public hearing and first reading were held on January 12, 2016. No comments were received. The staff recommends approval of this resolution on second reading.

BACKGROUND

Please note, the resolution has been modified to include a carryover of \$140,000 in general fund “Fund Balance – Surplus” for a flush truck in Public Works which was left off of the prior version of the resolution.

Encumbrances

Every year, as part of our annual process to close out activities relating to the budget, City staff requests that the current budget (in this case, FY 2016) be amended to grant appropriation authority for ongoing purchase orders from the prior year.

The encumbrance resolution involves purchase orders for active purchases at the close of FY 2015 where the products or services had not yet been delivered as of the close of the fiscal year.

Major encumbered purchases in the General Fund include professional services associated Economic Development and with Information Technology’s strategic plan, various vehicles and equipment for Public Works and Public Facilities, and equipment related to traffic engineering. There are also large encumbrances associated with the storm water management plan, public facilities improvements, and the new Courthouse project.

Project and Capital Carryovers

Every year, as part of our annual process to close out activities relating to the budget, City staff requests that the current budget be amended to grant appropriation authority for ongoing projects from the prior year. The carryover resolution includes balances on projects in various funds that

need to be re-appropriated in FY 2016 so that work can continue on the projects. All of these projects or programs were previously approved.

In the General Fund a significant portion of the carryover is for the real estate assessment, refuse collection vehicles and *now also includes the flush truck in Public Works*. In other funds, other significant carryovers relate to the Traffic Operations Center (which receives federal funding), Twin Lake sidewalk improvements, various water system improvements, the new Courthouse, and FRED buses.

This encumbrance and carryover resolution is done on an annual basis. A separate resolution will be required for the City School Fund and should come before Council in February.

FISCAL IMPACT

The following charts show the fiscal impact and the breakdown of encumbrances and carryovers by fund.

Encumbrances	
Source of Funds	
Fund Balance - Encumbrance (Various Funds)	1,475,445
TOTAL	1,475,445
Use of Funds	
General Fund	619,826
Public Works	129,556
Public Facilities	170,697
Public Safety	83,990
New Courthouse Construction	342,425
Water Utility	40,285
Wastewater Utility	63,492
Transit	12,624
Parking	12,550
TOTAL	1,475,445

Program and Capital Project Carryovers	
Source of Funds	
Fund Balance - Surplus (Various Funds)	7,792,506
Federal Revenue	482,970
TOTAL	8,275,476
Use of Funds	
General Fund	607,955
Blight Abatement	95,000
Public Works	1,106,272
Water System	3,621,123
Wastewater System	228,839
Public Facilities	181,455
New Courthouse Construction	2,077,843
Transit	356,989
TOTAL	8,275,476

Attachment: Resolution



January 26, 2016
Regular Session
Resolution No. 16-__

MOTION:

SECOND:

RE: **AMENDING THE FISCAL YEAR 2016 BUDGET BY APPROPRIATING FISCAL YEAR 2015 ENCUMBRANCES AND CARRYOVERS**

ACTION: **APPROVED: Ayes: 0; Nays: 0**

FIRST READ: January 12, 2016 SECOND READ: _____

WHEREAS, the City of Fredericksburg fiscal year runs from July 1 to June 30;
and

WHEREAS, the City of Fredericksburg appropriates encumbrances remaining from one budget year into the next; and

WHEREAS, the City wishes to amend the FY 2015 budget to appropriate encumbrances recorded at the close of FY 2015;

WHEREAS, the City has other ongoing projects or programs which are not completed as of June 30; and

WHEREAS, the City has fund balance amounts as of June 30 or expected revenues to continue this work; and

NOW, THEREFORE, BE IT RESOLVED, that the following appropriations are recorded amending the FY 2016 budget in the following funds;

Section 1: Encumbrances

GENERAL FUND

SOURCE

FUND BALANCE

3-100-061010-0011	Fund Balance (Encumbrances)	619,826
	Department Total:	619,826

TOTAL SOURCE

619,826

USE

INFORMATION SYSTEMS

4-100-12510-3160	Professional Services - Other	29,472
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4-100-12510-3320	Maintenance Service Contract	1,440
Department Total:		<u>30,912</u>

STREET MAINTENANCE

4-100-41200-6007	Repair & Maintenance Supplies	3,139
4-100-41200-8105	Motor Vehicles & Equip.-Replacement	206,727
Department Total:		<u>209,866</u>

TRAFFIC ENGINEERING

4-100-41400-3310	Repairs & Maintenance	6,506
4-100-41400-6014	Other Operating Supplies	15,560
4-100-41400-8101	Machinery & Equipment - Replacement	34,760
Department Total:		<u>56,826</u>

STREET SANITATION

4-100-42200-8101	Machinery & Equipment - Replacement	4,550
4-100-42200-8105	Motor Vehicles & Equip.-Replacement	209,994
Department Total:		<u>214,544</u>

REFUSE DISPOSAL

4-100-42400-3170	Construction Contracts	17,815
Department Total:		<u>17,815</u>

PUBLIC FACILITIES

4-100-43200-3160	Professional Services - Other	4,641
4-100-43200-3200	Temp. Help Service Fees	20,744
4-100-43200-5540	Convention & Education	3,000
4-100-43200-8105	Motor Vehicles & Equip.-Replacement	38,200
Department Total:		<u>66,585</u>

PLANNING

4-100-81100-3160	Professional Services - Other	755
Department Total:		<u>755</u>

ECONOMIC DEVELOPMENT & TOURISM

4-100-81603-3160	Professional Services - Other	22,523
Department Total:		<u>22,523</u>

TOTAL GENERAL FUND USE	<u><u>619,826</u></u>
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PUBLIC WORKS FUND**SOURCE****FUND BALANCE**

3-302-061010-0011	Fund Balance (Encumbrances)	<u>129,556</u>
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Department Total:		129,556
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TOTAL SOURCE		<u><u>129,556</u></u>
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USE**STORMWATER MANAGEMENT PLAN**

4-302-94214-3140	Professional Services - Engineering	<u>129,556</u>
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Department Total:		129,556
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TOTAL PUBLIC WORKS FUND USE		<u><u>129,556</u></u>
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PUBLIC FACILITIES FUND**SOURCE****FUND BALANCE**

3-305-061010-0011	Fund Balance (Encumbrances)	<u>170,697</u>
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Department Total:		170,697
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TOTAL SOURCE		<u><u>170,697</u></u>
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USE**PUBLIC FACILITIES GENERAL IMPROVEMENTS**

4-305-94534-3310	Repairs & Maintenance	<u>65,080</u>
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Department Total:		65,080
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EXECUTIVE PLAZA

4-305-94538-3170	Construction Contracts	<u>33,975</u>
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Department Total:		33,975
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ROOF REPLACEMENT

4-305-94556-3170	Construction Contracts	<u>30,000</u>
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Department Total:		30,000
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COMPUTER EQUIPMENT REPLACEMENT

4-305-94563-8107	ADP Equipment - Replacement	24,171
Department Total:		<u>24,171</u>

FACILITIES IMPROVEMENTS

4-305-94583-3170	Construction Contracts	17,471
Department Total:		<u>17,471</u>

TOTAL PUBLIC FACILITIES FUND USE**170,697*****PUBLIC SAFETY FUND*****SOURCE**FUND BALANCE

3-306-061010-0011	Fund Balance (Encumbrances)	83,990
Department Total:		<u>83,990</u>

TOTAL SOURCE**83,990****USE**POLICE CAMERA SYSTEM

4-306-94632-8201	Machinery & Equipment - Additions	1,900
Department Total:		<u>1,900</u>

VA COMM ATTORNEY'S INFO SYSTEM

4-306-94634-8207	ADP Equipment - Additions	13,100
4-306-94634-8212	ADP Software - Additions	35,650
Department Total:		<u>48,750</u>

PUBLIC SAFETY RADIO SYSTEM UPGRADE

4-306-94635-3160	Professional Services - Other	33,340
Department Total:		<u>33,340</u>

TOTAL PUBLIC SAFETY FUND USE**83,990*****NEW COURT CONSTRUCTION FUND*****SOURCE**FUND BALANCE

3-315-061010-0011	Fund Balance (Encumbrances)	342,425
Department Total:		<u>342,425</u>
TOTAL SOURCE		<u><u>342,425</u></u>

USE**NEW COURT CONSTRUCTION EXPENDITURES**

4-315-95501-8202	Furniture & Fixtures - Additions	342,425
Department Total:		<u>342,425</u>
TOTAL NEW COURTHOUSE CONSTRUCTION FUND USE		<u><u>342,425</u></u>

WATER UTILITY FUND**SOURCE****FUND BALANCE**

3-501-061010-0011	Fund Balance (Encumbrances)	40,285
Department Total:		<u>40,285</u>
TOTAL SOURCE		<u><u>40,285</u></u>

USE**WATER & SEWER CREW**

4-501-98102-8105	Motor Vehicles & Equip.-Replacement	40,285
Department Total:		<u>40,285</u>
TOTAL WATER UTILITY FUND USE		<u><u>40,285</u></u>

WASTEWATER UTILITY FUND**SOURCE****FUND BALANCE**

3-502-061010-0011	Fund Balance (Encumbrances)	63,492
Department Total:		<u>63,492</u>
TOTAL SOURCE		<u><u>63,492</u></u>

USE**ADMINISTRATION & TREATMENT**

4-502-98201-3310	Repairs & Maintenance	29,546
4-502-98201-8101	Machinery & Equipment - Replacement	<u>29,200</u>
Department Total:		58,746

PUMPING & TRANSMISSION

4-502-98204-6009	Vehicle/Power Equip. Supplies	1,096
4-502-98204-8101	Machinery & Equipment - Replacement	3,650
Department Total:		<u>4,746</u>

TOTAL WATER UTILITY FUND USE

63,492

PUBLIC TRANSPORTATION FUND

SOURCE

FUND BALANCE

3-503-061010-0010	Fund Balance (Surplus)	12,624
Department Total:		<u>12,624</u>

TOTAL SOURCE

12,624

USE

TRANSIT - CITY

4-503-81800-3160	Professional Services - Other	4,696
Department Total:		<u>4,696</u>

TRANSIT - SPOTSYLVANIA

4-503-81801-3160	Professional Services - Other	3,219
Department Total:		<u>3,219</u>

TRANSIT - UMW EXPRESS SERVICE

4-503-81808-3160	Professional Services - Other	404
Department Total:		<u>404</u>

TRANSIT - CAROLINE

4-503-81810-3160	Professional Services - Other	922
Department Total:		<u>922</u>

TRANSIT - STAFFORD

4-503-81818-3160	Professional Services - Other	3,383
Department Total:		<u>3,383</u>

TOTAL PUBLIC TRANSPORTATION FUND USE 12,624

PARKING FUND

SOURCE

FUND BALANCE

3-504-061010-0010 Fund Balance (Surplus) 12,550

Department Total: 12,550

TOTAL SOURCE 12,550

PARKING GARAGE

4-504-98401-3320 Maintenance Service Contract 12,550

Department Total: 12,550

TOTAL PARKING FUND USE 12,550

Section 2: Capital and Program Carryovers

GENERAL FUND

SOURCE

FUND BALANCE

3-100-061010-0010 Fund Balance- Surplus 607,955

Department Total: 607,955

TOTAL SOURCE 607,955

USE

BOARD OF REAL ESTATE ASSESSORS

4-100-12320-3160 Professional Services - Other 207,000

Department Total: 207,000

JDR SERVICES

4-100-21910-7003 Other Joint Payments 35,000

Department Total: 35,000

INFORMATION SYSTEMS

4-100-12510-8207 ADP Equipment - Additions 26,045

Department Total: 26,045

REFUSE COLLECTION

4-100-42300-8105	Motor Vehicles & Equip.-Replacement	339,910
Department Total:		<u>339,910</u>

TOTAL GENERAL FUND USE **607,955**

BLIGHT ABATEMENT FUND

SOURCE

FUND BALANCE

3-228-061010-0010	Fund Balance- Surplus	95,000
Department Total:		<u>95,000</u>

TOTAL SOURCE **95,000**

USE

BLIGHT ABATEMENT

4-228-34105-3165	Contractual Services	20,000
4-228-34105-3170	Construction Contracts	75,000
Department Total:		<u>95,000</u>

TOTAL BLIGHT ABATEMENT FUND USE **95,000**

PUBLIC WORKS FUND

SOURCE

FUND BALANCE

3-302-061010-0010	Fund Balance- Surplus	687,302
Department Total:		<u>687,302</u>

FEDERAL REVENUE

3-302-033010-0098	CMAQ Funds - Traffic Operations Center	418,970
Department Total:		<u>418,970</u>

TOTAL SOURCE **1,106,272**

USE

ANNUAL PAVEMENT REHABILITATION

4-302-94121-3170	Construction Contracts	150,587
Department Total:		<u>150,587</u>

RAPPAHANNOCK CANAL REPAIRS

4-302-94213-3170	Construction Contracts	56,056
Department Total:		<u>56,056</u>

TWIN LAKES SIDEWALKS

4-302-94215-3170	Construction Contracts	480,659
Department Total:		<u>480,659</u>

TRAFFIC OPERATIONS CENTER

4-302-94218-3160	Professional Services - Other	13,970
4-302-94218-8207	ADP Equipment - Additions	180,000
4-302-94218-8212	ADP Software - Additions	225,000
Department Total:		<u>418,970</u>

TOTAL PUBLIC WORKS FUND USE**1,106,272*****WATER SYSTEM FUND*****SOURCE**FUND BALANCE

3-303-061010-0010	Fund Balance- Surplus	3,621,123
Department Total:		<u>3,621,123</u>

TOTAL SOURCE**3,621,123****USE**MOTTS RUN WATER TREATMENT PLANT

4-303-98128-3170	Construction Contracts	2,000,000
Department Total:		<u>2,000,000</u>

COLLEGE HGTS WATER SYSTEM UPGRADE

4-303-98146-3170	Construction Contracts	1,421,123
Department Total:		<u>1,421,123</u>

WATER SYSTEMASSESSMENT

4-303-98147-3140	Professional Services - Engin.	200,000
Department Total:		<u>200,000</u>

TOTAL WATER SYSTEM FUND USE**3,621,123****WASTEWATER SYSTEM FUND****SOURCE****FUND BALANCE**3-304-061010-0010 Fund Balance- Surplus 228,839

Department Total: 228,839

TOTAL SOURCE**228,839****USE****SEWER SYSTEM****ASSESSMENT**4-304-98246-3140 Professional Services - Engin. 150,000

Department Total: 150,000

WILLIAM STREET SEWER PPEA PR4-304-98249-3170 Construction Contracts 78,839

Department Total: 78,839

TOTAL WASTEWATER SYSTEM FUND USE**228,839****PUBLIC FACILITIES FUND****SOURCE****FUND BALANCE**3-305-061010-0010 Fund Balance- Surplus 117,455

Department Total: 117,455

OTHER CATEGORICAL AID (FEDERAL REVENUE)3-305-033060-0061 VCR Trail Phase III UPC #105210 64,000

Department Total: 64,000

TOTAL SOURCE**181,455****USE****VCR TRAIL PHASE III #105**

4-305-94558-3170	Construction Contracts	80,000
Department Total:		<u>80,000</u>

COMPUTER EQUIPMENT Replacement

4-305-94563-8107	ADP Equipment - Replacement	30,021
4-305-94563-8112	ADP Software - Replacement	17,401
Department Total:		<u>47,422</u>

HVAC Replacements

4-305-94572-3170	Construction Contracts	54,033
Department Total:		<u>54,033</u>

TOTAL PUBLIC FACILITIES FUND USE**181,455*****NEW COURT CAPITAL FUND
SOURCE***

3-315-61010-0012	Fund Balance - Committed to Capital	2,077,843
Department Total:		<u>2,077,843</u>

TOTAL SOURCE**2,077,843****USE**NEW COURT CONSTRUCTION EXPENDITURES

4-315-95501-3170	Construction Contracts	2,077,843
Department Total:		<u>2,077,843</u>

TOTAL NEW COURT CAPITAL FUND USE**2,077,843*****PUBLIC TRANSPORTATION FUND*****SOURCE**FUND BALANCE

3-503-61010-0010	Fund Balance - Surplus	356,989
Department Total:		<u>356,989</u>

TOTAL SOURCE**356,989****USE**

TRANSIT - CITY

4-503-81800-8105	Motor Vehicles & Equip.-Replacement	<u>132,777</u>
Department Total:		132,777
TRANSIT - SPOTSYLVANIA		
4-503-81801-8105	Motor Vehicles & Equip.-Replacement	<u>91,119</u>
Department Total:		91,119
TRANSIT - UMW EXPRESS SERVICE		
4-503-81808-8105	Motor Vehicles & Equip.-Replacement	<u>11,253</u>
Department Total:		11,253
TRANSIT - CAROLINE		
4-503-81810-8105	Motor Vehicles & Equip.-Replacement	<u>26,082</u>
Department Total:		26,082
TRANSIT - STAFFORD		
4-503-81818-8105	Motor Vehicles & Equip.-Replacement	<u>95,758</u>
Department Total:		95,758
TOTAL PUBLIC TRANSPORTATION FUND USE		<u><u>356,989</u></u>

Votes:

Ayes:

Nays:

Absent from Vote:

Absent from Meeting:

Clerk's Certificate

I, the undersigned, certify that I am Clerk of Council of the City of Fredericksburg, Virginia, and that the foregoing is a true copy of Resolution No. 16- duly adopted at a meeting of the City Council meeting held January 26, 2016 at which a quorum was present and voted.

Tonya B. Lacey, CMC
Clerk of Council



MEMORANDUM

TO: Kathleen Dooley, City Attorney
FROM: Rob Eckstrom, Assistant City Attorney
DATE: January 15, 2016
RE: Mutual aid agreement with Spotsylvania County for Fire and EMS

Issue

Should the City revise its Fire and EMS mutual aid agreement with Spotsylvania County to expand the situations under which the City and County can loan each other equipment?

Recommendation:

Yes. The revised agreement will allow loans of equipment not only when an emergency is taking place, but also when one of the parties anticipates the need for more equipment than it has on hand to be prepared for potential emergencies.

Background:

In 1997, Fredericksburg and Spotsylvania entered into a Fire and EMS mutual aid agreement. That agreement superseded an earlier agreement that only provided for fire protection mutual aid. The agreement, which is currently still in effect, provides that the parties will endeavor to provide fire protection and emergency medical services to each other upon request. The agreement does not obligate either party to provide this aid, and it explicitly states that a party is not compelled to provide services when those services are needed in that party's own jurisdiction. All aid (including equipment) is provided without charge.

The current agreement, however, only provides for mutual aid when an emergency is already in progress. The Fredericksburg Fire Department would like to be able to borrow equipment from Spotsylvania from time to time to ensure that it is fully equipped to respond to fire and medical emergencies that might occur.

The draft mutual aid agreement is otherwise unchanged.

The Spotsylvania County Board of Supervisors will consider the revised agreement at its January 22 meeting.

Fiscal Impact:

None.



January 26, 2016
Regular Meeting
Resolution No. 16-__

MOTION:

SECOND:

RE: AUTHORIZING THE CITY MANAGER TO EXECUTE A REVISED FIRE AND EMS MUTUAL AID AGREEMENT WITH SPOTSYLVANIA COUNTY

ACTION: APPROVED: AYES: 0; NAYS: 0

WHEREAS, the City of Fredericksburg and Spotsylvania County entered into a mutual aid agreement for fire protection and emergency medical services on December 2, 1997; and

WHEREAS, the City and the County wish to expand the circumstances under which they may request loans of equipment to each other under the agreement;

NOW, THEREFORE, BE IT RESOLVED that the Fredericksburg City Council authorizes the City Manager to execute the attached document titled "Mutual Firefighting and Rescue Assistance (Mutual Aid Agreement)" in substantially the form submitted for approval.

Votes:

Ayes:

Nays:

Absent from Vote:

Absent from Meeting:

Clerk's Certificate

I, the undersigned, certify that I am Clerk of Council of the City of Fredericksburg, Virginia, and that the foregoing is a true copy of Resolution No. 16- duly adopted at a meeting of the City Council meeting held January 26, 2016 at which a quorum was present and voted.

Tonya B. Lacey, CMC
Clerk of Council

**Mutual Firefighting and Rescue
Assistance Agreement
(Mutual Aid Agreement)**

This agreement made and entered into this _____ day of _____, 2015 by and between the Board of Supervisors of Spotsylvania County, Virginia, a political subdivision, hereinafter referred to as “Spotsylvania,” and the City Council of the City of Fredericksburg, also a political subdivision of the Commonwealth of Virginia, hereinafter known as “Fredericksburg.”

I. RECITALS

WHEREAS, the parties are authorized by Title 27, Chapter 2 of the Code of Virginia (1950, as amended) to organize and operate fire protection services, and the parties are authorized to provide emergency medical care by Virginia Code Section 32.1-111.4:3; and

WHEREAS, the parties have or maintain certain equipment and personnel for use in response to emergency situations which are capable of providing basic and advanced life support emergency medical equipment and care with transportation to institutional medical facilities, through paid and/or volunteer companies within their jurisdictions and areas; and

WHEREAS, the parties maintain certain equipment and personnel for use in response to emergency situations which are capable of providing suppression of fires and mitigating hazardous materials incidents and other emergency situations through paid and/or volunteer companies within their jurisdictions and areas; and

WHEREAS, it is deemed mutually beneficial, sound, desirable, and practical for the parties to render assistance to one another in cases of actual or potential fire or medical emergencies; and

WHEREAS, pursuant to Sections 27-2, 27-3, 27-4, and § 32.1-111.4:5 of the Code of Virginia (1950, as amended), the parties desire to enter into a mutual aid agreement for fire protection, emergency medical services, and the sharing of fire and rescue assets to supersede any other mutual aid agreements existing between the parties;

NOW, THEREFORE, for and in consideration of the mutual benefits to be derived from this agreement, all parties agree as follows:

II. GENERAL PROVISIONS

1. It is acknowledged that the governing bodies of the respective localities are separate independent entities and are not subject to control of each other, except as provided in this agreement.
2. The parties will endeavor to provide fire protection and emergency medical services, including the lending of fire or rescue apparatus and equipment when needed, to each other within the capabilities available at the time the request for such support is made.
3. Nothing contained in the agreement should in any manner be construed to compel any of the parties to respond to a request for services or equipment in the other's jurisdiction when the services of the jurisdiction to whom the request is being made are needed or are being used within the boundaries of that jurisdiction, nor shall any such request compel the requested jurisdiction to continue to provide services in the other's jurisdiction when its personnel, apparatus, or equipment are needed within the boundaries of its own jurisdiction.
4. The parties recognize that they are each fully capable of providing fire protection and emergency medical services to adequately serve their respective jurisdictions.

5. No party shall be liable to the other party for any loss or damage to any equipment or any personal injury or death resulting from the performance of this agreement, when such arises out of their activities outside their respective jurisdictions.
6. Each party shall indemnify and save harmless the other from all claims by third parties for property damage or personal injury which may arise out of the activities of the other party to this agreement outside of its respective jurisdiction.
7. No party shall be liable to the other party for reimbursement for the use of apparatus, equipment, or personnel occasioned by a response for assistance, or for damage to such apparatus or equipment or injuries to personnel incurred when responding to an emergency situation in another jurisdiction, except that each party requesting assistance under this agreement shall reimburse the party providing such assistance for the actual costs of specialized extinguishment or hazardous materials mitigation agents used in the requesting party's jurisdictions. Nothing in this Agreement shall limit the parties' ability to charge reasonable fees for emergency medical transport services where permitted by state and local law.
8. All personnel of the parties of this agreement are invited and encouraged, on a reciprocal basis, to meet and conduct, where time, facilities, equipment and personnel permit, joint training programs to implement this agreement.
9. This agreement may be terminated at any time by either party upon giving thirty (30) days written notice to that effect to the other party.

III. EMERGENCY ASSISTANCE

1. The jurisdiction desiring emergency assistance pursuant to this agreement shall make such request to the Emergency Communications Center of the other party, which will

then contact the appropriate officials for approval, unless an initial response of emergency equipment in certain areas of each party's jurisdiction is requested and identified by additions to the run assignments in each party's Emergency Communications Center (Automatic Aid).

2. When a party elects to respond to a request for assistance, the personnel manning such responding units from another jurisdiction shall not become employees of the party making the request for the purposes of the Virginia Workers' Compensation Act.
3. When a party elects to respond to a request for assistance, if applicable, the personnel manning such responding units will report to the command post/senior officer of the requesting agency for assignment.
4. When a party elects to respond to a request for assistance, the personnel manning such responding units from another jurisdiction shall remain under the command of their senior responding officer, and shall work as a unified company and shall not be split apart during the emergency operation unless determined necessary by the senior responding officer.
5. When a party elects to respond to a request for assistance and the senior responding officer from the agency providing assistance determines that the emergency operation is being conducted in an unsafe manner, the responding party may limit its assistance to a support service or return back to its jurisdiction to ensure the safety of its personnel.

IV. SHARING ASSETS

1. A party requesting a loan of apparatus or equipment for use in case of potential emergency shall be responsible for physical damage to the borrowed apparatus or

equipment, if such damage arises out of the requesting locality's operation of the apparatus or equipment.

2. A party requesting a loan of apparatus or equipment under this Agreement shall maintain automobile liability and comprehensive collision coverage on any borrowed, hired, rented, or leased vehicles through its standard insurance policy or through a self-insurance policy and shall be responsible for paying the cost of any deductible arising from a claim under said policy. Proof of insurance shall be provided to the Fire Chief of the lending locality before any apparatus or equipment is lent under this Agreement.
3. If damage occurs to any loaned equipment or apparatus under the circumstances described in paragraph 1 of Section IV above, the loaning locality agrees to submit a claim to the borrowing locality and satisfy any inquiries from the borrowing jurisdiction's insurance provider.
4. The specific terms and conditions of each loan of equipment or apparatus under this Agreement shall be negotiated and agreed upon by the Fire Chief of each party.

THE REST OF THIS PAGE IS INTENTIONALLY LEFT BLANK.

WITNESS the following signatures:

COUNTY OF SPOTSYLVANIA

By: _____
(County Administrator)

By: _____
(Fire Chief)

APPROVED AS TO FORM:

By: _____
(County Attorney)

CITY OF FREDERICKSBURG

By: _____
(City Manager)

By: _____
(Fire Chief)

APPROVED AS TO FORM:

By: _____
~~(County Attorney)~~
Rob Eckstrom
Assistant City Attorney



MEMORANDUM

TO: Kathleen Dooley, City Attorney
FROM: Rob Eckstrom, Assistant City Attorney
DATE: January 15, 2016
RE: Fire and EMS mutual aid agreement with King George County

Issue

Should the City enter into a mutual aid agreement for fire protection and emergency medical services with King George County?

Recommendation:

Yes. The proposed agreement, which is similar to longstanding agreements that the City has with Spotsylvania County and Stafford County, will provide the Fredericksburg Fire Department with another resource for effectively providing fire protection and emergency medical services.

Background:

The City has mutual aid agreements with Stafford County and Spotsylvania County, under which they endeavor to provide fire protection and emergency medical services to each other upon request. The agreements do not obligate either party to provide this aid, and they explicitly state that a party is not compelled to provide services when those services are needed in that party's own jurisdiction. All aid (including equipment) is provided without charge.

The Fredericksburg Fire Department wishes to enter into a similar agreement with King George County. The FFD and King George County Fire Department have negotiated the attached agreement, which is similar to the City's other mutual aid agreements. The King George County Board of Supervisors will consider the agreement at its second meeting in January.

Fiscal Impact:

None.



January 26, 2016
Regular Meeting
Resolution No. 16-__

MOTION:

SECOND:

RE: AUTHORIZING THE CITY MANAGER TO EXECUTE A FIRE AND EMS MUTUAL AID AGREEMENT WITH KING GEORGE COUNTY

ACTION: APPROVED: AYES: 0; NAYS: 0

WHEREAS, the City and King George County wish to enter into an agreement to provide for fire protection and emergency medical service mutual aid; and

WHEREAS, the City and the County have negotiated the attached agreement to provide this mutual aid;

NOW, THEREFORE, BE IT RESOLVED that the Fredericksburg City Council authorizes the City Manager to execute the attached document titled "Mutual Aid Agreement" in substantially the form submitted for approval.

Votes:

Ayes:

Nays:

Absent from Vote:

Absent from Meeting:

Clerk's Certificate

I, the undersigned, certify that I am Clerk of Council of the City of Fredericksburg, Virginia, and that the foregoing is a true copy of Resolution No. 16- duly adopted at a meeting of the City Council meeting held January 26, 2016 at which a quorum was present and voted.

Tonya B. Lacey, CMC
Clerk of Council

MUTUAL AID AGREEMENT

THIS AGREEMENT made this _____ day of _____ 2015, by and between King George County, Virginia (“King George”), a political subdivision of the Commonwealth of Virginia, and City of Fredericksburg, Virginia (“Fredericksburg”), a political subdivision of the Commonwealth of Virginia, mutually referred to as “the Parties.”

Pursuant to Chapter 1 of Title 27 (Virginia Code Sections 27-1, *et seq.*), and Chapter 13 of Title 15.2 of the *Code of Virginia* (specifically, Virginia Code Section 15.2-1300.1), the Parties desire to enter into this Agreement for providing fire protection and emergency medical services in the other Party’s jurisdiction.

NOW, THEREFORE, for and in consideration of the mutual benefits to be derived from this Agreement, the Parties agree as follows:

1. The Parties will endeavor to provide fire protection and emergency medical services to each other within the capabilities available at the time the request for such support is made.
2. Nothing contained in this Agreement shall compel the Parties to respond to a request for services in another jurisdiction or to continue to provide services in another jurisdiction, for any reason.
3. The Parties recognize that they are each fully capable of providing fire protection and emergency medical services to adequately serve their respective jurisdiction.

4. Neither Party shall be liable to the other Party for any loss or damage to equipment or any personal injury or death resulting from the performance of this Agreement, when such occurs outside their respective jurisdiction.

5. Pursuant to Virginia Code Sections 27-2 and 27-4, the Parties waive any and all claims against the other Party which may arise out of their activities outside of their respective jurisdictions under this Agreement.

6. Pursuant to Virginia Code Sections 27-2 and 27-4, the Parties shall indemnify and save harmless the other from all claims by third parties for property damage or personal injury which may arise out of the activities of the other party to this Agreement outside of their respective jurisdictions.

7. Neither Party shall be liable to the other for reimbursement for (i) the use of apparatus, equipment, or personnel occasioned by a response for assistance, (ii) for damage to such apparatus or equipment, (iii) or injuries to personnel incurred when responding to the other jurisdiction; except that each Party requesting assistance under this Agreement shall reimburse the Party providing such assistance for the actual cost of specialized extinguishment or hazardous materials mitigation agents used in the requesting Party's jurisdiction. A responding Party that is requesting reimbursement for costs will provide an itemized invoice of its costs along with its written request for reimbursement.

8. Either Party desiring assistance pursuant to this Agreement shall make such request to the Emergency Communications Center of the other Party, which will then contact the appropriate county officials, unless an initial response of emergency

equipment in certain areas of either Party's jurisdiction is requested and identified by additions to the run assignments in each Party's Emergency Communications Center.

9. When a Party elects to respond to a request for assistance, the personnel manning such responding units from another jurisdiction shall not become employees of the Party making the request for the purposes of the Virginia Workers Compensation Act.

10. When a Party elects to respond to a request for assistance, the responding personnel shall (i) remain under the command of the senior responding officer, (ii) work as a unified company, and (iii) shall not be split apart during the emergency operations unless determined necessary by the senior responding officer. The senior responding officer shall be from the Party providing the assistance.

11. This Agreement may be terminated at any time by either Party giving thirty (30) days written notice to that effect to the other Party.

12. This Agreement shall be governed by the Constitution and laws of the Commonwealth of Virginia.

13. The City of Fredericksburg, City Manager is authorized to execute this Agreement by City Council Resolution R_____, adopted on _____. The King George County Administrator is authorized to execute this Agreement by Board of Supervisors Resolution _____, adopted on _____.

WITNESS the following signatures:

[SIGNATURES ON FOLLOWING PAGE]

KING GEORGE COUNTY, VIRGINIA

By _____
Travis Quesenberry
County Administrator

CITY OF FREDERICKSBURG, VIRGINIA

By _____
Beverly R. Cameron
City Manager

KING GEORGE COUNTY, VIRGINIA

By _____
David W. Moody
County Fire / Rescue Chief

CITY OF FREDERICKSBURG, VIRGINIA

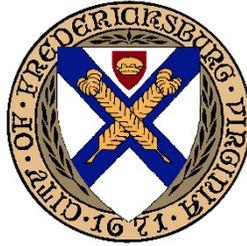
By _____
Edwin L. Allen, Jr.
Fire Chief

APPROVED AS TO FORM:

Eric A. Gregory
County Attorney, King George County

APPROVED AS TO FORM:

Kathleen Dooley
City Attorney



MEMORANDUM

TO: Beverly R. Cameron, City Manager
FROM: Mark Whitley, Assistant City Manager
RE: Release of Prior Motor Fuels Tax Allocations
DATE: January 19, 2016

ISSUE

Shall the City Council adopt a resolution that releases prior allocations of motor fuels taxes for various transportation projects that are no longer needed?

RECOMMENDATION

Staff recommends that the Council adopt the attached resolution, which requires one reading.

BACKGROUND

The City of Fredericksburg, as a member of the Virginia Railway Express and the Potomac and Rappahannock Transportation Commission, receives a tax on wholesale motor fuels sold within the City. The primary purpose of the tax is to ensure that resources are available to support the Virginia Railway Express, and the administration of the tax by the Potomac and Rappahannock Transportation Commission. If there are funds received by the City in excess of the required support, then the City is allowed to spend those resources on other transportation needs.

The City Council previously adopted two resolutions which set aside surplus motor fuels taxes for other transportation purposes. Resolution 14-42 set aside funding for support of a couple of capital projects – the Cowan Boulevard streetlight installation and the engineering for the Twin Lakes Drive sidewalk project. Resolution 14-67 set aside funding for a wide variety of transportation projects throughout the FY 2015 budget.

The staff has determined that the projects are complete and remaining amounts on these resolutions may be released for future re-allocation to other transportation projects.

FISCAL IMPACT

The balance of Resolution 14-42 that will be released is \$57,259. The balance of Resolution 14-67 that will be released is \$64,444. The total that will be released for the future use of City Council on transportation needs is \$121,703.

Attachment: Resolution Releasing Prior Motor Fuels Tax Allocations



January 26, 2016
Regular Meeting
Resolution No. 16-__

MOTION:

SECOND:

**RE: RELEASING PRIOR ALLOCATIONS OF \$121,703 IN MOTOR FUELS
TAX FUNDS FOR VARIOUS PROJECTS**

ACTION: APPROVED: AYES: 0; NAYS: 0

WHEREAS, the City of Fredericksburg (“the City”) is a member of the Potomac and Rappahannock Transportation District (the “District”), a transportation district created pursuant to the Transportation District Act of 1964 (Code of Virginia §33.2-1900 et seq.); and

WHEREAS, the Potomac and Rappahannock Transportation Commission (“PRTC”) is the governing body of the District; and

WHEREAS, the Commonwealth of Virginia levies a tax of 2.1 percent of the sales price charged to a distributor for fuels sold to a retail dealer for retail sale in the District, which participates in the operation of a rail commuter mass transportation system (Code of Virginia §58.1-2295); and

WHEREAS, all taxes paid to the State Tax Commissioner, after subtraction of the direct costs of administration by the Tax Department, are deposited in a special fund held by the District (Code of Virginia §58.1-2299); and

WHEREAS, the City Council previously adopted Resolution 14-42, which set aside motor fuels taxes for various transportation purposes including Cowan Boulevard Streetlights; and

WHEREAS, the City Council previously adopted Resolution 14-67, which set aside motor fuels taxes for various transportation purposes including Train Station Maintenance, Sophia Street Parking Garage Debt Service and Traffic Signal Maintenance; and

WHEREAS, the City wishes to release the remaining allocations;

NOW, THEREFORE, BE IT RESOLVED, that the City Council of the City of Fredericksburg, Virginia does hereby request the PRTC to release to the unallocated balance the funds that had been previously allocated to the transportation purposes listed under the prior resolution.

Votes:

Ayes:

Nays:

Absent from Vote:

Absent from Meeting:

Clerk's Certificate

I, the undersigned, certify that I am Clerk of Council of the City of Fredericksburg, Virginia, and that the foregoing is a true copy of Resolution No. 16-__ duly adopted at a meeting of the City Council meeting held January 26, 2016 at which a quorum was present and voted.

Tonya B. Lacey, CMC
Clerk of Council



MEMORANDUM

TO: Beverly R. Cameron, City Manager
FROM: Doug Fawcett, Director of Public Works
DATE: January 20, 2016
SUBJECT: Acceptance of Recently Completed Streets into the City Street System

ISSUE

Acceptance of recently completed streets into the City street system and petitioning VDOT to accept these streets into the State's Urban Street System.

RECOMMENDATION

We recommend that the City Council adopt the attached resolution accepting recently completed streets into the City street system and requesting that VDOT accept these streets into the State's Urban Street System.

DISCUSSION

Periodically, the City accepts streets that have recently been built by developers and then determined by City staff to meet applicable standards into the City's street system for purposes of ownership, maintenance and repair. The City concurrently petitions the Virginia Department of Transportation to accept these streets into the State Urban Street System. The City receives annual street maintenance payments (on a per lane mile basis) for all City streets in the State Urban Street System.

The streets proposed for addition to the City street system this year are listed in the attached resolution. These streets are located within Phase 3 of the Village of Idlewild.

FISCAL IMPACT

Assuming the streets listed in the resolution are added to the State Urban Street System, the City will receive state funds of approximately \$60,001 in FY17 for maintenance of these streets and a comparable amount annually thereafter.

Attachments: Resolution
Map

MOTION:

SECOND:



**January 26, 2016
Regular Meeting
Resolution No. 16-__**

RE: ACCEPTING RECENTLY COMPLETED STREETS WITHIN THE CITY OF FREDERICKSBURG INTO THE CITY STREET SYSTEM AND PETITIONING THE VIRGINIA DEPARTMENT OF TRANSPORTATION TO ADD THE STREETS TO THE STATE URBAN STREET SYSTEM

ACTION: APPROVED: Ayes: 0; Nays: 0

WHEREAS, certain streets located within the City of Fredericksburg have been designed and constructed to City of Fredericksburg specifications and standards; and

WHEREAS, the City of Fredericksburg desires to add these streets to the City's street system and to petition the Virginia Department of Transportation to add the streets to the State Urban Street System.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Fredericksburg, Virginia hereby accepts the following streets and related lane mileage into the City street system as provided by Section 66-41 of the City Code:

- Idlewild Boulevard from Idlewild Boulevard to Idlewild Boulevard - Village of Idlewild subdivision (0.59 centerline miles / 2.36 lane miles).
- Sands Circle from Idlewild Boulevard to Farrish Drive - Village of Idlewild subdivision (0.19 centerline miles / 0.38 lane miles).
- Farrish Drive from Sands Circle to Brigadier Drive - Village of Idlewild subdivision (0.29 centerline miles / 0.58 lane miles).
- Eliza Way from Idlewild Boulevard to Brigadier Drive - Village of Idlewild subdivision (0.04 centerline miles / 0.08 lane miles).
- Everette Court from Innis Drive to Everette Court - Village of Idlewild subdivision (0.18 centerline miles / 0.36 lane miles).
- Brigadier Drive from Everette Court to Brigadier Drive - Village of Idlewild subdivision (0.29 centerline miles / 0.58 lane miles).
- Innis Drive from Semple Court to Innis Drive - Village of Idlewild subdivision (0.24 centerline miles / 0.48 lane miles).
- Semple Court from Innis Drive to Semple Court - Village of Idlewild subdivision (0.05 centerline miles / 0.10 lane miles).
- Evelyn Court from Innis Drive to Idlewild Boulevard - Village of Idlewild subdivision (0.06 centerline miles / 0.12 lane miles).

- Evelyn Court from Idlewild Boulevard to Evelyn Court - Village of Idlewild subdivision (0.04 centerline miles / 0.08 lane miles).

BE IT FURTHER RESOLVED that the Council requests that the Virginia Department of Transportation accept these same streets into the State's Urban Street System as provided by Section 33.1-41.1 of the Code of Virginia.

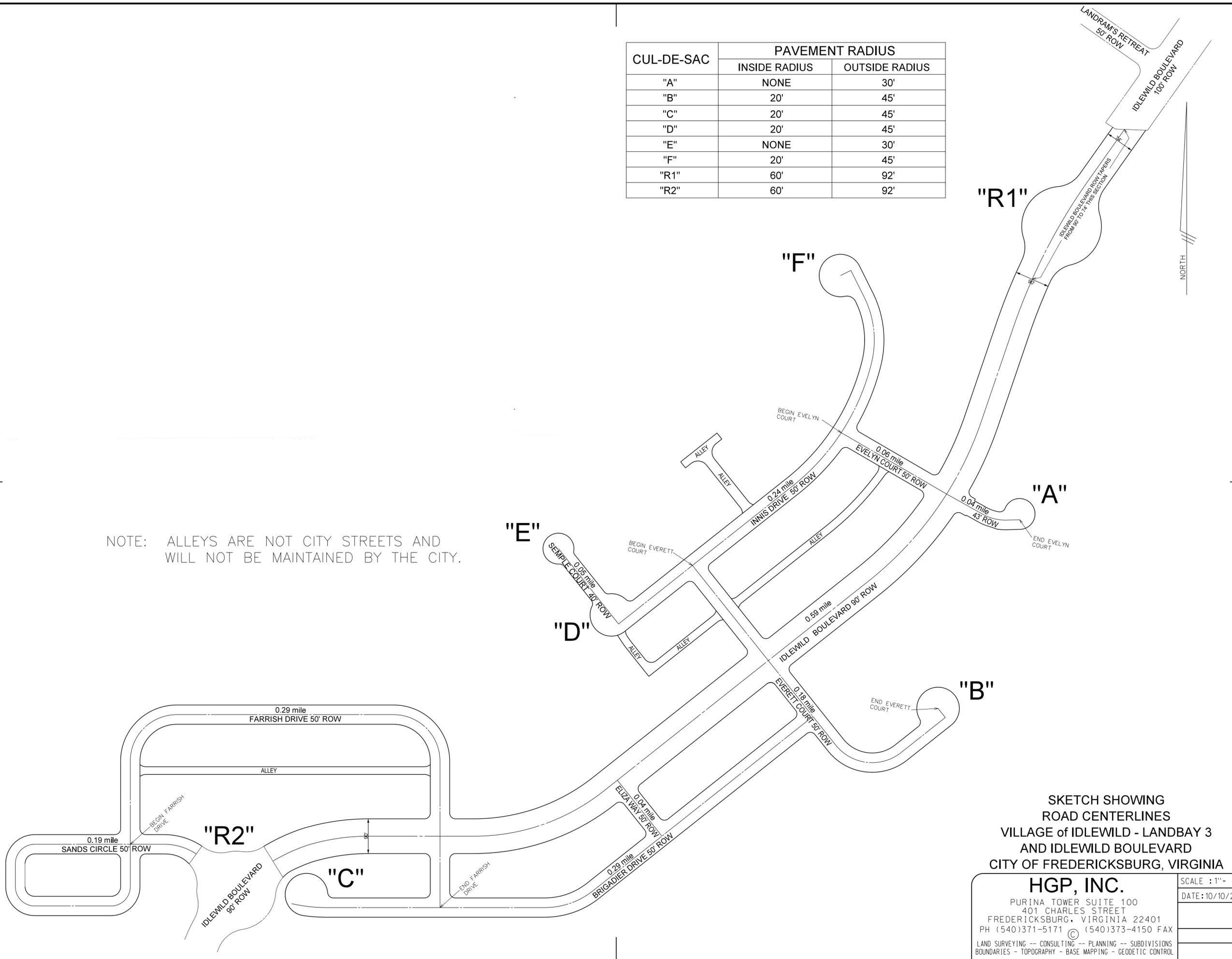
Clerk's Certificate

I, the undersigned, certify that I am Clerk of the Council for the City of Fredericksburg, Virginia, and that the foregoing is a true copy of Resolution 16-__ duly adopted at the City Council meeting held on January 26, 2016, at which a quorum was present and voted.

Tonya B. Lacey, CMC
Clerk of Council

CUL-DE-SAC	PAVEMENT RADIUS	
	INSIDE RADIUS	OUTSIDE RADIUS
"A"	NONE	30'
"B"	20'	45'
"C"	20'	45'
"D"	20'	45'
"E"	NONE	30'
"F"	20'	45'
"R1"	60'	92'
"R2"	60'	92'

NOTE: ALLEYS ARE NOT CITY STREETS AND WILL NOT BE MAINTAINED BY THE CITY.



SKETCH SHOWING
ROAD CENTERLINES
VILLAGE of IDLEWILD - LANDBAY 3
AND IDLEWILD BOULEVARD
CITY OF FREDERICKSBURG, VIRGINIA

HGP, INC. PURINA TOWER SUITE 100 401 CHARLES STREET FREDERICKSBURG, VIRGINIA 22401 PH (540)371-5171 (540)373-4150 FAX	SCALE : 1" = 150'
	DATE : 10/10/2013
LAND SURVEYING -- CONSULTING -- PLANNING -- SUBDIVISIONS BOUNDARIES - TOPOGRAPHY - BASE MAPPING - GEODETIC CONTROL	



Minutes
Architectural Review Board
November 9, 2015
Council Chambers, City Hall
Fredericksburg, Virginia

Members Present

Kerri S. Barile, Chair
Jamie Scully, Vice Chair
Susan Pates
Sabina Weitzman
John Harris
Kenneth McFarland

Members Absent

John Van Zandt

Staff

Erik Nelson
Phaun Moore

Dr. Barile called the Architectural Review Board meeting to order at 7:30 p.m.

OPENING REMARKS

Dr. Barile determined that a quorum was present. Mr. Nelson stated that public notice requirements had been met.

APPROVAL OF AGENDA

Dr. Barile stated the application for Item # 6, exterior alterations at 311 Prince Edward Street, had been withdrawn. She added two items to Other Business – discussion of the steps on the George Street side of the National Bank and a brief overview of the archaeological data at the riverfront.

Mr. Scully made a motion to accept the agenda as amended. Ms. Weitzman seconded. The motion carried unanimously.

REVIEW OF MINUTES

There were no changes to the meeting minutes from October 12, 2015.

Ms. Weitzman had corrections for the minutes from the October 26, 2015 supplemental meeting. She said that on page 3, paragraph 5 “if needed” should be changed to “if possible”. In addition she said that Mr. Scully had suggested the idea to wrap the end unit with a mansard roof.

Mr. Harris made a motion to adopt the minutes from October 12, 2015 as written and to adopt the minutes from October 26, 2015 as amended. Ms. Weitzman seconded. The motion carried unanimously.

DISCLOSURE OF EX PARTE COMMUNICATIONS

Dr. Barile asked if any Board member had engaged in *ex parte* communications on any item before the Board. No one indicated that they had engaged in any *ex parte* communication.

Dr. Barile stated she had had a brief conversation with Mike Adams regarding the steps on the George Street side of the National Bank.

DISCLOSURE OF CONFLICTS OF INTEREST

Dr. Barile asked if any Board member had a conflict of interest for any item before the Board. No one indicated that they had a conflict of interest with any items before the Board.

APPLICATIONS – OLD BUSINESS (No public Hearing)

1. Tamara Villegas – Sign and exterior alterations at 817 Caroline Street.

The applicant was not present.

Mr. Nelson stated that there had not been any information provided for the exterior alterations.

Mr. Scully made a motion to approve the sign as presented. Mr. Harris seconded. The motion carried unanimously.

Ms. Weitzman made a motion to table the exterior alterations portion of the application until more information could be provided. Mr. Harris seconded. The motion carried unanimously.

2. Angela Feaster – Exterior alterations at 109 Amelia Street.

The applicant was not present.

Ms. Weitzman asked if the existing doors swing in. Mr. Nelson said yes.

Dr. Barile commented that the proposed design was basically the same as presented before and expressed the need for the applicant to be present so that the Board could work with them to come up with a solution.

Mr. Scully asked if the metal frame could have a thinner profile. He said he thought that a white finish was a good idea. Mr. Scully said he did not have a preference on the transom, but the hardware on the door needed to have a much simpler detail.

Ms. Weitzman suggested the door be glass or glass-like with contemporary hardware.

Mr. Scully referenced the museum / bank building's main front door on Princess Anne Street.

Dr. Barile commented that she did not think that glass doors were appropriate for a warehouse. She said that they did not lend themselves to the characteristic defining features of the building.

Mr. Nelson clarified the Board's concerns, noting that the Board thought the white color was acceptable, but the profile of metal needed to be thinner, and the hardware simpler. A standard storefront unit would not be considered appropriate.

Mr. Scully emphasized the need for a lot more detail to be provided.

Mr. Harris made a motion to table the application until more details could be provided. Ms. Pates seconded. The motion carried unanimously.

3. Leonard Atkins – Exterior alterations at 1006 Caroline Street.

The applicant was not present. Mr. Nelson said the applicant had not provided new information for the Board to consider.

Ms. Weitzman made a motion to table the application until more details could be provided. Mr. Scully seconded. The motion carried unanimously.

APPLICATIONS – NEW BUSINESS (Public Hearing)

8. Kevin McTarsney – Sign at 912 Princess Anne Street.

The applicant was not present. There was no public comment.

Ms. Weitzman made a motion to approve the proposed sign as presented. Ms. Pates seconded. The motion carried unanimously.

4. NBB, LLC – Exterior alterations at 900 Princess Anne Street and new construction in the 300 block of George Street.

Mike Adams, Cassidy Droski, and Jimmy Whitman were present. Ms. Droski gave a power point presentation and reviewed the changes that had been made to the application.

Exterior alterations at 900 Princess Anne Street

Rene Rodriguez, of 1514 Prince Edward Street, said he had no problem with the development, but expressed his concern about adequate parking.

The Board discussed the application on item at a time.

Ramp

Dr. Barile asked if the door was going to be modified.

Mr. Adams said they were going to use the existing door and entryway. The alteration is limited to installation of the ramp.

Mr. Scully asked if the ramp would touch the building.

Mr. Adams said that it would not.

Ms. Weitzman asked about the height of the ramp and if the railing would be used as a guardrail.

Ms. Droski said that the ramp would be approximately 18 inches high and there would not be a need for a guardrail. She said there would be a single rail handrail.

Ms. Weitzman verified that there would be a wall with new brick and a wheel guard along the edge. Ms. Droski said yes.

Ms. Weitzman said she thought the ramp was a gentle addition and said it was essential to the future use of the building.

Dr. Barile said she thought the ramp was a preservation-friendly design and that it was reversible.

Ms. Weitzman made a motion to approve the ramp as presented. Mr. Scully seconded. The motion carried unanimously.

Screen around mechanical units

Mr. Adams reviewed the proposal for the screen. He said it would be made out of a wood composite material, painted a muted brown so as not to compete with the nearby slate roof.

Mr. Scully said it was a good rendering.

Mr. McFarland asked about the kitchen venting.

Mr. Adams said the venting would be achieved by removing panes in an existing window in the rear. He said they would not be penetrating the wall and it would be completely reversible. Mr. Adams said they would be in compliance with the height and depth requirements. He also said the window was tucked back in the corner by the entranceway and would not be visible.

Mr. Scully asked how many panes of glass would be taken out for the venting.

Mr. Adams said the current iteration proposed that the top four panes of the 4 over 4 window would be removed.

Dr. Barile asked if the muntins would be removed also.

Mr. Adams said they would remove the panes only. The sash would remain intact.

Ms. Weitzman asked how the screen would be attached to the flat roof.

Ms. Droski said it could be bolted to something that attaches to the roof, but may not actually be bolted to the roof itself.

Ms. Weitzman made a motion to approve the enclosure for the mechanical equipment, as presented. Mr. Harris seconded. The motion carried unanimously.

New construction in the 300 Block of George Street

Dr. Barile said that she had not been present at the October 26, 2015 meeting. She reviewed the conditions for the three items that had been approved at that meeting and asked about the cornice. Mr. Nelson said the cornice would be discussed along with the roof and had not yet been approved.

Roof

Mr. Scully said he thought the modifications to the roof design had turned out great. He said that wrapping the cornice and the roof around the end wall had taken out some of the mass. Mr. Scully said that he thought there should still be more rhythm to the fenestration and mentioned adding windows. He asked about the changes to the dormers.

Ms. Droski explained how the new window pattern on the end unit had been derived and added that they had reduced the dormers from four to two.

Mr. Scully commented on the rhythm between the different levels and the roof. He said typically there are not more dormers than windows and thought three dormers or even two would look better.

Ms. Droski said that it was a matter of internal function, but it would be feasible to go with two dormers per unit.

Mr. Scully said he thought four dormers looked too busy. He said the mansard roof on the end unit worked well and asked if they had considered using it on unit 7 as well as units 3 and 4.

Ms. Droski said a mansard roof would not work as well on unit 7 because of the layout. She said that it was feasible on units 3 and 4, although the internal function would have to change to accommodate a mansard roof.

Mr. Adams explained that units 2 and 5 were 22 feet wide and were proposed to have two dormers. He said the units that were 24 feet wide were originally proposed with four dormers, but when they switched to the mansard roof they lost two feet in width so they had to reduce the number of dormers.

Mr. Scully distributed handouts that demonstrated what he was suggesting. He said the first page was what was being proposed, the second page demonstrated the dormer change, and the third page included the roof change. Mr. Scully said he felt strongly that the dormers were an important design issue.

Ms. Weitzman commented that the mansard roof was a response to the street and was effective for the Charles Street side, but would have little effect on the units that were along the openings between the units and adjacent to the bank. She said that part of the strength of the design was the wall-like quality of the block.

Ms. Weitzman asked what the masonry walls on the roof between each unit would be.

Ms. Droski said they follow the line of the roof and that they were the fire walls.

Ms. Weitzman asked how they would be treated at the top.

Ms. Droski said they would have a stone cap.

Dr. Barile stated she did not agree with the scale and massing and would abstain from voting since she was not present for the original vote.

Ms. Pates said she was opposed to the construction and thought that something else should be built in that block.

Mr. Scully said he appreciated the modified mansard roof.

Ms. Weitzman said that two dormers for each unit looked less busy.

Mr. Scully made a motion to approve the roof with the condition that all units have two dormers.

Ms. Droski asked for clarification on the pitch of the roof for the dormers.

Ms. Weitzman suggested the hipped dormers shown in the drawing.

Mr. Scully said he did not have an issue with the two dormer styles shown, but he thought it important that there only be two dormers per unit.

Mr. Scully restated his motion to approve the roof as presented with the condition that all units have two dormers. Ms. Weitzman seconded.

Dr. Barile made the comment that the hipped dormers emphasized the horizontality not the verticality and that they might help with those that have an issue with the height.

Mr. McFarland said he had been supportive of the townhouses in this area, but expressed his ongoing concern with the scale of the proposed structures.

There were no further comments. The motion carried 3-2-1 with Ms. Pates and Mr. McFarland opposed and Dr. Barile abstaining.

Windows and Doors

Ms. Weitzman asked about introducing windows to the end of unit six.

Ms. Droski said they will be introducing windows to the end of unit 6, but had not included that in the presentation.

Ms. Weitzman asked if the windows would have a brick mold around them.

Ms. Droski said the windows would not have a brick mold. She said the brick mold would be around the door. The windows would have a clean edge.

Mr. Scully asked about the keystones in some of the lintels. He understood that there would be three different styles and asked for more details.

Ms. Droski presented additional details.

Mr. Scully asked if the windows would have stone sills.

Ms. Droski said the sills would be precast stone.

Mr. Scully verified that the building materials were slate, pre-cast stone, and brick. Ms. Droski said yes.

Ms. Weitzman said the consistency of the materials was important and that her preference was for the pre-cast stone.

Mr. Adams clarified that the suggestion was to use pre-cast stone on all of the lintels, noting that the sills were already proposed to be pre-cast.

Ms. Weitzman made a motion to approve the windows and doors with the condition that the material of all the lintels be consistent, pre-cast stone. Mr. Harris seconded. The motion carried 3-2-1 with Ms. Pates and Mr. McFarland opposed and Dr. Barile abstaining.

Mr. Nelson clarified that the windows and doors were approved as proposed, with the condition that the lintels will be pre-cast stone.

Architectural Elements

Ms. Weitzman commented that there was a general use of synthetic materials and asked what they were.

Ms. Droski said the trim was a manufactured material, more solid than pvc, and would be painted.

Mr. Scully asked how they planned to handle water.

Ms. Droski said the front would have a drip edge, but anything above the roof line would shed to the back of the building to downspouts and be piped off-site.

Dr. Barile asked if the proposed trim had faux dentils. Ms. Droski said yes.

Ms. Weitzman got clarification on the cornice piece. She said the presentation was different than the information provided in the ARB packet.

Ms. Droski said the new presentation was the update.

After much discussion about the cornices, Mr. Scully made the recommendation that they table that portion of the application.

Dr. Barile asked if the pilasters were square. Ms. Droski said yes.

Mr. Scully asked what the roof ridge trim cap material would be.

Ms. Droski said it was aluminum and would be painted to match the other trim. She said she did not want it to blend in with the roof.

Ms. Weitzman made a motion to approve the exterior architectural elements except for the cornice profile. She said the height and depth of the new cornice were good, but the arrangement of elements in the cornice was still not clear. Mr. Harris seconded. The motion carried 3-2-1 with Ms. Pates and Mr. McFarland opposed and Dr. Barile abstaining.

Materials

Mr. Scully said he had no further comments because they had already been covered with the other sections.

Ms. Weitzman made a motion to approve the brick and pre-cast stone materials and the slate roofs. Mr. Harris seconded. The motion carried 3-2-1 with Ms. Pates and Mr. McFarland opposed and Dr. Barile abstaining.

Mr. Adams said he would come back with more information on the cornices at the December 14 meeting.

5. Steve Spratt – Exterior alterations at 1111-1113 Caroline Street.

Darrell Bowie was present to represent the applicant.

Mr. Nelson read an email into the record from Emily Taggart Schricker, of 801 Marye Street and president of the Historic Fredericksburg Foundation (Attachment A) opposing replacement of the windows.

Mr. Bowie presented a sample of the proposed replacement windows. He said the existing frames, trim, and siding would remain in place.

Mr. Scully clarified that the reason for proposing replacement was because the windows were mismatched and some were in need of significant repair.

Mr. Bowie said several of the mullions were beyond repair and the glass was falling out. He said by replacing the windows the owner would not have to worry about maintenance and since they were insulated it would cut down on utility costs.

Ms. Weitzman said replacement was a difficult argument when repairs were feasible.

After additional discussion, the Board decided it would be beneficial to visit the site to work with the applicant on a solution.

Mr. Bowie agreed to meet with the Board on site at 1111-1113 Caroline Street on Monday, November 23, 2015 at 5:00 p.m.

6. D.P. Holding, LLC – Exterior alterations at 311 Prince Edward Street.

The application had been withdrawn.

7. City of Fredericksburg – Demolition at 1016 Charles Street.

Bill Freehling, Assistant Director of Economic Development for the City of Fredericksburg was present.

Rene Rodriguez, of 1514 Prince Edward Street, said he was opposed to demolition. He suggested adaptive reuse of the building although the drive-thru could be demolished.

Mr. Scully withdrew himself from the application due to a conflict of interest, which he had not realized at the beginning of the meeting.

Ms. Pates said the building could still have a productive use and she would not support demolition.

Ms. Weitzman said she agreed. She said she appreciated the need for additional parking, but said there was still potential for reuse. Ms. Weitzman commented on the possibility of partial demolition, but leaving the building as a buffer. With the Baptist Church lot already developed, some properties in the neighborhood would be surrounded by asphalt if the bank building was removed in its entirety. A structure is needed on the street edge.

Mr. Harris said he agreed.

Mr. McFarland said he could not support any demolition and was opposed to the project. He said some balance was needed downtown. There were too many changes too fast. He added that “dead Fred” was not always a bad thing.

Dr. Barile said that the bank was a quintessential, Colonial Revival building and it was a good, solid building with the potential for reuse. She said she could not support demolition, but would be open to modification.

Dr. Barile asked how many parking spaces would be lost if the City demolished the drive-thru only and left the main building.

Mr. Freehling said about 12 spaces would be lost if the building remained.

Ms. Weitzman made a motion to approve demolition of the drive-thru portion of the building only and retain the building. Mr. Harris seconded. The motion carried 4-1-1 with Mr. McFarland opposed and Mr. Scully abstaining.

OTHER BUSINESS

1. Transmittal of Planning Commission agenda.

Mr. Nelson transmitted the Planning Commission agenda.

2. Informal discussion of the steps on the George Street side of the National Bank.

Mr. Adams said they were searching quarries to find sandstone to match the current steps. He said one option suggested by Dr. Barile in a coffee shop was to leave the steps and cover them with wood as had been done at the Chimneys. Mr. Adams said that he had spoken with Mr. Crosby from the Virginia Department of Historic Resources about this idea, but Mr. Crosby had expressed concern about encasing the steps in wood. He said Mr. Crosby preferred for the sandstone to be repaired or replaced with a similar material that had the same profile, even if a cast material was to be used.

Dr. Barile said that she had been contacted by several individuals who were opposed to the removal of the steps because of the historic significance of the material.

Mr. Scully said that encasing the steps in wood would cause that important architectural feature to disappear.

Mr. Adams said that was exactly what Mr. Crosby had said.

3. Archaeological overview of the riverfront.

Dr. Barile said the dig at the riverfront was complete and they would be releasing the results to the City Council. She said they had found 19 historic features and 400 human bones.

ADJOURN

Meeting adjourned at 10:04 p.m.



Kerri S. Barile, ARB Chair

Erik Nelson

From: Emily Taggart Schricker [taggart99q@yahoo.com]
Sent: Monday, November 09, 2015 3:42 PM
To: Erik Nelson; Kenneth McFarland; Charles R. Johnston; Jamie Scully; Jon Van Zandt; Kerri Barile; Sabina Weitzman; Susan Pates; John Harris
Cc: HFFI President
Subject: 1111-1113 Caroline Street proposed window replacement - 11/9/15 ARB Meeting

Dear Mr. Nelson, Mr. Johnston, and Members of the Fredericksburg ARB,

Please accept this email in lieu of my attendance for public comment at tonight's meeting. I am currently on the road returning from N. Carolina and am not sure if I will make it back for this evening's meeting.

In regards to the proposed work being done at 1111-1113 Caroline Street, (Item 8.II. on tonight's agenda) I would like the board to strongly consider not allowing the removal of the historic windows still found in the building. The memo from City Staff mentions that some windows show no evidence of being replacements. Leaving these historic windows in place is a wonderful opportunity for the city to retain a piece of historic building fabric that has often been removed from so many of our downtown buildings.

This ARB has been doing an outstanding job recently of retaining historic windows and I (as well as the Historic Fredericksburg Foundation, Inc.) appreciate your efforts. I hope the historic windows at 1111-1113 Caroline Street will be preserved as well.

Thank you,
Emily Taggart Schricker
President, Board of Directors, Historic Fredericksburg Foundation, Inc.

Emily Taggart Schricker
cell - (323) 351-3996



Architectural Review Board
Supplemental Meeting Minutes
November 23, 2014⁵
On-site at 1111-1113 Caroline Street
Fredericksburg, Virginia

CTW

Members Present

Kerri S. Barile, Chair
Susan Pates
Sabina Weitzman
Ken McFarland

Members Absent

Jamie Scully
Jon Van Zandt
John Harris

Staff

Erik F. Nelson

Dr. Barile called the meeting to order at 5:00 p.m. Mr. Nelson stated that public notice requirements had been met.

The Board examined the windows at 1111-1113 Caroline Street. After a short discussion, those members present agreed that the first and second story windows could be repaired, as needed, but should not be replaced. Two attic windows, however, had already been replaced with one—over-one units and the members present agreed that those upper windows could be considered or replacement, with either a six-over-six or a four-over-four sash. The appropriate configuration will become evident when a drawing is developed showing the windows in place.

Meeting adjourned at 5:14 p.m.



Dr. Kerri S. Barile, ARB Chair



Architectural Review Board
Supplemental Meeting Minutes
December 7, 2015
City Hall Conference Room
Fredericksburg, Virginia

Members Present

Kerri S. Barile, Chair
Susan Pates
Sabina Weitzman
Ken McFarland
Jon VanZandt
Jamie Scully

Members Absent

John Harris

Staff

Erik F. Nelson

Other staff present: Chuck Johnston

OPENING REMARKS

Dr. Barile called the meeting to order at 7:30 p.m. Mr. Nelson stated that public notice requirements had been met.

APPROVAL OF AGENDA

Upon a motion made and duly seconded, the Board adopted the proposed agenda.

DISCLOSURE OF EX PARTE COMMUNICATION/CONFLICTS OF INTEREST

Dr. Barile stated that no case was being considered so disclosure of ex parte communication and conflicts of interest were not applicable.

OLD BUSINESS

There was no old business to bring before the Board.

NEW BUSINESS

Dr. Barile indicated that the Board probably needed to go into closed session in order to discuss its legal representation related to a lawsuit brought against the Board by the City Attorney. Mr. Nelson explained the procedures to be followed for a closed session. Mr. Johnston noted that the Board should not take any votes in closed session.

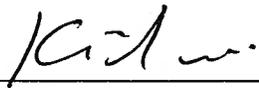
Ms. Weitzman made a motion for a closed meeting, as allowed under the Virginia Freedom of Information Act, Code of Virginia Section 2.2-3711(A)(7). Mr. Scully seconded. Motion carried 6-0.

Mr. McFarland confirmed that citizens who came to observe the meeting would need to leave the room. Mr. Nelson said yes.

Upon conclusion of the closed meeting, Mr. Scully made a motion to adopt a resolution certifying that the closed session had been properly conducted. Ms. Weitzman seconded. Motion carried 6-0.

ADJOURN

Meeting adjourned at 8:39 p.m.



Dr. Kerri S. Barile, ARB Chair



**December 7, 2015
Supplemental Mtg.
ARB Resolution 15-01**

MOTION: Scully

SECOND: Weitzman

RE: CERTIFICATION OF CLOSED MEETING

ACTION: APPROVED: Ayes:6; Nays: 0

WHEREAS, the Architectural Review Board of the City of Fredericksburg has this day adjourned into a Closed Meeting in accordance with a formal vote of the Board, and in accordance with the provisions of the Virginia Freedom of Information Act; and

WHEREAS, the Freedom of Information Act requires the Architectural Review Board to reconvene in open session and to certify that such a Closed Meeting was conducted in conformity with the law;

NOW, THEREFORE, BE IT RESOLVED that the Architectural Review Board of the City of Fredericksburg does hereby certify that to the best of each member's knowledge (i) only public business matters lawfully exempted from open meeting requirements under the Freedom of Information Act were discuss in the Closed Meeting to which this certification applies, and (ii) only such public business matter as was identified in the Motion by which the said Closed Meeting was convened were heard, discussed or considered by the Architectural Review Board.

-Adjourned into Closed Meeting at 7:34 p.m.
-Adjourned out from Closed Meeting at 8:32 p.m.

Votes:

Ayes: Barile, Scully, Pates, McFarland, Weitzman, VanZandt

Nays: 0

Absent from Vote: Harris

Absent from Meeting: Harris

Staff's Certificate

I, Erik F. Nelson the undersigned, certify that I am the Senior Planner for the City of Fredericksburg, Virginia, and that the foregoing is a true copy of ARB Resolution 15-01 duly adopted at the Architectural Review Board meeting held December 7, 2015 at which a quorum was present and voted.

Erik F. Nelson



Motion for Closed Meeting Under
The Virginia Freedom Of Information Act

I move that the Architectural Review Board convene a closed meeting under the Virginia Freedom of Information Act, Code of Virginia Section 2.2-3711(A)(7) in order to discuss:

Legal Matters

- Consultation with legal counsel pertaining to actual or probable litigation, where such consultation in open session would adversely affect the negotiating or litigating posture of the Architectural Review Board, **OR**
- Briefing by staff members or consultants, pertaining to actual or probable litigation, where such briefing or consultation in open session would adversely affect the negotiating or litigating posture of the Architectural Review Board.

The legal action is as follows: City Council of the City of Fredericksburg v. Architectural Review Board and NBB LLC



Minutes
Board of Zoning Appeals
September 21, 2015
Council Chambers, City Hall
Fredericksburg, Virginia

MEMBERS PRESENT

Helen P. Ross, Chair
Jay Jarrell III, Vice-Chair
Matthew Muggeridge
Beatrice Paolucci
Richard Conway, Alternate

MEMBERS ABSENT

Brian Raska

STAFF

Marne Sherman, Development
Administrator
Mike Craig, Zoning
Administrator
Kathleen Dooley, City
Attorney
Phaun Moore, Secretary

Ms. Ross called the meeting to order at 4:00 p.m.

OPENING REMARKS

Ms. Ross determined that a quorum was present and public notice requirements had been met.

DISCLOSURE OF EX PARTE COMMUNICATIONS

Ms. Ross asked if any Board member had engaged in *ex parte* communications on any item before the Board. No one indicated that they had engaged in any *ex parte* communication.

DISCLOSURE OF CONFLICTS OF INTEREST

Ms. Ross asked if any Board member had any conflicts of interest on any item before the Board. No one indicated that they had any conflicts of interest.

APPROVAL OF AGENDA

There were no additions or changes to the agenda.

Ms. Paolucci made a motion to accept the agenda as presented. Mr. Muggeridge seconded. The motion carried unanimously.

PUBLIC HEARING ITEMS

1. **APP 2015-01:** John J. and Stacey N. Strentz-McLaughlin – 814 Cornell Street (Fence) – Appeal of the Development Administrator’s denial of a fence permit application at 814

Cornell Street (GPIN 7779-84-5870). The action cited non-compliance with the Unified Development Ordinance, Section 72-56.2.B, limiting the fence height to four feet. The fence permit application was submitted to erect a fence, six feet in height, on the lot including the portion of the lot within a front yard along Littlepage Street. The property is zoned R-4, Residential, and is used for residential purposes.

The Development Administrator, Marne Sherman, presented the Board and applicants with handouts (Attachment A – Section 72-82 and Section 72-56 of the City Code. Attachment B – Diagrams of corner lots with fences at 725 Lee Avenue and 1001 Kenmore Avenue).

Ms. Sherman presented her case and reviewed the handouts.

The Board of Zoning Appeals members asked Ms. Sherman questions.

Mr. Jarrell asked what the Board's options were regarding the appeal.

The City's Attorney, Kathleen Dooley informed the Board that their options were to affirm, modify, or reverse the denial of the permit. Ms. Dooley clarified that the case was for an appeal, not a variance.

The applicants' attorney, Jeannie P. Dahnk, presented the appeal for John J. and Stacey N. Strentz-McLaughlin.

The Board of Zoning Appeals members asked Ms. Dahnk questions.

Public comment:

- Georgia Strentz – 922 Grove Avenue spoke in favor.
- Nancy Collins – 1109 Littlepage Street spoke in opposition.
- Jeremy Austin – 1112 Littlepage Street spoke in favor.

Letter:

- Richard and Elsie Hagenlocker – 810 Cornell Street wrote in favor.

The Board discussed the appeal and that the decision was based on City Code.

Mr. Muggeridge made a motion to deny the appeal and uphold the Development Administrator's denial of the fence permit and adopt the Record of Decision. Mr. Jarrell seconded. The motion carried unanimously.

OTHER BUSINESS

1. Amend BZA Bylaws.

Mr. Craig reviewed the amendments that were proposed at the August 17, 2015 meeting.

Ms. Paolucci made a motion to approve the amended Bylaws. Mr. Muggeridge seconded. The motion carried unanimously.

2. BZA discussion re: Quorum.

The Board discussed and clarified the requirements for a quorum.

REVIEW OF MINUTES

There were no changes to the meeting minutes from August 17, 2015.

Mr. Jarrell made a motion to adopt the minutes as written. Ms. Paolucci seconded. The motion carried unanimously.

STAFF / BOARD COMMENTS

Mr. Craig informed the Board there would be a meeting in September that would include a public hearing item.

Mr. Muggeridge and Ms. Paolucci expressed interest in receiving any additional training materials available.

Ms. Paolucci reminded the Board that her term would be expiring December 31, 2015.

Ms. Paolucci made a motion to adjourn. Mr. Conway seconded. The motion carried unanimously.

Meeting adjourned at 5:26 p.m.



Helen P. Ross, Chair

City of Fredericksburg, VA
Monday, September 21, 2015

Article 72-8. Definitions and Interpretations

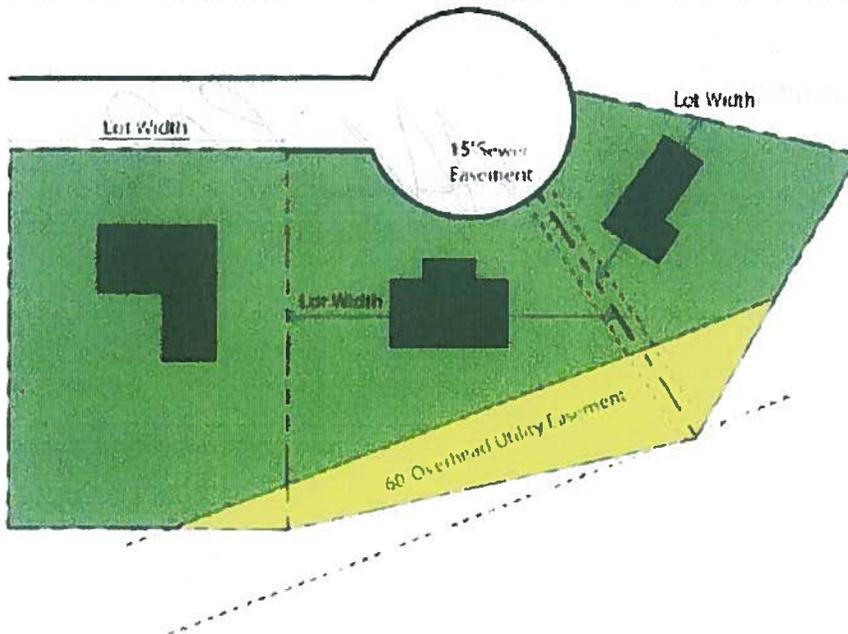
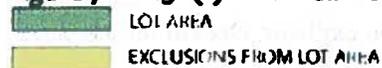
SECTION 72-82. Rules of Measurement

72-82.3. Lots.

A. Definitions/measurement.

- (1) Lot area, minimum. The minimum amount of land area required for a lot shall be measured on a horizontal plan in units of square feet or acres, as specified within the zoning regulations for the district in which the lot is situated. Land encumbered by easements and resource protection and management areas shall be considered according to § 72-51.3.

Figure 72-82.3A(1). Lot Area Measurement



- (2) Lot width, minimum. The distance between side lot lines shall be measured in one of the following manners, whichever is applicable:
 - (a) In the case of a rectangular lot, the width shall be measured along the front lot line.
 - (b)

In the case of an irregularly shaped lot or a curvilinear front lot line, the width shall be measured between the lot's narrowest dimensions at that location on the lot where the center of the building is proposed or is located.

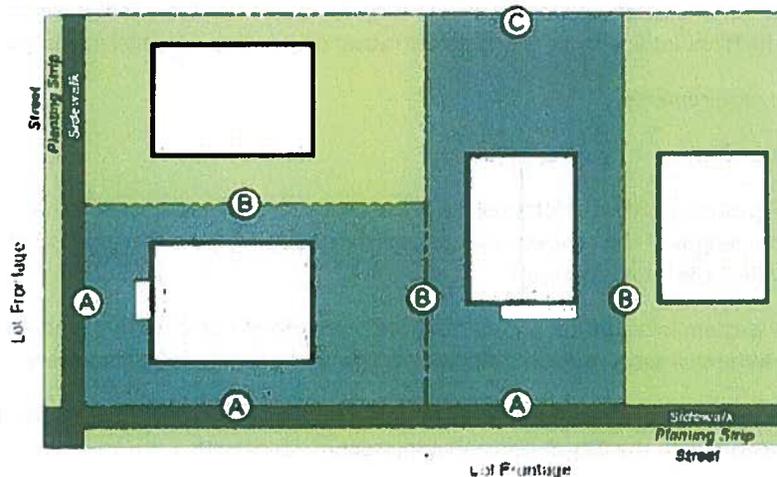
- (c) In the case of a pipestem lot, the width shall be measured between the lot's narrowest dimensions at that location on the lot where the center of the building is proposed or is located.

(3) Lot line.

- (a) Front lot line. A front lot line is the street line that forms the boundary of a lot, or, in a case where a lot either does not abut a street other than by its driveway or is a through lot, that lot line which faces the primary entrance of the principal building.
- (b) Rear lot line. A rear lot line is the property line that is most distant from, and is most nearly parallel with, a front lot line. If a rear lot line is less than 10 feet in length, or if the lot comes to a point at the rear, the rear lot line shall be deemed to be a ten-foot line parallel to the front lot line, lying wholly within the lot, for the purpose of establishing the required minimum rear yard.
- (c) Side lot line. The side lot line is the lot line connecting the front and rear lot lines.
- (d) Curved lot line. Where a lot line is curved, all dimensions related to the lot line shall be based on the chord of the arc.

Figure 72-82.3A(3). Lot Line Measurement

A - Front Lot Line
B - Side Lot Line
C - Rear Lot Line

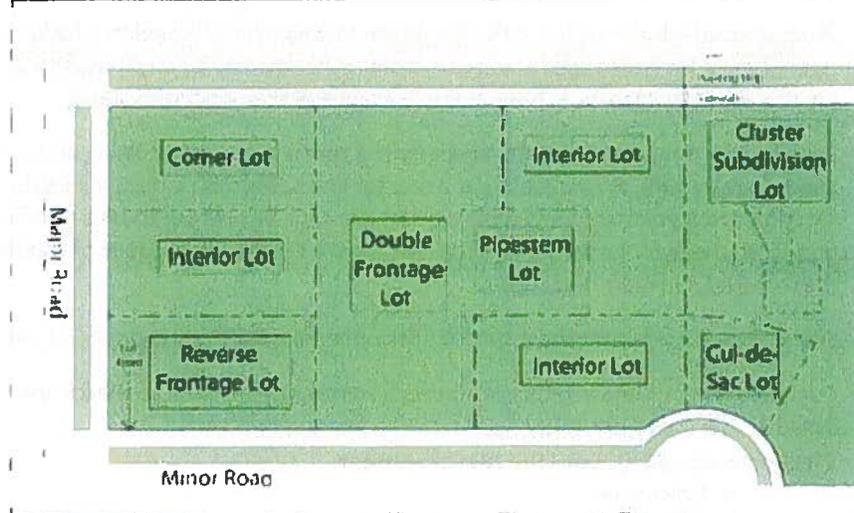


(4) Lot types.

- (a) Cluster subdivision lot. A cluster subdivision lot is a building lot located within a cluster subdivision.
- (b) Corner lot. A corner lot is located at the intersection of two or more streets (other than alleys), regardless of whether or not such streets intersect at right angles.
- (c) Cul-de-sac lot. A cul-de-sac lot is located on the head or turnaround of a cul-de-sac with side lot lines on a tangent to the arc of the right-of-way.

- (d) Double-frontage lot. A double-frontage lot is a lot other than a corner lot with frontage on more than one street other than an alley.
- (e) Interior lot. An interior lot is a lot other than a corner lot with only one frontage on a street other than an alley.
- (f) Pipestem lot. A pipestem lot is a lot which does not abut a public street other than by a driveway affording access to the lot.

Figure 72-82.3A(4). Lot Types



- (g) Reverse-frontage lot. A reverse-frontage lot is a corner lot, intentionally designed so that the front lot line faces a local street rather than facing a parallel major thoroughfare.

B. General lot requirements.

(1) Pipestem lots.

- (a) Pipestem residential lots shall have the width of the driveway not less than 12 feet, and the length of the driveway not greater than 200 feet from the street right-of-way line to which the lot has access.
- (b) Pipestem lots shall constitute no more than 10% of the lots in any one section of a residential subdivision and shall serve only single-family detached dwellings.
- (c) A pipestem driveway shall serve no more than three lots and shall be constructed in accord with the City design and construction standards.
- (d) The final plat for each pipestem lot shall note that the purchaser assumes all obligations for the ownership, maintenance and perpetual upkeep of the driveway and that such obligation is a condition that runs with the land.

72-82.4. Required yards.

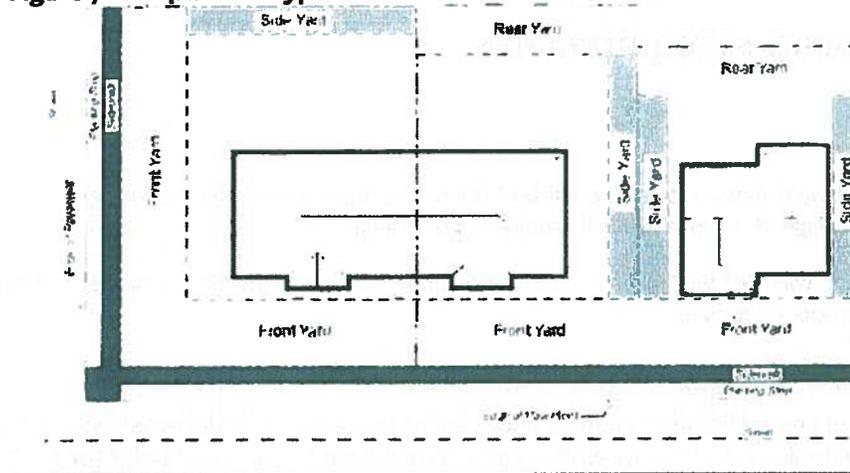
A. Definitions/measurement.

- (1) Setback. The term "setback" refers to the distance by which any portion of a building or structure shall be separated from a lot line.
- (2)

Front yard. The front yard is an area of a lot adjacent to its front lot line, measured by the length of the front lot line, extending from one side lot line to the other side lot line, and the width of the required front setback.

- (3) Rear yard. The rear yard is an area of a lot adjacent to its rear lot line, measured by the length of the rear lot line, extending from one side lot line to the other side lot line, and the width of the required rear setback.
- (4) Side yard. The side yard is an area of a lot adjacent to its side lot line, measured by the length of the side lot line, extending from the edge of the front setback line to the edge of the rear setback line, and the width of the required side setback.

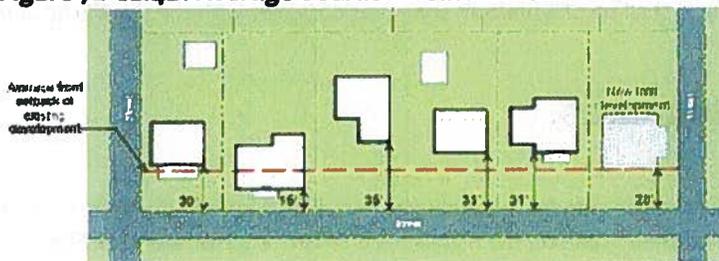
Figure 72-82.4A. Yard Types



B. General setback requirements.

- (1) Separation. When the standards in this chapter call for a separation between two different use types or development features, separation shall be measured from the closest edge of one lot to the closest edge of the other lot.
- (2) Averaging setbacks. Development and redevelopment on lots of record established prior to April 25, 1984, in the R-4, R-8 and C-T Districts may use average front or average side yard setbacks as are found on adjacent lots on the same block face.

Figure 72-82.4B. Average Setback Measurement



- (3) Corner lots. On a corner lot or double frontage lot, the yards adjacent to the front lot line shall be considered front yards and the remaining yards shall be considered side yards.
- (4) Setbacks following government acquisition of land. Where land acquisition for a public purpose reduces the distance between an existing legally established structure and an adjacent lot line to an amount less than the minimum required, the resulting distance shall be deemed the minimum setback for the lot.

Article 72-5. Development Standards

SECTION 72-56. Fences and Walls

72-56.1. Location requirements.

A. General.

- (1) Fences or walls shall be located outside of the public right-of-way, and may not exceed 24 inches in height if located within a required sight triangle.
- (2) Fences and walls are permitted on the property line between two or more parcels of land held in private ownership.

(3) Fences and walls may be located within any required yard.

B. In easements or around fire protection facilities. Fences located within utility easements or around fire protection facilities shall receive written authorization from the easement holder or the City (as appropriate). The City shall not be responsible for damage to, or the repair or replacement of, fences that must be removed to access such easements or facilities.

C. Blocking natural drainage flow. No fence or wall shall be installed in a manner or in a location so as to block or divert a natural drainage flow on to or off of any other land, unless the fence or wall has specifically been approved as part of an approved stormwater management plan. Nothing in this section shall be construed to prevent the installation of temporary fencing to protect existing trees, or as part of an approved erosion and sediment control plan.

D. Within buffers. Fences and walls shall be installed so as not to disturb or damage existing vegetation or installed plant material, to the maximum extent practicable. The perimeter fencing or wall for a single development shall be of a uniform style that complies with the standards of this section.

72-56.2. Height standards.

All fences and walls shall conform to the standards in Table 72-56.2, Fence and Wall Height. In all cases, heights are measured from established grade on the highest side of the fence or wall (see Figure 72-56.2, Fence and Wall Location).

Location on a Lot	Max. Height for Opaque Fence or Wall (feet)	Max. Height for Transparent Fence or Wall [1] (feet)	
		Residential District	Nonresidential District (feet)

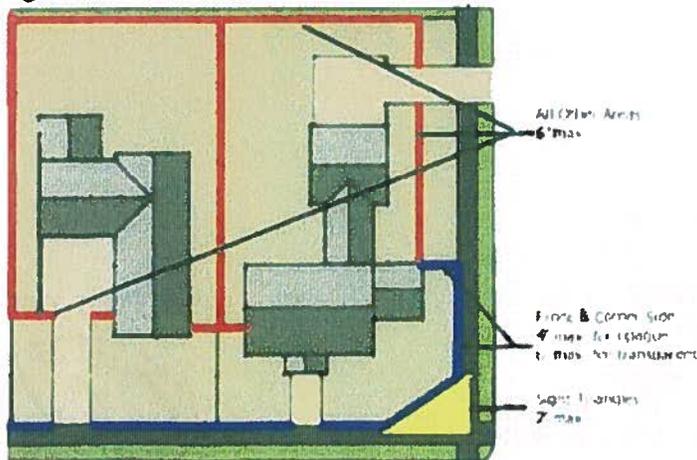
Table 72-56.2: Fence and Wall Height

Location on a Lot	Max. Height for Opaque Fence or Wall (feet)	Max. Height for Transparent Fence or Wall [1] (feet)	
		Residential District	Nonresidential District (feet)
		Within sight triangle	2
Within front setback	4	4	6
All other areas	6	6	8

NOTES:

- [1] Transparent fences or walls are constructed so that 50% or more of the fence or wall is visually permeable.
- A. A fence or wall in any residential zoning district shall not exceed six feet in height above the existing grade in any side or rear yard of a site up to the front of the principal structure on the site. This provision shall also apply to fences and walls located on lots used for residential uses in other zoning districts. The Development Administrator may approve fences or walls exceeding six feet in height if the adjacent property is in a nonresidential zoning district or if there are unique topographic or other physical circumstances not created by the property owner. Additional setbacks may be required by the Development Administrator for such taller fences.
- B. In any front yard of a site in any R District, a fence or wall shall not exceed four feet in height back to the front of the principal structure on the site. This provision shall also apply to residential uses in other districts.
- C. For vacant sites in residential districts, fences or walls may not exceed four feet in height.
- D. A fence or wall shall not exceed eight feet in height in any yard of any industrial or commercial use permitted by the provisions of this subsection unless the Development Administrator authorizes such fences or walls to exceed eight feet. The Development Administrator may approve fences or walls to exceed eight feet if there are unique topographic or other physical circumstances not created by the property owner. Additional setbacks may be required by the Development Administrator for such taller fences.
- E. No fence or wall shall be constructed in a manner or in a location that impairs safety or sight-lines for pedestrians and vehicles traveling on public rights of way.

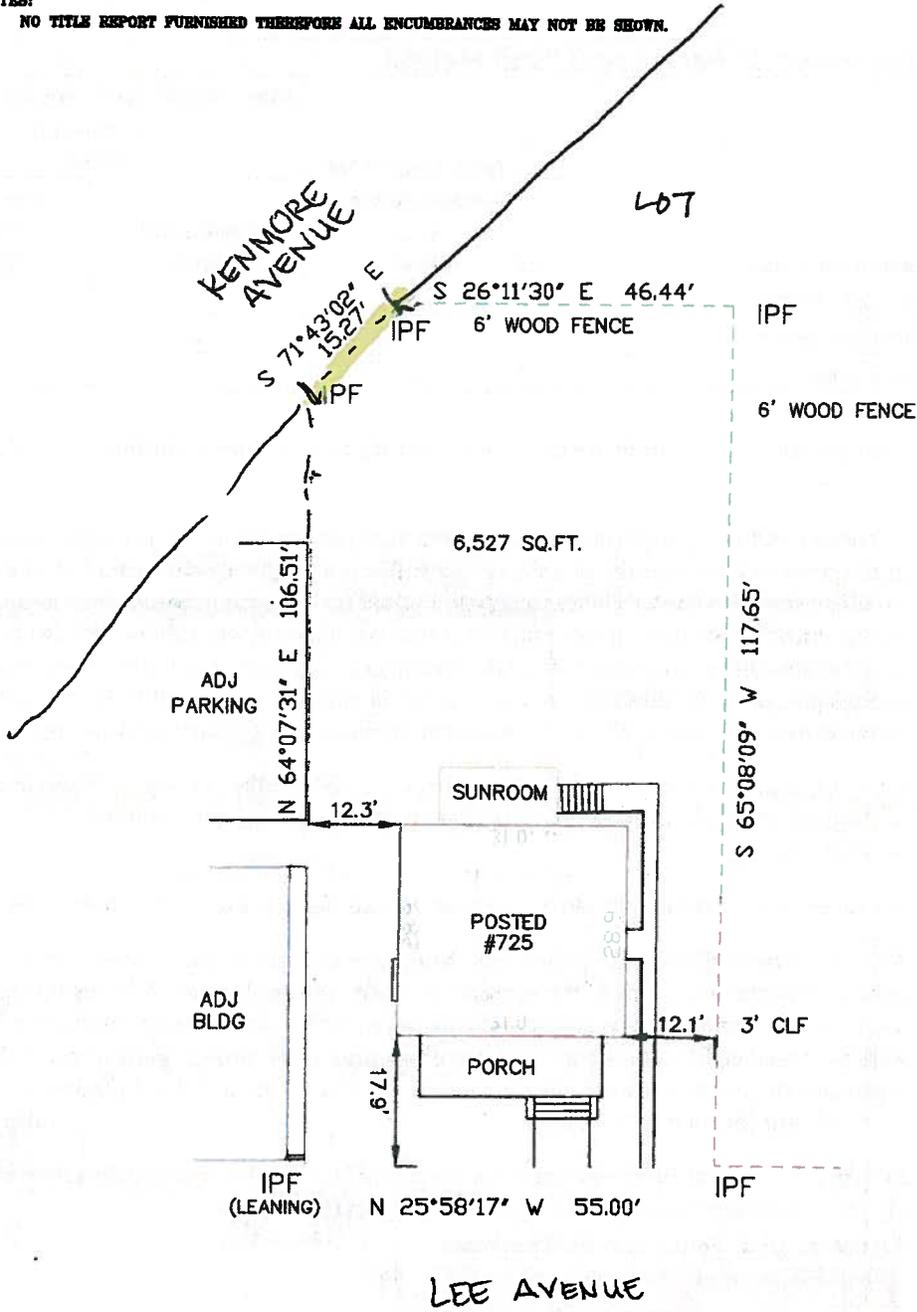
Figure 72-56.2. Fence and Wall Location



NOTES:

1) NO TITLE REPORT FURNISHED THEREFORE ALL ENCUMBRANCES MAY NOT BE SHOWN.

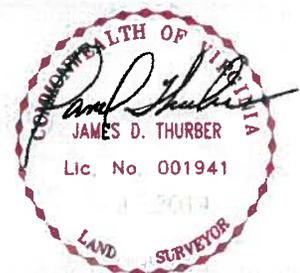
ATTACHMENT B



725 LEE AVENUE
 CITY OF FREDERICKSBURG, VIRGINIA
 SCALE: 1" = 20' DATE: MAY 9, 2014

JAMES D. THURBER, L.S.
THURBER ENGINEERING
& LAND SURVEYING
 10707 WOODLAND DRIVE
 FREDERICKSBURG, VA 22407
 PHONE: 540-207-3348 EMAIL: jim@teisltd.com

CERTIFIED CORRECT



FILE#: FBURG725 CLIENT: LEONE
 DATE: 5-4-2014 CHECKED BY: JDT
 SCALE: 1" = 20' CREW: JDT



PLANNING COMMISSION MINUTES

December 9, 2015

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

Richard Dynes – Vice Chair
Jim Pates, Secretary
Jim Beavers
Roy McAfee, Elected as Chair
Roy Gratz
Richard Friesner
Tom O'Toole

CITY STAFF

Chuck Johnston, Director of CP&B Dept.
Mark Whitley, Assistant City Manager
Kathleen Dooley, City Attorney
Mike Craig, Zoning Administrator
Deidre Jett, Budget Manager

1. CALL TO ORDER

The December 9, 2015 Planning Commission meeting was called to order by Vice-Chair, Richard Dynes.

2. PLEDGE of ALLEGIANCE

3. ELECTION OF A CHAIR

Mr. Beavers nominated Mr. McAfee as Chair. Mr. Friesner seconded the motion. Motion carried unanimously.

Mr. McAfee assumed the Chair position.

4. ADOPTION OF MINUTES

- November 18, 2015 Regular Meeting Minutes were adopted.

Mr. Pates arrived after the adoption of the minutes.

5. DISCUSSION OF THE CAPITAL IMPROVEMENTS PLAN (CIP)

Mark Whitley, Assistant City Manager

Mr. Whitley introduced Deidre Jett, Budget Manager. He also distributed the December draft of the updated FY 2016-2020 CIP for information and review. He touched on some of the items listed in that document and described changes to the CIP, which had been made as recently as the evening prior to the Commission meeting. Mr. Whitley asked that Commissioners review the information and e-mail either the Planning Staff, or his office directly with any questions, suggestions, or concerns. He said that staff would follow up at a future date with the water/sewer recommendations for the CIP.

Mr. McAfee asked why the water and sewer figures are not included in the draft.

Mr. Whitley said that the summary is included in the document but that there simply was not enough time to include the project sheets. He said those items would be provided within the next few weeks.

Mr. Dynes referenced the line item: Planning Area Plan Updates, in the amount of \$150,000 for five years. He asked the intent of utilizing these funds.

Mr. Johnston said when the Comp Plan was adopted, the idea was that the City would be working on the 10 Area Plans, doing two Areas per year. He said he is currently working on developing an RFP for the upcoming Fiscal Year.

Mr. Pates asked if anything had been incorporated into the draft CIP that reflected new items that were included in the recently-adopted Comprehensive Plan.

Mr. Whitley said he believed only to the extent that the Comp Plan reflects what was already there. One of the tasks in building [a recommended CIP] for the City Manager's recommended budget will be going back and forth with the Planning staff and City Manager staff to determine if there may be something missing that is noted in the Comp Plan. He said one thing that comes to mind is brick sidewalks, for which the [draft] CIP shows a small allotment but that may need to be increased. He said this will be a task for March.

Mr. Pates noted that the Council recently adopted an Action Plan for the Comprehensive Plan, which sets three (3) levels of priority for the Area Plans. He said some of those priorities are very general and he suggested that the Planning Commission schedule a discussion of these items at its next regular meeting and come back to the City Manager staff with some more specific ideas [for the CIP].

Mr. Friesner asked if a timeline has been established for the CIP presentation to City Council.

Mr. Whitley said that the Planning Commission will not need to vote on the document presented this evening. He said the document will be considered a base or foundation for the next document, which will develop into the City Manager's recommendations to City Council, and will be released in March 2016. He suggested that Commissioners discuss items amongst themselves and the Planning Staff to bring forward any concerns or recommendations that the City Manager may wish to consider. He said they expect to hold public hearings on the City Manager's recommendations in the March – May timeframe.

PUBLIC HEARINGS

6. SUP2015-02 - Lincoln Terminal Company, INC., proposes to amend Special Use Permit 2013-12 to expand its gasoline, bio-diesel and ethanol bulk storage and distribution facility at 1500 Beulah Salisbury Road (GPIN 7788-48-4693), to add an additional 1.06 million gallon above-ground storage tank. The proposal will expand the overall floor area ratio to 0.113. The property is zoned I-2 General Industrial District and the Comprehensive Plan designates the area for General Industrial uses but does not recommend a specific density. ***A public hearing for this item was held on November 18th and left open until December 9th to allow additional information to be obtained.***

Mr. Craig presented background and the application updates since the public hearing on November 18, 2015. He said that staff is recommending that condition #2 among the conditions listed in the staff report (relating to the use of the facility for fire training purposes) be stricken. He said Lincoln Terminal has agreed to a pay \$32,000 for improvements to the intersection of Beulah Salisbury Road and Route 2/Dixon Street.

Mr. Dynes confirmed that staff had suggested that Lincoln Terminal currently does not have sufficient [fire-suppression] foam on site.

Mr. Craig said they do not but that have ordered it. He said they have been working with the Fire Marshal on this issue.

Mr. Dynes asked when staff would expect the improvements to the intersection to be completed.

Mr. Craig said it would be done within a year. He said VDOT is ready to move on it.

Mr. Dynes asked if there is an estimate of the number of increased trips per day on tankers.

Mr. Craig said they do not have an estimate. However, he said, there will be an

increase and that is why Lincoln Terminal asked to contribute the \$32,000 for improvements to the intersection.

Mr. Friesner confirmed that this is the only gasoline facility of this magnitude located in the City.

Mr. Craig said this is correct. He said he believes Quarles and Anderson are propane facilities.

Mr. Friesner said he would be interested in manipulating condition #2 so that the facility would be open for the Fredericksburg Fire Department to train. He said he would like to hear from Lincoln Terminal [representatives to see] if they would agree to this or what the standard practice is for the industry.

Mr. Dynes said he would also like to hear from Lincoln Terminal as to whether they capture vapor.

Mr. Pates referenced Condition #1, regarding the applicant's offer to provide \$32,000 for improvements to the intersection, and asked what the total cost of these improvements would be.

Mr. Craig said the estimated total cost is \$32,000 for the physical improvements. The right-of-way and engineering has been excluded from the \$32,000.

Mr. Pates asked for confirmation that Condition #2 is being removed as a condition because it is not sufficiently tied to the Special Use Permit.

Mr. Craig said Mr. Pates was correct.

Mr. Pates asked if the fire suppression apparatus on site is sufficient to fight a max fire.

Mr. Craig said it would be dependent of the Fire Department pump truck to be on site. He confirmed that any time the system runs, the Fire Department pump truck would need to be there to boost the water pressure. This procedure is the same as that which is used by other localities, according to the Fire Department.

Mr. McAfee said one of the problems is that this facility is at the end of the line for the water supply, causing the pressure to be lower. He said it makes sense to him to have a pump truck there.

Mr. Pates said this is a large facility that has several risks associated with it and he would like to hear from the applicants as to whether they would agree to a condition that in order for this special use permit to continue, the facility would need to be in compliance with all DEQ and EPA regulations.

Mr. McAfee said that of course the Commission could list an additional condition but that the Terminal could not exist without being in compliance in the first place. Therefore, he said he does not see the value in adding this as a condition.

Mr. Pates said it would be useful because it would give the City its own legal authority to make sure [any potential violations] were corrected. Or, if the City did not agree with the remedy [required by DEQ or EPA], it would have some say.

Mr. McAfee asked staff that, as written, if the facility were out of compliance with State and Federal regulations, who would be the authority to shut it down, the City or the State?

Mr. Johnston said technically, it would be both, if you add the condition noted by Mr. Pates.

Mr. Tim Fox, Director of Terminal Operations, Lincoln Terminal Company. He addressed previous concerns of the Commission.

Mr. Fox said they would agree to provide training for the Fire Department and that the invitation would remain on the table. He said they do not recover vapor, but instead destroy them. He said they do plan to install vapor recovery in the future. He said that they operate under EPA and DEQ and all federal/state regulations already and would not be permitted to operate without being in compliance. Therefore, he said he has no objection to the condition noted by Mr. Pates being added to the approval.

Mr. McAfee opened the floor for public comment.

PUBLIC COMMENT

Mr. Harold Bannister, 1901 Fall Hill Avenue, 22401. He said he hopes that the training for the fire departments and emergency personnel would also include the two adjoining counties (Spotsylvania and Stafford).

There was no additional public comment.

Mr. McAfee closed the public hearing on this item.

Mr. Pates made a motion to recommend approval of the special use permit with the revised conditions outlined by Mr. Craig, and to add a sentence to condition #4 to say: The applicant must comply with all federal and state permits affecting the property at all times. And, to remove condition #2 as suggested by staff.

Mr. Friesner seconded the motion and offered a friendly amendment to the motion. He said he would like to amend that the Commission not completely

strike condition #2 but rather say: *"The Lincoln Terminal Company shall make the facility available for regional fire and emergency responders to conduct annual training as appropriate."*

Mr. Dynes seconded the friendly amendment.

Mr. Pates accepted the amendment.

Motion carried by a unanimous vote of 7 – 0.

7. **2015-02: Medicorp Properties, Inc,** requests a revision to Special Exception 2011-01 to change the entry signage for the Mary Washington Hospital campus. The existing sign in the median of Mary Washington Boulevard at the US Route 1 intersection will be replaced by a standing sign to replace the sign that was removed. Due to its size (1,316 square feet where 20,000 square feet is the minimum allowed by-right) and width (35 feet and 37 feet 7 inches where 100 feet is the minimum allowed by-right) requires special exceptions.

8. **SUP2015-05: Red Dragon Brewery, LLC,** requests a Special Use Permit for on-premises alcohol sales in a taproom that is an accessory use to a microbrewery at 1419 Princess Anne (GPIN 7779-06-4898) in the C-T, Commercial / Transitional – Office Zoning District. The proposed use will occupy the existing commercial building, with no expansion of the building, and with no increase in the floor area ratio density. The Comprehensive Plan designates the area for Transitional Office, which has no specific recommended commercial density.

Mr. Craig presented the staff report on the application. He also provided background information related to the recently-issued approval of the change in non-conforming use.

Mr. Pates said he was surprised to see the approval of the change in non-conforming use. He said it was his impression that Staff would be informing the Planning Commission when these types of applications were made, as well as other projects that go before the Technical Review Committee. He said this is the first he had heard of the change in non-conforming use for this property.

Mr. Johnston said this did go before the Technical Review Committee and the Commission is provided the agenda of applications prior to the TRC meetings.

Mr. Pates referenced the change in non-conforming use and asked what it was changing from and to what.

Mr. Craig said it was changing from light manufacturing to a micro-brewery.

Mr. Pates asked what the light manufacturing business had been.

Mr. Craig said it was Creative Color (printing).

Mr. Pates confirmed that Creative Color is still operating at this location.

Mr. Craig said this was correct.

Mr. Pates said that the only way a change in non-conforming use can happen is if you either have a continuation of a non-conforming use, or a less intensive non-conforming use. He said then that staff is apparently considering a micro-brewery at this location to be a less intensive (less non-conforming) use than Creative Color. He asked why this is the case.

Mr. Craig said they outlined all the details in the memo regarding the non-conforming use change [included in the Commissioners' packets]. However, he said, the microbrewery has less noise, less traffic, less parking demand, etc. He said there would also be an annual review.

Mr. Pates asked what the annual review would consist of.

Mr. Craig said it would consist of neighborhood complaints, making sure the business is in compliance with the noise ordinance, and making sure they are in compliance with the conditions listed on the change in non-conforming use.

Mr. Pates asked where the additional parking spaces would be located.

Mr. Craig said they would be striping seven spaces by the loading dock area [on Princess Anne Street].

Dr. Gratz asked about the serving of food. He asked if it would strictly be a beer drinking facility with no food.

Mr. Craig said this is correct. He said they are getting a brewery industry license from the ABC, which does not come with any food requirement. He said if they had decided to serve food, it would have then been considered a "restaurant" and they would not have had to go through the change in non-conforming use process.

Dr. Gratz referenced the installation of a sign stating, "No Brewery Parking on Pitt Street," and asked how this would be enforced.

Mr. Craig said it is a show of good faith from the owners of the brewery and the City would have no authority to enforce it. He said the owners had volunteered to install this signage.

Tom Bevins and Daniel Baker, applicants. Mr. Bevins said they have been working closely with the community to address any concerns they may have. He said they narrowed the hours down after talking to neighbors. He said they do not want to have another Happy Endings type of facility.

Mr. Baker said they have also been given permission to use the Creative Color parking lot. He said their hours vary from those of Creative Color.

Mr. McAfee opened the floor for public comment.

PUBLIC COMMENT

Ms. Bea Paolucci – 1500 Caroline Street, 22401. She said she and her neighbors are thrilled to support Red Dragon Brewery and would hope the Commission votes in favor of their request. She noted that City Staff, representatives of Red Dragon Brewery and members of the Rising Sun Neighborhood Association met to discuss the plans and to address any concerns. She said the neighborhood walked away with no concerns about the operation. She said the only concern she could see might be a problem with the parking on Pitt Street. She said she is aware that the Commission has no purview to determine “restricted parking.” However, she said she and her neighbors are interested in having a “residential parking only” area along the 200 block of Pitt Street. She said she would address this concern to the City Council.

Shawn Phillips (Owner of Spencer Devon Brewery) said he wholeheartedly supports the application made by Red Dragon Brewery and asked for favorable consideration by the City.

Johanna Humphrey, 1504 Caroline Street, 22401, said she too concurs with the previous comments and would ask for favorable consideration of the application.

Harold Bannister – 1901 Fall Hill Avenue, 22401, said he also supports the special use permit request and hopes this becomes a model for the area.

Mr. Mike Walsh, who said he lives in Spotsylvania but works in the downtown of Fredericksburg said he would ask for support of this application.

Mr. Bill Redding – 205 Pitt Street, 22401, said he also endorses the project and his only concern would be that of which was mentioned by Ms. Paolucci, to have residential only parking on the 200 block of Pitt Street.

There was no additional public comment.

Mr. McAfee closed the public hearing.

Mr. Friesner asked if the permit from the State restricts food sales.

Mr. Craig said it does not restrict food sales but it also does not require them.

Mr. Friesner made a motion to recommend approval of the special use permit for Red Dragon Brewery with the six conditions listed on the staff report, and to add a condition #7 to read: "No cooked food sales will be permitted on site." He said he does this with the complete expectation that he believes the City Council will restrict parking on the 200 block of Pitt Street to "residential parking only." However, he said, the parking comment is not part of the recommendation for approval of the special use permit.

Mr. Beavers asked Mr. Friesner why he would want to restrict the applicants from serving hot food at this location if they desire to do so at a later date.

Mr. Friesner said he believes it helps to ensure that the facility stays in use as a brewery and does not become a restaurant/brewery.

Mr. Dynes said he wishes the owner of Spencer Devon had not left the meeting, as he would like to ask him a couple questions. He said he has difficulty with the amendment made by Mr. Friesner.

There was no second, so Mr. Friesner withdrew his motion.

Mr. Friesner made a motion to recommend approval of the special use permit to include the six conditions outlined in the staff report. He also said his comment regarding parking stands.

Mr. Dynes seconded the motion and said he would like to reiterate the parking comment to seek making the 200 block of Pitt Street "Residential Only" parking.

Mr. Johnston said he would discuss this with staff and City Council.

Mr. McAfee suggested that the City proceed very carefully before closing parking down. He suggested if it is restricted, that it should be limited to particular hours to allow residents to be able to park next to their homes when they arrive home from work, etc.

Mr. Pates said he commends the applicants for working so much with the neighbors and addressing concerns that they may have.

Motion carried by a unanimous vote of 7 – 0.

GENERAL PUBLIC COMMENT

9. *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.

Ms. Bea Paolucci, 1500 Caroline Street, said she had not thought about restricting parking the entire day in the 200 block of Pitt Street. She said her intent was to seek permission for restricted parking between the hours of 5:00 p.m. until a reasonable morning hour.

Mr. Johnston said he would work with the public works department and the City Council in an attempt to accomplish the request made by Ms. Paolucci.

There was no additional general public comment.

Mr. McAfee closed the general public comment portion of the meeting.

OTHER BUSINESS

10. Planning Commissioner Comment

Mr. Dynes referenced the Special Exception request made by MediCorp, which had been removed from the agenda this evening at the request of the applicant. He also referenced an e-mail that Planning Staff and the Commission received from Snowden Office Park Businesses, dated December 7, 2015. He said he shared some of the same concerns noted in that letter. He said he does not believe the sign needs to be as large as proposed.

Mr. McAfee said it is his opinion that because the signs are offering information/direction to people who may be in need of critical life care, he disagrees with Mr. Dynes.

Mr. Pates offered two other comments. First, he said he would like to have the CIP discussion at the January 2016 Planning Commission meeting. Second, he said he was curious as to when the Commissioners would receive their final copy of the recently adopted Comprehensive Plan (2015).

Mr. Johnston said that staff is currently working on the final steps in pulling together the Comp Plan with the Action Plan and hopes the document will be available in the very near future.

11. Planning Director Comments

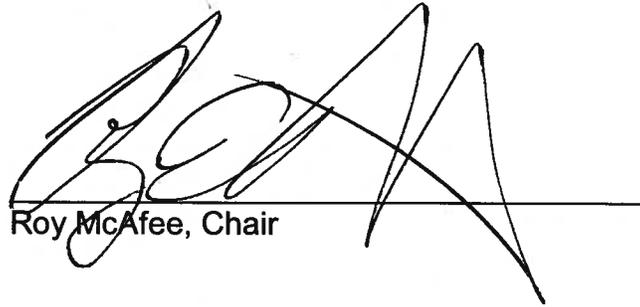
Mr. Craig provided background as to why MediCorp had to redo the public hearing for their request for a Special Exception for signage.

Mr. Johnston provided Commissioners information regarding recent City Council actions.

Mr. Johnston provided Commissioners with an update regarding the interview process for the Environmental Planner and Historic Preservation Planner positions.

ADJOURNMENT

Meeting adjourned.



Roy McAfee, Chair

January 7, 2016
Regular Meeting
Res. No. 16-01-01

MOTION: KELLY

SECOND: CADDIGAN

RE: APPROVE – MINUTES – DECEMBER 3, 2015

ACTION: APPROVED

WHEREAS, on December 3, 2015, at 7:00 p.m. the Potomac and Rappahannock Transportation Commission (“PRTC” or the “Commission”) convened their regular meeting at the PRTC Transit Center, located at 14700 Potomac Mills Road, Woodbridge, Virginia; and

WHEREAS, PRTC conducted business in accordance with a published agenda dated December 3, 2015.

NOW, THEREFORE, BE IT RESOLVED that the Potomac and Rappahannock Transportation Commission does hereby approve the minutes of December 3, 2015.

Votes:

Ayes: Anderson, Barg, Caddigan, Jenkins, Jones, Kelly, Lawson, Pittard, Principi, Skinner, Way

Nays: None

Abstain: May, Sellers

Absent from Vote: Miller

Alternate Present Not Voting: Durany

Absent from Meeting: Aveni, Bohmke, Horsley, Lasch, Lovejoy, McLaughlin, Milde, Mitchell, Nohe, Naddoni, Puller, Ross, Stewart, Thomas, Trampe, Withers, Wren

ATTEST:



Eric Marx, Interim Executive Director

December 3, 2015
Regular Meeting
Res. No. 15-12-01

MOTION: CADDIGAN

SECOND: THOMAS

RE: APPROVE – MINUTES – NOVEMBER 5, 2015

ACTION: APPROVED

WHEREAS, on November 5, 2015, at 7:00 p.m. the Potomac and Rappahannock Transportation Commission (“PRTC” or the “Commission”) convened their regular meeting at the PRTC Transit Center, located at 14700 Potomac Mills Road, Woodbridge, Virginia; and

WHEREAS, PRTC conducted business in accordance with a published agenda dated November 5, 2015.

NOW, THEREFORE, BE IT RESOLVED that the Potomac and Rappahannock Transportation Commission does hereby approve the minutes of November 5, 2015.

Votes:

Ayes: Anderson, Barg, Caddigan, Durany, Horsley, Jenkins, Jones, Kelly, Miller, Principi, Trampe, Thomas, Way

Nays: None

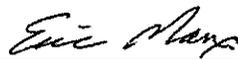
Abstain: None

Absent from Vote: Lawson, Nohe

Alternate Present Not Voting: Withers

Absent from Meeting: Aveni, Bohmke, Lasch, Lovejoy, May, McLaughlin Milde, Mitchell, Naddoni, Pittard, Puller, Ross, Sellers, Skinner, Stewart, Wren

ATTEST:



Eric Marx, Interim Executive Director

December 3, 2015
Regular Meeting
Res. No. 15-12-02

MOTION: CADDIGAN

SECOND: KELLY

RE: APPROVE – AGENDA – DECEMBER 3, 2015

ACTION: APPROVED

WHEREAS, the Potomac and Rappahannock Transportation Commission (“PRTC” or the “Commission”) meets on a monthly basis and an agenda is presented to the Commission for review and approval.

NOW, THEREFORE, BE IT RESOLVED that the Potomac and Rappahannock Transportation Commission does hereby approve the agenda of December 3, 2015, as amended.

Votes:

Ayes: Anderson, Barg, Caddigan, Durany, Horsley, Jenkins, Jones, Kelly, Miller, Principi, Trampe, Thomas, Way

Nays: None

Abstain: None

Absent from Vote: Lawson, Nohe

Alternate Present Not Voting: Withers

Absent from Meeting: Aveni, Bohmke, Lasch, Lovejoy, May, McLaughlin Milde, Mitchell, Naddoni, Pittard, Puller, Ross, Sellers, Skinner, Stewart, Wren

ATTEST:



Eric Marx, Interim Executive Director

December 3, 2015
Regular Meeting
Res. No. 15-12-03

MOTION: PRINCIPI

SECOND: KELLY

RE: APPROVE – CONSENT AGENDA – DECEMBER 3, 2015

ACTION: APPROVED

WHEREAS, the Potomac and Rappahannock Transportation Commission (“PRTC” or the “Commission”) was presented with a consent agenda; and

WHEREAS, an opportunity was afforded for items to be added or deleted from the consent agenda.

NOW, THEREFORE, BE IT RESOLVED that the Potomac and Rappahannock Transportation Commission does hereby approve the consent agenda of December 3, 2015, as presented.

Votes:

Ayes: Anderson, Barg, Caddigan, Durany, Horsley, Jenkins, Jones, Kelly, Miller, Principi, Trampe, Thomas, Way

Nays: None

Abstain: None

Absent from Vote: Lawson, Nohe

Alternate Present Not Voting: Withers

Absent from Meeting: Aveni, Bohmke, Lasch, Lovejoy, May, McLaughlin Milde, Mitchell, Naddoni, Pittard, Puller, Ross, Sellers, Skinner, Stewart, Wren

ATTEST: 

Eric Marx, Interim Executive Director

December 3, 2015
Regular Meeting
Res. No. 15-12-04

MOTION: PRINCIPI

SECOND: KELLY

**RE: ACCEPTANCE OF THE POTOMAC AND RAPPAHANNOCK TRANSPORTATION
COMMISSION MONTHLY JURISDICTIONAL FINANCIAL REPORT FOR THE PERIOD
ENDED SEPTEMBER 30, 2015**

ACTION: APPROVED

WHEREAS, a financial report for each jurisdiction is prepared each month for presentation to the Potomac and Rappahannock Transportation Commission ("PRTC" or the "Commission"); and

WHEREAS, this report supplies information on the current month and year-to-date motor fuel tax collections; earned interest, other revenues, state administration cost, expenditures, transfers and encumbrances; and

WHEREAS, this information covers the PRTC as a whole, as wells as each separate jurisdiction.

NOW, THEREFORE, BE IT RESOLVED that the Potomac and Rappahannock Transportation Commission does hereby accept the Jurisdictional Financial Report for the period ended September 30, 2015, as presented.

Votes:

Ayes: Anderson, Barg, Caddigan, Durany, Horsley, Jenkins, Jones, Kelly, Miller, Principi, Trampe, Thomas, Way

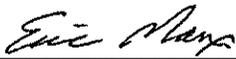
Nays: None

Abstain: None

Absent from Vote: Lawson, Nohe

Alternate Present Not Voting: Withers

Absent from Meeting: Aveni, Bohmke, Lasch, Lovejoy, May, McLaughlin Milde, Mitchell, Naddoni, Pittard, Puller, Ross, Sellers, Skinner, Stewart, Wren

ATTEST: 

Eric Marx, Interim Executive Director

December 3, 2015
Regular Meeting
Res. No. 15-12-05

MOTION: PRINCIPI

SECOND: KELLY

RE: APPROVAL OF THE 2016 BOARD MEETING CALENDAR FOR THE POTOMAC AND RAPPAHANNOCK TRANSPORTATION COMMISSION

ACTION: APPROVED

WHEREAS, the Potomac and Rappahannock Transportation Commission meets the first Thursday of each month unless otherwise specified; and

WHEREAS, in accordance with the Bylaws, the Commission shall adopt a schedule of the times, dates, and places of its regular meetings for the ensuing calendar year at its December meeting.

NOW, THEREFORE, BE IT RESOLVED that the Potomac and Rappahannock Transportation Commission hereby accepts the 2016 Meetings Schedule, as proposed (attached).

Votes:

Ayes: Anderson, Barg, Caddigan, Durany, Horsley, Jenkins, Jones, Kelly, Miller, Principi, Trampe, Thomas, Way

Nays: None

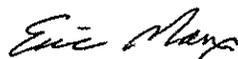
Abstain: None

Absent from Vote: Lawson, Nohe

Alternate Present Not Voting: Withers

Absent from Meeting: Aveni, Bohmke, Lasch, Lovejoy, May, McLaughlin Milde, Mitchell, Naddoni, Pittard, Puller, Ross, Sellers, Skinner, Stewart, Wren

ATTEST:



Eric Marx, Interim Executive Director

December 3, 2015
Regular Meeting
Res. No. 15-12-06

MOTION: PRINCIPI

SECOND: KELLY

**RE: AUTHORIZATION TO BUDGET AND APPROPRIATE SPOTSYLVANIA COUNTY'S
MOTOR FUELS TAX FUNDS FOR VARIOUS FY16 TRANSPORTATION PROJECTS**

ACTION: APPROVED

WHEREAS, Spotsylvania County, by Resolution 2015-113 requests approval to budget and appropriate \$4,461,167 of Spotsylvania's motor fuels tax funds for various FY16 transportation projects as follows:

Transportation-related positions	\$505,568
Transportation operating costs	12,258
FRED bus service	400,041
Debt service on previous transportation bond issues	<u>3,543,300</u>
Total	\$4,461,167

NOW, THEREFORE, BE IT RESOLVED that the Potomac and Rappahannock Transportation Commission hereby authorizes the budgeting and appropriation of \$4,461,167 of Spotsylvania County's motor fuels tax funds for various FY16 transportation projects.

Votes:

Ayes: Anderson, Barg, Caddigan, Durany, Horsley, Jenkins, Jones, Kelly, Miller, Principi, Trampe, Thomas, Way

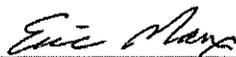
Nays: None

Abstain: None

Absent from Vote: Lawson, Nohe

Alternate Present Not Voting: Withers

Absent from Meeting: Aveni, Bohmke, Lasch, Lovejoy, May, McLaughlin Milde, Mitchell, Naddoni, Pittard, Puller, Ross, Sellers, Skinner, Stewart, Wren

ATTEST: 
Eric Marx, Interim Executive Director

December 3, 2015
Regular Meeting
Res. No. 15-12-07

MOTION: PRINCIPI

SECOND: KELLY

RE: AUTHORIZATION TO BUDGET AND APPROPRIATE STAFFORD COUNTY'S MOTOR FUELS TAX FUNDS FOR FY15 FOURTH QUARTER AND FY16 FIRST QUARTER TRANSPORTATION EXPENDITURES

ACTION: APPROVED

WHEREAS, Stafford County, by Resolution R15-347, requests approval to budget and appropriate \$3,441,688 of Stafford's motor fuels tax funds for transportation expenditures for the fourth quarter of FY15 and the first quarter of FY16, as follows:

Road Construction	\$2,922,368
Road Improvements	209,777
FRED Regional Transit	232,815
Stafford Regional Airport Authority	42,857
Street Signs	15,140
Social Services Client Transportation	11,916
Financial Services	<u>6,815</u>
Total	\$3,441,688

NOW, THEREFORE, BE IT RESOLVED that the Potomac and Rappahannock Transportation Commission hereby authorizes the budgeting and appropriation of \$3,441,688 of Stafford County's motor fuels tax funds for transportation expenditures for the fourth quarter of FY15 and the first quarter of FY16.

Votes:

Ayes: Anderson, Barg, Caddigan, Durany, Horsley, Jenkins, Jones, Kelly, Miller, Principi, Trampe, Thomas, Way

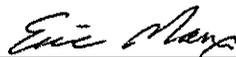
Nays: None

Abstain: None

Absent from Vote: Lawson, Nohe

Alternate Present Not Voting: Withers

Absent from Meeting: Aveni, Bohmke, Lasch, Lovejoy, May, McLaughlin Milde, Mitchell, Naddoni, Pittard, Puller, Ross, Sellers, Skinner, Stewart, Wren

ATTEST: 
Eric Marx, Interim Executive Director

December 3, 2015
Regular Meeting
Res. No. 15-12-08

MOTION: PRINCIPI

SECOND: KELLY

**RE: ENDORSE PRTC'S CONGESTION MITIGATION AND AIR QUALITY (CMAQ)
FUNDING REQUEST FOR FY 2022**

ACTION: APPROVED

WHEREAS, the Potomac and Rappahannock Transportation Commission ("PRTC" or the "Commission") annually submits a list of projects to the Northern Virginia Transportation Authority (NVTA) for consideration of regionally-allocated federal CMAQ and/or RSTP funds; and

WHEREAS, PRTC management is proposing two projects for FY 2022 CMAQ funding consideration: funding for the Commission's ongoing "commuter assistance" program continuation and replacement of 2006 Model Year 45-foot buses; and

WHEREAS, the Moving Ahead for Progress in the 21st Century Act (MAP-21) requires a State with PM 2.5 nonattainment or maintenance area to give priority to using funds for projects proven to reduce PM 2.5 emissions in such areas and PRTC's Bus Replacement project is eligible to mitigate PM 2.5.

NOW, THEREFORE, BE IT RESOLVED that the Potomac and Rappahannock Transportation Commission does hereby endorse the proposed PRTC projects for regional consideration by the NVTA for its FY 2017 – FY 2022 CMAQ/RSTP program.

Votes:

Ayes: Anderson, Barg, Caddigan, Durany, Horsley, Jenkins, Jones, Kelly, Miller, Principi, Trampe, Thomas, Way

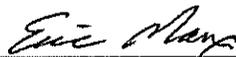
Nays: None

Abstain: None

Absent from Vote: Lawson, Nohe

Alternate Present Not Voting: Withers

Absent from Meeting: Aveni, Bohmke, Lasch, Lovejoy, May, McLaughlin Milde, Mitchell, Naddoni, Pittard, Puller, Ross, Sellers, Skinner, Stewart, Wren

ATTEST: 
Eric Marx, Interim Executive Director

December 3, 2015
Regular Meeting
Res. No. 15-12-09
VRE Agenda Item 9-A

MOTION: CADDIGAN

SECOND: KELLY

**RE: ACCEPTANCE OF THE FY 2015 AUDITED FINANCIAL STATEMENTS AND
AUDITOR'S REPORT**

ACTION: APPROVED

WHEREAS, the Virginia Railway Express (VRE) Operations Board has contracted with the firm of PBMares, LLC for the audit of its financial statements; and

WHEREAS, the audit of VRE's FY 2015 financial statements has been completed; and

WHEREAS, the auditors have issued an unqualified opinion that VRE's statements, in all material respects, fairly and accurately present the financial position of the commuter rail operation; and

WHEREAS, the VRE Operations Board recommends the following.

NOW, THEREFORE, BE IT RESOLVED that the Potomac and Rappahannock Transportation Commission hereby accepts the FY 2015 Comprehensive Annual Financial Report (CAFR) and associated information from the auditors.

Votes:

**Ayes: Anderson, Barg, Caddigan, Durany, Horsley, Jenkins, Jones, Kelly, Miller, Principi,
Trampe, Thomas, Way**

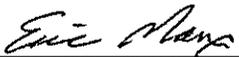
Nays: None

Abstain: None

Absent from Vote: Lawson, Nohe

Alternate Present Not Voting: Withers

**Absent from Meeting: Aveni, Bohmke, Lasch, Lovejoy, May, McLaughlin Milde, Mitchell,
Naddoni, Pittard, Puller, Ross, Sellers, Skinner, Stewart, Wren**

ATTEST: 
Eric Marx, Interim Executive Director

December 3, 2015
Regular Meeting
Res. No. 15-12-10

MOTION: CADDIGAN

SECOND: WAY

**RE: APPROVE AN AMENDMENT TO THE VRE CHIEF EXECUTIVE OFFICER'S
EMPLOYMENT AGREEMENT**

ACTION: APPROVED

WHEREAS, the Virginia Railway Express (VRE) Operations Board has concluded an evaluation of the VRE Chief Executive Officer's performance for the second year of his service; and

WHEREAS, the VRE Operations Board is recommending an amendment to the VRE Chief Executive Officer's employment agreement ("the Second Amendment") based on its assessment of Mr. Allen's second year performance; and

WHEREAS, the Potomac and Rappahannock Transportation Commission has reviewed the VRE Operations Board recommendation and concurs.

NOW, THEREFORE, BE IT RESOLVED that the Potomac and Rappahannock Transportation Commission does hereby approve the Second Amendment to the employment agreement with Mr. Allen, and authorizes PRTC's Chairman to execute it on behalf of the Commission.

Votes:

**Ayes: Anderson, Barg, Caddigan, Durany, Horsley, Jenkins, Jones, Kelly, Miller, Principi,
Trampe, Thomas, Way**

Nays: None

Abstain: None

Absent from Vote: Lawson, Nohe

Alternate Present Not Voting: Withers

**Absent from Meeting: Aveni, Bohmke, Lasch, Lovejoy, May, McLaughlin Milde, Mitchell,
Naddoni, Pittard, Puller, Ross, Sellers, Skinner, Stewart, Wren**

ATTEST: 
Eric Marx, Interim Executive Director

December 3, 2015
Regular Meeting
Res. No. 15-12-11

MOTION: JONES

SECOND: KELLY

**RE: AUTHORIZATION TO ACCEPT FY15 AUDITED FINANCIAL STATEMENTS,
REQUIRED COMMUNICATION TO THE COMMISSIONERS, AND PBMARES, LLP
MANAGEMENT LETTER**

ACTION: APPROVED

WHEREAS, the accounting firm of PBMares, LLP has completed the Potomac and Rappahannock Transportation Commission's FY15 audit; and

WHEREAS, PBMares determined that the financial statements present fairly, in all material respects, the Potomac and Rappahannock Transportation Commission's financial position as of June 30, 2015; and

WHEREAS, PBMares noted one material weakness in internal control over financial reporting, for which management has provided planned corrective action; and

WHEREAS, PBMares presented the required communication to the Commissioners about the audit, which is required under auditing standards generally accepted in the United States; and

WHEREAS, PBMares presented a management letter, which includes comments for management's consideration and with which management concurs.

NOW, THEREFORE, BE IT RESOLVED that the Potomac and Rappahannock Transportation Commission does hereby accept the FY15 audited financial statements, required communication to the Commissioners, and management letter as presented by PBMares, LLP.

December 3, 2015
Regular Meeting
Res. No. 15-12-11
Page Two

Votes:

Ayes: Anderson, Barg, Caddigan, Horsley, Jenkins, Jones, Kelly, Lawson, Miller, Nohe,
Principi, Trampe, Thomas, Way

Nays: None

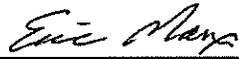
Abstain: None

Absent from Vote: None

Alternate Present Not Voting: Durany, Withers

Absent from Meeting: Aveni, Bohmke, Lasch, Lovejoy, May, McLaughlin Milde, Mitchell,
Naddoni, Pittard, Puller, Ross, Sellers, Skinner, Stewart, Wren

ATTEST:



Eric Marx, Interim Executive Director

December 3, 2015
Regular Meeting
Res. No. 15-12-12

MOTION: KELLY

SECOND: CADDIGAN

RE: ADOPT 2016 LEGISLATIVE AGENDA

ACTION: APPROVED

WHEREAS, each year the Potomac and Rappahannock Transportation Commission ("PRTC" or the "Commission") adopts state and federal legislative agendas to guide its advocacy efforts; and

WHEREAS, the combined 2016 draft agenda was presented to the Commission in draft form at its November 5, 2015 meeting and in final form at its December 3, 2015 meeting, and the Commission agrees with management's recommendations.

NOW, THEREFORE, BE IT RESOLVED that the Potomac and Rappahannock Transportation Commission does hereby approve its 2016 legislative agenda.

BE IT FURTHER RESOLVED that the Potomac and Rappahannock Transportation Commission does hereby direct the Interim Executive Director to continue efforts already underway to advocate for issues contained in the 2016 legislative agenda.

Votes:

Ayes: Barg, Caddigan, Horsley, Jenkins, Jones, Kelly, Lawson, Nohe, Principi, Trampe, Thomas, Way

Nays: None

Abstain: Anderson, Miller

Absent from Vote: None

Alternate Present Not Voting: Durany, Withers

Absent from Meeting: Aveni, Bohmke, Lasch, Lovejoy, May, McLaughlin Milde, Mitchell, Naddoni, Pittard, Puller, Ross, Sellers, Skinner, Stewart, Wren

ATTEST:



Eric Marx, Interim Executive Director

December 3, 2015
Regular Meeting
Res. No. 15-12-13

MOTION: BARG

SECOND: WAY

RE: AUTHORIZATION TO ENTER INTO AGREEMENT WITH THE INDEPENDENCE EMPOWERMENT CENTER (IEC) TO APPLY FOR GRANTS TO CONTINUE THE WHEELS-TO-WELLNESS PROGRAM AND ACT AS RECIPIENT FOR AWARDED PROGRAM GRANTS

ACTION: DEFERRED TO THE JANUARY 7, 2016 COMMISSION MEETING

WHEREAS, the Potomac and Rappahannock Transportation Commission ("PRTC" or the "Commission") deferred the agreement with the Independence Empowerment Center (IEC) for consideration at its January meeting.

NOW, THEREFORE, BE IT RESOLVED that the Potomac and Rappahannock Transportation Commission does hereby authorize the Interim Executive Director to defer the agreement with the Independence Empowerment Center to apply for and receive grants and/or donations on behalf of the Wheels-to-Wellness program to the Commission's January 7, 2015 meeting.

Votes:

Ayes: Anderson, Barg, Caddigan, Horsley, Jenkins, Jones, Kelly, Lawson, Miller, Nohe, Principi, Trampe, Thomas, Way

Nays: None

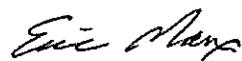
Abstain: None

Absent from Vote: None

Alternate Present Not Voting: Durany, Withers

Absent from Meeting: Aveni, Bohmke, Lasch, Lovejoy, May, McLaughlin Milde, Mitchell, Naddoni, Pittard, Puller, Ross, Sellers, Skinner, Stewart, Wren

ATTEST:



Eric Marx, Interim Executive Director

December 3, 2015
Regular Meeting
Res. No. 15-12-14

MOTION: CADDIGAN

SECOND: LAWSON

RE: ACCEPTANCE OF THE SUMMARY OF PRTC'S STRATEGIC RETREAT MEETING

ACTION: APPROVED

WHEREAS, on November 14, 2015, a special Potomac and Rappahannock Transportation Commission ("PRTC" or the "Commission") strategic planning meeting/retreat was held, pursuant to the Commission's stated desire to do so at its October 1, 2015; and

WHEREAS, outcomes of the meeting included: 1) general consensus that a draft resolution presented by Commissioner Principi was a sensible approach to addressing the short-term funding crisis; 2) unanimous consent that PRTC should move forward with development of a comprehensive strategic plan; and 3) desire to hold the next retreat meeting in the December-January timeframe.

NOW, THEREFORE, BE IT RESOLVED that the Potomac and Rappahannock Transportation Commission does hereby accept the *Summary of PRTC's Strategic Retreat Meeting*, held on November 14, 2015.

Votes:

Ayes: Anderson, Barg, Caddigan, Horsley, Jenkins, Jones, Kelly, Lawson, Miller, Nohe, Principi, Trampe, Thomas, Way

Nays: None

Abstain: None

Absent from Vote: None

Alternate Present Not Voting: Durany, Withers

Absent from Meeting: Aveni, Bohmke, Lasch, Lovejoy, May, McLaughlin Milde, Mitchell, Naddoni, Pittard, Puller, Ross, Sellers, Skinner, Stewart, Wren

ATTEST: 

Eric Marx, Interim Executive Director

December 3, 2015
Regular Meeting
Res. No. 15-12-15

MOTION: JONES

SECOND: PRINCIPI

**RE: DISCONTINUANCE OF MEALS PRIOR TO THE MONTHLY POTOMAC AND
RAPPAHANNOCK TRANSPORTATION COMMISSION MEETINGS**

ACTION: APPROVED

WHEREAS, the Potomac and Rappahannock Transportation Commission ("PRTC" or the "Commission") provides meals prior to the monthly Commission meetings; and

WHEREAS, the Commission wishes to discontinue serving meals prior to the monthly Commission meetings commencing in January 2016.

NOW, THEREFORE, BE IT RESOLVED that the Potomac and Rappahannock Transportation does hereby authorize the Interim Executive Director to discontinue the service of meals prior to the monthly Commission meetings commencing in January 2016.

Votes:

Ayes: Anderson, Barg, Caddigan, Horsley, Jenkins, Jones, Kelly, Lawson, Miller, Nohe, Principi, Trampe, Thomas, Way

Nays: None

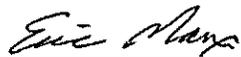
Abstain: None

Absent from Vote: None

Alternate Present Not Voting: Durany, Withers

Absent from Meeting: Aveni, Bohmke, Lasch, Lovejoy, May, McLaughlin Milde, Mitchell, Naddoni, Pittard, Puller, Ross, Sellers, Skinner, Stewart, Wren

ATTEST:



Eric Marx, Interim Executive Director

December 3, 2015
Regular Meeting
Res. No. 15-12-16

MOTION: CADDIGAN

SECOND: WAY

RE: REVISED FY17 BUDGET GUIDELINES

ACTION: APPROVED

WHEREAS, the Potomac and Rappahannock Transportation Commission (PRTC) must develop and adopt an annual operating and capital budget; and

WHEREAS, the budget preparation process begins with the development of budget guidelines; and

WHEREAS, FY17 budget guidelines were adopted by the PRTC Board at its September meeting; and

WHEREAS, the adopted guidelines called for status quo assumptions; and

WHEREAS, since September the anticipated budget deficit has worsened; and

WHEREAS, it is clear to PRTC management that some amount of additional cost savings will be needed to help solve the deficit.

NOW, THEREFORE, BE IT RESOLVED that the Potomac and Rappahannock Transportation Commission hereby directs the Interim Executive Director to develop a FY17 budget that reduces net Prince William County expenses by approximately \$1.7M per year, as one component of an overall budget balancing strategy that must address required changes in revenues and expenses to close the projected \$11.5 million funding gap.

December 3, 2015
Regular Meeting
Res. No. 15-12-16
Page Two

Votes:

Ayes: Anderson, Barg, Caddigan, Horsley, Jenkins, Jones, Kelly, Lawson, Miller, Nohe,
Principi, Trampe, Thomas, Way

Nays: None

Abstain: None

Absent from Vote: None

Alternate Present Not Voting: Durany, Withers

Absent from Meeting: Aveni, Bohmke, Lasch, Lovejoy, May, McLaughlin Milde, Mitchell,
Naddoni, Pittard, Puller, Ross, Sellers, Skinner, Stewart, Wren

ATTEST: 
Eric Marx, Interim Executive Director



CITY OF FREDERICKSBURG, VIRGINIA
CITY COUNCIL

MINUTES

Council Chambers, 715 Princess Anne Street
Fredericksburg, Virginia 22401

HON. MARY KATHERINE GREENLAW, MAYOR
HON. WILLIAM C. WITHERS, JR., VICE -MAYOR, WARD TWO
HON. KERRY P. DEVINE, AT-LARGE
HON. MATTHEW J. KELLY, AT-LARGE
HON. BRADFORD C. ELLIS, WARD ONE
HON. DR. TIMOTHY P. DUFFY, WARD THREE
HON. CHARLIE L. FRYE, JR., WARD FOUR

January 12, 2016

The Council of the City of Fredericksburg, Virginia, held a public hearing on Tuesday, January 12, 2016, beginning at 8:39 p.m. in the Council Chambers of City Hall.

City Council Present. Mayor Mary Katherine Greenlaw, Vice-Mayor William C. Withers, Jr. and Council members Kerry P. Devine, Dr. Timothy P. Duffy, Bradford C. Ellis, Charlie L. Frye, Jr. and Matthew J. Kelly.

Also Present. City Manager Beverly R. Cameron, Assistant City Manager Mark Whitley, City Attorney Kathleen Dooley, Planning & Building Director Charles Johnston, Zoning Administrator Michael Craig, Assistant Economic Development Director Bill Freehling, Fire Chief Eddie Allen, Deputy Fire Chief Mike Jones, Fire Marshall Paris Sacks, Assistant Public Works Director David King, Budget Manager Deidre Jett and Clerk of Council Tonya B. Lacey.

Notice of Public Hearings (D15-__ thru D15-__). The Clerk read the notice of the public hearings as they appeared in the local newspaper, the purpose being to solicit citizen input.

Resolution 16-02, Approved, Granting a Special Use Permit to Creative Color Real Estate, LLC for Service of Alcoholic Beverages Under an ABC on-Premises License at 1419 Princess Anne Street (D15-

__ **thru D15-** __). – 8 speakers. After staff presentation Councilor Duffy asked about the sale of food and Mr. Craig explained that the sale of food was not required with the sale of beer, but would be required if they were selling liquor. He also explained that the applicant was not getting a liquor license but a brewery license which permits them to sell the beer that they make on site. He said they would have the option to sell food in the future and it was a permitted use in the zone.

Councilor Kelly read a request from a citizen requesting an addition in the conditions regarding the noise and City Attorney Dooley explained that the portion of the code that was read sounded like the general prohibition that used to be in the noise ordinance. She explained that the noise ordinance had since been amended and the general prohibition of noise was open to too many interpretations. The ordinance currently has specific prohibitions that include objective standards for the police to use in assessing whether the noise was a violation of the City Code. Councilor Kelly said he would like to get an update on how effective the noise ordinance has been since it was revised.

Councilor Frye noted how responsive the applicant had been to the neighbor's request. He also asked for clarification on the parking and Mr. Craig noted that applicant would be adding seven spaces plus the existing which totaled 15 and they also have overflow parking in front of Creative Color. Mr. Craig also addressed the lighting which he said the applicant would be eliminating the lighting on the Pitt Street side of the building.

Vice-Mayor Withers asked about the delivery hours and Mr. Craig explained that the previous restrictions had been continued and deliveries will only be allowed 8:00 a.m.

to 6:00 p.m. Monday through Friday and no earlier than 8:00 a.m. and no later than 12 noon on Saturday.

Councilor Devine noted that she was impressed with the application and with the staff and the applicant for bring a business that fit well with the neighborhood. She also stated that she appreciated the applicant for working with the neighborhood.

Beatrice Paolucci, 1500 Princess Anne Street, spoke in support and stated that she was looking forward to this project. She mentioned that Pitt Street already had parking issues and she asked Council to consider putting the 200 block of Pitt Street under permit parking. She hoped this project would be a catalyst for future renovations along Pitt Street.

Mike Taggart, 425 Bunker Hill Street, spoke on behalf of the Fall Hill neighborhood and their support of the project.

Jennifer Clark-Evans, 1409 Winchester Street, spoke in support and stated that the applicant wanted to do a great job and he wanted to offer the community the art of craft brewing. She thought it was great that Fredericksburg was offering more projects like this. She was confident he would continue the great working relationship with the City and residents.

Shawn Phillips, Owner of Spence-Devon Brewery, spoke in support of the project and said he hoped they would champion their efforts because breweries are about the community.

Anna Lee, 1410 Littlepage Street, spoke in support of the project.

Michael Walsh, 8801 New Castle Court, Spotsylvania, stated that breweries were a growing business. He works in the tourist business and he said breweries were

becoming an attraction for vacationers. He said this would entice people to come to Fredericksburg and would help to grow the economy.

Greg Roth, 1819 Weedon Street, spoke in support of the brewery and said he would love to have a new brewery in town. He also said he would love to see this area of Princess Anne Street renovated.

Brent Huntsinger, 10715 Hamilton's Crossing, Spotsylvania, spoke in support of the brewery.

Councilor Kelly made a motion to approve Resolution 16-02, granting a Special User Permit to Creative Color Real Estate, LLC for service of alcoholic beverages under an ABC on-premises license at 1419 Princess Anne Street; motion was seconded by Councilor Devine.

Councilor Frye said this was a great project but stated he had received calls from several residents that were not in support because of the close proximity to their homes and because of this he could not support the project.

The motion passed by the following recorded votes. Ayes (6). Councilors Greenlaw, Withers, Devine, Duffy, Ellis and Kelly. Nays (1). Councilor Frye.

Resolution 16-03, Approved, Approving a Special Exception for the Installation of Telecommunications Facilities at 2217 Princess Anne Street, the General Washington Executive Center (D15-__ thru D15-__).

– 2 speakers. After staff presentation Council expressed some concerns with the height, color the number of antennas. Mr. Craig noted that the antennas would be approximately fourteen feet shorter than the existing flag pole and the color of the antennas would be grey. The applicant no longer request twelve antennas he only needed six. Vice-Mayor

Withers said he opposed having additional antennas and he would like to limit them to six because this was a prominent building.

Charlie Payne, Attorney, Hirschler Fleischer, representing the applicant stated that they had looked at other buildings but this building was blocking the service. He said the antennas were very narrow but taller than the original proposed antennas that's why the number of antennas was lowered from twelve to six.

Councilor Devine asked if the six towers included the co-locators and Mr. Payne said they did not but that the co-locators would allow competitors and public safety to add on if they needed or wanted to. Councilor Devine stated that she would like to cap the number of antennas at six and if additional antennas were needed they would have to come before Council for permission.

Mike Taggart, 425 Bunker Hill Street, spoke in opposition because he was concerned with the aesthetics with the building because it is visible from many areas of the community.

Mr. Payne said they took that into consideration and they were suppressing the impact as much as possible.

Councilor Kelly said he was not a huge fan of special exceptions but in this case this was helping with the City to become more tech savvy and this would benefit the community. He said he would like to have more infrastructures in place and he liked the idea of having the antennas located in one place. He was supportive of limiting the number of antennas.

Councilor Devine made a motion to approve Resolution 16-03, approving a special exception for the installation of telecommunications facilities at 2217 Princess

Anne Street, the General Washington Executive Center, adding an additional condition limiting the number of antennas to six and adding the date the plans were submitted in the Resolution as June 18, 2015 and last revised August 12, 2015; motion was seconded by Vice-Mayor Withers and passed by the following recorded votes. Ayes (7). Councilors Greenlaw, Withers, Devine, Duffy, Ellis, Frye and Kelly. Nays (0).

Granting Lincoln Terminal Company an Amended Special Use Permit for an Expansion of the Bulk Storage Facility at 1500 Beulah Salisbury Road (D15-__). – no speakers. Staff summarized that the applicant would like to add an additional tank to the current facility. The applicant requests to increase the bulk storage of petroleum products by 1.06 million gallons, a 10 percent increase from what they were currently approved for. The storage would be in a single above ground tank. This facility is in the vicinity of the Mayfield neighborhood. If this special use permit is approved it would bring the petroleum product capacity up to 10,300,000 gallons on site. The facility has a loading rack for the takers and they go around the region with deliveries.

Staff noted a few issues the first was the access road which is actually located in Spotsylvania County and is maintained by the Virginia Department of Transportation (VDOT) and intersects with Route 2. The problem is the radius of the turn. There is not enough room for a tanker to turn in when there is a taker waiting to exit the road. VDOT was working through engineering and right-of-way access to correct the problem. Lincoln terminal has offered \$32,000 to assist with the construction of the improvements at the intersection. The second issue was due to the proximity of the Mayfield Neighborhood and the concerns about fire and public safety.

There are three different fire protection systems in place on site: fixed system where all the materials are built into the site and it protects the loading rack area; the six tanks are protected by a manifold and there is also a mobile foam trailer system to put fires out both on and off site. There are also environmental concerns because the facility is located near the river but State and Federal Regulations help to mitigate those issues.

Councilor Duffy was concerned with 10,000,000 gallons and he asked about the security of the facility and Mr. Tim Fox said there was a security plan that was approved by the regulatory agencies and it was available to the public. Councilor Duffy asked about the rate of failure and Mr. Fox said majority of the facilities are automated, the employees are well trained and the facilities are inspected daily. The tanks and trucks have overfill protection and all safety precautions were in place and regulated by State and Federal government.

Councilor Frye expressed his concerns for the safety of the Mayfield neighborhood. He was also concerned with the number of tanker cars coming and going from the facility. Councilor Frye was also concerned that there was no evacuation route for the people that live near the facility if there was an explosion and Deputy Fire Chief Jones explained that it would depend on the location of the incident, but they would notify residents using the reverse 911 system and the Fredericksburg Alert. He said if there was an incident at the facility they would recommend that residents protect in place and if they needed to evacuate they would be taken north on Route 2 to the Blue and Grey Parkway or South on Route 2 to Route 17. He explained this would be coordinated with all emergency services and there was no way to make a plan because it would depend on the type of emergency.

Councilor Frye also asked about the air quality and Mr. Fox explained that the vapors were destroyed because they are pushed through a vapor combustion unit and the unit is inspected every five years by the State and Federal government. He said there were also monthly State regulation that's followed to limit the number of gallon that can be put through.

Councilor Devine asked whether Lincoln Terminal operated other facilities and what size were those facilities and Mr. Fox stated they did in Tennessee, North and South Carolina and Winchester. He stated that some of the facilities were of similar size others were smaller. Councilor Devine also asked how many additional truck trips per day would occur and Mr. Fox stated that they have lessened the traffic because the previous operation made 136 trips per day and they currently run about 65 trips per day but they would like to do 100.

Councilor Kelly asked staff whether Friends of the Rappahannock (FOR) was consulted because they could offer great advise and staff stated they had not spoken with FOR. Councilor Kelly asked if the \$32,000 was supposed to cover all of the road work improvements and Mr. Craig said the \$32,000 was to do the physical improvements it did not include the engineering and the right of way acquisition. Councilor Kelly wanted to make it clear that the City would not be putting in any funding for the improvement and that VDOT and the applicant would provide any additional funding needed for the improvements.

Councilor Kelly asked if the City Fire Department was capable of handling an emergency at the facility. Deputy Chief Jones explained the current systems that were in place for an emergency and he noted that Stafford and Spotsylvania would assist if

needed, but he felt they were capable of handling an emergency at the facility.

Councilor Ellis made a motion to grant Lincoln Terminal Company an amended special use permit for an expansion of the bulk storage facility at 1500 Beulah Salisbury Road; motion was seconded by Councilor Kelly.

Councilor Kelly said he would like to walk the site and hear from FOR before the Council voted on this because it was a public safety item. He asked that the motion to be withdrawn.

Mayor asked how long the facility had been located at this site and whether there had been any problems and Mr. Craig said they had been located there 40-50 years and there was one spill reported during the time Quarrels was running the facility.

Councilor Duffy said he could not support the increase in fuel because the facility was so close to the river.

Councilor Frye added that they were battling two issues the CSX tankers on one side and this facility on the other side and because of the safety concerns he could not support.

With no objections from Council, Councilor Ellis withdrew his motion.

Ordinance 15-01, First Read Approved, Amending the Zoning Regulation in the R-4 and R-8 Residential Zoning Districts and the C-T Commercial/Office-Transitional District, to Require the Front Building Façade to be Oriented Toward the Front Yard, and, for Lots of Record Prior to April 25, 1984, to Make the Infill Front Yard Setback Mandatory, and to Reduce the Minimum Infill Side Yard Setback;

Amending the Method for Calculating Average Yard Setbacks (D15-

___). – 2 speakers. After a brief summary Councilor Kelly clarified that this change was to maintain the character of the older neighborhoods therefore construction in those neighborhoods would conform to the existing houses on those streets. He said he would support this for the purpose of maintaining the character of the neighborhoods.

Councilor Frye asked for clarity on how the setbacks would be determined and Mr. Johnston explained that the zoning administrator would calculate to determine what the setback should be based on the pattern of what's in the neighborhood.

Hamilton Palmer, 1500 Caroline Street, he spoke on what the unintended consequences may be because of this ordinance. He felt this could result in a very narrow home with not much livable space in some of the areas of the City.

Mr. Johnston noted that in the historic district zero side yard setback would be allowed but outside of the historic district Council wanted a minimum of two feet side yard.

Shirley Grant, 806 Hanover Street, stated that she purchased a townhouse at 802 Cornell Street in 1982 and shortly after her purchase the area as well as the townhouse was zoned R-4 and it is still zoned that today. She noted there were several other zonings in the area she asked that the City take a look at how some of the properties are zoned.

Councilor Kelly made a motion to approved Ordinance 15-01, on first read, amending the zoning regulation in the R-4 and R-8 Residential Zoning Districts and the C-T Commercial/Office-Transitional District, to require the front building façade to be oriented toward the front yard, and, for lots of record prior to April 25, 1984, to make the infill front yard setback mandatory, and to reduce the minimum infill side yard setback;

amending the method for calculating average yard setbacks; motion was seconded by Vice-Mayor Withers.

Mayor Greenlaw said what concerned her about this ordinance was that the front door must face the front. She said she liked the idea of making houses conform to setbacks but she worried about making cookie cutter houses.

Councilor Ellis stated that he felt his ordinance would cause houses to become cookie cut as well therefore he could not support the ordinance.

The motion passed by the following recorded votes. Ayes (4). Councilors Withers, Devine, Duffy and Kelly. Nays (0). Greenlaw, Ellis and Frye.

Resolution 15-04, First Read Approved, Amending the Fiscal Year 2016 Budget by Appropriating Fiscal Year 2015 Encumbrances and Carryovers (D15-__). – no speakers. After a brief summary by staff Councilor Devine made a motion to approved Resolution 15-04, on first Read, amending the fiscal year 2016 budget by appropriating fiscal year 2015 encumbrances and carryovers; motion was seconded by Councilor Frye and passed by the following recorded votes. Ayes (7). Councilors Greenlaw, Withers, Devine, Duffy, Ellis, Frye and Kelly. Nays (0).

Adjournment. There being no speakers to come before the Council at this time, Mayor Greenlaw declared the hearing officially adjourned at 10:51 p.m.

Mary Katherine Greenlaw, Mayor

Tonya B. Lacey, Clerk of Council, CMC

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CITY OF FREDERICKSBURG, VIRGINIA
CITY COUNCIL

MINUTES

Council Chambers, 715 Princess Anne Street
Fredericksburg, Virginia 22401

HON. MARY KATHERINE GREENLAW, MAYOR
HON. WILLIAM C. WITHERS, JR., VICE -MAYOR, WARD TWO
HON. KERRY P. DEVINE, AT-LARGE
HON. MATTHEW J. KELLY, AT-LARGE
HON. BRADFORD C. ELLIS, WARD ONE
HON. DR. TIMOTHY P. DUFFY, WARD THREE
HON. CHARLIE L. FRYE, JR., WARD FOUR

January 12, 2016

The Council of the City of Fredericksburg, Virginia, held a regular session on Tuesday, January 12, 2016, beginning at 7:30 p.m. in the Council Chambers of City Hall.

City Council Present. Mayor Mary Katherine Greenlaw, Vice-Mayor William C. Withers, Jr. and Council members Kerry P. Devine, Dr. Timothy P. Duffy, Bradford C. Ellis, Charlie L. Frye, Jr. and Matthew J. Kelly.

Also Present. City Manager Beverly R. Cameron, Assistant City Manager Mark Whitley, City Attorney Kathleen Dooley, Planning & Building Director Charles Johnston, Zoning Administrator Michael Craig, Assistant Economic Development Director Bill Freehling, Fire Chief Eddie Allen, Deputy Fire Chief Mike Jones, Fire Marshall Paris Sacks, Assistant Public Works Director David King, Budget Manager Deidre Jett and Clerk of Council Tonya B. Lacey.

Opening Prayer and Pledge of Allegiance. Council was led in prayer by Councilor Matthew J. Kelly followed by the Pledge of Allegiance led by Mayor Mary Katherine Greenlaw.

Officer Recognized. Mayor Greenlaw recognized the presence of Officer Ted Marrs at this evening's meeting.

General Property Reassessment – Mr. Don Thomas, Wingate Appraisal Service (D16-__). Mr. Thomas gave a PowerPoint presentation and the presentation covered the project objective, phases, tendencies and trends, Virginia Department of Taxation Ratio Study, property class indications, residential property performance, multifamily assessment to sale over the last 3 years, office property trends, retail property trends and current indications. See **D16-__** for more information.

Mr. Thomas noted that after the assessments were completed they would hold appeals.

Vice-Mayor Withers asked what approach was being used for income increase and whether it would be helpful if the City collected the income data ahead of time and Mr. Thomas said they were making efforts to collect that information, but it would be helpful if the City already had that data available.

Fredericksburg City Schools Updates – Dr. David Melton, Superintendent and Dr. John Gordon, III, Director of Administrative Services (D16-__ thru D16-__). Dr. Melton distributed a 2016-2017 Operating Budget at-a-glance. He discussed the requested operating budget increases additional requested positions, cost per pupil in the City and surrounding areas and the first year teacher salary comparisons in the City and surrounding areas. See **D16-__** for more information.

Dr. Gordon updated Council on the renovations at the Original Walker Grant and the international Baccalaureate Programme they were trying to implement at James Monroe and Walker-Grant Middle School. See **D16-__** for more information.

Councilor Ellis noted that he would like to keep the class sizes as they were currently and he said in order to do so he knew there would be a need for another elementary school and he said he would like to see those costs in the budget request. Dr. Melton stated that because of the new renovations, it would be 5-6 year out before they needed to start that process.

Councilor Devine asked how many students would be impacted by the Diploma Program and Dr. Gordon stated there was a maximum of 50 but it would depend on the number of applications received. He would anticipate the number to be small in the beginning and increase as the years go on.

Councilor Frye thanked Dr. Gordon for including the Walker-Grant Alumni in the renovations at the original Walker-Grant. Dr. Gordon said the Alumni was working on collecting archives to be displayed after the renovations were complete.

Councilor Kelly reminded the schools that it was getting harder to fund the budget requests and he suggested schools start buckling down.

Liberty Place Archeology Report – Mr. David Dutton, Dutton & Associates, LLC (D16-__). Mr. Dutton presented a PowerPoint presentation. In the presentation, he discussed the purpose of the survey the survey methods, he had survey maps from 1721, 1806, 1862, 1878, 1886,1927, 1963 showing the project site, pictures showing the trench locations, and his recommendations. In his recommendation, he stated that deposits or features would likely remain intact because they were deep into the soil and below the level of modern disturbances. He also stated that the archeological research and the potential of finds were no greater than that offered by historic maps, photographs and directories. The historically shallow features and deposits that could offer more data

would have been located in the midlot and backlot areas, which lie under the existing building and finally the archeological research potential to provide important new information about the history of Fredericksburg would be limited.

Councilor Kelly pointed out that at other sites that were surveyed the archeologist did not find anything until they were about 20 feet down. He said phase one does not always reveal anything. Mr. Dutton stated that his recommendation would have been different if he had been looking at an 18th Century site.

Public Hearing Conducted (D16-__ thru D16-__). The regular session was recessed in order to conduct the scheduled public hearings and immediately reconvened upon their conclusion.

Citizen Comment. The following speakers came forward to participate in the citizen comment portion of this evening's meeting.

Steve Gaske (D16-__), 1322 Washington Avenue, stated that there was an overwhelming opposition of the trees on Washington Avenue. He said Washington Avenue was a nationally designated Historic District. He gave the history of the mall and said it was to resemble the National Mall in Washington, D.C. which has unobstructed views to show the monuments. The Washington Avenue Mall property was used as a memorial to display the Mary Washington Monument, and subsequent monuments were added to the display. He said this area had become a part of the tourist attraction. He said dense replanting had altered the setting, and the feeling, and association of the property and has compromised the integrity of its historical significance, therefore they believe the plantings were inconsistent with the City's 2010 Historic Preservation Plan and the Comprehensive Plan.

He also distributed a letter from Pastor Lunsford of the First Christian Church located on the Mall.

Richard Harrison, 1304 Washington Avenue, said he was part of the Right Tree, Right Place Group and he discussed the different type of trees that had been planted and the layout of those trees on the mall. He explained how the trees would grow and eventually interlock and block the views of the monument. He said they were told the Garden Club was consulted in the development of the tree plan for Washington Avenue but he felt this was out of character of their typical treatment of historical properties. He said they were not opposed to trees in the City or the relationship the City has with the contractor or the tree plantings along the utility strips. He requested Council to set up a historic preservation committee to develop a landscape architectural plan to preserve the sightlines along the monument.

Suspension of the Rules. Councilor Devine made a motion to suspend the rules in order to meet past 11:00 p.m.; motion was seconded by Councilor Duffy and passed by the following recorded votes. Ayes (7). Councilors Greenlaw, Withers, Devine, Duffy, Ellis, Frye and Kelly. Nays (0).

Bernhard Rahnhand, 48 Paul Hill Road, Stafford, VA, said he had been involved in a few incidents downtown and it took a while for the City Police to show up. He would like to propose the City Council to set up a citizen's group like the Guardian Angels that would allow those citizens to detain a person until the police showed up.

James Beavers, 1309 Washington Avenue, spoke in opposition of the tree plantings along Washington Avenue. He said the plantings take away from the views along the Mall. He requested the City start over and hire a new landscape architect.

Kevin Brown, Riverside Drive, spoke in support of the residents along Washington Avenue. He also spoke in support of the Mill District project. He said he was a big supporter of the trails and he believed this redevelopment would make this area of the trail safer.

Janice Olson, 1302 Winchester Street, spoke in opposition of the tree plantings along the Mall. She said she is a supporter of trees but she was alarmed with the rapid number of plantings along the Mall. She questioned when the tree plan was adopted and she requested the plantings be halted and that those already planted be transplanted.

Richard Dynes, 818 Weedon Street, stated that he would like the Mall to stay an open green. He also spoke in support of the Mill District redevelopment. He said the City needed to foster projects like the Mill District because they would create opportunities.

Adrienne Stocker, 1620 Caroline Street, spoke in support of the Mill District project. He feared that if the Council did not act that the City would lose the opportunity. He urged Council to act with speed.

Shirley Grant, 806 Hanover Street, spoke in support of the Mill District project. She said she and her husband have been excited since they heard about the redevelopment. She urged Council to vote in favor.

Anna Sandborn, 1707 Princess Anne Street, spoke in support of the Mill District project and she added that she worked and lived in the Princess Anne Street Corridor. She said she hoped enough changes had been made to move the project forward.

Ed Whalen, 1705 Princess Anne Street, gave a recap of the Mill District revitalization project. He said there had been over 12 revisions to the project addressing citizen, staff and Council concerns and considerations. The project now had the support

of many of the surrounding neighborhoods. Mr. Whalen said there was one concern that was lingering and that was the misconception associated with residential density. He explained that it is the increase of residential density that pays for the project. He said there cannot be a strong revitalization without increased residential density.

Marilyn Brown, 5287 Cedon Road, Woodford, VA, said there were many jobs in Quantico for the homeless and she said the City needed more resources to help the homeless.

Shelby Chandler, 211 Jeffers Circle, Lake of the Woods, Assistant Superintendent of the James Monroe Memorial Foundation, said he was asked to speak on behalf of the Washington Avenue neighborhood. He noted that the neighbors were not spoken to about the tree plan on the mall. The trees that had been planted were too close and too large. He said he gives tours to people from many nations and they come to visit and see these statues. From a historical point of view he feels the mall should remain open to help keep the history alive.

Council Agenda Presented. The following items were presented to Council.

7A. Fredericksburg 2nd Annual Gun Giveback Program Update – Councilor Frye

7B. City Tree Planting – Councilor Ellis

7C. New Director of Central Rappahannock Regional Library & Reception in Her Honor – Councilor Devine

7D. Request to Move up on the Agenda the Appointment to Central Rappahannock Regional Library Board of Trustees – Councilor Devine

Fredericksburg 2nd Annual Gun Giveback Program Update – Councilor Frye gave an update that on December 12 in four hours 32 guns were collected

voluntarily by the end of the year an additional 2 guns were turned over to the Police Department for the gund giveback. He also noted that the City won an award from the Virginia Municipal League. Within the year 101 guns were collected.

He thanked the Police and Sheriff's departments and Ms. Doris Buffet for donating \$100 per gun to local charities.

Councilor Ellis thanked Councilor Frye on the efforts and he stated that if the Citizen's want to get serious about gun violence he suggested they get serious and contact the General Assembly and ask them to do what they did with carjacking and make it a felony punishable by at least 15 years in prison and he would like to see the same thing done with gun violence.

City Tree Planting – Councilor Ellis spoke in regards to the tree planting and the tree plantings on the mall. He suggested directing staff to halt all tree planting in the City until there was a more comprehensive plan and he would prefer this plan be developed by input from the community. He agreed that the views were becoming obstructed.

Councilor Ellis suggested making a motion to direct all city staff to halt all tree planting until the city was confident in moving forward with the tree planting plan that is embraced by the community.

Councilor Devine noted that this was already happening and there was a public information session scheduled on January 25, at the Dorothy Hart Community Center at 7:00 pm and she did not want to make any motions until after that meeting. She noted that there had been a tree plan and she stated that it may not have been as publicly transparent as other plans but she noted that the plan could be revisited. Councilor Devine asked

everyone to keep an open mind she added that the plantings have been done as a service to the City.

Mayor Greenlaw explained the purpose for the meeting was to give a history of how this happened and she said the plan had been done by a landscaper and was revised by Parks and Recreations some years ago. Mayor Greenlaw encourage everyone come to the meeting to learn and hear what the plans are.

Councilor Kelly noted that the staff and Clean and Green were not planning to plant any trees until after the meeting. Mr. Cameron also noted that trees are not planted in January therefore no trees would be planted before the public meeting is held.

Councilor Duffy noted that the citizens that spoke out were not critical of all city tree plantings, their concerns were on the Washington Avenue mall only.

Vice-Mayor Withers added that he hoped everyone would go in the meeting with an open mind understanding there were no ill intentions. He said this would allow the City to see if there could be some readjusting.

Councilor Frye stated that if there was a problem that it would be fixed and he hoped there would be some compromise.

Vice-Mayor Withers said he hoped the City staff, the committee and the community could work together and come up with a solution because he did not agree with Council having to make a ruling on every disagreement with every neighborhood. He wants this worked out on a staff level.

New Director of Central Rappahannock Regional Library and Reception in Her Honor – Councilor Devine announced the reception for the new director on February 11 at 5:30 and formal invitations would follow.

Central Rappahannock Regional Library Board of Trustees – Cheryl Miller. Councilor Devine moved to appoint Cheryl Miller to the Central Rappahannock Regional Board of Trustees; motion was seconded by Councilor Kelly and passed by the following recorded votes. Ayes (7). Councilors Greenlaw, Withers, Devine, Duffy, Ellis, Frye and Kelly. Nays (0).

City Manager’s Consent Agenda Accepted for Transmittal as Recommended (D16-__ thru D16-__). Following review and as recommended Councilor Kelly moved approval of the City Manager's consent agenda items; motion was seconded by Councilor Devine and passed by the following recorded votes. Ayes (7). Councilors Greenlaw, Withers, Devine, Duffy, Ellis, Frye and Kelly. Nays (0).

- Transmittal of FRED Transit Progress Report – November 2015 (D16-__).
- Ordinance 15-32, Second Read, Extending the Arts and Cultural District License Tax Reduction for Existing Businesses (D16-__).
- Resolution 15-98, Second Read, Amending the Fiscal Year 2016 Budget by Appropriating Asset Forfeiture Funding (D16-__).
- Resolution 16-05, Authorizing the City Manager to Accept a Deed of Easement from the Economic Development Authority for 24 hour Ingress/Egress and Nights and Weekend Parking at the Former Union Bank Building at Charles and Amelia Streets (D16-__).
- Transmittal of a Memorandum on the R-Board Cell Tower (D16-__).
- Transmittal of Boards and Commission Minutes
 - Board of Social Services – October 8, 2015 (D16-__).

- Clean and Green Commission – November 2, 2014 (D16-__).
- Economic Development Authority – October 19, 2015 (D16-__).
- Economic Development Authority – December 3, 2015 (D16-__).
- Planning Commission – June 17, 2015 (D16-__).
- Potomac & Rappahannock Transportation Commission – November 5, 2015 (D16-__).
- Public Transit Advisory Board – October 7, 2015 (D16-__).

Adoption of Minutes (D16-__). Councilor Devine moved approval of the November 10 and 24, 2015 Work Sessions; the November 24 and December 8, 2015 Public Hearings and Regular Session minutes; motion was seconded by Councilor Kelly and passed by the following recorded votes. Ayes (7). Councilors Greenlaw, Withers, Devine, Duffy, Ellis, Frye and Kelly. Nays (0).

Resolution 16-06, Approved, Amending the Fiscal Year 2016 Budget by Using \$31,720 of General Fund Contingency for the Purchase of New Voting Machines (D16-__ thru D16-__). After staff presentation and brief discussion Councilor Kelly made a motion to approve Resolution 16-06, amending the Fiscal Year 2016 budget by using \$31,720 of General Fund Contingency for the purchase of new voting machines; motion was seconded by Vice-Mayor Withers and passed by the following recorded votes. Ayes (7). Councilors Greenlaw, Withers, Devine, Duffy, Ellis, Frye and Kelly. Nays (0).

Ordinance 16-02, First Read Approved, Rezoning Approximately 3.049 Acres of Land from Commercial Highway C-H and Residential R-

2 to Planned Development Mixed Use PDMU for the “Mill District”

(D16-__). After staff presentation Council spoke in support of the changes that had been made. Vice-Mayor was a little concerned that all the details had not been completely worked out on the rest of the project and Councilor Duffy had some concerns with the increase in density and the additional costs it would bring to the taxpayers due to the services that have to be provided but both were in support of the project.

Councilor Kelly moved to approve Ordinance 16-02 on first read, rezoning approximately 3.049 acres of land from Commercial Highway C-H and Residential R-2 to Planned Development Mixed Use PDMU for the “Mill District”; motion was seconded by Councilor Ellis and passed by the following recorded votes. Ayes (7). Councilors Greenlaw, Withers, Devine, Duffy, Ellis, Frye and Kelly. Nays (0).

City Manager’s Report and Council Calendar (D16-__ thru D16-__). City Manager Cameron asked if there were any questions regarding the Manager’s report or the Council Calendar. Activities highlighted on the report were as follows: Restaurant Week, Washington Avenue Mall Trees Public Meeting, Curbside Christmas Trees Collections, Leaf Collection, City Crews Prepare for Winter Weather, Retire Your Old Glory, 2015 Year End Economic Impact Report on Group Business, Police Department Launches Anonymous Tip App for Smart Phones, Building Construction Reports for October – November 2015.

Adjournment. There being no further business to come before the Council at this time, Mayor Greenlaw declared the meeting officially adjourned at 12:12 a.m.

Mary Katherine Greenlaw, Mayor

Tonya B. Lacey, Clerk of Council, CMC



MEMORANDUM

TO: Beverly R. Cameron, City Manager
FROM: Mike Craig, Zoning Administrator
DATE: January 19, 2016 for the January 26 meeting
RE: SUP-2015-02, Lincoln Terminal Company, Inc (owner) requests to amend Special Use Permit 2013-12 to increase the bulk storage by 1.06 million gallons at its facility at 1500 Beulah Salisbury (GPIN 7788-48-4693), in the General Industrial, I-2, Zoning District.

ISSUE

Should the City Council approve an amended Special Use Permit to increase bulk storage at 1500 Beulah Salisbury Road?

RECOMMENDATION

Approve an amendment to a Special Use Permit to increase the bulk storage of petroleum products by 1.06 million gallons at 1500 Beulah Salisbury (GPIN 7788-48-4693), subject to the following conditions:

1. Prior to site plan approval, the operator shall pay the City of Fredericksburg \$32,000 to contribute to the Commonwealth Department of Transportation for improvements to the intersection of Beulah Salisbury Road and Route 2, to mitigate the use's impact on the intersection.
2. The operator shall make the property available to regional fire and emergency responders for annual training or as needed.
3. The property shall be developed and operated in substantial conformance with the General Development Plan entitled, "Lincoln Terminal Company, Inc; Fredericksburg Tank Expansion," by Freeland Engineering, dated September 30, 2015.
4. The operator shall secure all required local, state and federal permits for the use within 12 months of the date of this resolution, and submit copies of those permits to the zoning administrator. The use of the property shall comply with all local, state, and federal permits affecting the property at all times.
5. The use shall commence within 24 months of the date of this resolution.
6. The use is permitted only so long as it is not discontinued for more than 24 months.

BACKGROUND JANUARY 19, 2016

The City Council held a public hearing on this item on January 12, 2016 at which no one spoke. After the public hearing the City Council expressed concerns about the environmental impact of the project and the City's public safety response capabilities. The City Council asked the applicant about the air quality, water quality, and public safety regulations governing the use.

The applicant's representative responded that the federal government and the state government regulate the operation. Since the meeting, Lincoln Terminal's application has been sent to Friends of the Rappahannock for comment. Also, an on-site meeting has been set up with the Fire Department, City Councilors, and Friends of the Rappahannock for Wednesday. We will present any new findings to the Council at the meeting on Tuesday January 26.

Lincoln Terminal submitted its Air and Water Quality permits in conjunction with the review of its latest tank site plan and this Special Use Permit. City staff verified through DEQ that Lincoln Terminal's permits were up to date. Here is a table showing their state Air and Water Quality permits governing the site:

LINCOLN TERMINAL - WATER AND AIR QUALITY PERMITS			
Regulation	Title	Permit	Status
40 CFR 112.20	Clean Water Act - Oil Pollution Prevention	Facility Response Plan	Plan last updated February 2015
9 VAC 5-170-200	Virginia State Air Pollution Control Board Regulations for the Control and Abatement of Air Pollution	Stationary Source Permit to Construct and Operate	Updated application submitted to DEQ in August 2015
9 VAC 25-91-10	Above Ground Storage Tanks		
		Oil Discharge Contingency Plan and Spill Prevention, Control, and Countermeasures (SPCC) Plan	Plans updated at the end of construction. Resubmission pending tentatively for March or April 2016. Okay'ed by DEQ on November 11, 2015
		Water Form 7540-AST (Receipt for Aboveground Storage Tanks Registration)	Plans updated at the end of construction. Resubmission pending tentatively for March or April 2016. Okay'ed by DEQ on November 11, 2015
9 VAC 25-880-70	Industrial Virginia Pollutant Discharge Elimination System (IVPDES)	VPDES Permit No. VA0029785	Permit resubmitted and Accepted as Complete by DEQ on October 9, 2015
	Virginia Permit for Discharges of Stormwater from Construction Activities;	Construction General Permit Coverage #VAR10D657	Permit is current

Additionally, the site's Facility Response Plan has a detailed history of on-site spills at the facility since the 1980's. There have been 5 on-site spills since 1986. There have been no spills since 2011 when the facility was run by Anderson Propane. In total, 32,651 gallons of product have leaked out of tanks. Out of the 32,651 gallons, 400-500 gallons have reached "navigable waters." The secondary containment systems on-site have captured all the rest of the material.

In addition, several additional questions that came out of the Public Hearing were submitted to the Applicant by the City Attorney. The Applicant responded with the information requested in a letter attached to this report.

The remainder of this staff report is identical to what was presented to Council on the 12th.

PLANNING COMMISSION PUBLIC HEARING

The Planning Commission opened a public hearing on this item on November 18, 2015 that was continued through December 9. One member of the public spoke at the December 9 meeting asking that training for fire departments and emergency personnel from both the City and surrounding counties be permitted at the facility. After the close of the public hearing, the Planning Commission revised conditions 2 and 4 to ensure that regional responders had training on the fire safety systems in place on site and that the locality had enforceable authority to ensure

the Lincoln Terminal operation remained in conformance with all required local, state, and federal permits at all time. The Planning Commission then unanimously (7-0) recommended that the City Council approve the Special Use Permit in conformance with the conditions as written in the Recommendation and the attached Resolution.

BACKGROUND

1500 Beulah Salisbury Road has been used as a storage and distribution center for fossil fuels since the mid-twentieth century. Most recently, the City Council approved Special Use Permit 2013-12 on January 14, 2014 to convert a propane storage and distribution facility to operate a gasoline, bio-diesel, and ethanol storage and distribution facility; to construct additional above-ground storage tanks, a loading rack for transport vehicles; and to modernize operation control and monitoring equipment at 1500 Beulah Salisbury Road.

Since that time, Lincoln Terminal Company, Inc. has retrofitted the facility and is currently constructing 2.94 million gallon above ground gasoline tank. Including the tank under construction, the on-site storage capacity is 9,240,000 million gallons of bulk petroleum products. In addition, the site has the capacity to store 99,500 gallons of bio-diesel and 40,000 gallons of additives¹. The petroleum products generally enter the site by pipeline, are mixed on-site with additives, and are pumped into trucks for regional distribution at an on-site fueling station. The Special Use Permit for an additional 1,060,000 gallons would bring the petroleum product capacity up to 10,300,000 gallons.

The bulk storage and distribution facilities at 1500 Beulah Salisbury cover generally the western most two thirds of the lot. The easternmost third is a Resource Protection Area and 100 year floodplain adjacent to the Rappahannock River.

The site is bordered by a City Parks and Recreation office and the Plantation Pipeline facility to the north, the Rappahannock River to the east, a propane storage and distribution facility to the south in Spotsylvania County, and Dixon Park to the west. The Mayfield neighborhood is within a quarter of a mile of the site.

SPECIAL USE PERMIT ANALYSIS

Special use permits are evaluated according to the criteria contained in the UDO, Section 72-22.6, as follows:

(1) The proposed special use at a specified location shall be:

(a) In harmony with the adopted Comprehensive Plan;

The property lies within Land Use Planning Area 8: Dixon Street / Mayfield. The future land use map in the Comprehensive Plan designates this property as General Industrial. The General Industry category provides for “manufacturing, wholesale and limited ancillary retail uses, warehousing, offices, and distribution facilities. These districts are located where they can be served by adequate transportation access.” The site is in general conformance with the future land use map.

¹ NRO-040-14 Stationary Source Permit to Construct and Operate. Virginia Department of Environmental Quality.

The site is located on top of a major petroleum pipeline traversing the City. It is a major petroleum distribution facility for the region. Comprehensive Plan's Transportation Goal 1 is to develop the City's surface transportation system to be safe, functional, and attractive, serving multiple modes of travel and making the community accessible to all citizens. Having a strategically located petroleum distribution facility will help further that goal.

The site is also located adjacent to the Rappahannock River. The Comprehensive Plan's Environmental Protection Goals include Resource Protection, Watersheds, and Sustainability. Lincoln Terminal Company, Inc. has built the amount of secondary containment required by the state and federal government in case there is a spill at their facility. The containment for the proposed 1.06 million tank is designed to hold up to a 3,675,000 gallon spill. The containment also serves a 2.94 million gallon tank bringing the total amount of petroleum products stored in the containment area up to 4 million gallons.

(b) In harmony with the purpose and intent of the zoning district regulations;

The purpose of the General Industrial (I-2) District is: "to provide for medium to heavy industrial land uses in areas of the City appropriate to adequately serve the physical, transportation access, and environmental impacts of such industrial development." The project is part of an existing petroleum distribution facility. The site is situated on an existing major petroleum pipeline. Though, due to its proximity to the Rappahannock River there are regional environmental risks.

(c) In harmony with the existing uses or planned uses of neighboring properties.

Technical review of the proposed bulk storage expansion has highlighted some potential transportation and fire safety issues at the Lincoln Terminal Facility. These issues can be mitigated by requiring the site to operate under the conditions outlined in the recommendation. The transportation and fire safety issues will be discussed in more technical depth below.

In considering an application for a Special Use Permit, the Planning Commission and City Council shall consider potential adverse impacts including:

1. Traffic or parking congestion;

The Lincoln Terminal Company facility currently generates 63 trucks per day. These trucks exit the site on Beulah Salisbury Road. Beulah Salisbury Road's northern right-of-way is the Spotsylvania County line. At its intersection with Route 2, Beulah Salisbury is a two lane road, one in and one out. At the intersection, Route 2 has two lanes heading south, a left turn lane into Beulah Salisbury from the north, a dual turn lane from the south, one lane heading north, and a large shoulder. VDOT has indicated that there are two issues at the intersection:

- Heavy volumes on Route 2 require long wait times for vehicles exiting the site, especially when they are traveling south. Large trucks exacerbate the problem. A third lane exiting Beulah Salisbury is necessary to alleviate congestion.
- Physical constraints require that if a large truck is waiting to exit Beulah Salisbury and another truck with a wheel base of 50 foot or greater (like a tanker truck) is

turning into Beulah Salisbury from the south, the turning truck must wait in the Route 2 northbound travel lane until the exiting truck has made its movement. The radius at the intersection needs to be increased at the intersection to alleviate congestion.

According to VDOT, trucks backing up on Route 2 is the most pressing problem at the intersection. Fixing the radii at the intersection is an immediate priority. VDOT has begun engineering and right-of-way acquisition to complete the improvements. No funding for the actual construction of the project has been committed or planned by the state or any localities at this time. Lincoln Terminal Company has stated that they are willing to provide the funding for the physical improvements. A condition has been added to this staff report detailing the transfer of funds to VDOT to complete the intersection improvements.

Concern has been expressed about ensuring that the Mayfield neighborhood has clear paths out of the neighborhood by car in case of an emergency either involving the chemical tanker cars being stored on the railroad right-of-way to the west or the Lincoln Terminal, Quarles Petroleum, and the Plantation Pipeline facility to the east. Ensuring that Route 2 operates cleanly in the event of an emergency is paramount to the safety of the neighborhood. By working with the City, VDOT, and other property owners to fix the turning radii at the intersection of Route 2 and Beulah Salisbury the Applicant is helping to ensure that the road network will perform even in the event of an emergency.

2. Noise, light, dust, odor, fumes, vibration, and other factors which adversely affect the natural environment;

During permitting of the 2.94 million gallon tank, Lincoln Terminal Company worked with the Department of Environmental Quality on creating a timeline for permitting both the 2.94 million gallon tank and the 1.06 million gallon tank. Lincoln Terminal is obligated to:

- File for an updated VPDES permit by September 2015. The Applicant filed for an updated VPDES permit on October 9, 2015.
- File for an updated Oil Discharge Contingency Plan (ODCP) by November 1, 2015. DEQ granted an extension to the Applicant for their revised ODCP on November 10.

The site is subject to state air quality permitting requirements. Lincoln Terminal is working with the Virginia Department of Environmental Quality to upgrade their existing air quality permits for the 2.94 million gallon tank and will be required to update their permit for the new 1.06 million gallon tank. Under their current permit, the facility was required to build a Vapor Combustion Unit that collects and burns off volatile organic compounds that leak out during the transfer of fuel into tanker trucks.

The site is adjacent to Dixon Park and is close to the Mayfield neighborhood. The site will be required to operate within state air quality limits, however, approving more petroleum storage on-site will result in an increase in volatile organic compounds in the air from the facility.

3. Discouragement of economic development activities that may provide desirable employment or enlarge the tax base;

The use constitutes economic development.

4. Undue density of population or intensity of use in relation to the community facilities existing or available;

Lincoln Terminal's Fire Safety Analysis has been attached to this report. The system consists of several water and foam dispensing fire fighting systems that target different areas of the site. The different areas are the six existing gasoline tanks (6,270,000 gallons of gasoline), the tank under construction and the tank proposed under this Special Use Permit (4,030,000 gallons), and the Truck Loading Rack.

The report lays out basic information about how much water and foam will be required to fight a fire at each site including the systems in place protecting each area, the water pressure available and municipal equipment needed to run each system, the gallons per minute in water and foam that are needed to be discharged from each system.

According to the Fire Department, foam based suppression systems require a fire to boost municipal water pressure in order for the systems to operate correctly. The Lincoln Terminal facility has two systems. There is a fixed system that includes a stationary pump to boost pressure to the Truck Loading Rack. However, the report states that the Fire Department's pump truck will have to be on-site and hooked into a mobile foam trailer (that is housed on-site) in order to operate the suppression system covering the existing six tanks and the two proposed tanks.

Having a fixed pump system that automatically suppressed fires for the existing and proposed tanks at the Lincoln Terminal facility would not require the Fire Department to be on-site to start suppressing the fire. However, the advantage of the system designed and permitted with the mobile foam trailer is that the system may be moved off-site to fight other emergencies. The Fire Department has stated that one of their major concerns about the Lincoln Terminal (another petroleum and gas distributing sites) was the amount of fossil fuels contained in the tractor trailers circulating through the sites and then through the rest of the City. If one of the tractor trailers has an accident or spill in the City the foam trailer will be available to fight that emergency.

The report states that a total of 2,243 gallons of foam will be required to pump through the system. 467 gallons of foam is required to combat a fire at the six currently operable gas tanks. The Applicant currently has 1,100 gallons of foam on-site at this time and has stated that they have ordered an additional 1,375 gallons that should be delivered within 6-8 weeks.

The different fire prevention systems have several different pieces of equipment that are needed to operate, including the City's pump truck and a mobile foam trailer. In order to ensure that regional first responders are aware of and practice on this equipment a condition has been added requiring the operator to permit on-site training.

5. Reduction in the availability of affordable housing in the neighborhood;

This project is proposed in an industrial area of the City.

6. Impact on school population and facilities;

This project is an industrial use in an industrial area of the City.

7. Destruction of or encroachment upon conservation or historic districts;

The project is located on an existing bulk storage site. The use will not expand into the sensitive environmental areas to the east. There are no historic districts or resources located on the site.

8. Conformity with federal, state and local laws, as demonstrated and certified by the applicant; and

The Applicant is operating in conformance with local, state, and federal permits. A condition has been added to this report to ensure that the City has the authority to ensure that the operator continue to operate in conformance with those permits.

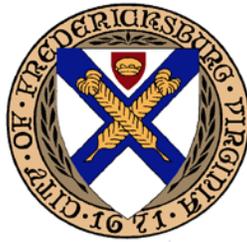
9. Massing and scale of the project.

The proposed tank is located in an industrial area and is a comparable height and mass to the existing tanks on-site.

In conclusion, the use of the site, while in some respects well located, is pushing against current infrastructure and the surrounding environment. The site is located adjacent to the Rappahannock River and is in the proximity of a neighborhood. Tanker trucks cannot safely make all turns off of Route 2. The fire and emergency prevention equipment on-site requires the interaction of several pieces of equipment including the City's pump truck. The Applicant has requested a 10% increase in the currently approved capacity at the site. In order to accommodate this increase and mitigate the impacts this development will have on the surrounding area, the recommend conditions need be adopted.

ATTACHMENTS:

1. Proposed Resolution
2. Lincoln Terminal Company Letter in Response to Council Public Hearing



MOTION:

**January 26, 2016
Regular Meeting
Resolution No. 16-**

SECOND:

RE: GRANTING LINCOLN TERMINAL COMPANY AN AMENDED SPECIAL USE PERMIT FOR AN EXPANSION OF THE BULK STORAGE FACILITY AT 1500 BEULAH SALISBURY ROAD

ACTION: APPROVED: Ayes: 0; Nays: 0

WHEREAS, by Resolution 14-01, adopted January 14, 2014, the Council granted Quarles Petroleum, Inc. a special use permit to operate a bulk storage use that includes the storage, blending and distribution of flammable materials at 1500 Beulah Salisbury Road. Lincoln Terminal Company, Inc., was the contract purchaser of the property at that time. The special use permit allowed six tanks for gasoline, biodiesel, and ethanol.

WHEREAS, the applicant and current landowner, Lincoln Terminal Company, seeks to amend the terms of the 2014 special use permit in order to add an additional 1.06 million gallon above-ground storage tank for petroleum products and associated infrastructure to the site.

WHEREAS, the Council after notice and public hearing thereon, has considered the application in light of its conformity with the City's Comprehensive Plan, its harmony with the purposes and standards of the zoning district regulations, its compatibility with existing or planned uses of neighboring properties, and whether the proposed special use and related improvements will be designed, sited, landscaped and otherwise configured such that the use will not hinder or discourage the appropriate development or use of adjacent, neighboring or community land and structures, or impair the economic, social or environmental value thereof.

NOW, THEREFORE, BE IT RESOLVED:

1. Based on the above considerations, Council finds: (a) the request as submitted or modified does conform to the City's Comprehensive Plan, or to specific elements of such plan and to official policies adopted pursuant thereto (b) the request is in harmony with the purpose and intent of the zoning district regulations, (c) this request will not have an undue adverse impact on the surrounding neighborhood, in terms of public health, safety or general welfare; and (d) this request is appropriately designed, sited, landscaped and otherwise configured.
2. This Council grants an amendment to the special use permit granted in Resolution 14-01 to permit the addition of a 1.06 million gallon above-ground storage tank for petroleum products to the property at 1500 Beulah Salisbury Road (GPIN 7788-48-4693), subject to the following conditions:

- a. The property shall be developed and operated in substantial conformance with the General Development Plan entitled, "Lincoln Terminal Company, Inc.; Fredericksburg Tank Expansion," by Freeland Engineering, dated September 30, 2015. This general development plan shall replace the general development plan approved in Resolution 14-01.
- b. The operator shall secure all required local, state and federal permits for the use within 12 months of the date of this resolution, and submit copies of those permits to the zoning administrator. The use of the property shall comply with all local, state, and federal permits affecting the property at all times.
- c. The operator shall make the property available to regional fire and emergency responders for annual training or as needed.
- d. Prior to site plan approval, the operator shall pay the City of Fredericksburg the sum of \$32,000 to contribute to the Commonwealth Department of Transportation for improvements to the intersection of Beulah Salisbury Road and Route 2, to mitigate the use's impact on the intersection.
- e. The use shall commence within twenty-four months of the date of this resolution.
- f. The use is permitted only so long as it is not discontinued for more than 24 months.

Votes:

Ayes:

Nays:

Absent from Vote:

Absent from Meeting:

Clerk's Certificate

I, the undersigned, certify that I am Clerk of Council of the City of Fredericksburg, Virginia, and that the foregoing is a true copy of Resolution No. 16- duly adopted at a meeting of the City Council meeting held January 26, 2016 at which a quorum was present and voted.

Tonya B. Lacey, CMC
Clerk of Council



January 18, 2016

Ms. Kathleen Dooley
City Attorney
Fredericksburg, Va.

Re: Lincoln Terminal Company
Fredericksburg Terminal
1500 Beulah Salisbury Road
Fredericksburg, VA 22401

Dear Ms. Dooley,
Per your request Lincoln Terminal Company (LTC) is providing this letter to demonstrate compliance with all Federal and State permitting requirements

LTC permits and site plans have previously been provided to Mr. Craig with the Fredericksburg City Planning Department.

All permits are current, LTC is working with VDEQ on VPDES permit amendments covering terminal expansion changes to the facility site. LTC Air permit has been amended for the 70,000BBL tank and a second amendment is in progress for the second 15,000BBL tank. We expect this permit amendment to be complete within the next two to three weeks.

All permits will be amended prior to construction completion.

LTC operates within the guideline of all Federal and State requirements and has not received any Notice of Violations NOV's,

LTC Terminal inspections by Regulatory Agencies

LTC invited VDEQ onsite for inspection April 7th 2015
The inspection was performed by agents
Riaz Syed and Steve Hughes
There were no violations noted.

LTC invited VDEQ onsite to observe VCU performance test required by VDEQ
January 21st 2015.
No attendees
Performance test passed submitted to the VDEQ



LTC invited VDEQ onsite as a courtesy to review the construction of the 70,000 BBL tank. January 6th 2016.

Tank Inspector Michael Clark and Susan Tiffany

There were no violations noted.

Permits

Virginia VPDES Permit: #VA0029785

Formal permit reissued every 5 years.

LTC is in the process of applying for a modified permit which will go into effect once the 2,900,000 tank and containment structures are built.

- Monthly Discharge Monitoring Reporting DMR's are required under this permit. This is achieved by third party monthly sampling
- Analytical Lab results are filed with the Virginia Department of Environmental Quality.
- Sampling parameters include
 1. PH, Total Petroleum Hydrocarbons. Monthly,
 2. Naphthalene. Monthly
 3. Total Zinc. Quarterly
- LTC has had no violations of the VPDES Permit analytical levels.

Virginia DEQ air permit: Stationary Source Permit to Construct and Operate **No 40558**. The permit is 17 pages long and includes terms and conditions to be met in order to be in compliance with state and federal air pollution rules. Notable provisions of the permit include:

- The permit was approved on April 3, 2014
- The equipment included in the permit includes 14 storage tanks and a loading rack with three loading lanes.
- The storage tanks that contain gasoline are subject to New Source Performance Standards (NSPS) found at 40 CFR Part 60, Subpart Kb as well as Maximum Achievable Control Technology (MACT) Standards found at 40 CFR Part 63, Subpart BBBB. These standards require that the storage tanks be equipped with floating roofs with deck fittings being both gasketed and bolted to reduce emissions.
- The loading rack is subject to the NSPS found at 40 CFR Part 60, Subpart XX as well as the 40 CFR Part 63, Subpart BBBB MACT standard. These standards require that gasoline truck loading be captured and routed to a vapor combustion unit (VCU).
- The permit contains work practice standards that prohibit materials from being intentionally spilled, discarded in storm sewers, or stored in open containers.



- We are subject to throughput limits for all of the storage tank at the terminal as well as the truck loading rack. These throughput limits result in limiting the potential of the facility to emit air pollution.
- Gasoline tank trucks that are loaded at our terminal must be vapor tight such that air emissions cannot escape prior to being burned in the VCU.
- In addition to the throughput limits, the storage tanks and the truck loading rack also have emission limits for Volatile Organic Compounds. The truck loading rack also has emission limits on carbon monoxide and nitrogen oxides which are by-products of the combustion of gasoline vapors.
- The VCU has been constructed so as to allow for emission testing at any time. Once every five years or upon request by the DEQ, we are required to conduct a performance test of the VCU to ensure the emission limits are being met.
- We are required to conduct monthly visual inspections of the floating roofs in the storage tanks to ensure they are functioning properly.
- We are required to inspect the truck loading rack at least once per day to ensure that the VCU is operating properly.
- We are required to conduct monthly leak inspections of all equipment in gasoline service to make sure there are no leaks.
- We are required to maintain extensive records to demonstrate we are meeting the above requirements, including throughput records, emission calculations, inspection records, tank truck vapor tightness documentation and others.
- We are required to allow local, state and federal representatives, upon presentation of credentials, to enter the premises and conduct an inspection.

We are currently in the process of amending the permit to allow for the construction of an additional 15,000 barrel gasoline storage tank. We anticipate receiving the revised permit very soon, likely in the next 2 or 3 weeks



Terminal Site Plans

LTC is regulated by the United States Federal Government and is required to follow the guidelines of the Oil pollution Act of 1990. OPA90 and Code of Federal regulation 40CFR 112.

LTC has on file with the Federal EPA and the State of Virginia Department of Environmental Quality our site plans that comply with guidelines set in place by OPA90.

- Facility Response Plan. FRP
- Oil Discharge Contingency Plan. ODCP
- Spill Prevention, Control and Countermeasures Plan. SPCC
- Storm water Pollution Prevention Plan. SWPP

These plans address spill prevention and detailed containment and clean up as required by Federal and Virginia Authorities.

The **Oil Pollution Act** (101 H.R.1465, P.L. 101-380)^[1] was passed by the [101st United States Congress](#), and signed by President [George H. W. Bush](#),^[2] to mitigate and prevent civil liability from the future [oil spills](#) off the coast of the [United States](#). It forms part of [oil spill governance in the United States](#).

The law stated that companies must have a "plan to prevent spills that may occur" and have a "detailed containment and cleanup plan" for oil spills. The law also includes a clause that prohibits any vessel that, after March 22, 1989, has caused an oil spill of more than one million U.S. gallons (3,800 m³) in any marine area, from operating in [Prince William Sound](#).¹

Tank Safety

- LTC has included safeguards in our expansion project that exceed regulatory requirements, such as the total tank farm floor area is lined with a 60-mil high density polyethylene (HDPE) liner. **One of the few terminals in all of Virginia to have such a liner.** The liner will capture all spills/releases before the fuel can impact the environment.
- For leak detection all tanks have secondary bottoms required by the state of Virginia DEQ AST group. The tanks have probes between the primary floor and the secondary floor that are inspected daily by trained terminal operators.
- The Tank Farm area is surrounded by sixteen monitoring wells. These wells will be sampled on an annual basis for diesel fuel and gasoline constituents. The report is be submitted to the Virginia DEQ by July 10th of each calendar year. Analytical results will be used as a form of leak detection, a rise in diesel or gasoline concentration levels may indicate a leak is occurring.



- Product inventory is reconciled on a daily bases. Any product with a loss greater than .25% of total volume is researched to determine the cause of product loss.
- All tanks that receive fuel either by pipeline or truck are equipped with overfill protection.
- The Above ground storage tanks (AST's) are equipped with foam chambers for foam disbursement using the LTC tank fire protection system.
- API 653 Internal Inspections for tanks 1,000,000-gallons and greater are required by the Virginia DEQ to be internally inspected 5 years after it is constructed and every 10 years thereafter.

Loading Rack Safety

- LTC loading Rack is equipped with emergency shut down switches (ESD) and Fire switches on all loading lanes.
- ESD's shut down all terminal loading and unloading operations and open the entrance gate for driver, employee evacuation.
- In the event of an emergency drivers are trained to engage ESD
- LTC loading rack is equipped with an overfill protection system.
- LTC has installed dual overfill protection valves that act as a back-up to the primary valve system preventing tanker trucks for overfilling. The back-up valve is unique to the industry and not very often used primarily due to the extra cost.
- Tanker trucks load within the containment of the loading rack which is capable of containing 20,000 gallons
- The loading rack is equipped with an independent foam fire system. This system is engaged manually or by fire eyes installed above the loading area of the loading rack.
- The fire foam system is directly connected to the Fredericksburg Fire Department.



Terminal Security

The LTC Facility is under video surveillance 24 hours a day 365 days a year. The facility has adequate lighting for discovering spills and preventing spills occurring from vandalism.

LTC facility is completely enclosed by cyclone fencing with barbed wire. The entrance gate is automated and requires authorization codes established by terminal operations and by the individual receiving the terminal authorization.

- Driver Number (Issued by the terminal)
- Driver security code (Pin Number) Established by Driver
- Trailer Number (Carrier)

Oil pump Starter controls are in non-operating or stand by status. These controls are located inside the building, accessible only to authorized personnel.

LTC has a corporate security plan and is accessible to operation personnel. The security plan addresses

- Security Training
- Roles and Responsibilities
- Security Plan implementation
- Reporting responsibilities
- Security incident response
- HAZMAT security awareness

Please let us know if you have any questions or require additional information.

Sincerely,

Tim Fox
Director of Terminal Operations
Lincoln Terminal Company



MEMORANDUM

TO: Beverly R. Cameron, City Manager
FROM: Chuck Johnston, Director, Community Planning and Building Department
DATE: January 15, 2016 (for January 26, 2016 meeting)
RE: Amendment to the Unified Development Ordinance in the R4 and R8 Residential Zoning Districts and in the C-T, Commercial/Office-Transitional District, for lots of record prior to April 25, 1984, to make the infill front yard setback mandatory, require the front building façade to be oriented toward the front yard, allow the minimum infill side yard setback to be reduced, and amend the method for calculating average yard setbacks.

ISSUE

Should the R-4, R-8, and C-T Zoning District regulations in the City Code be amended so that new construction on pre-1984 lots is placed in a manner consistent with the existing pattern of development? The changes would provide that the front yard setback for new construction be consistent with the front yard setbacks of nearby dwellings, that building fronts are oriented toward the street, that side yard setbacks may be reduced if consistent with the side yard setbacks of nearby dwellings, and that the method of calculating front and side yard setbacks be modified.

RECOMMENDATION

Approve, on second read, text amendments to the R4 and R8 Residential Zoning Districts and the C-T, Commercial/Office-Transitional District, for lots of record prior to April 25, 1984, to:

- make the infill front yard setback mandatory,
- require the front building façade to be oriented toward the front yard,
- allow the minimum infill side yard setback to be reduced, and
- amend the method for calculating average yard setbacks.

COUNCIL ACTION

At its January 12th meeting, the Council voted (4 yes, 3 no) to approve, on first read, the proposed amendments.

PLANNING COMMISSION ACTION

The Planning Commission held a public hearing on these amendments on November 18. No member of the public spoke. The Commission voted to recommend approval of the amendments (4- yes, 1- no, 1 absent, 1 not voting).

PREVIOUS ACTIONS

The Planning Commission first considered this amendment at a public hearing in December 2013 and unanimously recommended an earlier version to City Council. In January 2014, Council remanded it back to the Commission for further review. The amendment was revised

per the general direction of the Council and advertised for the June 2014 Commission meeting. In August 2014, the Commission held a second public hearing and voted unanimously (1-absent) to recommend approval of a revised amendment. On October 8, 2014, the Council unanimously approved on first read the revised amendment. On October 14, 2014, the second read of the amendment was removed from the Council's consent agenda due to the absence of a council member. This member had previously expressed concern about the impact on modifications to the side yard requirements would affect narrow lots. On September 8, 2015 the City Council voted to reinstate this new amendment.

BACKGROUND

This amendment was originally proposed because older single family neighborhoods in the City have patterns of front and side setbacks that may be less than or greater than zoning regulations. The amendments are intended to ensure that new infill development follows traditional neighborhood patterns.

The previous text amendment was reviewed in response to the concerns about the impact of minimum side yard standards on narrow lots. In the course of this review, several additional issues became apparent that warranted additional changes to the text. The extent of these changes merited taking the amendment through a new public hearing process with a new Planning Commission recommendation.

The new amendment continues to propose that the front setback on lots platted before April 25, 1984 be based on the pattern of existing dwellings on the street, so as to facilitate a harmonious community¹. The revised text identifies the common front setback by using the median setback of existing dwellings on the same block face. Currently, the setback calculated as a mean. Use of a median value is considered more statistically accurate than a mean (commonly referred to as an average). In addition, when determining the setback, the revised text gives priority to dwellings on the same side of the street as the proposed new dwellings, with dwellings on the opposite side of the street used only if there is insufficient information to determine a pattern. Currently, a setback pattern is established using both sides of the street without priority. The pattern across the street from a house site should be considered only if no setback pattern can be determined on the same block face. Attached is a map of misaligned structures, with attached pictures, showing 15 houses in the older neighborhoods of the City, east of Route 1 and generally north of Route 3, that were built with setbacks inconsistent with neighborhood patterns.

The new amendment adds text to stipulate that the front of a dwelling shall face the front yard. Up to the mid-20th century, urban lots were commonly platted with a narrow street frontage and a greater dimension for the depth. This resulted in houses with narrow fronts. Since the mid-20th century, houses with broad fronts and narrow sides were designed to fit the newly common suburban lots that are typically broader than they are deep. In approximately a dozen instances in the older neighborhoods of the City, builders have used off-the-shelf construction plans for

¹ Code of Virginia, 15.2-2283. Purpose of zoning ordinances.

"Zoning ordinances shall be for the general purpose of promoting the health, safety or general welfare of the public To these ends, such ordinances shall be designed to give reasonable consideration to each of the following purposes, where applicable: ... (iii) to facilitate the creation of a convenient, attractive and harmonious community;"

broad suburban houses as infill on narrow urban lots. In order to fit these broad houses on narrow lots, the houses are turned so that the front door faces the side of a lot and the side of the house faces the street, a pattern inconsistent with the neighborhood. This text is proposed in order to maintain the traditional pattern of development. The attached misaligned structures map also shows the instances where houses were placed side-ways on lots.

The new amendment continues to allow a reduction in the required side yard setback for lots platted before April 25, 1984. As with the front yard, the amendment would use the median of the existing setbacks (as opposed to mean or average) and prioritizes structures on the same side of the street in making this determination. In addition, the new text limits the applicability of this provision to lots that are smaller than the minimum lot size (7,500 sq ft in R4, 3,250 sq ft in R8, and in C-T: 3,250 sq ft for residential uses and 20,000 sq ft for commercial uses).

As before, the amendment proposes an absolute minimum side setback of three feet in the R4 and two feet in the R8 district. Council members considered such a minimum to be prudent for safety and maintenance. However, this minimum in the R4 district created a concern by a Council member, mentioned above, that this would be a challenge for new construction on very narrow lots. So, the new amendment reduces the minimum side yard to two feet in the R4 zoning district for lots that are less than 30 feet wide.

In addition, a concern was expressed that the provision for a minimum side setback could result in new construction that would be at variance from the existing pattern of development in the City's local Historic District. The City's Architectural Review Board was briefed on this setback issue on March 9, 2015. While one member of the board thought a minimum setback requirement was appropriate, the majority of the Board considered flexibility in calculating infill setback was appropriate and that no minimum should be specified in the Historic District. In reinitiating the proposal, the Council agreed to revise the amendment in accord with the ARB's recommendation.

The Planning Commissioner who voted against recommending the amendment did not believe that side yard setbacks should be allowed to be further reduced from what is now required (6 ft in R4 and 5 ft in R8).

Finally, the original amendment applied these changes, only to the R4 and R8 Residential Zoning Districts. Amendments to the Commercial-Office/Transitional Zoning District text are now proposed as the C-T zone allows R8 residential development in addition to commercial uses. The C-T zone currently includes provisions for setback consistency for residential and commercial uses and the amendments to R4 and R8 should also be made in this district.

Attachments:

Proposed Ordinance

Misaligned Structures Map



MOTION:

**January 26, 2016
Regular Meeting
Ordinance No. 16-01**

SECOND:

RE: AMENDING THE ZONING REGULATIONS IN THE R-4 AND R-8 RESIDENTIAL ZONING DISTRICTS AND THE C-T COMMERCIAL/OFFICE-TRANSITIONAL DISTRICT, TO REQUIRE THE FRONT BUILDING FAÇADE TO BE ORIENTED TOWARD THE FRONT YARD, AND, FOR LOTS OF RECORD PRIOR TO APRIL 25, 1984, TO MAKE THE INFILL FRONT YARD SETBACK MANDATORY, AND TO REDUCE THE MINIMUM INFILL SIDE YARD SETBACK; AMENDING THE METHOD FOR CALCULATING AVERAGE YARD SETBACKS

ACTION: APPROVED: Ayes: 0; Nays: 0

FIRST READ: January 12, 2016 SECOND READ: _____

IT IS HEREBY ORDAINED by the Fredericksburg City Council that City Code §§72-31.3, 72-31.4, and 72-82.4 are amended as follows:

SEC. I. Introduction.

The City Council initiated an amendment to the text of the Unified Development Ordinance by resolution adopted at its meeting on September 8, 2015, and referred the amendment to the Planning Commission. After conducting a public hearing on the proposed text amendment on November 18, 2015, the Planning Commission voted to recommend the amendment. The City Council conducted its public hearing on the proposed text amendment on January 12, 2016.

The zoning regulations in the R-4, R-8, and C-T Districts include certain “infill regulations” that apply to lots of record before April 25, 1984, when minimum lot sizes in the R-4 and R-8 districts were smaller. The C-T district regulations incorporate the R-8 dimensional standards for residential development, and also apply infill regulations to development generally within the district.

The existing infill regulations permit the use of the average front yards of similar size lots, along the same block face and opposing block face, in calculating a minimum front setback for the infill lot. The proposal would require the use of the infill calculations to establish a minimum and maximum front yard setback in the R4 and R8 zoning districts, and residential and commercial uses in the C-T district, for pre-April 25, 1984 lots.

The existing infill regulations permit the use of the average side yards on similar size lots, along the block face and opposing block face, in calculating a minimum side yard setback for the infill lot; but a minimum 6 foot side setback is required. The proposal is to continue to permit (not require) the calculation of an infill side yard setback, but to use the same block face only, and to

require at least 3 feet of setback, or 2 feet for lots narrower than 30 feet in the R-4 district; and no less than 2 feet in the R-8 district and for residential and commercial uses in the C-T district.

In either case, for the front or side yard infill calculation, this proposed amendment would limit the use of the opposing block face measurements to instances where no clear pattern of development is provided by the same block face.

The UDO does not currently require the front of a principal structure in the R-4, R-8, or C-T zoning districts to face the front yard. From time to time, a lot owner will build the structure to face the side yard, placing the side of the structure to face the front yard. This practice interrupts the streetscape of the neighborhood. The proposal is for the principal building to face the front yard.

In making these amendments to the zoning regulations, the City Council has considered the factors in Code of Virginia 15.2-2284.

SEC. II. City Code Amendment.

1. City Code §72-31.3, "R-4 Residential District," shall be amended as follows:

[Subsections A, "Purpose," and B, "Dimensional standards," are not amended. A new subsection C is inserted, and current subsection C is re-lettered as subsection D, as follows.]

C. Additional regulations.

- (1) *The front of the principal building shall face the front yard. On a corner lot, the front of the principal building may face either front yard.*

D. Additional regulations for lots of record before April 25, 1984:

- (1) ~~Front setbacks shall be established on lots of record before April 25, 1984. the average front setback calculated using the rules in Article 8. The average front setback shall be the maximum and minimum front setback for the lot. Such reduced setbacks shall be consistent with the average front or side yard setbacks of existing buildings on site and along the same and opposing block faces; but in cases where a residential building is on a lot that equals or exceeds the minimum site area and the building coverage exceeds 20% or more of the lot,~~
- (2) ~~the~~ *The side yard setbacks on lots that are less than 7500 square feet may be reduced using the rules in Article 8; but each side yard shall be no less than six three feet, or no less than two feet for lots 30 feet or less in width. Side yard setbacks for lots within the Old and Historic Fredericksburg overlay district shall be determined through the certificate of appropriateness process.*

- (3) Maximum height for single family ~~development~~ *dwelling*s on lots of record in areas where established building heights are less than 35 feet shall be reduced by a percentage corresponding to the ratio of actual lot area to 7,500 square feet. In no case shall the new maximum height be set lower than 27 feet.

2. Section 72-31.4, "R-8 Residential District," shall be amended as follows:

[Subsections A, "Purpose," and B, "Dimensional standards," are not amended. Subsection C is revised to provide additional regulations that apply generally throughout the district. A new subsection D is added to contain additional regulations that apply only to smaller lots.]

C. Additional regulations.

- (1) Each unit shall have an on-site privacy yard of at least 200 square feet.
- (2) *The front of the principal building shall face the front yard. On a corner lot, the front of the principal building may face either front yard.*
- (3) *For attached units, side lot lines shall coincide with party wall center lines.*

D. Additional regulations for smaller lots.

- (1) Front setbacks ~~may be reduced~~ *shall be established* on lots of record before April 25, 1984 *as the average front setback calculated using the rules in Article 8. The average front setback shall be the maximum and minimum front setback for the lot. Such reduced setbacks shall be consistent with the average front or side yard setbacks of existing buildings on site and along the same and opposing block faces; but in cases where a residential building is on a lot that equals or exceeds the minimum site area and the building coverage exceeds 20% or more of the lot,*
- (2) ~~the~~ *The side yard setbacks on lots that are less than 3750 square feet may be reduced using the rules in Article 8; but each side yard shall be no less than five two feet. Side yard setbacks for lots within the Old and Historic Fredericksburg overlay district shall be determined through the certificate of appropriateness process.*
- (3) Maximum height for single-family ~~development~~ *dwelling*s on lots of record where established building heights are less than 35 feet shall be reduced by a percentage corresponding to the ration of the actual lot area to 3,750 square feet. In no case shall the new maximum height be set lower than 27 feet.

3. Section 72-32.1, "Commercial/Office-Transitional District," shall be amended as follows:

[Subsections A, “Purpose,” and B, “Dimensional standards,” are not amended.]

C. Additional regulations.

- (1) *The front of the principal building shall face the front yard. On a corner lot, the front of the principal building may face either front yard.*
 - (2) Residential development shall conform to the dimensional standards of the R-8 Zoning District.
 - (3) Residential development in a mixed-use project shall conform to the dimensional standards of the R-12 Zoning District.
 - (4) At least 30% of the ground floor of a mixed-use development shall be used for retail, eating or personal services establishments.
 - (5) The gross floor area of the ground floors of all buildings on a mixed-use general development plan that are used for retail sales, eating, or personal services establishments shall not be included in the determination of maximum FAR.
 - (6) ~~Front and side setbacks may be reduced on lots of record before April 25, 1984. Such reduced setbacks shall be consistent with the average front or side yard setbacks of existing buildings on site and along the same and opposing block faces. For lots of record established before April 25, 1984, front yard setbacks shall be established using the infill calculations in Section 72-84.4(B)(2).~~
 - (7) *For lots of record established before April 25, 1984, side yard setbacks may be reduced using the rules in Article 8; but each side yard shall be no less than two feet. Side yard setbacks for lots within the Old and Historic Fredericksburg overlay district shall be determined through the certificate of appropriateness process.*
 - (8) A twenty-foot-wide landscaped perimeter buffer shall be provided around the front, side, or rear perimeter of a development when the Zoning Administrator determines it is necessary to protect existing adjacent development from adverse visual impacts or to present an appearance compatible with an established pattern of adjacent development.
4. Section 72-82.4, “Required Yards,” subsection B, “General Setback Requirements,” subsection 2, “Averaging Setbacks,” shall be amended as follows:

2. Averaging Setbacks

~~Development and redevelopment of lots of record established prior to April 25, 1984 in the R-4, R-8 and C-T Districts may use average front or average side yard setbacks as are found on adjacent lots on the same block face.~~

When zoning district standards permit or require determination of a front or side setback through averaging, the average yard shall be calculated by using the methods set forth here. The dimensions of existing yards shall be determined through the best information reasonably available, including, in order, surveys of record, on-site measurements, or the 2010 tax maps. The median is the type of average that shall be applied. The median front yard shall be calculated by using existing principal buildings along the same block face. The median side yard shall be determined by using lots or parcels of similar width located on the same block face. Each side yard median (left and right) shall be calculated and applied separately. If the foregoing measurements do not establish a clear pattern of development, then the administrator may use the opposite block face to establish the average front or side yard.

SEC. III. Effective Date.

This ordinance is effective immediately.

Votes:

Ayes:

Nays:

Absent from Vote:

Absent from Meeting:

Approved as to form:

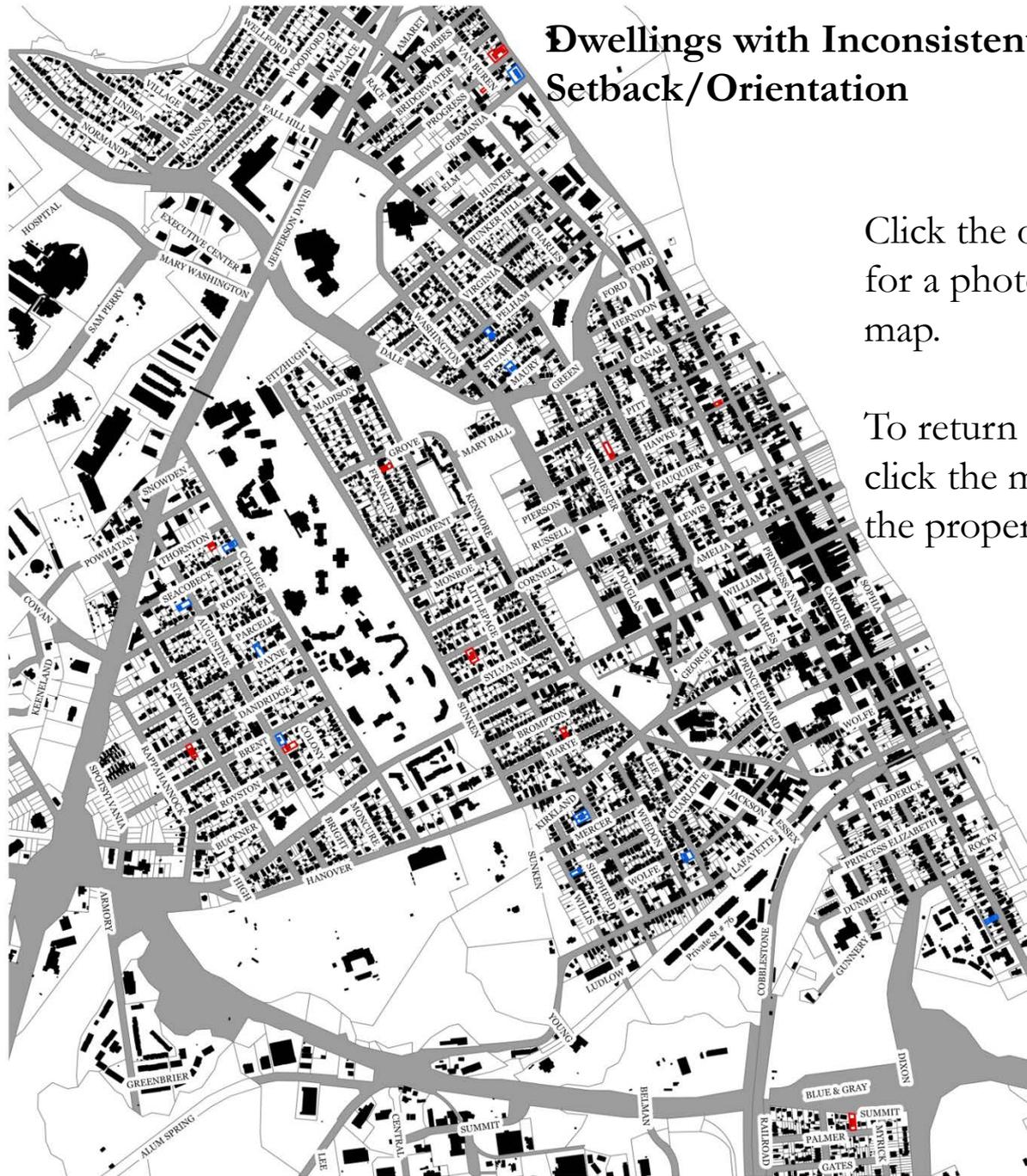
Kathleen Dooley, City Attorney

Clerk's Certificate

I, the undersigned, certify that I am Clerk of Council of the City of Fredericksburg, Virginia, and that the foregoing is a true copy of Ordinance No. 16- duly adopted at a meeting of the City Council meeting held Date, 2016 at which a quorum was present and voted.

Tonya B. Lacey, CMC
Clerk of Council

Dwellings with Inconsistent Neighborhood Setback/Orientation



Click the outlined property for a photograph and detail map.

To return to this main screen, click the main photograph of the property page.

1219 Payne



1708 Augustine



1806 College



633 Maury



630-632 Pelham



2400 Caroline



600 Spotswood



702 704 Littlepage



529 Willis



1212 Thornton



1238 Brent



1209 Augustine



1408/1410 Dandridge



1412/1414 Dandridge



823 Marye



1429 Franklin



910 Mortimer



505 Hawke



205 Hawke



118 Caroline



319 Palmer



201 Progress



2411 Van Buren





PLANNING COMMISSION MINUTES

November 18, 2015

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

Jim Pates, Secretary (Chair, Pro-Tem)
Jim Beavers
Roy McAfee
Roy Gratz
Richard Friesner
Tom O'Toole
Richard Dynes – Vice Chair (ABSENT)

CITY STAFF

Chuck Johnston, Director of CP&B Dept.
Kathleen Dooley, City Attorney
Erik Nelson, Asst. Director of CP&B Dept.
Mike Craig, Zoning Administrator

1. CALL TO ORDER

The November 18, 2015 Planning Commission meeting was called to order by Secretary, Jim Pates.

2. PLEDGE of ALLEGIANCE

3. ELECTION OF A CHAIR, Pro-Tem

Mr. McAfee nominated Mr. Pates as Chair, Pro Tem. Dr. Gratz seconded the motion. Motion carried unanimously.

4. INTRODUCTION OF NEW COMMISSIONER – Mr. Pates welcomed new Commissioner Thomas (Tom) O'Toole.

5. ADOPTION OF MINUTES

- September 30, 2015 – Work Session Minutes were adopted.
- October 14, 2014 – Regular Meeting Minutes were adopted.

PUBLIC HEARINGS

Mr. Pates noted that Mr. Charlie Payne, Attorney for the applicants for Item # 7 on tonight's agenda (SE2015-01 General Washington Executive Center (Telecommunication Structures)) had requested that this Item be moved to the end of the Public Hearing agenda to allow him additional time to attend the meeting (Mr. Payne was representing another client at a meeting in Stafford County).

6. **SUP2015-02 - Lincoln Terminal Company, INC.**, proposes to amend Special Use Permit 2013-12 to expand its gasoline, bio-diesel and ethanol bulk storage and distribution facility at 1500 Beulah Salisbury Road (GPIN 7788-48-4693) to add an additional 1.06 million gallon above-ground storage tank. The proposal will expand the overall floor area ratio to 0.113. The property is zoned I-2 General Industrial District and the Comprehensive Plan designates the area for General Industrial uses but does not recommend a specific density.

Mr. Craig presented the staff report on the application. He said that staff recommends the public hearing be held open until the December 9, 2015 meeting of the Planning Commission in order to provide the applicant and staff time to fully address the traffic and public safety impacts of the project, as described in the staff report.

Mr. McAfee suggested that if Commissioners do not have a problem with the application, then the Commission could act tonight and the other reports could be presented later when the application moves forward to City Council.

Mr. Craig said that is an assumption. He said he just received the fire safety analysis report and he does not know what the details are. He said he could not answer that question at this time, and he would hate to put the Fire Marshal in a position where there might be something [that] he needs to go back [to the Commission] with. He said, specifically, one issue he can think of is the amount of water available at the site (public utilities). He said if the City has data showing that everything is "up to snuff" – that they have adequate pressure, etc. - and the Fire Marshal is looking at all the foam suppression and all the systems they have put in place and that this new tank operates in conformance with all those other systems, then it should not take any [additional] time.

Mr. Friesner said that staff noted the Oil Discharge Contingency Plan (ODCP) application was extended on November 10th but asked staff if they knew when it is due.

Mr. Craig said that in talking with DEQ, they have said that they prefer to lag construction with this permit. They don't know all the details they are trying to capture until construction is complete. The containment for the new tank is under construction now. He said he does know that DEQ is satisfied with what Lincoln Terminal is doing and they are working together to get these permits taken care of.

Dr. Gratz asked if Lincoln Terminal has had any discussion about providing funds for any work that needs to be done on the roadway in the subject area, such as widening of the roadway, or adding turn lanes.

Mr. Craig said they have not. He said they met to discuss it preliminarily. He said the applicants have provided some traffic information and what staff is trying to figure out

with VDOT is what is a reasonable amount to expect out of Lincoln Terminal because they have currently not made any offer to mitigate that impact.

Mr. Pates asked what would be the percentage increase of storage capacity at the facility with the addition of this one tank.

Mr. Craig said it would be about 10%.

Mr. Pates asked staff if they anticipate getting a report (in writing) from the Fire Department prior to the application coming back before the Commission.

Mr. Craig said staff could certainly provide a summary for the Commission.

Mr. Pates asked the compliance history of the current facility with the DEQ and EPA.

Mr. Craig said Lincoln Terminal could probably answer that question more accurately, but that he knows there have not been any hazardous incidents or spills since it has been a storage facility.

Mr. Pates asked staff if they know when the last inspection had been conducted by DEQ.

Mr. Craig said they inspect the facility quarterly, he believes.

Mr. Pates noted that the containment area is being expanded and asked what exactly is being done there now.

Mr. Craig said they are building the 2.97 million gallon tank, which had been approved by the City in 2014, and around that tank is a big concrete enclosure (containment area), which had actually been planned with the first approval of a special use permit. He said he does not believe there is much of a change. He said the containment they are currently constructing is all the containment they will need for the additional tank.

Mr. Larry Burgamy, Applicant, Lincoln Terminal Company. To clarify, he said, the company is building a premium gasoline tank and the tank does not contribute to any additional traffic. He said as a truck is loading, it has the capability of loading several different octane grades at one time on the same truck. The truck will then take the load to a gasoline station and unload the product(s). He said what they are building is a tank that will serve on a complementary basis with an additional product that is important to the marketplace. He said their facility has created a "supply point" for Fredericksburg that did not previously exist. He said they are working closely with the Fire Marshal and the Fire Department and have done everything the City has expected and requested of them. He addressed Mr. McAfee and said that they are confident that the additional information that is needed by staff would allow for a productive meeting on December 9th.

Mr. Ray Freeland, Freeland Engineering, 10814 Courthouse Road, Fredericksburg, 22408, said the containment area is basically a big tall retaining wall with a rubber membrane lining to prevent fluids from passing through it. He said it was designed per the requirements of 125% of the largest tank and the largest tank is 2.9 million gallons and the new tank being proposed tonight is within that containment area. He said what

they designed is an expansion of what currently exists for containment for the six existing tanks that are located on the back side of the property. He said that as far as spill containment goes, the containment system that has been put into place will address the existing tank as well as the new tank.

Mr. Pates confirmed that there is not any additional capacity being added for this particular tank.

Mr. Freeland said Mr. Pates is correct.

Mr. Pates asked for confirmation that these tanks are not considered breakout tanks.

Mr. Freeland said Mr. Pates is correct. They are not breakout tanks.

Mr. Pates opened the floor for public comment

Public Comment

There was no public comment on this item.

Mr. Pates said the public hearing on this item would be left open and continued until the December 9, 2015 Planning Commission meeting.

7. **SUP2015-03 - Cowan MT Retail, LLC**, requests a Special Use Permit for an additional fast food use for the multi-tenant commercial building at 1609 Jefferson Davis Highway (GPIN 7779-43-6602) in the Cowan Crossings commercial development. The proposed use will occupy existing commercial space, not result in an expansion of the building, and will not increase the floor area ratio density. The property is in the C-T, Commercial / Transitional - Office Zoning District. The Comprehensive Plan designates the area for Transitional Office, which does not have a specific recommended density. The Comprehensive Plan also specifically recommends this parcel be part of a cohesive commercial corridor.

Mr. Craig presented the staff report on the application.

Mr. Friesner asked for explanation of the two (2) Trip Generation Tables that were included with the application.

Mr. Craig said Table 1 indicates the Trip Generation with the new application and Table 2 is the older Trip Generation Table, which was provided for comparison.

Mr. Friesner noted that Table 1 indicated that traffic would be decreasing.

Mr. Craig said Mr. Friesner is correct and that the reason for this is because they have changed the amount of office space.

Mr. Chris Hornung, Silver Companies (Applicant), 1201 Central Park Boulevard, said he was there to answer any questions of the Planning Commission. He said the traffic study indicates a reduction because when they did the original traffic study, they did not know exactly what types of businesses would be going in at the location.

Mr. McAfee asked if the applicant has any concerns or issues with the 10:00 p.m. closing time requirement, offered as a condition on the Special Use Permit.

Mr. Hornung said they do not have a problem with the condition, and noted that the other businesses they have in the region close at 9:00 p.m.

Dr. Gratz noted that back when the Burger King was proposed in that area, there were citizens who voiced concerns regarding odors emitting from the restaurant. He asked if there any concerns regarding odors with the proposed business.

Mr. Hornung said there are no concerns and that there is no frying associated with Jersey Mikes.

Dr. Gratz said the other issue is that there are six additional parking spaces proposed. He asked where they would be located on the property.

Mr. Hornung said it is an extension to the existing parking lot to the South.

Mr. Pates opened the floor for public comment.

PUBLIC COMMENT

There was no public comment.

Mr. Pates closed the public hearing on this item.

Mr. McAfee made a motion to recommend approval of the special use permit for a fast food restaurant located at 1607 Jefferson Davis Highway, to include the five (5) conditions outlined in the staff report.

Mr. Friesner seconded the motion.

Motion carried unanimously by a vote of 5 – 0.

8. **SE2015-02 - Medicorp Properties, Inc.**, requests a revision to Special Exception 2011-01 to change the signage for Mary Washington Hospital to remove existing signage and install two free-standing signs with accessory emergency room directional signage. The existing sign in the median of Mary Washington Boulevard at the US Route 1 intersection will be removed. The first free-standing sign will be built on the Snowden Office Park property (611 Jefferson Davis Highway) in the northwest corner of the intersection of US Route 1 – Jefferson Davis Highway with Mary Washington Boulevard. The property is zoned Commercial / Transitional - Office. The sign will consist of an identification panel, a variable message board, and an emergency room directional sign. The sign will require special exceptions from the CT signage regulations in section 72-59.6 so that the signs may:
 1. exceed the maximum sign area and maximum sign height: The sign will be 36 feet 3 inches tall (5 feet allowed by-right), will contain a total of 262 square feet of sign area (40 feet allowed by-right), and include a 58 square-foot variable message board (16 square feet allowed by-right);

2. allow more than one sign per parcel;
3. be set back from US Route 1 and Mary Washington Boulevard a distance less than the height of the sign: 17 foot 6 inches from the US Route 1 right-of-way and 24 foot 8 inches from the Mary Washington Boulevard right-of-way line;
4. be set back from private property lines a distance less than the height of the sign: half a foot and six and a half feet from the western and southern private property lines, respectively, from a new proposed parcel and the Snowden Office Park; and
5. be located off the hospital's premises.

The Special Exception request also would allow a new parcel to be created at the corner of US Route 1 – Jefferson Davis Highway and Mary Washington Boulevard subdivided from 611 Jefferson Davis Highway that would have frontages of 35 feet and 37 feet seven inches and would be a total of 1,316 square feet. Creating the parcel requires exceptions from the Commercial Office Transitional zoning district's minimum lot area and width standards. Both the first free standing sign and the parcel are located in an area designated by the Comprehensive Plan to be Transitional Office.

The second free-standing sign will be built at the intersection of Mary Washington Hospital Boulevard and Hospital Drive within the right-of-way in the Planned Development – Medical Campus zoning district. The sign will require a Special Exception to be 29 feet tall (15 feet allowed by-right). The sign will have 169 square feet of sign area. The sign will consist of an identification panel, a video display board, and an emergency room directional sign. The second free-standing sign is located in an area designated by the Comprehensive Plan to be Institutional Use.

Mr. Craig presented the staff report on the application.

Mr. Beavers asked why there is no time limit or expiration date on the conditions recommended by staff, as other special exceptions or special use permits have had.

Mr. Craig said that is a good point and suggested that the Planning Commission has the authority to place a condition on these types of applications as they deem appropriate. He suggested language could be added that the Special Exception is only good if the signs are built within two years.

Dr. Michael McDermott, President and Chief Executive Officer of Mary Washington Healthcare (Applicant) provided a power point presentation (**Attachment A**). He said their plan was to proceed quickly with the signs.

Mr. Bob Augusta (Mitchell Associates/Wilmington, DE) said his company does a lot of wayfinding signs in the area. He described the proposed signage and the reason for the proposed sizes. He said the speed and complexity of the new road are associated with the proposed sizes and provided different formulas as to speed of roadway, sight distance, etc.

Dr. Gratz asked if there is any evidence that the current signage is too small. He said he believes a 25% increase in the size is quite a large increase.

Dr. McDermott said they based it on anecdotal comments from patients and visitors to the hospital about the entrance and signage to the hospital. He said the increase in scale and size of the sign is related to the increase in the size, scale and complexity of the intersection that is about to occur, to the increase in traffic to their campus, and to the fact that this is being imposed on them by the VDOT expansion of Mary Washington Boulevard to Fall Hill Avenue.

Dr. Gratz asked why VDOT will not allow the current signage to remain in the median.

Dr. McDermott said it is because there is no longer a median. He said he believes there will be a tiny divided median, such as a concrete barrier separating the lanes but that there is no space to accommodate a sign.

Dr. Gratz asked if VDOT is putting in turn lanes.

Dr. McDermott said, yes, they are installing two turn lanes that will turn left, similar to Cowan Boulevard when you turn left onto Jefferson Davis Highway.

Dr. Gratz asked if there would be any signage over on the other end (Fall Hill Avenue) around the traffic circle.

Dr. McDermott said the one sign for the Hospital would be once they pass the traffic circle, at the entry point to their campus. He said VDOT may put some of their "blue" standard "H" signs, like they do along the interstate.

Mr. Pates opened the floor for public comment.

PUBLIC COMMENT

There was no public comment.

Mr. Pates closed the public hearing on this item.

Mr. Friesner said he is going to vote in favor of the application because the hospital is a great partner with the community and this is a true special exception because of the change VDOT is making to the roadway.

Mr. Pates addressed staff and said that one of the peculiarities of this application was that this sign [on Jefferson Davis Boulevard] would be located in the C-T zoning district but the hospital is obviously not a C-T use. The sign would be located in front of the offices on Route 1 (Snowden Office Park) next to residences (the apartments). That is probably the logic behind having this large sign here and because there is a commercial use across the street at the CVS store. So, he said, you have this one little piece of C-T zoning. He asked whether, if this sign were going up at the Fredericksburg Shopping Center, directly next door, would this special exception still be required?

Mr. Craig said it would still require a special exception and in the MediCorp Analysis they actually analyzed this against a commercial shopping center sign, so their comparison shows the difference between a commercial shopping center (i.e., 15foot tall sign) and what they are asking for today (i.e., 36 foot 3 inches tall sign). He reminded

Commissioners that MediCorp sought a special exception for their current signage as well, which was approved by the City.

Mr. McAfee said that years ago, when he first became a member of the Planning Commission, the City was in the process of attempting to do away with billboard signage and was limiting the height of signage throughout the City. He said what happened is the City restricted the height so much that it has limited certain businesses. He said we have an applicant before us tonight that is in great need of this particular type of signage and he believes the application should move forward.

Mr. McAfee made a motion to recommend approval of a special exception for sign #1 to MediCorp Properties, Inc., with the conditions outlined by staff.

Mr. Friesner seconded the motion.

Motion carried by a vote of 3 – 2, with Dr. Gratz and Mr. Pates voting against the motion.

Mr. Friesner made a motion to recommend approval of a special exception for sign #2 to Medicorp Properties, Inc.

Mr. McAfee seconded the motion.

Motion carried by a vote of 5 – 0.

9. **UDOTA 2015-04 - R-4, R-8, C-T Text Amendment.** The City Council initiated an amendment to the zoning regulations in the R-4 and R-8 Residential Zoning Districts and the C-T Commercial/Office-Transitional Zoning District on lots of record prior to April 25, 1984, to require the front building façade to be oriented toward the front yard, to make the infill front yard setback mandatory, to allow the minimum infill side yard setback to be reduced, and to amend the method for calculating average yard setbacks.

Mr. Johnston presented the application.

Mr. Beavers asked if there had been particular instances that have brought this issue to the forefront.

Mr. Johnson said yes, that there has been a pattern of instances where people have come into the office and wanted to develop on a narrow piece of property and that staff has tried to convince them that they should attempt to orient their front door toward the street. When it comes to the pattern of setbacks, staff encourages them to try to be consistent with the pattern. Most people go along with staff suggestions but, currently, they do not have to. However, he said, there are some examples, the most recent of which is a property along College Avenue where the unit is much closer to the street than the other houses.

Mr. McAfee said under some of the old rules, there was a chart to assist staff and the Commission with making decisions regarding setbacks but that it was convoluted and made it hard to figure out exactly what was needed. So, since then, the City has been

through several gyrations of trying to fix this but the problem is that the City is so diverse in its patterns, etc., that it is hard to find "one" code that fits everything. He said this is his addition as to how the City has arrived at the current text amendment request.

He said he agrees with the front setback allowing for better conformity and unity on City Streets but that the one problem he has with it is the side setbacks because there are other issues that come into play such as "light rights" issues, and quality of life issues that go along with this and when side yards are decreased, there now is a wall there - it does affect light coming onto an adjoining property. He said he would like to see the minimum side-yard requirement taken out of the ordinance and kept the way they currently exist. He said he believes people could still go to the BZA if there is a true need to adjust that.

Mr. Johnston said they could go to the BZA but applications are not supposed to go to the BZA if it is a common pattern or a common characteristic in a neighborhood.

Mr. McAfee said those lots are odd, and few and far between and we only stumble upon them every now and then.

Mr. Johnston said the City does have many of these particularly narrow lots and that is a common pattern, and so allowing this reduced setback is intended to reflect that common pattern.

Mr. McAfee said he believes the important thing is that when you drive into a neighborhood or walk down the street, is the "street wall." He said to accomplish this, the front yard is important but the side-yard setback is not. He said we need the current setbacks kept as they are.

Mr. Pates asked what the current side-yard setbacks are.

Mr. Johnston said currently that R-8 is 5 ft and R-4 is 6 ft. He said it makes sense to give people an opportunity for that waiver without having to go to the BZA. He said the waiver is an option.

Mr. Beavers read a portion of the draft ordinance that states: "...that no minimum shall be specified in the Historic District." He asked if that is the Historic District as today or would it apply to other properties that the City would place in a historic district later in time.

Mr. Johnston said that in any point in time when any property, now or in the future, goes into the Historic District.

Mr. Friesner said he sat on the BZA previously, and he does not believe that there are many applicants that would come through and say that they would like the side-yard setback reduced and that it would be very difficult to do.

Dr. Gratz said he would like more justification as to why a front door could not face the side yard. He said where they had lived in Charleston, there were many houses that were oriented this way, and that they were rather charming.

Mr. Johnston said that those houses were in Charleston and may be typical for that area but that they are not typical for Fredericksburg.

Mr. Pates opened the floor for public comment.

PUBLIC COMMENT

There was no public comment.

Mr. Pates closed the public hearing on this item.

Mr. McAfee made a motion to recommend approval of the text amendments to the R4 and R8 Residential Zoning District and for residential uses in the C-T Commercial/Office-Transitional District, for lots of record prior to April 25, 1984, to:

- Make the infill front yard setback mandatory,
- Amend the method for calculating yard setbacks,
- Specify that the front building façade to be oriented toward the front yard; and

To omit:

- Reduce the minimum infill side yard setback.

Motion died due to lack of a second.

Mr. Johnston noted that there was a typo in the staff report. He said “residential” should be stricken from the first sentence in the staff report recommendation.

Mr. Friesner made a motion to recommend approval of the text amendments to include all four bullets listed on the staff report but to strike the word “residential” from the first sentence in the staff report recommendation: The recommendation will now read:

Recommend to City Council approval of the amendments to the R4 and R8 Residential Zoning Districts and for uses in the C-T, Commercial/Office-Transitional District, for lots of record prior to April 25, 1984, to:

- *make the infill front yard setback mandatory,*
- *amend the method for calculating yard setbacks,*
- *specify that the front building façade to be oriented toward the front yard, and*
- *reduce the minimum infill side yard setback.*

Mr. McAfee seconded the motion.

Motion carried by a vote of 4 – 1, with Mr. McAfee voting against the motion.

- 10. SE2015-01 - General Washington Executive Center (GWEC) Telecommunications Structures**, requests a Special Exception to the increase the height of a nonconforming structure in the CH, Commercial Highway Zoning District, so as to install a telecommunications facility on top of General Washington Executive Center (GPIN 7779-89-7284) located at 2217 Princess Anne Street. The telecommunication facility would be located partially on the

main roof and partially on the penthouse roof of the GWEC. The main roof level of the building is 53 foot 4 inches above grade. The telecommunications structures would be 15 foot 8 inches higher than the roofline or a total of 69 feet above grade. The proposal will not add any additional floor area to the site and will not affect the overall floor area ratio. The Comprehensive Plan designates the area for General Commercial, which has no specific density. The Comprehensive Plan also specifically recommends this parcel be part of a Planned Development – Mixed Use.

Mr. Craig presented the staff report on the application. The public hearing on this item had been left open at the October 14, 2015 meeting to allow the applicant time to submit additional information.

Mr. Pates noted that this property is located within the area that is referenced in the City Code as being governed by the “Princess Anne Street Corridor Overlay,” which has specific guidelines. Specifically, he asked whether, since the Overlay district ordinance states that utilities such as telecommunications facilities should not be visible from Princess Anne Street, this application would also need an exception from these guidelines.

Mr. Johnston said the whole concept for the special exception is from an Ordinance requirement. He said the “Guidelines” to which Mr. Pates refers are administered by the Development Administrator and not part of the Ordinance itself. So he said he does not believe it is the appropriate mechanism to go through the special exception process for the “guidelines” but something to be considered by the Development Administrator if warranted. He also said he believes the guidelines are more for the front façade of the buildings.

Mr. Pates said he had doubts about such an interpretation of the Code. He asked how many antennas were proposed.

Mr. Craig said the GDP proposes 6 antennas.

Mr. Pates asked if the applicants will be able to increase the number of antennas, the height of antennas, etc., if the special exception is granted, as staff has recommended.

Mr. Craig said the special exception is to increase the nonconformity, and the nonconformity is the height of the building, so it is going to set a cap. As proposed, he said, it would allow for more antennas to be put up there but with the conditions proposed by staff.

Mr. Friesner said he believes it makes sense to co-locate and to encourage it rather than having these types of structures scattered about within the City.

Mr. Charlie Payne, Attorney, representing the applicant provided a brief review of the application and said he would be happy to answer any questions of the Commission. He noted that this is the second time the application has been before the Commission.

Mr. Beavers said he had visited the subject site earlier in the day and asked why the flag pole is not being taken down since it is not used. He said he believes that someone’s

eyes would be drawn to the antennas if it were taken down and, therefore, become less obtrusive.

Mr. Tommy Mitchell, owner of the building, said the flag pole was there when he bought the property. He said he will consider taking it down but would not make a decision this evening.

Mr. Pates opened the floor for public comment

Public Comment

There was no public comment.

Mr. Pates closed the public hearing on this item.

Mr. McAfee made a motion to recommend approval of the special exception to include the five conditions listed in the staff report.

Dr. Gratz seconded the motion.

Mr. Pates said that although the antennas are visible, he believes the visibility is limited and tasteful and unobtrusive in design.

Motion carried by a vote of 5 – 0.

NEW BUSINESS

11. Comprehensive Plan Compliance Review: City of Fredericksburg - to acquire the former bank building at the corner of Amelia and Charles Streets (1016 Charles Street), in order to remove the structure and establish a 55-space surface parking lot.

Mr. Nelson presented the staff report on the application and noted that Mr. Bill Freehling, Assistant Director for Economic Development was also in attendance to answer any questions of the Planning Commission.

Mr. Pates referred to a letter dated October 22, 2015, from Mr. Cameron and Mr. Freehling to Mr. Johnston, specifically where it states *“As part of the purchase agreement with Union bank & Trust, twelve of the spaces will be reserved for the building at 1001 Princess Anne St., which will help that property.”* He asked Mr. Freehling to explain this statement.

Mr. Freehling said part of the purchase agreement would give the new buyer of 1001 Princess Anne Street an option of leasing 12 parking spaces from the City in that lot. The thought is it would help facilitate the sale and ultimate re-use of that building.

Mr. Pates confirmed that the spaces would be leased from the City.

Mr. Freehling said that was correct.

Mr. Friesner asked if that is where the \$82,500 revenue would come from.

Mr. Freehling said this was correct.

Mr. McAfee made a motion to approve Resolution 15-03, which states that approval of the proposed parking facility at the corner of Charles and Amelia Streets as substantially in accord with the 2015 Comprehensive Plan.

Mr. Beavers seconded the motion.

Motion carried unanimously by a vote of 5 – 0.

GENERAL PUBLIC COMMENT

*12. 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.*

There were no comments.

Mr. Pates closed the general public comment portion of the meeting.

OTHER BUSINESS

13. Planning Commissioner Comment

Mr. McAfee welcomed Mr. O'Toole, the newest member of the Planning Commission.

14. Planning Director Comments

Mr. Johnston provided updates on recent City Council action.

- Mill District Rezoning ("Dreamland")
- M&M Auto Parts (Battlefield Industrial Park)
- Comprehensive Plan Action Plan

Mr. Johnston said there is a meeting scheduled for November 24th to provide updates on the work-in-progress Proffer Guidelines.

Mr. Johnston noted upcoming Planning Commission items that will be discussed at the December 9, 2015 meeting.

ADJOURNMENT

Meeting adjourned at 9:40 p.m.



James Pates, Chair, Pro-Tem

MediCorp Properties, Inc.
Special Exception Request
Mary Washington Hospital Campus
Entrance Signs

Presented by

Dr. Michael P. McDermott

MWHC President and Chief Executive Officer

November 18, 2015



Mary Washington
Healthcare

Mary Washington Healthcare

- Providing healthcare to the members of this community for over 100 years
- Not-for-profit regional system of two hospitals and 28 healthcare facilities and wellness services
- Employ more than 4,000 people, with a medical staff of over 718 physicians
- In 2014, cared for 36,940 patients in our hospitals, delivered 3,874 babies, provided care to 326,052 outpatients, and saw 118,367 emergency patients



Mary Washington Healthcare

Mary Washington Hospital Campus

- Location of the region's only Tertiary care hospital and Level II Trauma Center
- Home to more than 7 medical facilities (including Regional Cancer Center, Fredericksburg Ambulatory Surgery Center, Snowden at Fredericksburg) and many physician office practices
- Over 6,000 patients, visitors, and vendors visit the campus daily



Entrance Jefferson Davis Highway and Mary Washington Boulevard

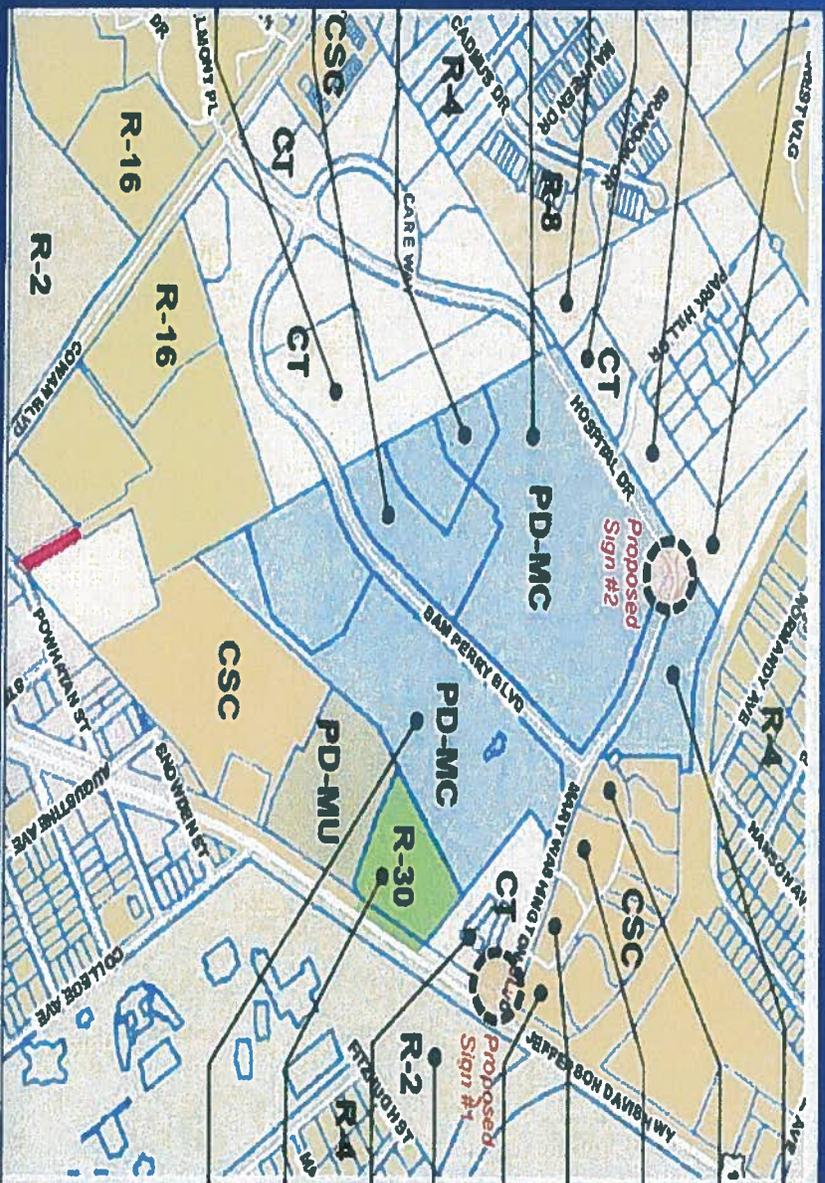


Mary Washington Healthcare

Proposed Sign 1 Entrance Jefferson Davis Highway and Mary Washington Boulevard

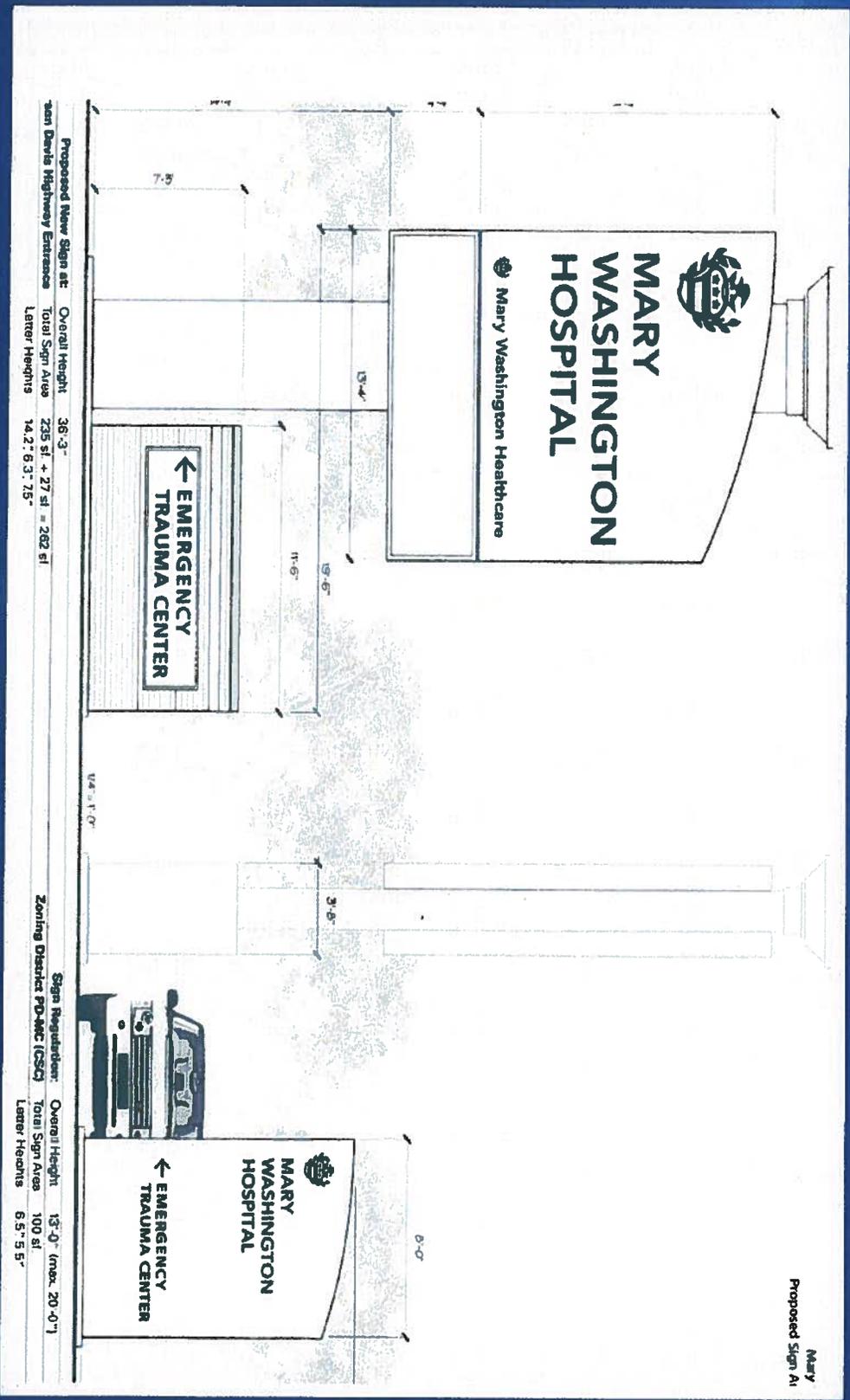


Proposed Sign 2 Mary Washington Boulevard and Hospital Drive

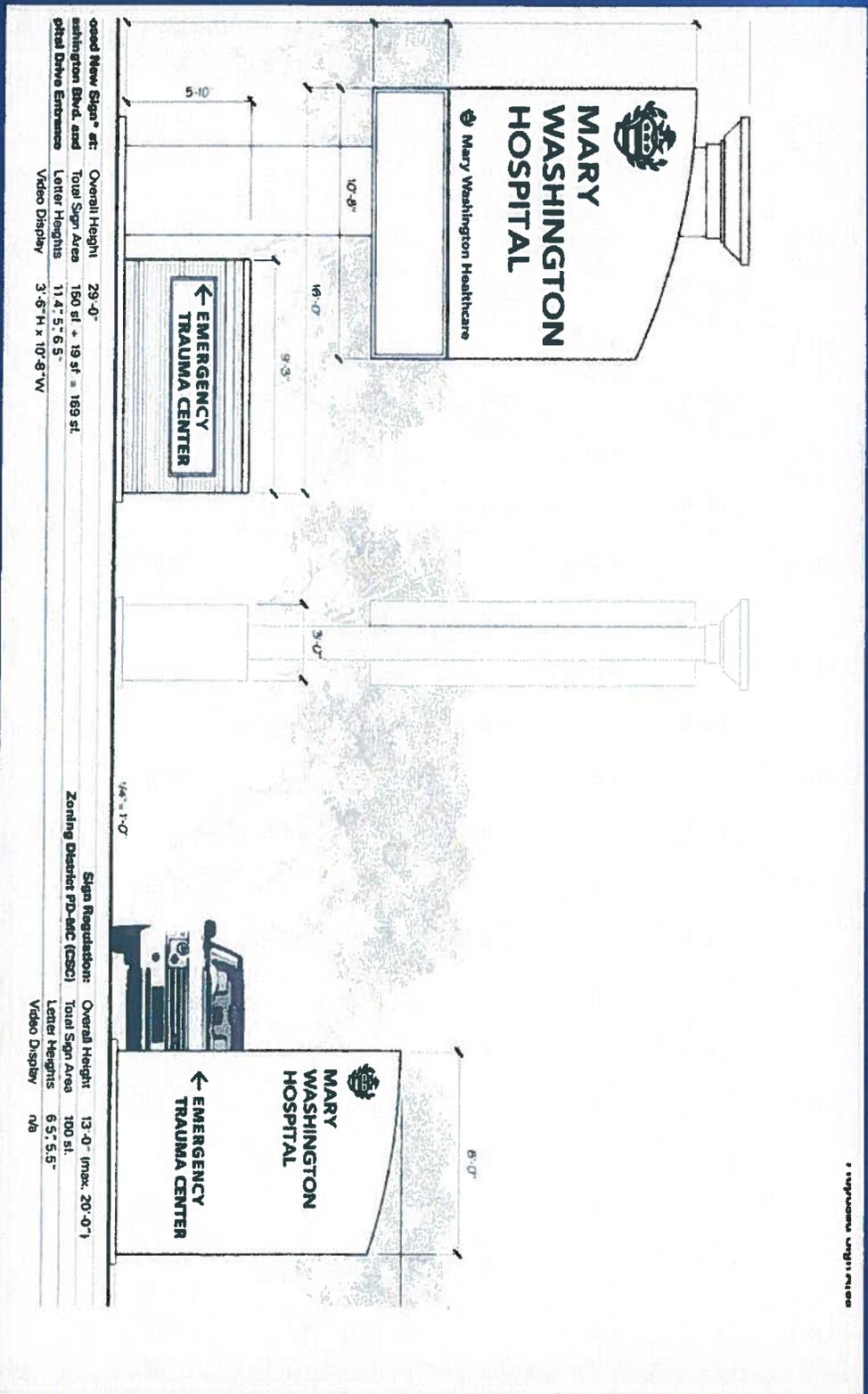


Mary Washington Healthcare

Sign 1 Architectural Design



Sign 2 Architectural Design

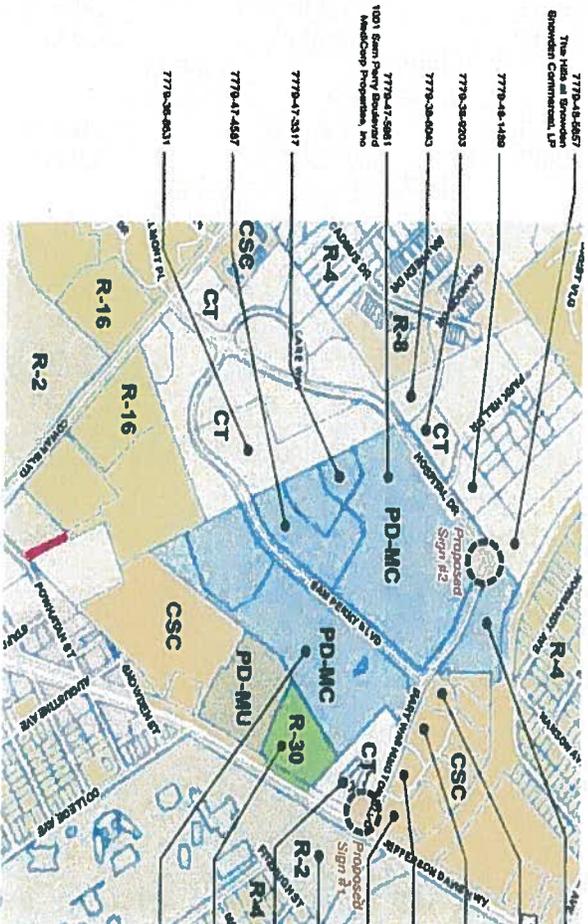


Adjacent Property Owners

Zoning Map & Adjacent Property Owners

PD-MC = Planned Development Medical Center
 PD-MU = Planned Development Mixed Use
 CSC = Commercial/Community Center
 CT = Commercial/Transitional Office

R-2 = Residential
 R-4 = Residential
 R-16 = Residential
 R-18 = Residential
 R-30 = Residential



7770-48-4867
 The Vets at Browden
 Shepherd Commercial, LP

7770-48-1480
 7770-28-4203
 7770-28-4043
 7770-47-2881
 1001 Sam Perry
 MedCorp Properties, Inc

7770-47-2817
 7770-47-4567
 7770-30-4031

7770-48-4867
 Shepherd Pharmacy Farms
 MedCorp Properties, Inc.

7770-48-4277
 Boulevard Executive Center
 240 Executive Center, LLC

7770-48-7128
 RCH Family, LLC

7770-48-0010
 120 Executive Center Parkway
 1201 Management Co., LLC

7770-47-2881
 574 Johnson Drive Highway
 574 Johnson Drive Properties, LLC

7770-47-2817
 No. 50 Bld. 200-1-20 Cris. Prop
 University of Mary Washington

7770-47-4567
 611 Johnson Drive Highway
 Shepherd Office Properties, Inc.

7770-47-2881
 1100 Sam Perry Boulevard
 MedCorp Properties, Inc.

Mary Washington
 Healthcare

1 October 2015

C.1



Mary Washington Healthcare

Summary

- MWHC is committed to promoting the vision, goals, and objectives of the Frederickburg Comprehensive Plan, 2007
- MWHC is committed to preserving the architectural integrity and historical landscape of Frederickburg
- MWHC provides a critical public health, safety and welfare function to this community
- MWHC requests special exception for proposed new Campus Entrance Pylon Signs



QUESTIONS?



Mary Washington Healthcare



MOTION: McAfee

SECOND: Beavers

**November 18, 2015
Planning Commission
Resolution No. 15-03**

RE: APPROVAL OF THE PROPOSED PUBLIC PARKING FACILITY AT THE CORNER OF CHARLES AND AMELIA STREETS AS SUBSTANTIALLY IN ACCORD WITH THE 2015 COMPREHENSIVE PLAN

ACTION: APPROVED; Ayes: 5; Nays: 0

The City of Fredericksburg plans to purchase approximately ½ acre of land at the corner of Charles and Amelia Streets, which extends to Prince Edward Street, for the development of a public surface parking lot. The property is downtown, the former site of the Union Bank. It is located in Planning Area 7.

Under Code of Virginia §15.2-2232 and City Code §72-22.2, no new public facility may be constructed unless and until the general location or approximate location, character and extent thereof has been submitted to and approved by the Planning Commission as being substantially in accord with the adopted Comprehensive Plan or part thereof.

The 2015 Comprehensive Plan Vision Statement notes the importance of a vibrant downtown and economic vitality.

Planning Area 7 (Downtown) provides guiding principles for Downtown Adaptive Reuse Activity, including “enhance the downtown area as the region’s urban hub, with center-city amenities that serve the greater regional community,” and “attract investors, residents, and visitors to the downtown area through attention to mixed-uses and flexible parking requirements.”

Among the stated goals for Planning Area 7 is to evaluate parking needs and develop appropriate strategies (shared parking, structures, etc.) that provide for the continued viability of downtown Fredericksburg as well as its further growth and development.

The Fredericksburg Planning Commission therefore resolves the proposed public parking lot at the corner of Charles and Amelia Streets, extending to Prince Edward Street, is substantially in accord with the 2015 Comprehensive Plan.

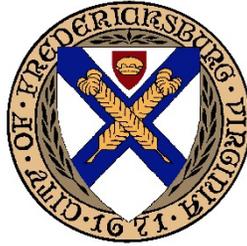
Votes:

Ayes: McAfee, Beavers, Friesner, Gratz, Pates

Nays: None

Absent from Vote: Dynes, O’Toole

Absent from Meeting: Dynes



MEMORANDUM

TO: Beverly R. Cameron, City Manager
FROM: Mark Whitley, Assistant City Manager
RE: Request to Allocate Motor Fuels Tax for Various Transportation Projects
DATE: January 19, 2016

ISSUE

Shall City Council allocate surplus motor fuels taxes for various transportation projects included in the FY 2016 budget?

RECOMMENDATION

Staff recommends adoption of the attached resolution, which requires one reading.

BACKGROUND

Background for FY 2016 Resolution Request

The City of Fredericksburg, as a member of the Virginia Railway Express and the Potomac and Rappahannock Transportation Commission, receives a 2.1 % tax on wholesale motor fuels sold within the City. The primary purpose of the tax is to ensure that resources are available to support the Virginia Railway Express, and for support of the Potomac and Rappahannock Transportation Commission. If there are funds received by the City in excess of the required support, then the City is allowed to spend those resources on other transportation needs.

For the City to access the surplus transportation funds, the City Council must adopt and transmit a resolution to the Potomac and Rappahannock Transportation Commission (“PRTC”) that outlines the projects and requests that resources be set aside for reimbursement. As the projects go forward and payments to contractors are made, the City then submits reimbursements to the PRTC staff to draw the funds.

The attached resolution requests the allocations that were used for various projects that were included in the FY 2016 adopted budget. The requests include the following:

Uses of Surplus Motor Fuels for Various FY 2016 Projects

Project or Purpose	Amount	Fund	Notes
Traffic Signal Maintenance	\$90,430	General	Capital Outlay for Traffic Signal Maintenance (e.g. controller box replacement)
Industrial Park Rail Spur	\$15,000	General	Annual maintenance on the rail spur in the Battlefield Industrial Park
Stafford Regional Airport	\$16,000	General	Operating Agreement
Train Station Maintenance	\$50,000	Regional Trans. Fund	Assist with Cleaning and Other Routine Maintenance for the Train Station
Paving Program	\$250,000	Public Works Capital	
Train Station Elevator	\$105,000	Public Facilities Capital	Reconstruct Train Station Elevator – part of FY 2016 Elevator project
FRED Transit Operations	\$480,000	Transit	City share
Sophia St. Parking Garage Debt Service	\$238,295	Parking	Subsidize Debt Service Expenses for Sophia Street Parking Garage
Total	\$1,244,725		

Not included in the above table are the allocations previously approved for the support of the VRE and PRTC for the current Fiscal Year. The City's support for those two functions for FY 2016 is \$439,366 for the VRE and \$31,600 for the PRTC.

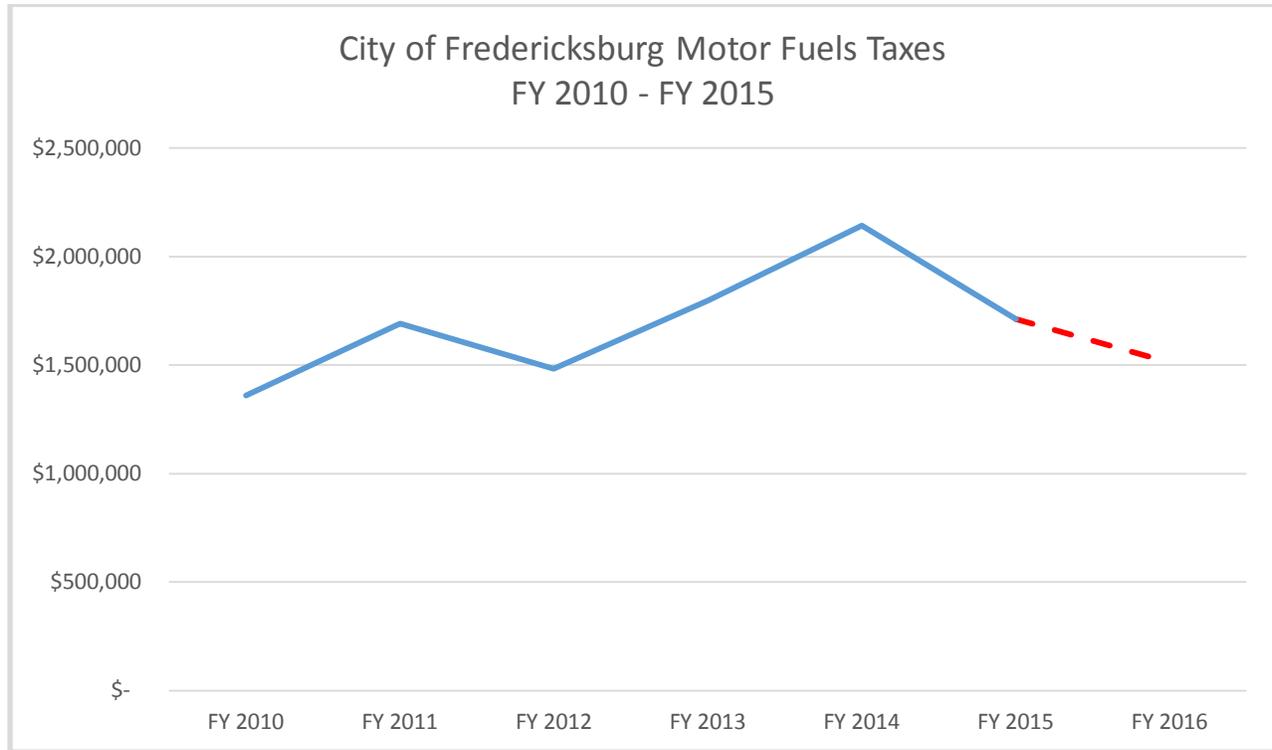
The total request for FY 2016 purposes for the surplus motor fuels tax, combining the VRE & PRTC with the attached resolution is **\$1,715,691.**

General Update – Motor Fuels Tax

Historically speaking, the receipts for the motor fuels tax have fluctuated with the price of motor fuels. The City generally builds the budget around three major uses of the motor fuels tax: the VRE and PRTC support; the City's share of FRED Transit Operations; and debt service for the Sophia Street Parking Garage. In recent years, the City has been able to increase the number of transportation functions supported by the gas tax, to various degrees, including the annual paving program and City matches for the VDOT Revenue Sharing program. There are other, smaller, ongoing uses as well, such as the maintenance of the Battlefield Industrial Park rail spur and the City's maintenance costs at the train station.

The recent decline in motor fuels prices, while overall good for the local economy, does negatively impact this revenue source. Here is a chart that shows actual receipts (including

adjustments and investment returns) for the past several years, with the current PRTC projection for FY 2016 shown as the last year.



The current PRTC projection for FY 2016 is \$1,512,831; the projection for FY 2017 is now \$1,547,459. The PRTC future projections through FY 2021 have also been revised and show a current slow increase to approximately \$1.7 million in the last years. Actual receipts in FY 2015 were just in excess of \$1.7 million.

The City does have a fund balance at the PRTC which can be drawn down as necessary for transportation projects. There is a request for a resolution on the January 26 City Council agenda that will release \$121,703 of previously encumbered funds for future transportation project needs.

Here is a table that outlines the current unencumbered balance and the impact of the two requested resolutions on that balance.

Unencumbered Motor Fuels Tax Balance – Close of FY 2015	\$	1,916,689
Deduct: Uses for FY 2016 (including VRE & PRTC)	\$	1,715,691
Add: Revenues for FY 2016 – Projection	\$	1,512,831
Add: Release of prior encumbrances	\$	121,703
Projection – Close of FY 2016	\$	1,835,532

The projection could be negatively impacted by a continuing decline in motor fuels prices. However, on the other side, the projection could be positively impacted by releases of other prior encumbrances or projects that come in under budget.

FISCAL IMPACT

The attached resolution will enable the City to draw on its motor fuels tax reserves for FY 2016 as planned in the amount of \$1,244,725. The City will need to carefully plan future operating uses of motor fuels taxes for the next budget cycle given the recent decline in motor fuels prices. The VRE request for FY 2017 will be \$483,524, which is up approximately \$44,000 from FY 2016. The PRTC will request \$33,200 for the administrative costs.

That said, the City does have the ability to invest a portion of the projected surplus in FY 2017 for needed transportation projects that are capital in nature.

Attachment: Resolution



January 26, 2016
Regular Meeting
Resolution No. 16-__

MOTION:

SECOND:

RE: AUTHORIZING USE OF \$1,244,725 OF MOTOR FUELS TAX FUNDS FOR VARIOUS TRANSPORTATION PROJECTS

ACTION: APPROVED; Ayes: 0; Nays: 0

WHEREAS, the City of Fredericksburg (“the City”) is a member of the Potomac and Rappahannock Transportation District (“the District”), a transportation district created pursuant to the Transportation District Act of 1964 (Code of Virginia §33.2-1900 et seq.); and

WHEREAS, the Potomac and Rappahannock Transportation Commission (“PRTC”) is the governing body of the District; and

WHEREAS, the Commonwealth of Virginia levies a tax of 2.1 percent of the sales price charged to a distributor for fuels sold to a retail dealer for retail sale in the District, which participates in the operation of a rail commuter mass transportation system (Code of Virginia §58.1-2295); and

WHEREAS, all taxes paid to the State Tax Commissioner, after subtraction of the direct costs of administration by the Tax Department, are deposited in a special fund held by the District (Code of Virginia §58.1-2299); and

WHEREAS, in Fiscal Year 2016, the City is obligated to provide funds from its motor fuels tax account in the amounts of \$439,366 for the Virginia Railway Express, and \$31,600 for administrative expenses of the PRTC; and

WHEREAS, as of October 31, 2015, the Total Unencumbered Fund Balance in the City’s motor fuels tax account is projected to be approximately \$2.4 million; and

WHEREAS, the City estimates that during Fiscal Year 2016, the City will collect additional motor fuels tax revenue of approximately \$1.5 million; and

WHEREAS, at the request of the member jurisdiction, surplus revenue from the motor fuels tax may be expended for any transportation purpose (Code of Virginia §58.1-2299); and

WHEREAS, the City will engage in various transportation-related activities including but not limited to traffic signal maintenance, rail spur maintenance, airport maintenance, City street maintenance, train station maintenance and elevator repair, FRED transit operations, and debt service for the Sophia Street Parking Garage; and

WHEREAS, the City desires to use a portion of the surplus revenue from its motor fuels tax account for these purposes.

NOW, THEREFORE, BE IT RESOLVED, that the City Council of the City of Fredericksburg, Virginia, does hereby request PRTC to budget and appropriate the following amounts for this project:

Traffic Signal Maintenance	\$ 90,430
Industrial Park Rail Spur Maintenance	15,000
Stafford Regional Airport Maintenance	16,000
Train Station Maintenance	50,000
City Street Maintenance – Paving Program	250,000
Train Station Elevator Repair	105,000
FRED Transit Operations	480,000
Sophia Street Parking Garage Debt Service	<u>238,295</u>
 Total	 <u>\$ 1,244,725</u>

NOW, THEREFORE, BE IT RESOLVED, that the City Council of the City of Fredericksburg, Virginia does hereby request the PRTC to release to the unallocated balance the funds that had been previously allocated to the transportation purposes listed under the prior resolutions.

Votes:

Ayes:

Nays:

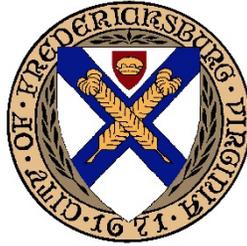
Absent from Vote:

Absent from Meeting:

Clerk’s Certificate

I, the undersigned, certify that I am Clerk of Council of the City of Fredericksburg, Virginia, and that the foregoing is a true copy of Resolution No. 16-__ duly adopted at a meeting of the City Council meeting held January 26, 2016 at which a quorum was present and voted.

Tonya B. Lacey, CMC
Clerk of Council



MEMORANDUM

TO: Beverly R. Cameron, City Manager
FROM: Mark Whitley, Assistant City Manager
RE: Resolution Authorizing an Application to the Virginia Resources Authority Bond Pool for Debt Issuance in the Amount of Approximately \$14,525,000
DATE: January 19, 2016

ISSUE

Shall the City Council authorize the City Manager to apply to the Virginia Resources Authority spring bond pool to issue debt for the public safety radio system and the renovation of the Original Walker-Grant School Building?

RECOMMENDATION

Staff recommends approval of the attached resolution, which requires one reading.

BACKGROUND

The deadline for the spring bond pool for the Virginia Resources Authority is Friday, February 5th, 2016. The attached resolution seeks authorization to apply to the bond pool for two projects: the public safety radio system upgrades and the renovation of the Original Walker-Grant School property.

The staff would seek to borrow approximately \$2,025,000 for the radio project, and amortize that debt over ten years. For the Original Walker-Grant Project, the staff would seek to borrow \$12.5 million, and generally amortize it over twenty years. However, the staff is evaluating options to postpone the first debt payment into FY 2018, which will coincide more closely with the completion of the project.

Once the City applies to the bond pool, the bond pool will go to the market, assuming they accept the City's request. This debt would be general obligation debt for the City, and would count against the City's debt limit. The City Council will need to hold a public hearing and adopt an ordinance to finalize the process.

FISCAL IMPACT

The City's financial advisor has estimated that the radio debt, at 2%, would yield annualized debt service payments of approximately \$222,000. The Original Walker-Grant project debt is estimated to cost between \$853,000 and \$890,000, depending upon the options chosen. The interest rate for that portion of the debt is projected at 3%.

Final debt service schedules would not be available until the bond pool goes to market later this spring, and the debt service costs would be finalized at that point in time.

Attachment: Resolution



January 26, 2016
Regular Meeting
Resolution No. 16-__

MOTION:

SECOND:

RE: AUTHORIZING THE CITY MANAGER TO APPLY TO THE VIRGINIA RESOURCES AUTHORITY FOR FINANCING FOR PUBLIC SAFETY RADIO REPLACEMENTS AND THE RENOVATION OF THE ORIGINAL WALKER-GRANT MIDDLE SCHOOL

ACTION: APPROVED: Ayes: 0; Nays: 0

WHEREAS, the City of Fredericksburg is in the process of joining the Stafford County radio system, and in upgrading and replacing public safety radio system for better coverage and reliability; and

WHEREAS, the Fredericksburg City Public School system is engaged in a major renovation of the Original Walker-Grant school building; and

WHEREAS, the City Council wishes to issue debt in support of these projects, in the amount of approximately \$2,025,000 for the radio system and related costs and in the amount of \$12,500,000 for the renovation of the school building; and

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Fredericksburg that the City Manager is authorized to apply for financing for these projects through the Virginia Resources Authority for the renovation of the school and the purchase and installation of the radios, and associated costs.

Votes:

Ayes:

Nays:

Absent from Vote:

Absent from Meeting:

Clerk's Certificate

I, the undersigned, certify that I am Clerk of Council of the City of Fredericksburg, Virginia, and that the foregoing is a true copy of Resolution No. 16- duly adopted at a meeting of the City Council meeting held January 26, 2016 at which a quorum was present and voted.

Tonya B. Lacey, CMC
Clerk of Council



MEMORANDUM

TO: Mayor Greenlaw and Members of City Council
FROM: Beverly R. Cameron, City Manager
DATE: January 20, 2016
SUBJECT: City Manager's Update

Highlights of major activities and other notable developments:

Project Lifesaver - The Police Department works hand in hand with [Project Lifesaver](#) to locate missing individuals before they fall victim to the elements or accidents. The mission of Project Lifesaver is to provide timely response to save lives and reduce potential injury for adults and children who wander due to Alzheimer's, autism, and other related conditions or disorders.

Citizens enrolled in Project Lifesaver wear a small personal transmitter around the wrist or ankle that emits an individual tracking signal. If an enrolled client goes missing, the caregiver notifies the Police Department and a trained emergency team responds. Most who wander are found within a few miles of home, and search times have been reduced from hours or days to minutes utilizing Project Lifesaver technology. Recovery times for Project Lifesaver clients average 30 minutes – 95% less time than traditional search methods.

City Hosts Frederick, Maryland Main Street Team – A contingent of staff, board members and businesses from Frederick, Maryland's Main Street program visited Fredericksburg January 19 in an annual exercise to learn from best practices in other Main Street communities. Almost 20 people came to meet with city staff, Main Street board members and staff, tourism representatives and small business owners. They also toured the downtown district and dined at a downtown restaurant for a Restaurant Week offering.

65th Annual Fredericksburg Art Show and Sale – Once again Parks and Recreation is partnering with the Woman's Club of Fredericksburg on the annual art show and sale scheduled to be held at the Dorothy Hart Community Center March 18-20, 2016. Details and registration information can be found [here](#).

Winter/Spring Parks and Recreation Guide – Check out all the programs and events coming up this winter and spring. Spring registrations for soccer and field hockey along with a variety of other sports and programs have begun. The guide can be found [here](#).

Property Maintenance Reports for October – December 2015 – A summary of property maintenance reports are attached for review.

Building Construction Report for December 2015 – A summary of December's building report is attached for review.

CITY OF FREDERICKSBURG, VIRGINIA
Community Planning and Building Department



PROPERTY MAINTENANCE REPORT - OCTOBER 2015

PROPERTY MAINTENANCE	Oct-15		Oct-14		YTD 2015	YTD 2014	
Complaints	16		12		68	84	
Inspections	59		87		145	320	
Notice of Violations Issued	7		26		71	176	
Number of Violations Corrected	20		35		108	132	
INOPERABLE VEHICLES							
Notice of Violations Issued	5		6		30	35	
Number of Violations Corrected	5		5		24	23	
Number of Vehicles Towed	0		0		0	2	
STOP WORK ORDERS							
Number Issued	4		0		17	10	
UNSAFE STRUCTURES							
Notice of Violation Issued	0		0		4	4	
WEEDS, TRASH & GRASS							
Notice of Violation Issued							
Notice of Violation Corrected							

COMMENTS

The majority of October was spent trying to close out old cases and train the new Property Maintenance Official, Tracey O'Connor. Also, did work to move 305 Charles Street close to demolition.

CITY OF FREDERICKSBURG, VIRGINIA
Community Planning and Building Department



PROPERTY MAINTENANCE REPORT - NOVEMBER 2015

PROPERTY MAINTENANCE	Nov-15		Nov-14		YTD 2015	YTD 2014	
Complaints	15		12		83	96	
Inspections	115		55		246	375	
Notice of Violations Issued	40		16		111	192	
Number of Violations Corrected	56		62		164	194	
INOPERABLE VEHICLES							
Notice of Violations Issued	16		3		46	38	
Number of Violations Corrected	20		3		44	26	
Number of Vehicles Towed	0		1		0	3	
STOP WORK ORDERS							
Number Issued	5		0		22	10	
UNSAFE STRUCTURES							
Notice of Violation Issued	0		0		4	4	
WEEDS, TRASH & GRASS							
Notice of Violation Issued							
Notice of Violation Corrected							

COMMENTS

Continued training of new Property Maintenance Official. Working proactively to find and bring violations to closure, such as the high number of inoperative vehicles in the Mayfield area. We also addressed graffiti and property maintenance issue of downtown businesses and worked closely with Zoning to bring the businesses along Lafayette Boulevard into compliance.

CITY OF FREDERICKSBURG, VIRGINIA
Community Planning and Building Department



PROPERTY MAINTENANCE REPORT - DECEMBER 2015

PROPERTY MAINTENANCE	Dec-15		Dec-14		YTD 2015	YTD 2014	
Complaints	13		9		96	105	
Inspections	87		42		333	417	
Notice of Violations Issued	22		21		133	171	
Number of Violations Corrected	38		47		202	241	
INOPERABLE VEHICLES							
Notice of Violations Issued	5		4		51	42	
Number of Violations Corrected	7		4		51	30	
Number of Vehicles Towed	0		0		0	3	
STOP WORK ORDERS							
Number Issued	0		0		22	10	
UNSAFE STRUCTURES							
Notice of Violation Issued	0		0		4	4	
WEEDS, TRASH & GRASS							
Notice of Violation Issued							
Notice of Violation Corrected							

COMMENTS

The month of December has been dedicated to working to bring old cases to closure, obtaining and awarding the bid for the demolition of 305 Charles Street, as well as working with the Police Department on multiple graffiti complaints.

CITY OF FREDERICKSBURG, VIRGINIA
Community Planning and Building Department



BUILDING CONSTRUCTION ACTIVITY - DECEMBER 2015

RESIDENTIAL	Dec-15		Dec-14		YTD 2015	YTD 2014	
New-Residential	9		2		27	5	
New-Plumbing/Electrical/Mechanical/Other	6		0		15	11	
Alterations/Additions	18		12		100	97	
Alt/Add - Plumbing/Electrical/Mechanical	50		26		246	212	
Certificates of Occupancy	2		1		20	15	
Fees Collected	\$18,415.60		\$5,945.00		\$65,874.85	\$41,725.05	
COMMERCIAL/MULTI-FAMILY		SQFT/#UNITS		SQFT/#UNITS			
New-Commercial	0		1	8500	3	2	
New-Multi-Family	0	0	0	0	0	0	
New-Plumbing/Electrical/Mechanical/Other	1		4		26	31	
Alterations	18		21		161	155	
Alt-Plumbing/Electrical/Mechanical	47		39		269	255	
Certificates of Occupancy	0		2		7	12	
Fees Collected	\$8,718.00		\$15,129.35		\$80,121.80	\$86,734.52	
CERTIFICATES OF OCCUPANCY-EXISTING							
	14		13		61	79	
BUILDING INSPECTIONS PERFORMED							
	479		338		3078	2985	
UTILITY FEES COLLECTED							
Water Tap	\$5,200.00		\$0.00		\$7,800.00	\$7,300.00	
Water Availability	\$30,000.00		\$0.00		\$82,000.00	\$32,610.00	
Sewer Tap	\$10,200.00		\$0.00		\$15,300.00	\$15,300.00	
Sewer Availability	\$50,000.00		\$0.00		\$136,600.00	\$63,510.00	

COMMENTS

Residential activity continues to show an increase this year, while commercial construction remains at a low level.
Utility fees show the increase associated with additional residential permits.



CITY COUNCIL MEETINGS & EVENTS CALENDAR

City Hall Council Chambers, 715 Princess Anne Street, Fredericksburg, VA 22401

1/26/16	5:30 p.m.	Work Session <ul style="list-style-type: none">Riverfront Park	Suite, Room 218
	7:30 p.m.	Regular Session	Chambers
2/9/16	7:30 p.m.	Regular Session	Chambers
2/23/16	7:30 p.m.	Regular Session	Chambers
3/8/16	7:30 p.m.	Regular Session <ul style="list-style-type: none">FY17 Recommended Budget Released	Chambers
3/22/16	7:30 p.m.	Regular Session	Chambers
4/12/16	7:30 p.m.	Regular Session	Chambers
4/19/16	7:00 p.m.	Budget Public Hearing	Chambers

Boards & Commission	Meeting Dates/Time	Actual Date of Meeting	Members Appointed	Contact Person
Board of Social Services	bi-monthly 2nd Thursday/8:30 a.m.	February 11 at 8:30 a.m.	Duffy	Christen Gallik
Central Rappahannock Regional Library	Quarterly 2nd Monday/5:00 p.m.	February 8 at 5 p.m.	Devine	Martha Hutzler
Chamber Military Affairs Council	Every other 3rd Thursday/3:30 p.m.	March 17 at 3:30 p.m.	Ellis	Susan Spears
Community Policy Management Team	Thursday after 3rd Tuesday/2:00 p.m.	February 18 at 2 p.m.	Greenlaw	Rosemary Grant
Fredericksburg Arts Commission	3rd Wednesday/6:30 p.m.	February 17 at 6:30 p.m.	Devine, Kelly	Julie Perry
Fredericksburg Area Museum C.C.	4th Wednesday/4:00 p.m.	TBD	Ellis	Tom Wack
Fredericksburg Clean & Green Comm.	1st Monday/6:00 p.m.	February 1 at 6 p.m.	Devine	Robert Courtage
Fredericksburg Regional Alliance	Quarterly 3rd Monday/5:00 p.m.	April 18 at 5 p.m.	Greenlaw, Duffy	Curry Roberts
GWRC/FAMPO	3rd Monday/6:00 p.m.	January 25 at 6 p.m. **	Kelly, Withers, Ellis - Alt.	Tim Ware
Housing Advisory Committee	As needed	TBD	Ellis, Frye	TBD
PRTC	1st Thursday/7:00 p.m.	February 4 at 7 p.m.	Kelly	Gina Altis
Rappahannock Area Agency on Aging	3rd Wednesday/1:30 p.m.	February 17 at 1:30 p.m.	Withers	Jim Schaefer
Rappahannock Council Against Sexual Assault	2nd Thursday/5:30 p.m.	February 11 at 5:30 p.m.	Ellis	Bobby Anderson
Rappahannock Juvenile Detention	bi-monthly last Monday/12 noon	January 25 at 12 noon	Greenlaw - Alt.	Carla White
Rappahannock Regional Solid Waste	bi-monthly 3rd Wednesday/1:30 p.m.	February 17 time TBD	Kelly, Withers	Keith Dayton
Rappahannock River Basin	Quarterly/1:00 p.m.	March 30 at 1 p.m. King George Co.	Withers	Eldon James
Recreation Commission	3rd Thursday/7:00 p.m.	January 21 at 7 p.m.	Duffy	Jane Shelhorse
Regional Group Home Commission	2nd Thursday/2:30 p.m.	February 11 at 2:30 p.m.	Duffy, Whitley	Ben Nagle
Town & Gown	Quarterly/3:30 p.m.	March 31 at 3:30 p.m. at University Center	Devine, Withers	Pam Verbeck
Virginia Railway Express Operations Board	3rd Friday/9:30 a.m.	February 19 at 9:30 a.m.	Kelly, Withers -Alt.	Richard Dalton
		** Date change due to MLK, Jr. Holiday		